

RESOLUTION NO. 2011-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDORA, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, SCH# 2009081031 FOR THE WALMART EXPANSION PROJECT BASED ON FINDINGS WITH FACTS AND INCLUDING A STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTING A MITIGATION MONITORING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (EIR09-01)

**THE CITY COUNCIL
City of Glendora, California**

THE CITY COUNCIL OF THE CITY OF GLENDORA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Walmart Stores, Inc. has submitted an application for a development plan review pursuant to Section 21.02.040 of the Glendora Municipal Code to allow the addition of approximately 30,000 square feet to the existing 139,111 square foot Walmart store and garden center and an application to modify an existing conditional-use permit to allow full off-site sale of alcoholic beverages pursuant to Section 21.02.020.J of the Glendora Municipal Code, (the Project) on certain property at 1950 Auto Centre Drive, Glendora, California; and

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared for the project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and local procedures adopted pursuant thereto; and

WHEREAS, on August 4, 2010, a Notice of Completion was filed and a Notice of Availability of the Draft EIR was forwarded to other interested persons and agencies; and the comments of such other persons and agencies were sought; and

WHEREAS, the public comment period on the Draft EIR was duly and lawfully closed on September 20, 2010; and

WHEREAS, a public hearing was held on November 16, 2010, after due notice was given as required by law, at which time the Planning Commission of the City of Glendora continued the public hearing to the December 21, 2010, Planning Commission meeting; and

WHEREAS, the Planning Commission of the City of Glendora recommended certification of Environmental Impact Report (EIR09-01) for the Walmart Expansion project to the City Council at a public hearing held on December 21, 2010, after due notice was given as required by law, at which time oral and documentary evidence was introduced along with the written recommendation of the Planning and Redevelopment staff of the City of Glendora; and

WHEREAS, a public hearing was held by the City Council of the City of Glendora on January 25, 2011, after due notice was given as required by law, at which time oral and documentary evidence was introduced along with the recommendation of the Planning Commission of the City of Glendora; and

WHEREAS, the City Council continued the public hearing to February 22, 2011; and

WHEREAS, a Final EIR which includes the Draft EIR and Technical Appendices along with responses to all comments received on the Draft EIR was prepared.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENDORA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Final EIR identified all significant environmental effects of the project; there are no potentially significant environmental impacts not addressed in the Final EIR.

SECTION 2. Although the Final EIR identifies one significant environmental effect that will result if the project is approved, all other significant effects can be avoided or mitigated to a less-than-significant level.

SECTION 3. The one significant and unavoidable impact of the project that cannot be feasibly mitigated to a level of less-than-significance, as identified in Table 1.10-1 of the Draft EIR for the Walmart Expansion Project and the Final EIR, is outweighed by the economic, social and other benefits of the project as set forth in Exhibit A "FACTS, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS" which is attached to this resolution and made a part thereof.

SECTION 4. The City Council hereby certifies that the Final EIR for the Project has been completed in compliance with the California Environmental Quality Act, the State CEQA Guidelines and local procedures adopted pursuant thereto, and that the Council has reviewed and considered the information contained in the Final EIR.

SECTION 5. The City Council hereby adopts a Mitigation Monitoring Program as described in the Final EIR for the Walmart Expansion project SCH# 2009081031 as required by the California Environmental Quality Act.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

SECTION 7. The City Clerk is hereby directed to forward a (certified) copy of this resolution to the Honorable Alicen Clark Wong, Gresham Savage Nolan & Tilden, 550 East Hospitality Lane, Suite 300, San Bernardino, CA 92408-4205.

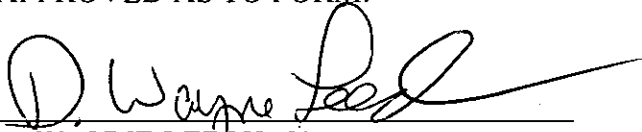
APPROVED and PASSED this 22nd day of February, 2011.

City Council of Glendora, California

BY: _____


KEN HERMAN, Mayor

APPROVED AS TO FORM:



D. WAYNE LEECH, City Attorney

I, Kathleen R. Sessman, City Clerk of the City of Glendora, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Glendora at a regular meeting held on the 22nd day of February, 2011, by the following vote:

| | | |
|----------|------------------|---|
| AYES: | COUNCIL MEMBERS: | Davis, Kent, Murabito, Tessitor, and Herman |
| NOES: | COUNCIL MEMBERS: | None |
| ABSENT: | COUNCIL MEMBERS: | None |
| ABSTAIN: | COUNCIL MEMBERS: | None |

Dated: February 23, 2011

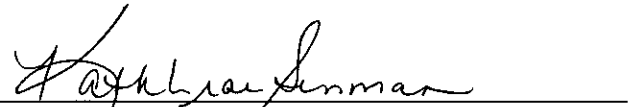

KATHLEEN R. SESSMAN, City Clerk

EXHIBIT A

Facts, Findings and Statement of Overriding
Considerations Regarding the Environmental Effects
from the Environmental Impact Report for the

Glendora Walmart Expansion Project

State Clearinghouse No. 2009081031

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Facts, Findings and Statement of Overriding Considerations

I. INTRODUCTION

The City Council (this “Council”) of the City of Glendora (the “City”), in certifying the EIR for the Glendora Walmart Expansion and approving Development Plan Review (“DPR 09-01”) authorizing an approximately 29,925 square-foot addition to the existing 125,890 square-foot Walmart store located at 1950 South Lone Hill Avenue and approving Conditional Use Permit Modification, which modifies existing CUP 08-09 to allow for the sale of liquor, in addition to the currently allowed sale of beer and wine (the “Project”), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. Hereafter, unless specifically identified, the Notice of Preparation (“NOP”), Notice of Availability & Completion (“NOA/NOC”), Draft EIR (“DEIR”), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR (“FEIR”), and the Mitigation Monitoring and Reporting Program (“MMRP”) will be referred to collectively herein as the “EIR.” The EIR was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act (“CEQA”). These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project site is the existing Walmart store site which is approximately 13.94 acres. The Project site is located at 1950 South Lone Hill Avenue. The Project site is developed with the existing Glendora Walmart store and supporting facilities and is bounded to the west by Lone Hill Avenue and Atchison Topeka & Santa Fe (“AT&SF”) rail lines; to the east by the State Route 57 freeway (“SR-57”); to the north by Auto Centre Drive; and to the south by existing light industrial uses.

2. Project Description

The Project consists of the approximately 29,925-square-foot addition to the existing 125,890 square-foot Walmart building (exclusive of the Outdoor Garden Center),

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yielding a total store building floor area of approximately 155,815 square feet. The Walmart will maintain its existing Outdoor Garden Center area (approximately 13,221 square feet) and Tire and Lube Express (approximately 5,170 square feet) in their current configurations. Additionally, the Project will relocate the existing truck dock. The Project would result in a net decrease in floor area allocated for general merchandise sales and food tenants; while food sales/food sales support areas, stockroom/receiving areas, and areas allocated for ancillary uses would increase.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals (“Approvals”):

- DPR 09-01;
- CUP 08-09;
- A determination of Public Convenience or Necessity (PCN) for the off-sale of alcoholic beverages; and
- Any other approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The primary Project goal is the realization of the increased commercial/retail potential of the subject site through the provision and diversification of commercial and retail uses serving the trade area. Complementary objectives of the Project are as follows:

- To maintain and support existing retail sales capabilities while upgrading current facilities and adding a grocery sales component to the existing Walmart store;
- To take full advantage of the existing Walmart store’s visibility and accessibility provided by its location at an intersection of major thoroughfares in the City of Glendora, and to take advantage of existing infrastructure systems and public services rather than create or extend new infrastructure and services into previously unserved or underserved areas;

Facts, Findings and Statement of Overriding Considerations

- To upgrade and expand the existing Walmart store in order to satisfy the current unmet demand for goods and services from consumers residing in the encompassing trade area;
- To expand the range of goods and services currently provided by the existing Walmart store, thereby reducing the number of trips currently being made to shop for these same goods and services outside the City of Glendora;
- To provide a convenient source of grocery and food items to serve the local community; and
- Maximize and broaden the City's sales tax base by providing local and regional tax-generating uses and by increasing property tax revenues.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City conducted an extensive review of this Project which included the DEIR and FEIR, along with the supporting technical studies, and a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 10, 2009, the City forwarded a Notice of Preparation ("NOP") and the Initial Study for the Project to the State Clearinghouse, and circulated the same for public review and comment. The comment period for the NOP and Initial Study closed September 8, 2009.
- On October 21, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the Draft EIR.
- On August 5, 2010, the NOA was filed with the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended September 20, 2010.
- On December 21, 2010 the Planning Commission conducted a public hearing and recommended that the City Council certify the Environmental Impact Report.

IV. INDEPENDENT JUDGMENT FINDING

The City retained the independent consulting firm of Applied Planning, Inc. (“Applied Planning”) to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the project.

Finding: The EIR for the Project reflects the City’s independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council’s intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

Detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 of the DEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Section 3.0 of the FEIR.

The EIR evaluated seven major environmental categories for potential impacts including Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Public Services and Utilities, Hydrology/Water Quality, and Geology and Soils. Both Project-specific and cumulative impacts were evaluated. Of these seven major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Glendora City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Land Use and Planning**

a. **Consistency with Applicable Land Use Plans, Policies, and Regulations**

Potential Significant Impact: Whether the Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Findings: Potential impacts of the Project related to consistency with the applicable land use plans, policies, and regulations are discussed in detail in Section 4.1.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with the applicable land use plans, policies, and regulations will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is allowed under the site's current General Plan Land Use designation of Regional Commercial, and will be implemented consistent with requirements for the site's Planned Redevelopment zoning designation, including compliance with City Development Plan Review requirements. The Project also supports and is consistent with the City's Redevelopment Plan/Project objectives and policies in that it will expand and improve existing regional commercial/retail development within the City. Further, the Project will not adversely affect other existing or proposed area land uses. (DEIR, pgs. 4.1-16 to 4.1-22) Accordingly, impacts associated with General Plan, zoning, or other applicable plans, policies or regulations would be less-than-significant and no mitigation is required.

b. **Urban Decay – Individual Impacts**

Potential Significant Impact: Whether the Project would result in adverse physical changes or impacts due to the Project's economic effects.

Findings: Potential impacts of the Project related to urban decay are discussed in detail in Section 4.1.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to urban decay will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts, Findings and Statement of Overriding Considerations

Facts in Support of the Findings: Total demand for supermarket sales in the trade area is projected to increase from approximately \$283.5 million in 2009 to approximately \$284.6 million in 2011, the assumed Project Opening Year. (DEIR, pg. 4.1-29) As a result of the Project, grocery sales at the 16 existing trade area supermarkets are projected to nominally decrease average sales level from \$477 per square foot to \$439 per square foot in the Project Opening Year (2011). (DEIR, pg. 4.1-29) This decline in average sales, however, is unlikely to cause the closure of any of the trade area's existing supermarkets. The estimated Project Opening Year (2011) average sales of \$439 per square foot represents a decrease of 8 percent from the current combined average sales volumes of \$477 per square foot estimated for the 16 existing supermarkets. At this level, the trade area's average supermarket sales volumes per square foot would be approximately 7 percent below the national median of \$473 per square foot, but will still be approximately 5 percent above the Western U.S. regional median of \$418 per square foot, indicating that even with a projected decline in sales to \$439 per square foot, existing supermarkets in the trade area would be sustained. (DEIR, pg. 4.1-30) As such, the Project is unlikely to affect retail grocery sales in the trade area to the extent that would result in the closure of any of the trade area's existing supermarkets. (DEIR, pg. 4.1-31) Accordingly, Project-specific impacts associated with urban decay would be less-than-significant and no mitigation is required.

c. Urban Decay – Cumulative Impacts

Potential Significant Impact: Whether the Project would result in adverse physical changes or impacts due to the Project's cumulative economic effects.

Findings: Potential cumulative impacts of the Project related to urban decay are discussed in detail in 4.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to urban decay will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The EIR identified and evaluated two other known planned supermarket projects in the trade area ("Fresh and Easy stores") to assess cumulative economic impacts. (DEIR, pgs. 4.1-31 to 33, Table 4.1-4) After the proposed Walmart expansion and the development of the two new Fresh and Easy stores (still listed as "Coming Soon" on the Fresh &

Facts, Findings and Statement of Overriding Considerations

Easy website as of October 2010), sales volumes at existing supermarkets in the trade area are projected to decrease from an average of \$477 per square foot in 2009 to an average of \$416 per square foot in 2011, a decrease of 12.8 percent. (DEIR, pg. 4.1-33) Nonetheless, this reduction in sales volumes is not likely to be severe enough to result in the closure of existing stores; even under the “worst case” impact in which the proposed Project and both cumulative projects would open by 2011, the average sales per square foot volume at existing supermarkets in the trade area would still be within one percent of the Western regional median, and would be well within the broad range of sales per square foot evidenced statewide. (DEIR, pgs. 4.1-33 and 34) As such, implementation of the Project in combination with other related projects is unlikely to affect retail grocery sales in the trade area to the extent that closure of any of the trade area’s existing supermarkets would be result. (DEIR, pg. 4.1-35) Accordingly, cumulative impacts associated with urban decay would be less-than-significant and no mitigation is required.

2. Traffic and Circulation

a. Congestion Management Program

Potential Significant Impact: Whether the Project would be conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

Findings: Potential impacts of the Project related to consistency with the applicable congestion management program are discussed in detail in Section 4.2.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the congestion management program will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project’s potential to conflict with Congestion Management Program (“CMP”) facilities was evaluated as part of the Project Traffic Impact Analysis (“TIA”). The TIA was prepared in accordance with the City of Glendora’s standard traffic impact analysis requirements which generally follow the Los Angeles County Metropolitan Transportation Authority (“LACMTA”) CMP traffic impact study guidelines. The LACMTA CMP guidelines require the analysis of CMP-monitored intersections and freeway on-

Facts, Findings and Statement of Overriding Considerations

and off-ramp intersections where the Project would add 50 or more trips during the morning or evening peak hours, as well as on any freeway segment where the Project would add 150 trips in either direction during those periods. The Project will add fewer than 50 trips at any of the CMP-monitored intersections or freeway ramp intersections within the Study Area, and fewer than 150 trips on any freeway segment during peak-hour periods. (DEIR, pg. 4.2-46) Accordingly, impacts associated with congestion management program consistency would be less-than-significant and no mitigation is required.

b. Hazards due to a Design Feature/Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to hazards due to a design feature/incompatible uses are discussed in detail in Section 4.2.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to hazards due to a design feature/incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The existing Walmart store is currently accessed from three driveways along Auto Centre Drive, and would continue to be following Project implementation. The main driveway (Driveway "A") is signalized and provides full directional access. The remaining two driveways (Driveways "B" and "C") are restricted to right-turn in and right-turn out movements only and are stop-sign controlled. The Project Traffic Impact Analysis ("TIA") concludes that each driveway would continue to operate acceptably with the implementation of the proposed expansion under existing traffic control and lane configurations. (DEIR, pg. 4.2-47) The proposed parking lot layout will provide for efficient ingress into the site at Driveway A without any back-up onto Auto Centre Drive. Egress from the first east-west parking aisle south of Auto Centre Drive will be controlled by stop signs, allowing for the queuing of outbound vehicles on the northbound driveway approach along the north-south roadway adjacent to the existing Walmart building. The westbound left-turn lane is approximately 230 feet, and provides adequate storage to accommodate queues for traffic turning left into the site with the proposed

Facts, Findings and Statement of Overriding Considerations

expansion. The conceptual on-site circulation layout ensures that trucks can maneuver to and from the loading and unloading areas efficiently. To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan shall be reviewed and approved by the City Traffic Engineer as part of the City's customary Project design review process. (*Id.*) Temporary and short term traffic disruption occurring during off-site Project construction activities will be adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. (DEIR, pg. 4.2-48) Accordingly, impacts associated with hazards due to a design feature/incompatible uses would be less-than-significant and no mitigation is required.

c. Public Transit, Bicycle or Pedestrian Facilities

Potential Significant Impact: Whether the Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance of such facilities.

Findings: Potential impacts of the Project related to public transit, bicycle or pedestrian facilities are discussed in detail in Section 4.2.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to public transit, bicycle or pedestrian facilities will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements, thereby reducing potential impacts below significance thresholds. The Project is well-served by Foothill Transit and dial-a-ride services are provided to senior citizens and the disabled. The Project does not propose elements or aspects that would interfere or conflict with current or proposed transit services. As such, the Project will not create, nor facilitate hazards or barriers for pedestrians or bicyclists or other transportation modes nor will the Project conflict with adopted policies supporting alternative transportation. (DEIR, pg. 4.2-50) Accordingly, impacts associated with public transit, bicycle or pedestrian facilities would be less-than-significant and no mitigation is required.

d. Emergency Response and Emergency Evacuation Plans

Facts, Findings and Statement of Overriding Considerations

Potential Significant Impact: Whether the Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings: Potential impacts of the Project related to adopted emergency response and evacuation plans are discussed in detail in Section 4.2.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to adopted emergency response and evacuation plans will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require elements or operations that would affect the City's Multi-Hazard Functional Plan ("MHFP"). (DEIR, pg. 4.2-52) Moreover, the designated evacuation routes (Foothill Boulevard and Grand Avenue) do not lie within the Traffic Impact Analysis ("TIA") Study Area, which effectively defines the limits of potential Project-related traffic impacts. These designated evacuation routes would not be discernibly affected by Project traffic nor does the Project propose elements or programs that would physically alter or otherwise interfere with designated evacuation routes. (DEIR, pg. 4.2-52) In order to avoid and minimize construction-related traffic detours and traffic congestion, the Project will comply with the City of Glendora *Traffic Control Requirements*. Implementation of these requirements, complemented by ongoing coordination with the local fire and police departments throughout planning and development of the Project, will ensure that potential interference with emergency response and evacuation efforts are avoided and minimized. (DEIR, pg. 4.2-54) Accordingly, impacts associated with adopted emergency response and evacuation plans would be less-than-significant and no mitigation is required.

3. Air Quality

a. **Construction-Related Air Quality Impacts**

Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Findings: Potential impacts of the Project related to construction emissions are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to violation of any air quality standard or substantial contribution

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to an existing or projected air quality violation will occur as a result of construction activities associated with the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Construction activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Construction emissions are expected from the following activities: demolition, site preparation, trenching/underground utility construction, paving activity, building construction, architectural coatings, and construction workers commuting. (DEIR, pgs. 4.3-47 and 48) The estimated maximum daily air pollutant emissions generated by Project construction activities, however, will not exceed applicable regional thresholds established by the South Coast Air Quality Management District. (DEIR, pg. 4.3-50 and 51, Table 4.3-7) Accordingly, impacts associated with air pollutant emissions from Project construction would be less-than-significant and no mitigation is required.

b. Operational Emissions Air Quality Impacts

Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Findings: Potential impacts of the Project related to operational emissions are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to violation of any air quality standard or substantial contribution to an existing or projected air quality violation will occur as a result of operational emissions associated with the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Operational activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Project operational air pollutant emissions will be generated by: vehicles, heating, ventilation and air condition (HVAC) systems; fugitive dust related to vehicular travel; landscape maintenance equipment; and architectural coatings. (DEIR, pg. 4.3-52) The estimated maximum daily air pollutant emissions generated by Project operational activities, however, will not exceed applicable regional thresholds established by the South Coast Air Quality Management District. (DEIR, pg. 4.3-53, Table 4.3-8) Accordingly, impacts associated with air pollutant emissions from Project operations would be less-than-significant and no mitigation is required.

c. Localized Emissions Impacts

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Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Findings: Potential impacts of the Project related to localized emissions impacts are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to localized emissions impacts will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The South Coast Air Quality Management District has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Localized Significance Thresholds (LSTs). The LST analysis prepared for the Project determined neither Project construction-source emissions nor, long-term operational-source emissions will exceed applicable South Coast Air Quality Management District LSTs. (DEIR, pg. 4.3-55, Tables 4.3-9, 10, and 11) Accordingly, impacts associated with localized air emissions would be less-than-significant and no mitigation is required.

d. Cumulative Air Quality Impacts

Potential Significant Impact: Whether the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.

Findings: Potential impacts of the Project related to cumulative air quality impacts are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to cumulative air quality impacts will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project area is designated as a non-attainment area for ozone, PM₁₀, and PM_{2.5}. Germane to this non-attainment status, the Project-specific evaluation of emissions presented in the EIR demonstrates that Project emissions will not exceed any of the South Coast Air Quality Management District regional or localized significance thresholds for the ozone precursors NO_x and VOCs. The South Coast Air Quality Management District,

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through its “Cumulative Impact Analysis Requirements Pursuant to *CEQA Guidelines*,” states that projects that do not exceed the project-specific thresholds are likewise generally not considered to be cumulatively significant. Based on the South Coast Air Quality Management District’s regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact. (DEIR, pg. 4.3-58) Accordingly, cumulative air quality impacts would be less-than-significant and no mitigation is required.

e. Consistency with Air Quality Plan

Potential Significant Impact: Whether the Project would conflict with, or obstruct implementation of, the applicable air quality plan.

Findings: Potential impacts of the Project related to consistency with the air quality plan are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with the air quality plan will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with the criteria established for determining consistency with the South Coast Air Quality Management District’s 2007 Air Quality Management Plan (AQMP). In accordance with Consistency Criterion No. 1, the Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS; the Project will not exceed the short-term construction standards for localized emissions, and in so doing will not violate applicable CAAQS and NAAQS. Similarly, Project operational activities will not exceed applicable operational LSTs, and would not result in CAAQS or NAAQS air quality violations. Additionally, the regional construction and operational emissions will not exceed the respective South Coast Air Quality Management District regional threshold criteria and therefore a less-than-significant impact will result. On the basis of the preceding discussion, the Project is determined to be consistent with the Consistency Criterion No. 1. (DEIR, pgs. 4.3-60 and 61) In accordance with Consistency Criterion No. 2, the Project will not exceed the assumptions in the AQMP in 2011 or increments based on the years of Project build-out phase. Assumptions of the

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AQMP used in projecting future emissions levels are based in part on land use data provided by lead agency general plan documentation. If a project does not exceed General Plan growth projections, then the project is considered to be consistent with the growth assumptions in the AQMP. Because the land use proposed by the Project is consistent with the City's General Plan and current zoning designation, the Project is in compliance with Consistency Criterion No. 2. (DEIR, pg. 4.3-61) As such, the project satisfies Consistency Criterion No. 1 and Consistency Criterion No. 2. Accordingly, impacts associated with consistency with the air quality plan would be less-than-significant and no mitigation is required.

f. Sensitive Receptors

Potential Significant Impact: Whether the Project would result in the exposure of sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to exposure of sensitive receptors to pollutants are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to exposure of sensitive receptors to pollutants will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest sensitive receptors to the Project site are residential uses, located approximately 460 feet to the south. As discussed at Section V(A)(3)(c) of these Findings, the Project will not exceed the South Coast Air Quality Management District localized significance thresholds for short-term construction or long-term operational activity, and thus a less-than-significant impact is expected. (DEIR, pg. 4.3-62) Sensitive receptors would not be significantly affected by CO emissions generated by Project-related traffic because none of the intersections included in the Project's Traffic Impact Analysis would experience a significant increase in delay or an increase in VC ratio by two percent or more for intersections rated LOS D or worse. (DEIR, pgs. 4.3-62 and 4.3-63) Further, although the Project would emit long-term operational emissions from diesel-powered trucks, conservative modeling indicates that the maximally impacted modeled receptor would be exposed to an unmitigated inhalation cancer risk of no more than 0.22 in 1 million, substantially less than the threshold of 10 in 1 million. Finally, the Chronic Hazard Index would be 0.000138, substantially less than the

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threshold of 1.0. (DEIR, pg. 4.3-64) Accordingly, impacts associated with exposure of sensitive receptors to pollutants would be less-than-significant and no mitigation is required.

g. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to objectionable odors will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not contain land uses typically associated with emitting objectionable odors, such as agricultural uses or landfills. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities, and the temporary storage of typical solid waste (refuse) associated with the Project's long-term operational uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction. Operational-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with South Coast Air Quality Management District Rule 402 to prevent occurrences of public nuisances. (DEIR, pg. 4.3-65) Accordingly, impacts associated with objectionable odors would be less-than-significant and no mitigation is required.

h. Greenhouse Gas Emissions

Potential Significant Impact: Whether the Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3.6 of the DEIR. Based on the entire record before us, this Council finds

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that no significant impacts related to greenhouse gas emissions will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project would not increase greenhouse gas emissions as compared to the existing environmental setting. The Project will implement contemporary, energy efficient designs, technologies, and operational programs, acting to reduce area-source GHG emissions on a pro rata basis when considering the Project in total (new expansion area and upgrades/improvements to existing facilities). A comprehensive list of the energy-saving design features that are incorporated into the Project is included at pages 4.3-67 to 4.3-69 of the DEIR. Despite the proposed increase in building area, increased energy efficiencies realized under the Project pursuant to current (2008) Title 24 Energy Efficiency Standards would result in net-zero, or minor decreases in area source GHG emissions when compared to the existing Walmart. In so doing, the Project supports the state's goals of reducing greenhouse gas emissions. (DEIR, pg. 4.3-74, Table 4.3-13) The Project will create new, and retrofit existing building areas with contemporary energy-efficient designs, facilities and appliances. Operational programs will be implemented that further reduce energy consumption. (DEIR, pg. 4.3-75) Development proposed under the Project is an expansion to an existing commercial development, encouraging multiple shopping trips by each customer, thereby reducing vehicle miles traveled ("VMT") and vehicular-source GHG emissions. Further reducing area VMT, the Project is located proximate to alternative transportation facilities served by Foothill Transit. (DEIR, pgs. 4.3-75 and 4.3-76) In combination, the Project location, design features, and operational programs support attainment of the state's goals of reducing greenhouse gas emissions to 1990 levels by the year 2020 as stated in AB 32, and an 80-percent reduction in GHG emissions below 1990 levels by 2050 as stated in Executive Order S-3-05. (DEIR, pg. 4.3-76) At present, no air district or other regulatory agency in California, including the South Coast Air Quality Management District, has formally adopted a significance threshold for GHG emissions generated by a proposed project (for which South Coast Air Quality Management District is not the lead agency), or a uniform methodology for analyzing impacts related to GHG emissions or global climate change. Notwithstanding, as discussed above, the Project incorporates and reflects physical attributes and operational programs that act to reduce GHG emissions, otherwise generated if such attributes and programs were not implemented. In so doing, the Project supports the state's goals of

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reducing greenhouse gas emissions. The Project would therefore also likely comply with future contemplated regulations or plans adopted in support of the state's GHG emissions reductions goals. (DEIR, pg. 4.3-77) Accordingly, impacts associated with greenhouse gas emissions would be less-than-significant and no mitigation is required.

4. Noise

a. **Demolition and Construction Source Noise**

Potential Significant Impact: Whether Project demolition/construction activities and associated noise would result in exposure of persons to, or generation of, noise levels in excess of standards established in a General Plan, Noise Ordinance, or other applicable standards of other agencies.

Findings: Potential impacts of the Project related to demolition and construction source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to demolition and construction source noise will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: During each stage of demolition/construction, noise levels at potentially affected receptors would not exceed either the applicable County of Los Angeles 85 dBA Leq noise standard for demolition/construction noise levels received at business structures, or the daytime standard of 75 dBA Leq and nighttime standard of 60 dBA Leq for demolition/construction noise levels received at residential structures. (DEIR, pgs. 4.4-33 to 4.4-42, Tables 4.4-7 to 4.4-10) On this basis, Project demolition/construction activities would not result in exposure of persons to, or generation of, noise levels in excess of standards established in an applicable general plan, noise ordinance, or other applicable standards of other agencies. (DEIR, pg. 4.4-42) Accordingly, impacts associated with demolition and construction source noise would be less-than-significant and no mitigation is required.

Notwithstanding the above finding of less-than-significant construction noise impacts, to ensure that estimated demolition/construction source noise levels are maintained below threshold conditions, that demolition/construction occur only during daytime hours, and to otherwise encourage compliance with the intent and application of the City of Glendora Community Plan

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Noise Element and Municipal Code Noise Regulations, and City of San Dimas General Plan Noise Element and Noise Ordinance, the following mitigation measures will be implemented.

- 4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Glendora Planning and Redevelopment Department, or their designee.*
- 4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Glendora Planning and Redevelopment Department, or their designee.*
- 4.4.3 *Construction-related activities shall be limited to between the hours of 7:00 a.m. and 8:00 p.m., or to more restrictive hours determined by City staff.*
- 4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Glendora Planning and Redevelopment Department, or their designee.*

b. Demolition/Construction – Temporary Increase in Ambient Noise Levels

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Potential Significant Impact: Whether Project demolition/construction activities would result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to demolition and construction noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to demolition and construction noise and temporary increases in ambient noise levels will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Project demolition/construction activities could result in maximum noise levels of approximately 84.7 dBA Leq at the nearest business structures, and maximum noise levels of approximately 57.8 dBA Leq at the nearest residential structures (located in the City of San Dimas). These noise levels are below correlating County of Los Angeles Construction Noise Standards (85 dBA Leq for construction noise received at business structures day/night; 75 dBA Leq day/60 dBA Leq night for construction noise received at residential structures). On this basis, Project-related demolition/construction noise is not considered to result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. (DEIR, pg. 4.4-43) Accordingly, impacts associated with demolition/construction source noise and temporary increases in ambient noise levels would be less-than-significant and no mitigation is required.

Notwithstanding the above finding of less-than-significant construction noise impacts, Mitigation Measures 4.4.1 through 4.4.4, presented in Section V(A)(4)(a) above, will act to ensure that demolition construction activities are limited to daytime hours, and that noise impacts resulting from Project demolition/construction activities do not constitute or represent a substantial temporary or periodic increase in ambient noise levels.

c. Demolition/Construction – Permanent Increase in Ambient Noise Levels

Potential Significant Impact: Whether Project demolition/construction activities would result in a substantial permanent increase in the ambient noise levels in the Project vicinity above levels existing without the Project.

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Findings: Potential impacts of the Project related to demolition and construction noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to demolition and construction noise and permanent increases in ambient noise levels will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Construction noise by nature is not a permanent source of noise increases and associated threshold questions are not germane. (DEIR, pg. 4.4-44) Accordingly, impacts associated with demolition/construction source noise and permanent increases in ambient noise levels would be less-than-significant and no mitigation is required.

d. Vehicular Source Noise – Exceedances of Applicable Standards

Potential Significant Impact: Whether Project vehicular source noise would result in exposure of persons to, or generation of, noise levels in excess of standards established in a General Plan, Noise Ordinance, or other applicable standards of other agencies.

Findings: Potential impacts of the Project related to vehicular source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to vehicular source noise exceedances of applicable standards will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Vehicular noise thresholds employed within the EIR consider regulatory standards of the City of Glendora and City of San Dimas, noise/land use compatibility criteria reflected in correlating municipal Noise Elements, and community responses to noise levels. (DEIR, pg. 4.4-44) The Project's incremental contribution to vehicular noise increases along area roadways is at most 1.2 dBA CNEL, occurring along Lone Hill Avenue between Gladstone Street and Arrow Highway within the City of San Dimas. This increase in noise is below the typical level of noise perception (3.0 dBA). Along all other roadway segments, Project traffic would contribute negligibly (0.0 to 0.1 dBA) to ambient vehicular noise levels. Further, in no instance would Project-related vehicular noise cause ambient noise levels to transition from "Normally Acceptable" to "Conditionally Acceptable" conditions, or result in an exceedance of "Conditionally Acceptable" conditions. (DEIR, pg. 4.4-47) Finally, projected ambient noise conditions (with and without the Project) fall within the

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Conditionally Acceptable 55-70/60-70 dBA CNEL criteria for residential land uses, indicating that new or proposed residential land uses can be developed without adverse noise impacts. (DEIR, pgs. 4.4-47 and 4.4-48, Table 4.4-11) The maximum 1.2 dBA Project-related vehicular noise increase would not cause a transition above “Normally Acceptable” or “Conditionally Acceptable” conditions for residential land uses. All projected noise levels fall within the “Normally Acceptable” 50-70/50-75 dBA CNEL noise/land use compatibility guidelines for all other land use categories. (*Id.*) As such, Project vehicular source noise would not result in perceptible noise increases, and would not cause ambient conditions to exceed “Normally Acceptable” or “Conditionally Acceptable” noise exposure conditions established under applicable Noise Element noise/land use compatibility guidelines; Project vehicular noise would not result in noise levels in excess of standards established in an applicable general plan or noise ordinance, or other applicable standards of other agencies. (DEIR, pg. 4.4-48) Accordingly, impacts associated with vehicular noise exceedances of applicable standards would be less-than-significant and no mitigation is required.

e. Vehicular Source Noise – Temporary Increase in Ambient Noise Levels

Potential Significant Impact: Whether Project vehicular source noise would result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to vehicular source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to vehicular source noise and temporary increases in ambient noise levels will occur as a result of construction activities associated with the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Vehicular noise by nature is not a source of temporary or periodic increase noise increases, and associated threshold questions are not germane. (DEIR, pg. 4.4-50) Accordingly, impacts associated with vehicular source noise and temporary increases in ambient noise levels would be less-than-significant and no mitigation is required.

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f. Vehicular Source Noise – Permanent Increase in Ambient Noise Levels

Potential Significant Impact: Whether Project vehicular source noise would result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to vehicular source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to vehicular source noise and permanent increases in ambient noise levels will occur as a result of construction activities associated with the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's incremental contribution to vehicular noise increases along area roadways is at most 1.2 dBA CNEL occurring along Lone Hill Avenue between Gladstone Street and Arrow Highway within the City of San Dimas, and would be below the 3.0 dBA CNEL perception threshold criteria. Along all other roadway segments Project traffic would contribute negligibly (0.0 to 0.1 dBA) to ambient vehicular noise levels. Further, in no instance would Project related vehicular noise cause ambient noise levels to transition above "Normally Acceptable" or "Conditionally Acceptable" conditions. As such, Project vehicular source noise would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. (DEIR, pg. 4.4-49) Accordingly, impacts associated with vehicular source noise and permanent increases in ambient noise levels would be less-than-significant and no mitigation is required.

g. Stationary/Area Source Noise – Exceedances of Applicable Standards

Potential Significant Impact: Whether Project stationary/area source noise would result in exposure of persons to, or generation of, noise levels in excess of standards established in a General Plan, Noise Ordinance, or other applicable standards of other agencies.

Findings: Potential impacts of the Project related to stationary/area source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that

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no significant impacts related to stationary/area source noise exceedances of applicable standards will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: It is anticipated that up to five additional heavy truck deliveries would occur daily at the Project site. (DEIR, pg. 4.4-50) This increase in truck deliveries could potentially result in increased noise levels at off-site receptors due to increased truck traffic within the Project site, and increased truck loading/unloading activities. (*Id.*) However, operational noise generated by Project-related increased truck traffic and truck deliveries would not be perceived against existing ambient noise conditions (approximately 67.7 dBA Leq) which are dominated by noise emanating from SR-57, noise generated by train pass-bys events, and noise from general parking lot activities. (DEIR, pg. 4.4-51) Further, noise generated by the estimated five additional truck deliveries per day would not cause or result in exterior noise levels exceeding standards established under the City of Glendora Municipal Code or city of San Dimas Noise Ordinance nor would the resulting exterior noise levels experienced at the Project site conflict with Noise/Land Use Compatibility Standards presented in the Glendora Community Plan Noise Element or the San Dimas General Plan Noise Element. The Project's stationary/area source noise would therefore not result in exposure of persons to, or generation of, noise levels in excess of standards established in a General Plan, Noise Ordinance, or other applicable standards of other agencies. (DEIR, pg. 4.4-51) Accordingly, impacts associated with stationary/area source noise exceedances of applicable standards would be less-than-significant and no mitigation is required.

h. Stationary/Area Source Noise – Temporary Increase in Ambient Noise Levels

Potential Significant Impact: Whether Project stationary/area source noise would result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to stationary/area source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to stationary/area source noise and temporary increases in ambient

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noise levels will occur as a result of construction activities associated with the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Stationary/area source noise as evaluated here is not a temporary source of noise increases, and associated threshold questions are not germane. (DEIR, pg. 4.4-52) Accordingly, impacts associated with stationary/area source noise and temporary increases in ambient noise levels would be less-than-significant and no mitigation is required.

i. Stationary/Area Source Noise – Permanent Increase in Ambient Noise Levels

Potential Significant Impact: Whether Project stationary/area source noise would result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to stationary/area source noise are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to stationary/area source noise and permanent increases in ambient noise levels will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Project-related stationary/area source noise increases would not be incrementally discernible nor would any such noise be perceived against ambient conditions which are dominated by the adjacent transportation source noise (vehicular noise from SR-57 and other roadways and train noise from nearby railway facilities). On this basis, Project stationary/area source noise would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. (DEIR, pg. 4.4-52) Accordingly, impacts associated with stationary/area source noise and permanent increases in ambient noise levels would be less-than-significant and no mitigation is required.

j. Groundborne Noise/Vibration

Potential Significant Impact: Whether Project would result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project related to groundborne noise/vibration are discussed in detail in Section 4.4.5 of the DEIR. Based on the entire record before us, this Council finds

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that no significant impacts related to groundborne noise/vibration will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Operational aspects of the Project do not include nor require equipment, facilities, or activities that would result in substantial or even perceptible groundborne vibration or groundborne noise. Because structures nearest the Project site are at distances of 63 feet or greater, there is little or no potential for vibration-related structural damage at off-site locations due to Project construction activities. As a more common occurrence, the effects of groundborne vibration are limited to movement of building floors, rattling of windows and objects, and rumbling sounds, resulting in annoyance, but without any damage. (DEIR, pg. 4.4-53) For the Project, the worst-case construction vibration levels received at the nearest off-site structures (approximately 63 feet distant) are therefore estimated at 66.9 VdB, which is less than the relevant Los Angeles County 68 VdB criteria (DEIR, pg. 4.4-54) Accordingly, impacts associated with groundborne noise/vibration would be less-than-significant and no mitigation is required.

5. Public Services and Utilities

a. Wastewater/Sewer Facilities

Potential Significant Impact: Whether the Project would result in or cause substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public services.

Findings: Potential impacts of the Project related to wastewater/sewer facilities are discussed in detail in Section 4.5.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater/sewer facilities will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is expected to introduce an additional 2,400 gallons per day (gpd), or 1.67 gallons per minute (gpm) of dry weather flow on average. A hydraulic model analysis was performed using the existing City hydraulic model to determine

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the impacts to the sewer system caused by the proposed additional flow. The results of the analysis indicate that there is sufficient capacity in the existing sewer system to accommodate the expected additional flow from the proposed Project, including peak wet weather flow conditions, without experiencing any capacity deficiencies. (DEIR, pg. 4.5-11) Accordingly, impacts associated with wastewater/sewer facilities would be less-than-significant and no mitigation is required.

b. Wastewater Treatment Capacity

Potential Significant Impact: Whether the Project would result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Findings: Potential impacts of the Project related to wastewater treatment capacity are discussed in detail in Section 4.5.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment capacity will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Sanitation Districts of Los Angeles County, in their response to the Project Notice of Preparation, indicated that the Project will not affect their facilities, and that it falls within their "less than 25 percent increase" criteria for a will-serve letter. On this basis, the Project's potential impact relative to wastewater treatment capacities is considered less-than-significant. It may be noted that the Los Angeles County Sanitation Districts' San Jose Creek Water Reclamation Plant, which serves the City of Glendora, has a wastewater treatment capacity of ten million gallons per day; while the Districts' Joint Water Pollution Control Plant provides primary and secondary treatment for approximately 300 million gallons of wastewater per day. Based on the Project's Sewer Capacity Study (EIR Appendix F), the Project is expected to generate an average of 2,400 gallons per day of additional wastewater. The Project's incremental increase in wastewater generation, as confirmed by the County of Los Angeles Sanitation Districts, will not affect the provision of wastewater treatment services, nor exceed the existing capacity of the Districts' wastewater treatment facilities. (DEIR, pg. 4.5-2)

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Accordingly, impacts associated with wastewater treatment capacity would be less-than-significant and no mitigation is required.

c. **Wastewater Treatment and Stormwater Facilities**

Potential Significant Impact: Whether the Project would require or result in the construction of new wastewater treatment facilities or new stormwater drainage facilities, or the expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings: Potential impacts of the Project related to wastewater treatment facilities are discussed in detail in Section 4.5.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment facilities will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The EIR determines that existing wastewater treatment facilities in the Project area are adequate to serve the needs of the proposed expansion area, as well as other existing commitments. (DEIR, pgs. 4.5-10 to 4.5-13) As such, the construction of new or expanded wastewater treatment facilities would not be required as a result of Project implementation. (DEIR, pg. 4.5-13) Accordingly, impacts associated with wastewater treatment facilities would be less-than-significant and no mitigation is required.

6. **Hydrology and Water Quality**

a. **Water Quality/Runoff Water**

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality/runoff water are discussed in detail in Section 4.6.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to water quality/runoff water will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project will be developed and operated in compliance with City and Los Angeles Regional Water Quality Control Board regulations and water quality

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standards. Design, configuration, and locations of proposed stormwater management system improvements will be reviewed and approved by the City and/or Los Angeles Regional Water Quality Control Board prior to, or concurrent with, application for grading permits. (DEIR, pg. 4.6-20) The existing site detention area is designed to detain the 50-Year storm event down to a defined discharge rate of 13.2 cfs, with a required detention volume of 0.513 acre-feet, or approximately 22,350 cubic feet of storage. Based on the 25-year design storm requirements for the current Project, the minimum required detention volume for the subject site under post-Project conditions is estimated at approximately 10,800 cubic feet. As such, the existing detention area would not require expansion or substantive reconfiguration to accommodate estimated stormwater discharge volumes under post-Project conditions. (DEIR, pg. 4.6-21) Due to the minor increase in the amount of impervious area (from approximately 82 percent to approximately 83 percent) and the minimal impacts to the existing drainage paths, the difference in the pre-Project and post-Project site-generated storm flow rates are projected to be negligible. Aiding in the management and treatment of storm water, the Project design employs permeable materials and landscaped areas, enhancing on-site capture and retention of stormflows. The Project will also provide for elimination/reduction of pollutant discharges, including capture and treatment of stormwater discharges from the site in a manner consistent with City and Los Angeles Regional Water Quality Control Board requirements. Further, all storm water discharges shall comply with applicable provisions and performance standards articulated in the County's National Pollutant Discharge Elimination System (NPDES) permit. Consistent with NPDES, Los Angeles Regional Water Quality Control Board and City requirements, waste materials will not be discharged to drainage areas. Compliance with these, and other state and regional water quality permitting mandates will ensure the control of pollutants entering receiving waters. (DEIR, pgs. 4.6-22 to 4.6-29) Accordingly, impacts associated with water quality/runoff water would be less-than-significant and no mitigation is required.

7. Geology and Soils

a. **Soil Erosion**

Potential Significant Impact: Whether the Project would result in substantial soil erosion or the loss of topsoil.

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Findings: Potential impacts of the Project related to soil erosion are discussed in detail in Section 4.7.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to soil erosion will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is fully developed with largely impervious surfaces. Exceptions are the detention basin located at the corner of Lone Hill Avenue and Auto Centre Drive, the vacant area proposed for expansion at the rear of the existing store, and ornamental landscaping areas. Buildout of the proposed Project will incrementally increase the amount of impervious surfaces on-site (by approximately one percent), thereby decreasing the overall potential for erosion. During construction, the Project will implement erosion control measures stipulated under the Project's mandated Stormwater Pollution Prevention Plan (SWPPP) and is further required to comply with applicable NPDES discharge requirements. Over the life of the Project, erosion control measures and pollutant discharges will be reduced to levels that are less-than-significant through implementation of the mandated Standard Urban Stormwater Mitigation Plan (SUSMP). (DEIR, pg. 4.7-14) Accordingly, impacts associated with soil erosion would be less-than-significant and no mitigation is required.

b. Landslide, Lateral Spreading, Subsidence, Liquefaction or Collapse

Potential Significant Impact: Whether the Project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Findings: Potential impacts of the Project related to landslide, lateral spreading, subsidence, liquefaction or collapse are discussed in detail in Section 4.7.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to landslide, lateral spreading, subsidence, liquefaction or collapse will occur as a result of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is essentially level, and is not susceptible to internal landsliding. Adjacent properties similarly present little topographic relief. As such, the potential for landslides does not exist. (DEIR, pg. 4.7-14) A common phenomena during the

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seismic shaking that accompanies earthquakes is the induced settlement of loose, unconsolidated soils, resulting in potential lateral spreading, subsidence, or collapse. Strong earthquake shaking may result in some minimal subsidence due to densification of the subsurface materials. Such subsidence during a strong earthquake is expected to occur in a relatively uniform manner across the site and not have a significant impact on structures. Liquefaction is generally associated with strong seismic shaking in areas where ground water tables are at relatively shallow depths (within 50 feet of the ground surface) and/or when the area is underlain by loose, cohesionless deposits. During a strong groundshaking event, saturated, cohesionless soils may acquire a degree of mobility to the extent that the overlying ground surface distorts. In extreme cases, saturated soils become suspended in groundwater and become fluid-like. The geotechnical investigation concluded that soil liquefaction is not likely to occur at this site, primarily because the on-site soils encountered below the groundwater (historical) consists of very dense gravelly sands. (DEIR, pg. 4.7-15) Accordingly, impacts associated with landslide, lateral spreading, subsidence, liquefaction or collapse would be less-than-significant and no mitigation is required.

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings

1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

The following issues from three of the environmental categories analyzed in the EIR, including Traffic and Circulation, Geology and Soils, and Biological Resources were found to be

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potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds that, pursuant to *Public Resources Code* Section 21081, all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Traffic and Circulation

a. **Conflict with an Applicable Plan, Ordinance or Policy – Lone Hill Avenue at Auto Centre Drive**

Potential Significant Impact: The EIR evaluated and concluded that the Project could potentially conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system at the intersection of Lone Hill Avenue at Auto Centre Drive.

Finding: Implementation of the following mitigation measure will reduce potential impacts to traffic and circulation related to conflict with an applicable plan, ordinance or policy to a less-than-significant level:

4.2.2 Prior to the issuance of the first Certificate of Occupancy, the Project Applicant shall improve the northbound approach at the intersection of Lone Hill Avenue at Auto Centre Drive to provide two (2) through lanes and one (1) optional through-or-right-turn lane.

Facts in Support of the Finding: The intersection of Lone Hill Avenue at Auto Centre Drive is expected to operate within the City's LOS D standard of significance under Opening Year (2014) Existing-Plus-Ambient intersection conditions during the Saturday mid-day peak hour period; however, the addition of Project-related traffic contributes to a volume-to-capacity (V/C) ratio increase from 0.814 to 0.836, a net increase of 0.022, which is 0.002 greater than the identified threshold of significance for intersections with Intersection Capacity Utilization (ICU) levels between 0.801 and 0.900. (DEIR, pgs. 4.2-32 to 4.2-34, Table 4.2-9) In addition, this intersection is expected to operate within the City's LOS D standard of significance under Opening Year (2014) Cumulative With-Project traffic conditions during the Saturday mid-day peak hour period; however, the Project would contribute to a V/C ratio from 0.873 to 0.895, an

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increase of 0.022, which also is 0.002 greater than the identified threshold of significance for intersections with ICU levels between 0.801 and 0.900. (DEIR, pgs. 4.2-34 to 41, Table 4.2-13) Implementation of Mitigation Measure 4.2.2 would result in operation at LOS D, with a reduction in the ICU from 0.836 to 0.821 during the Saturday mid-day peak hour period for Existing-Plus-Ambient With-Project traffic and a reduction in the ICU from 0.895 to 0.879 for the during the Saturday mid-day peak hour period for Cumulative With-Project traffic. (DEIR, pg. 4.2-42) In both instances, the resulting increase in ICU after the implementation of mitigation will be less than the identified threshold of significant for intersections with ICU levels between 0.801 and 0.900. Accordingly, with implementation of Mitigation Measure 4.2.2 this impact will be reduced to less-than-significant. (DEIR, pg. 4.2-44)

b. Parking Standards

Potential Significant Impact: The EIR evaluated and concluded that the Project could potentially not conform to City parking standards either in the quantity of parking provided or in parking area design and configuration.

Finding: Implementation of the following mitigation measure will reduce potential impacts to traffic and circulation related to parking standards to a less-than-significant level:

4.2.3 The Project Applicant shall field verify current weekday and weekend peak parking requirements, and provide these minimum numbers of spaces (either on-site or at City designated off-site areas) on days during which Project parking areas are temporarily constrained by construction activities. Total parking available during construction shall also include estimated parking required for construction workers. Proposed interim parking plans shall be reviewed and approved by the City prior to the issuance of grading permits.

Facts in Support of the Finding: The permanent parking proposed for the Project exceeds Zoning Ordinance minimum standards by 38 spaces, or approximately six percent, and is therefore adequate to meet the Project parking demands. Because development activities will also include demolition and reconstruction of existing parking areas, interim construction-period parking impacts are potentially significant. (DEIR, pg. 4.2-49) Mitigation Measure 4.2.3 will ensure that adequate parking is maintained throughout parking lot construction activities.

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Accordingly, with implementation of Mitigation Measure 4.2.3 this impact will be reduced to a less-than-significant level. (DEIR, pg. 4.2-49)

2. Geology and Soils

a. Seismic Ground Shaking

Potential Significant Impact: The EIR evaluated and concluded that the Project could potentially expose people or structures to potentially substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction.

Finding: Implementation of the following mitigation measure will reduce potential impacts to geology and soils related to seismic ground shaking to a less-than-significant level:

4.7.1 Prior to the issuance of construction permits, and to the satisfaction of the City, the recommendations, performance standards, and requirements established within the final Project Geotechnical Investigation shall be incorporated into Project site design and construction plans. A qualified geotechnical engineer shall be retained on-site to ensure that Project implementation is realized consistent with specifications and requirements identified in the Project Geotechnical Investigation.

Facts in Support of the Finding: The Project site and immediate vicinity do not lie within, nor immediately adjacent to, an Alquist-Priolo Earthquake Fault Zone. Further, published geologic maps and aerial photographs of the Project area indicate no potentially active faults on, or in the immediate vicinity of, the Project area. As such, the potential for fault rupture within the Project area is considered low. However, strong seismic ground shaking may occur at the site due to earthquakes along regional faults. (DEIR, pgs. 4.7-12 and 4.7-13) In this latter regard, building officials and engineers have recognized the impacts of earthquakes and ground shaking on structures. Appropriate measures which reduce the effects of earthquakes at the Project site are identified in the CBC as implemented by the City of Glendora. Additionally, a final design-specific Geotechnical Investigation will be prepared once final design of the proposed additions has been completed. To ensure adherence to, and provide monitoring of compliance with the findings and recommendations of the final geotechnical documents, Mitigation Measure 4.7.1 is

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incorporated. Accordingly, with implementation of Mitigation Measure 4.7.1 this impact will be reduced to a less-than-significant level. (DEIR, pg. 4.7-13)

3. Biological Resources

a. Tree Preservation

Potential Significant Impact: The EIR evaluated and concluded that the Project could potentially impact the single Coast Live Oak tree present onsite.

Finding: Implementation of the following mitigation measure will reduce potential impacts to biological resources related to tree preservation to a less-than-significant level:

Bio-1 In consultation with the City of Glendora Community Services Department and Planning and Redevelopment Department, the Project Applicant shall develop a Tree Protection Plan consistent with the provisions and performance standards of the City of Glendora Tree Preservation Ordinance (Tree Preservation Ordinance) and City of Glendora Urban Forestry Manual (Urban Forestry Manual). The Project Tree Protection Plan shall specifically provide for protection and preservation of the existing Coast Live Oak tree located along the Project site's northerly Auto Centre Drive frontage. Location of this tree is indicated at EIR Figure 3.4-3. The Project Tree Protection Plan shall be reviewed and approved by the City of Glendora Community Services Department and Planning and Redevelopment Department prior to the issuance of the first grading/encroachment permit.

Facts in Support of the Finding: The existing Coast Live Oak tree along the Project's northerly, Auto Centre Drive frontage will be protected and preserved in place. This tree is listed as one of Glendora's Protected Trees, and will be protected consistent with provisions of the *City of Glendora Urban Forestry Manual* (City of Glendora) January 2010 (Urban Forestry Manual) and associated City of Glendora Tree Preservation Ordinance (Tree Preservation Ordinance). Implementation of Mitigation Measure Bio-1 will ensure implementation and monitoring of appropriate tree preservation and protection practices, protection per applicable Urban Forestry Manual and Tree Preservation Ordinance requirements. (DEIR, pg. 3-10) Accordingly, with implementation of Mitigation Measure Bio-1 this impact will be reduced to a less-than-significant level. (DEIR, pgs. 1-5 to 1-7, 1-32, and 3-10)

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Glendora City Council finds the following environmental impact identified in the EIR remains significant even after application of all feasible mitigation measures: Traffic and Circulation – Auto Centre Drive at SR-57 Northbound Off-Ramp.

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Glendora cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant affects are acceptable due to overriding considerations described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Traffic and Circulation

a. Conflict with an Applicable Plan, Ordinance or Policy – Auto Centre Drive at SR-57 Northbound Off-Ramp

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system at the intersection of Auto Centre Drive at SR-57 Northbound off-ramp.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measure 4.2.1, presented below, is incorporated into the MMRP for the Project. However, the Council finds that due to the uncertainty of mitigation timing, the Project would result in individually and cumulatively significant and unavoidable traffic impacts at the intersection of Auto Centre Drive at the SR-57 Northbound off-ramp.

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4.2.1 *Prior to the issuance of the first building permit within the Project site, the Project proponent shall contribute fair share fees to the City of Glendora toward the re-striping of the northbound off-ramp to provide one (1) left-turn lane and one (1) optional left-or right-turn lane at the intersection of Auto Centre Drive at SR-57 Northbound Ramps.*

Facts in Support of the Finding: Full implementation of Mitigation Measure 4.2.1 at the intersection of Auto Centre Drive at SR-57 Northbound off-ramp, and Mitigation Measure 4.2.2, enumerated in Section V(B)(1)(a) above, would reduce Opening Year (2014) Project-related traffic impacts at this location below applicable significance thresholds. The Project will pay “fair share” fees toward construction of required improvements at this location and will within its capabilities ensure that improvements are in place when required. This intersection, however, is under the jurisdiction of Caltrans and the City would need to obtain approvals from Caltrans in order to implement this improvement. Since the ability to obtain these approvals and the timing of these approvals are uncertain, the mitigation measure will not guarantee construction of the required improvements to provide traffic impact mitigation at Project opening. Therefore, pending completion of required improvements pursuant to fees collected for this purpose, Project-related traffic impacts at or affecting the intersection of Auto Centre Drive at SR-57 Northbound off-ramp are recognized as individually and cumulatively significant notwithstanding mitigation. (DEIR, pg. 4.2-44)

D. PROJECT ALTERNATIVES

The EIR analyzed two alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project’s objectives as described in Section II(B) above. CEQA requires the evaluation of a “No Project Alternative” to assess a maximum net change in the environment as a result of implementation of the Project. CEQA also requires evaluation of alternatives that can reduce the significance of identified impacts and “feasibly attain most of the basic objectives of the proposed Project.” Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project Alternative

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Description: The No Project Alternative is considered to be equivalent to a “No Build” scenario. That is, if the Project or some similar development proposal is not implemented on the subject site, there are no other known or probable scenarios for the subject property, in which case the site would likely remain in its current state for the foreseeable future. (DEIR, pg. 5-29)

Impacts: Under the No Project Alternative, no new development would occur and use of the subject site would continue in its present state. When compared to the Project, potential impacts in the following areas would be reduced under the No Project Alternative: land use; traffic/circulation; construction and operational air pollutant emissions; construction and operational noise; public services/utilities; and geology and soils. (DEIR, pgs. 5-32 to 5-38) Because the Project would implement contemporary stormwater and water quality management systems reflecting current best management practices and incumbent Los Angeles County Regional Water Quality Control Board and Los Angeles County Department of Public Works stormwater/water quality management standards, potential hydrology/water quality impacts under the Project would likely be reduced when compared to the No Project condition. (DEIR, pg. 5-37)

Objectives: As no new or additional commercial/retail facilities would be realized under this Alternative, the No Project Alternative would not achieve any of the Project Objectives. (DEIR, pgs. 5-38 and 5-39)

Finding: Under the No Project Alternative, development of the Project will not occur. This Alternative will avoid the significant and unavoidable traffic impacts at the intersection of Auto Centre Drive at SR-57 Northbound off-ramp identified in the EIR. However, the City Council finds that the No Project Alternative would not fulfill any of the Project Objectives. Because the No Project Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Project Alternative.

2. Alternative 2 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative considered here would result in an approximately 12,723-square-foot expansion of the existing Walmart store, as opposed to the approximately 29,925-square-foot expansion proposed under the Project and analyzed in the EIR. (DEIR, pg. 5-31)

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Impacts: Under the Reduced Intensity Alternative, development of the Project site would be reduced by approximately 57 percent. This reduction would not affect the extent or scope of required discretionary actions. Potential market impacts under this Alternative would be further diminished compared to the Project, and as under the Project would be less-than-significant. (DEIR, pg. 5-32) The Reduced Intensity Alternative would alleviate the Project's potentially significant impacts otherwise occurring at Auto Centre Drive – SR-57 Northbound off-ramp and in so doing resolve the Project's significant traffic impacts. (DEIR, pg. 5-33) This alternative would further reduce the Project's already less-than-significant construction-related and long-term operational air quality impacts. (DEIR, pg. 5-34) Furthermore, potential air-quality impacts related to LST, CO Hot Spot, HRA, and GHG impacts, which are already less-than-significant under the Project, would be further diminished under the Reduced Density Alternative. (DEIR, pg. 5-35) Under this alternative, the scope of operational area noise sources would likely to be reduced based on an overall reduction in site development and intensity of activities. However, aggregate perceived operational noise levels due to area sources would not be discernibly reduced in that noise levels and noise sources associated with the proposed Walmart expansion would remain unaffected. Under either the Reduced Intensity Alternative or the Project, noise levels generated by area sources would be less-than-significant. Additionally, the Reduced Intensity Alternative would likely further reduce already less-than-significant vehicular noise impacts of the Project. (DEIR, pg. 5-36) The quality and quantity of drainage discharge resulting from implementation of the Reduced Intensity Alternative would not be significantly different than discharge quantities and qualities result from the Project. (DEIR, pg. 5-37) As with the Project, potential geotechnical/soils impacts would be reduced to levels that are less-than-significant. (DEIR, pg. 5-38)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. More specifically:

- *To maintain and support existing retail sales capabilities while upgrading current facilities and adding a grocery sales component to the existing Walmart store.* The approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative may maintain, support, and enhance existing facilities, but would not

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allow for concurrent addition of a grocery sales component, and would in effect abrogate the Project as currently proposed.

- *To take full advantage of the existing Walmart store's visibility and accessibility provided by its location at an intersection of major thoroughfares in the City of Glendora, and to take advantage of existing infrastructure systems and public services rather than create or extend new infrastructure and services into previously unserved or underserved areas.* The approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative minimizes effective use of the existing available commercial property located in the vicinity of the Lone Hill Avenue/I-210 interchange, which is considered to be in a premier location due to its visibility from, and access to, proximate major thoroughfares (I-210, SR-57, Lone Hill Avenue, Auto Centre Drive). The noted reduction in scope would similarly not take full advantage of existing and proposed infrastructure available to the Project site.
- *To upgrade and expand the existing Walmart store in order to satisfy the current unmet demand for goods and services from consumers residing in the encompassing trade area.* The approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative would generally reduce the capacity to satisfy existing and projected unmet market demands within the trade area. No grocery component would be implemented and local demand for grocery services and products would not be met.
- *To expand the range of goods and services currently provided by the existing Walmart store, thereby reducing the number of trips currently being made to shop for these same goods and services outside the City of Glendora.* The approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative would reduce the variety and scope of products and services which may otherwise attract new customers to the trade area. As noted above, such a reduction in scope would in effect preclude the addition of a grocery component. While the Reduced Intensity Alternative may reduce localized effects of traffic, on an area-wide or regional basis this Alternative would tend to reduce trip capture within the trade area. The trips

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made for shopping opportunities to points outside the trade area would also tend to be of greater distances.

- *To provide a convenient source of grocery and food items to serve the local community.* As noted previously, the approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative would in effect preclude the addition of a grocery component. The overall range of other foods items (in-store e.g. restaurant/fast food choices) may also be restricted or eliminated.
- *Maximize and broaden the City's sales tax base by providing local and regional tax-generating uses and by increasing property tax revenues.* The approximately 57 percent reduction in Project scope under the Reduced Intensity Alternative would likely result in a reduction in taxable sales reductions. The Reduced Intensity Alternative would also diminish the capital investment, property value increment and increased property tax revenue otherwise occurring under the Project. (DEIR, pgs. 5-39 to 41)

Finding: Under the Reduced Intensity Alternative, an approximately 17,202 square feet, or 57%, reduction in scope would be realized as compared to the Project. The City Council hereby finds that although the Reduced Intensity Alternative would avoid or substantially reduce the potentially significant and unavoidable Project impacts otherwise occurring at Auto Centre Drive – SR-57 Northbound off-ramp identified in the EIR, this Alternative would not meet the Project Objectives to the same extent as the Project: (1) the Reduced Intensity would not maintain and support existing retail sales capabilities while upgrading current facilities and adding a grocery sales component to the existing Walmart store; (2) the Reduced Intensity would not take full advantage of the existing Walmart store's visibility and accessibility provided by its location at an intersection of major thoroughfares in the City of Glendora, and to take advantage of existing infrastructure systems and public services rather than create or extend new infrastructure and services into previously unserved or underserved areas; (3) the Reduced Intensity Alternative would hinder upgrade and expansion of the existing Walmart store in order to satisfy the current unmet demand for goods and services from consumers residing in the encompassing trade area (4) the Reduced Intensity Alternative would hinder expansion of the range of goods and services currently provided by the existing Walmart store, thereby reducing the number of trips currently

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being made to shop for these same goods and services outside the City of Glendora; and (5) the Reduced Intensity Alternative would not provide a convenient source of grocery and food items to serve the local community; and (6) the Reduced Intensity Alternative would not maximize and broaden the City's sales tax base by providing local and regional tax-generating uses and by increasing property tax revenues to the extent that would otherwise occur under the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

3. Environmentally Superior Alternative

CEQA Guidelines Section 15126.6 indicates that if the "No Project" alternative is the environmentally superior alternative then another alternative must also be identified.

The Reduced Intensity Alternative is the environmentally superior alternative without taking the No Project Alternative into account. (DEIR, pg. 5-41). Based on estimated reductions in traffic generation, and to a lesser degree, reductions under other environmental considerations, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects when compared to the Project. This Alternative would achieve all applicable intersection V/C and ICU criteria and would not require certain traffic improvements at Auto Centre Drive – SR-57 Northbound off-ramp, which, as discussed in the EIR, are beyond control of the Lead Agency and Project Applicant, and may not be constructed in a timely manner. As previously discussed at Section V(D)(2) above, the Reduced Intensity Alternative would, to a limited degree, realize attainment of the basic Project Objectives. On this basis, and for the purposes of CEQA and the EIR Alternative Analysis, the Reduced Intensity Alternative is identified as the environmentally superior alternative. (DEIR, pg. 5-41)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which a proposed project could be growth inducing. Specifically, CEQA Guidelines Section 15126.2(d) states that an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project would result in the creation of new retail/commercial uses and associated employment opportunities. However, the jobs which may be created by the Project are typical of the types of retail/commercial opportunities available within the region, would likely be filled by the resident population. Construction employment opportunities associated with the Project may result in a temporary increase in local jobs, likely filled by City or area residents, with no significant permanent growth-inducing effect. (DEIR, pg. 5-43)

Based on the preceding discussion, the Project will not directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in the adopted growth projections. Employment growth that would result from the Project is anticipated and accounted for under the City General Plan and General Plan EIR. The Project, in combination with other planned or anticipated projects in the area, would contribute to cumulative future growth projected for the region. (DEIR, pg. 5-43)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. As discussed previously, additional employment opportunities created by the Project are reflected in current growth projections and would not be substantial enough to produce noticeable population growth within the City and region. (DEIR, pg. 5-44)

Development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and stormwater management/water quality facilities.

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Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, development character and intensity that could occur on these properties is governed by the City's General Plan. Development of these properties within the context of the approved General Plan would not result in unanticipated nor unmitigable impacts. (DEIR, pg. 5-44)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

- (a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
- (b) The adoption by a local agency formation Council of a resolution making determinations; or
- (c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project does not propose any of the actions or elements identified under CEQA Guidelines Section 15127. A discussion of Significant and Irreversible Environmental Impacts of the Project, therefore, is not required. (DEIR, pg. 5-46)

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Glendora City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically: Traffic Impacts – Auto Centre Drive – SR-57 Northbound off-ramp.

Facts, Findings and Statement of Overriding Considerations

The Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impact discussed in Section V(C) herein.

The Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The Council hereby declares that to the extent any mitigation measures recommended to the City are not be incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this Council finds outweigh the unmitigated impacts.

The Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this Council finds outweigh any environmental benefits of the alternatives.

The Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan, land uses, zoning ordinance and in conformance with municipal standards, codes and policies.

Facts, Findings and Statement of Overriding Considerations

- The Project will expand and develop uses that complement existing retail use at the Project site, including the addition of a grocery outlet.
- The Project would maximize and broaden the City's sales tax base by providing local and regional tax-generating uses and by increasing property tax revenues.
- The Project will expand retail options, with updated, modern, and energy efficient construction, in close proximity to local customers and provide daytime and nighttime shopping opportunities in a safe and secure environment.

As the CEQA Lead Agency for the proposed action, the City has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(D) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section VI above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California *Public Resource Code* 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency..." Finally, CEQA Guidelines section 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

Facts, Findings and Statement of Overriding Considerations

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Glendora City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The Council hereby certifies the EIR based on the following findings and conclusions:

A. Findings

1. CEQA Compliance

As the decision-making body for the Project, the Council has reviewed and considered the information contained in the Findings and supporting documentation. The Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The Council finds that the EIR was prepared in compliance with CEQA and that the Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

Facts, Findings and Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the Council. The following significant environmental impact has been identified in the EIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: Traffic Impacts – Auto Centre Drive – SR-57 Northbound off-ramp (individual and cumulative). The Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

VIII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section V of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such migration measure shall be deemed as if it were included in the MMRP.