



**US Army Corps
of Engineers®**

Hansen Dam – El Salvador Festival Draft Environmental Assessment

Los Angeles County, California

August, 2013

U.S. Army Corps of Engineers
Los Angeles District
P.O. Box 532711
Los Angeles, CA 90053-2325

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

FINDING OF NO SIGNIFICANT IMPACT
Approval of Special Event under Lease Term
Salvadoreano Celebration, 2013
Hansen Dam Basin
Los Angeles, California

I have reviewed the attached Final Environmental Assessment (FEA) which was prepared to describe and analyze effects should the U.S. Army Corps of Engineers (Corps) approve the City of Los Angeles' proposal to permit use of Hansen Dam Sports Center and Parking Lots for an El Salvadoreano celebration on Sunday, September 1, 2013, at the Sports Center area, Lakewood Terrace, Los Angeles County, CA. The City is the master recreation lessee within the Hansen Dam Basin and manages the leased area through its department of Recreation and Parks. In this case, the City proposes to issue a Special Event permit to the event organizer for an all-day event to be held on September 1, 2013, and hosting up to 5,000 visitors. The recreation lease granted by the Corps to the City reserves the right to the District Engineer, Los Angeles District, to approve special events that will have an anticipated attendance in excess of 1,000 people.

The purpose of the EA was to determine whether the request for approval of the City's proposal to permit the annual Salvadoreano Event would result in significant environmental impacts, requiring development of an Environmental Impact Statement. The No-Action Alternative was evaluated in the dEA as part of the area's baseline condition. A notice to the public that the Corps was considering approval of the proposal to permit the Event at Hansen Dam was circulated (August 14-29, 2013) and ___ comments were received.

Resources identified as potentially temporarily affected by the Proposed Action include recreation/access, noise, trash, and traffic/parking. This free special event area will not be restricted from public use for the duration of the event, so that activities generally conducted during non-event times, including picnicking and general park use, can still occur. The City has communicated to the event organizer that all basin areas will remain accessible. The Event will begin staging activities on August 30 and would be required to be completed by approximately dusk on September 2nd.

Noise is anticipated to increase in the basin temporarily, due to the number of attendees and personal vehicles. To address traffic and parking concerns, the City requires and is utilizing a parking plan which involves LA Department of Transportation and directs the event organizer to manage traffic such that incoming traffic does not back up onto surrounding roadways, and encourages the use of public transportation and bicycling to reach the event site. Disabled parking is provided. The City has also required trash management and other commitments from the event organizer. Although no significant adverse impacts were identified, the above and other avoidance, minimization, and mitigation measures listed in the EA are expected to further reduce adverse impacts associated with the proposed action. This event is not expected to contribute significantly to cumulative or other adverse impacts at the Hansen Recreation Area.

Consideration of all the significant factors and all pertinent environmental legislation, in addition to comments and coordination with concerned agencies as discussed in the EA, indicate that the proposed action would not significantly affect the quality of the human environment nor would there be significant adverse environmental effects. Therefore, an Environmental Impact Statement will not be required, pursuant to 33 CFR 230.11.

Prepared by:

Carvel Bass, Ecologist
Civil Works Branch
Asset Management Division

Date

Approval Recommended by:

Theresa M. Kaplan
Chief, Asset Management Division

Date

Approval by:

Kimberly M. Colloton, PMP
Colonel, US Army
Commander and District Engineer

Date

**FINAL ENVIRONMENTAL ASSESSMENT
for proposed activities on Corps-managed Federal land**

Project Name: Salvadorean Celebration at Hansen Dam
Proposed Implementation Date: September 1st, 2013
Proponent: Los Angeles City Recreation and Parks (/RAP)
Location: Hansen Dam Sports Center
County: Los Angeles County

I. Project Authority, Purpose and Scope

a. PROJECT AUTHORITY The United States Corps of Engineers (Corps), pursuant to the specific authority granted by Congress in 10 USC 2667 is authorized to permit non-Federal entities the right to use Federal lands in a manner that is compatible with the Federal project, laws, regulations and policies and when such use will promote the national defense or be in the public interest.

b. PURPOSE AND NEED RAP (/LA City Department of Recreation and Parks), the primary recreational facility operator and lessee at Hansen Dam, has submitted a request to the Corps for approval of this annual special event. The day-long Salvadorean celebration is expected to attract up to approximately 5,000 people in attendance.

c. SCOPE OF ANALYSIS This Environmental Assessment analyzes potential effects of the proposal by comparing a No Action Alternative, with the Proposed Action which would provide approval to the City to permit the special event at Hansen Dam. This analysis is offered to the interested public to solicit input on the project and would be made available for review and public input for 15 days.

The comment period for this event is August 14-29, 2013. Comments received from the public in the fifteen (15) days following the Notice of Preparation will be addressed prior to determining whether an Environmental Impact Statement (EIS) will be required, or if a Finding of No Significant (FONSI) can be issued. If you have questions or would like additional information, please contact Carvel Bass, Ecologist, Asset Management Division at (213) 452-3392.

Please direct your written comments to:

Carvel Bass, US Army Corps of Engineers
carvel.h.bass@usace.army.mil

or by mail to:

915 Wilshire Boulevard, Ste. 11098, Los Angeles, CA, 90017.

Please mail comments postmarked no later than August 27, 2013.

II. ALTERNATIVES

a. No Action – Los Angeles Recreation and Parks maintains the Hansen Basin recreation area as a locale for special recreation events as well as general park availability. This alternative is considered equivalent to the Baseline condition (general park use) in this

Environmental Assessment. Under the No Action alternative, the Corps would not provide its approval to the City under the terms of the Lease. This alternative would not meet the City's stated purpose and need.

b. Onsite -- The special event, Salvadorean Festival at Hansen Dam, would be held at Hansen Dam Sports Center. This would be the 2nd year for this event at Hansen Dam. The location is considered an appropriate location by City park managers.

c. Offsite – No offsite locations were identified.

III. PROPOSED ACTION

A proposed one-day event, with one-two prior days for set-up (8/30-31/2013) is proposed, anticipating up to 5,000 people, to be held at the Hansen Dam Sports Center.

Parking would be allowed at the Hansen Dam parking lots at the Sports Center, at Dronefield parking lot, and at established overflow parking areas as needed. The day-long Salvadorean celebration is expected to have up to approximately 5,000 people in attendance, and will feature two amplified musical groups and a food booth. Admission for the event will be \$15 for those over 5 years of age, and parking will be \$5.00 per vehicle. Alcohol will not be sold.

IV. ENVIRONMENTAL IMPACTS

N = Not present or No Impact will occur.

Y = Impacts may occur (if yes, explain in detail under Potential Impacts).

IMPACTS ON THE PHYSICAL ENVIRONMENT		
DESCRIPTION OF RESOURCE AND BASELINE CONDITION	POTENTIAL DIRECT AND INDIRECT IMPACTS AND MITIGATION MEASURES	SIGNIFICANCE OF IMPACTS
<p>GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:</p> <p>Hansen Dam Sports Center is composed of dirt and turf park areas with no such special soils.</p>	<p>Event to be held on dirt & turf area with no special features or soils.</p> <p><i>No Action Alternative</i> – No effect to Geology and Soils</p>	<p>No significant adverse impact</p>
<p>2. WATER Resources</p> <p>A small lake/body of water exists at Hansen Dam, adjacent to the Sports Center where this event is set to take place. No water-based resources will be affected.</p>	<p>This event is not held at any body of water; no impact to water by this planned event.</p> <p><i>No Action Alternative</i> – No water resources would be affected and water resources would remain at baseline conditions.</p>	<p>No significant adverse impact.</p>

<p>3. AIR QUALITY:</p> <p>The site is located in a highly urbanized area, adjacent to major public transportation corridors. Public use of the park on a regular basis generates vehicle trips that contribute to air quality considerations. Commuting to and parking at the event will create a small amount of air-borne residue that should be alleviated with normal early-summer winds that circulate annually throughout the Los Angeles/southern California region.</p>	<p>Project will generate increased vehicle trips over what would be present in the Hansen basin on non-event weekend, along with the residue left over from any type of fireworks activity. These impacts are not anticipated to be significant, but to minimize the impacts, the following measures are included: Event parking and traffic management will be designed to avoid vehicle backup and traffic jams, reducing idling. Use of public transportation to the event will be emphasized. Use of bicycling and provided bicycle parking will also be emphasized.</p> <p><i>No-Action Alternative:</i> Air quality would be similar to a typical summer Saturday at Hansen Recreation Area.</p>	<p>No significant adverse impact – Air quality impacts within the minimal levels and below regional significance for a July 4th event.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY:</p> <p>Sports Center is composed of dirt and turf with no rare cover types known. Hansen Dam Sports Center is generally used for regular recreational activities. Nearby areas include wildlife habitat.</p>	<p>Dirt and turf event and park area will be used. The City will make clear to the permit applicant that the wildlife habitat areas within Hansen basin are not authorized for use.</p> <p><i>No-Action Alternative:</i> The park would be used by the public daily, with oversight from L.A. City staff, which is a no significant impact condition.</p>	<p>No significant adverse impact</p>
<p>5. WILDLIFE:</p> <p>The Hansen Dam Sports Center is not substantially used by birds, and not at all by wildlife or fish. The event is to be monitored by a variety of City staff to minimize activity in outlying areas.</p>	<p>A dirt and turf park area exists at the Sports Center. The Hansen Basin area is composed of a variety of recreation use areas. Habitat areas are nearby but not part of the area proposed for this event.</p> <p><i>No-Action Alternative:</i> The park is used by the public daily, with oversight from L.A. City staff, during which the norm is no significant impact to wildlife.</p>	<p>No significant adverse impact</p>

<p>6. THREATENED OR ENDANGERED SPECIES:</p> <p>Hansen Dam Sports Center is known to not be used by T/E species. Elsewhere in the external basin and wildlife area are riparian and other aquatic-based songbirds and other birds which include examples of Federal or State listed species.</p>	<p>This is a dirt & turf park area. At other areas within Hansen Basin are more sensitive areas in this regard, and although these areas are also open to the public they are not part of the area proposed for the event.</p> <p><i>No-Action Alternative:</i> Both listed, and non-listed, wildlife species coexist at the Basin beside human users, but the listed species' habitats are found beyond the sports and event areas. During general basin use, there is no conflict between human events and listed species.</p>	<p>No significant adverse impact</p>
<p>7. WETLANDS:</p> <p>Wetlands are not found at the proposed event site. Wetlands are adjacent to the Sports Center, but will not be used nor visited in conjunct</p>	<p>Hansen Dam Sports Center area is the only area to be used.</p> <p><i>No-Action Alternative:</i> Wetlands areas at Hansen Dam are regularly patrolled and overseen by City Aquatic Center staff in order to prevent impacts to this resource.</p>	<p>No significant adverse impact</p>
<p>8. CULTURAL RESOURCES:</p> <p>Buried cultural resources are not known to exist within Hansen Dam Sports Center. No ground disturbing activities are proposed with this event.</p>	<p>Not applicable for this event, as it is being held in a previously constructed Sports Center.</p> <p><i>No-Action Alternative:</i> Ground-disturbing activities are not allowed without adequate cultural review. This alternative would not result in significant adverse effects.</p>	<p>No significant adverse impact</p>
<p>9. AESTHETICS:</p> <p>The area is not at a prominent topographic feature, except for being at the previously established Hansen Dam recreation area. Los Angeles City maintains Noise Control standards within its City limits, and a potential for minimal additional noise and low levels of additional lights are expected during this cultural event.</p>	<p>No natural prominent feature, and near populated areas. City noise ordinance is enforced by local agencies.</p> <p><i>No-Action Alternative:</i> This alternative would result in no adverse impacts to aesthetics.</p>	<p>No significant adverse impact.</p>

<p>10. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:</p> <p>The event will be contained within Hansen Dam Sports Center which has been designed to be used by large numbers of park attendees. It is used for picnics, family gatherings, sports activities and general recreational activities the majority of the time.</p>	<p>No; this is a park where people are expected to congregate, socialize and celebrate together. Other nearby recreation and wildlife areas will remain open and accessible to the public.</p> <p><i>No-Action Alternative:</i> The current local/'no-action alternative' environment is that of a regional park where public attendance during dawn-to-dusk hours is the norm. There would be no significant adverse effect from the no-action alternative.</p>	<p>No significant adverse impact</p>
<p>11. WATERS/NAVIGABLE WATERS OF THE UNITED STATES:</p> <p>No 'waters of the US' are involved at this event's footprint.</p>	<p>No 404 issues exist.</p> <p><i>No-Action Alternative:</i> Waters of the U.S. exist at Hansen Basin, including at Hansen Recreation Area, but these waters are not affected by general Basin use under the City's lease because the City monitors it leased area to be aware of any actions that could compromise the waters. There would be no significant adverse effect to waters of the U.S. under the No-Action alternative.</p>	<p>No significant adverse impact</p>
<p>12. NOISE:</p> <p>Existing noise is that associated with general park use by picnickers and other general recreational users, as well as two amplified bands, which will play sequential sets. Additional noise will be temporarily generated by the exploding fireworks, commencing shortly after dusk.</p>	<p>Amplified music will be projected to the surroundings for this free event. The event will be supervised by Los Angeles City which does maintain a Noise ordinance. City of LA will enforce noise ordinance. Fire permits will be supervised by the Los Angeles Fire Department, who will be present throughout this festivity.</p> <p><i>No-Action Alternative:</i> During non-event days at Hansen Recreation Area, noise is not a significant</p>	<p>No significant adverse impact</p>

	environmental issue in the immediate area. There would be no significant adverse effects to the noise-management environment at Hansen Basin under the No-Action Alternative.	
<p>13. IMPACTS TO EXISTING FEDERAL FLOOD CONTROL PROJECT:</p> <p>The site is not within Operations areas, but is within a well used Sports Center created for such public gatherings. There would be NO affect of flood control efforts or facilities whatsoever.</p>	<p>No such structures exist at this precise event location.</p> <p><i>No-Action Alternative:</i> The Hansen Recreation Area was designed to be a portion of the flood control facility, if at a relatively high Basin elevation. No-Action is unlikely to produce significant adverse effects to existing flood control during the subject month of July.</p>	No significant adverse impact
<p>14. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES:</p> <p>There are no such studies situated at this Hansen Dam Sports Center. The City has mentioned several potential recreation projects which could be developed in the future.</p>	<p>No such studies exist related to such special events.</p> <p><i>No-Action Alternative:</i> The No-action alternative is not anticipated to adversely affect studies at this Basin.</p>	No significant adverse impact

IMPACTS ON THE HUMAN POPULATION		
DESCRIPTION OF RESOURCE AND BASELINE CONDITION	POTENTIAL IMPACTS AND MITIGATION MEASURES	
<p>15. HUMAN HEALTH AND SAFETY:</p> <p>Hansen Dam is a major recreation area with health and safety considerations normally associated with a park. This special event will not add additional health or safety risks in the area since City of Los Angeles has conducted a series of planning meetings to foresee and resolve issues relating to public safety.</p>	<p>First Aid will be available and safety precautions enforced. Traffic and other crowd control measures will be maintained by LA City and by the permittee. Los Angeles Police and Los Angeles Fire Department personnel will be on hand to deal with any sort of health or safety risk, and Los Angeles County Paramedics will also be present during the event.</p> <p>Areas must be kept in good condition. The permit holder</p>	No significant adverse impact

	<p>is responsible for all trash collection, including providing and emptying trash cans and dumpsters. The permit holder shall be responsible for cleanup and damage in the area used by the event. Cleanup shall occur throughout the duration of the event and the permit holder shall ensure all cleanup and equipment removal is completed by dusk, September 2, 2013. The City will require a maintenance deposit from the permit applicant.</p> <p>The City will require the permit holder to obtain insurance for liability and property damage and to indemnify the City and the Corps.</p> <p>Portable restrooms will be provided, and a first-aid station will be on site.</p> <p><i>No-Action Alternative:</i> Safety would not be compromised as a result of the No-Action alternative, whereby the City would continue to provide Safety oversight at its Recreation Area. No significant adverse effect.</p>	
<p>16. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: There are no substantial industrial, commercial, or agricultural activities in the immediate area, nor will the event add to or alter these activities.</p>	<p>The selling of food and other minor commodities for event-goers will occur within the special event area.</p> <p><i>No-Action Alternative:</i> No significant adverse effects to such activities.</p>	<p>No significant adverse impact</p>
<p>17. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: This event will not move nor eliminate any jobs, but may possibly create a limited number of temporary jobs for this event and the subsequent clean up day thereafter.</p>	<p>Part-time, temporary staff may be hired for this event to handle parking, security, clean up and other aspects.</p> <p><i>No-Action Alternative:</i> The No-Action alternative</p>	<p>No significant adverse impact</p>

	reflects existing <i>status quo</i> regarding employment. No significant adverse effects.	
<p>18. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:</p> <p>There is no designated wilderness area here although other areas within the Hansen Basin provide habitat for wildlife. This Park location itself is used throughout the year for a variety of low- and higher-density events, per the City's Recreation lease with the Corps of Engineers. Nearby areas used for recreation and wildlife viewing include the playing/recreation fields, and suburban wildlife area.</p>	<p>This is not a designated wilderness area, but a public recreation area. Several recreation and wildlife areas are near or adjacent to the proposed event site. The City shall require the permit applicant/holder to ensure that access to these areas is unobstructed and unadulterated.</p> <p><i>No-Action Alternative:</i> There would be no change to existing management of natural management areas at Hansen.</p>	No significant adverse impact
<p>19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:</p> <p>There is no housing within the Hansen Basin. The nearby area is urbanized and contains a mix of commercial and residential uses.</p>	<p>This event will not add or encourage population growth or housing.</p> <p><i>No-Action Alternative:</i> This alternative would not affect Population/housing,</p>	No significant adverse impact
<p>20. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p> <p>Traffic in the basin is associated with use of the recreational features within the basin as well as vehicles using basin roads to reach non-basin locations.</p>	<p>Traffic will be handled by LA DOT and by the event's organizers. Holding this event adjacent to mass transportation allows for public transportation, to reduce traffic impacts. The City will also encourage bicycling and other traffic-reducing measures. The City will require the permit holder to control parking and traffic around the Park and ensure incoming traffic does not back onto adjacent roadways. Appropriately sized disabled parking will be provided adjacent to the event. Parking plans shall be coordinated between the City and permit holder.</p> <p><i>No-Action Alternative:</i> Traffic and parking are not affected adversely during non-Event days at Hansen</p>	No significant adverse impact

	Recreation Area.	
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V. CUMULATIVE IMPACTS

- a. PAST -- City of Los Angeles has provided recreational opportunities at this location for many years. The general area near Hansen Dam Sports Center (Hansen Recreation Area) is developed for housing over the years with few commercial businesses in the upper Hansen Basin area. A Children’s Museum was recently built, but remains unopened, in the northwest Hansen Basin area. City of Los Angeles also provides an equestrian center just east of the proposed Air Show venue. Hansen Basin has been home to several large events for many years, as well as open for daily attendance in the Basin’s outdoor recreation facilities.
- b. PRESENT -- The City of LA provides recreational opportunities of various types, each year, at this and at other adjacent locations within Hansen Dam Basin. Special events with several thousand attendees are held throughout the year at high-density designated areas within the Hansen Dam Basin. Events generate trash, use, health/safety, and traffic/parking considerations. Most are short-term events that occur over a one-day or weekend period such as this event. Events are managed for traffic and noise concerns and the City requires the permit applicant and holder to address security, trash, and health considerations. The City completed construction of a Ranger Station in western Hansen Recreation Area. A rustic campground has also undergone development in the western basin area. Local housing development in adjacent areas is built-out to capacity at this time with few new housing starts.
- c. FUTURE -- The City of LA will continue to provide recreational opportunities, per its Recreation outgrant, into the foreseeable future at the Hansen Recreation Area. Adjacent City areas will continue to be developed but the overall expected use of Hansen Dam Basin will remain for flood control and for open space and other recreation opportunities for the general public. Special event requests are anticipated to continue to occur, with a number of events proposed regularly each year. These events will be evaluated individually or as part of a programmatic assessment. No other major projects are known at this time to be planned for future construction. The basin has been used for recreation since the early 1950’s and remains so; any future recreation and other developments within the Basin will continue to be constructed using methods to minimize environmental impact.

VI. SUMMARY OF MITIGATION MEASURES OF THE PROPOSED ACTION AND ALTERNATIVES:

The proposed action included the following avoidance, minimization, and mitigation measures.

General:

- RAP conducts planning meetings with City agencies and departments to provide safety, crowd and traffic control.

Specific:

Recreation:

- The City's permit will specifically state that the use of the non-event areas and adjacent wildlife area are not authorized, and that access to these areas may not be impeded in conjunction with this said event.
- Clean-up of area will be completed by 7:00 p.m., September 2, 2013.

Air/Traffic/Parking:

Event parking and traffic management will be designed to avoid vehicle backup onto adjacent roadways, reducing idling and congestive traffic.

- Use of public transportation to this event will be emphasized.
- Use of bicycling and provided bicycle parking will be emphasized.
- A parking plan overseen by LAPD/LAFD and OPS and coordinated with the permit holder will be implemented.
- Appropriately sized disabled parking will be provided adjacent to the event.

Noise:

- City Noise Ordinance shall be enforced.

Health/Safety:

- Areas must be kept in good condition. City will ensure the permit holder is responsible for all trash collection, including providing and emptying trash cans and dumpsters.
- The City will ensure the permit holder is responsible for cleanup and damage in the area used by the event. Cleanup shall occur throughout the duration of the event and the permit holder shall ensure all cleanup and equipment removal is completed by 7:00 p.m., September 2, 2013. The City will require a maintenance deposit from the permit holder.
- The wine and beer garden on site will be licensed and LAPD-supervised.
- The City will require the permit holder to obtain insurance for liability and property damage and to indemnify the City and the Corps.
- Portable restrooms will be provided, and a first-aid station will be on site.

VII. AGENCY COORDINATION

A 15-day public notice of the proposed action shall be made available August 14, 2013. Comments received shall be evaluated.

IX. RESPONSE TO COMMENTS

___ comments were received.

X. APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

For each of the following, please provide a brief description of any consultation efforts made, and the results of those consultation efforts. All supporting documents are included in Appendices.

10.1 National Environmental Policy Act (NEPA) (42 USC 4321 et seq.)

NEPA is the nation's primary charter for protection of the environment. It establishes national environmental policy which provides a framework for Federal agencies to minimize

environmental damage and requires Federal agencies to evaluate the potential environmental impacts of their proposed actions. Under NEPA, a Federal agency prepares an Environmental Assessment (EA) describing the environmental effects of any proposed action and alternatives to that action to determine if there are significant impacts requiring development of an Environmental Impact Statement (EIS) or if a Finding of No Significant Impact (FONSI) is appropriate. The EA must identify measures necessary to avoid or minimize adverse impacts, and all impacts must be reduced to a level below significance in order to rely upon a FONSI.

By circulating the Notice for this draft Environmental Assessment, this proposal is in compliance with the Act.

10.2 U.S. Fish and Wildlife Coordination Act (16 USC 661)

This Act requires Federal agencies consult with the USFWS and the fish and wildlife agencies of States where the "waters of any stream or other body of water are proposed or authorized, permitted or licensed to be impounded, diverted . . . or otherwise controlled or modified" by any agency under a Federal permit or license. Consultation is to be undertaken for the purpose of "preventing loss of and damage to wildlife resources." The intent is to give fish and wildlife conservation equal consideration with other purposes of water resources development projects.

As the proposed event does not involve impoundment, diversion, or other modification to bodies of water within the Basin with the proposed reclassification of land use, no Fish and Wildlife Coordination Act Report is required.

10.3 Endangered Species Act (ESA), as amended (16 USC 1531 et seq.)

The ESA protects threatened and endangered species, and their designated critical habitat, from unauthorized take. Section 9 of the Act prohibits such take, and defines take as to harm, harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct. Section 7 of the ESA requires Federal agencies to ensure that any action authorized, funded or carried out by them is not likely to jeopardize the continued existence of listed species or modify their critical habitat.

Consultation with the USFWS or National Marine Fisheries Service is required if the Federal action may affect a Federally-listed species or designated critical habitat. However, since the proposed event is limited to lands with no listed species habitat, with no construction project to be physically implemented, consultation was not required, and the project complies with the ESA.

10.4 Migratory Bird Treaty Act (MBTA) (16 USC 715- 715s)

The MBTA prohibits the taking or harming of any migratory bird, its eggs, nests, or young without an appropriate Federal permit. Almost all native birds are covered by this Act and any bird listed in wildlife treaties between the United States and several countries, including Great Britain, Mexican States, Japan, and countries once part of the former Soviet Socialist Republics. A "migratory bird" includes the living bird, any parts of the bird, its nest, or eggs. The take of all migratory birds is governed by the MBTA's regulation of taking migratory birds for educational, scientific, and recreation purposes and requiring harvest to be limited to levels that prevent overutilization. Section 704 of the MBTA states that the Secretary of the Interior is authorized and directed to determine if, and by what means, the take of migratory birds should be allowed and to adopt suitable regulations permitting and governing take. Disturbance of the nest of a

migratory bird requires a permit issued by the USFWS pursuant to Title 50 of the Code of Federal Regulations (CFR).

Since the proposed event is limited to a high-density recreation area which does not contain migratory bird habitat, with no construction project to be physically implemented, the project complies with the Act.

10.5 Clean Water Act (CWA) (33 USC 1251 et seq.)

Section 401 of the CWA requires that every applicant for a Federal license or permit for any activity that may result in a discharge into navigable waters must obtain a State Water Quality Certification or waiver that the proposed activity will comply with state water quality standards (*i.e.*, beneficial uses, water quality objectives, and anti-degradation policy). The Los Angeles RWQCB issues section 401 Water Quality Certifications for activities within Los Angeles County.

Section 402 prohibits the discharge of pollutants to "waters of the United States" from any point source unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit. Section 402 requires a NPDES Permit for the discharge of storm-water from municipal separate storm sewer systems (MS4) serving urban areas with a population greater than 100,000; construction sites that disturb one acre or more; and industrial amenities. The RWQCB administers these permits with oversight provided by the SWRCB and EPA Region IX.

Section 404 authorizes the Secretary of the Army acting through the U.S. Army Corps of Engineers to issue permits for the discharge of dredged or fill materials into the waters of the United States, including wetlands, at specified disposal sites. The selection and use of disposal sites must be in accordance with guidelines developed by the Administrator of EPA in conjunction with the Secretary of the Army and published in 40 CFR Part 230 (known as the 404(b)(1) guidelines). Under the Section 404(b)(1) guidelines, the Corps shall examine practicable alternatives to the proposed discharge and permit only the Least Environmentally Damaging Practicable Alternative (LEDPA).

The proposed event is limited to an all-ground air show with no construction project to be physically implemented, and does not involve discharge of dredged or fill material in waters of the US. Therefore a 404(b)(1) analysis is not required and similarly, no other CWA issues are triggered. The proposal is in compliance with the CWA.

10.6 Clean Air Act of 1970 (42 USC 7401 et seq.)

Section 118 of this Act states that any Federal action that may result in discharge of air pollutants must comply with Federal, state, interstate and local requirements respecting control and abatement of air pollution. Section 176(c) of the Act requires that Federal actions conform to an implementation plan after it has been approved or promulgated under Section 110 of the Act.

The potential air quality impacts of the proposed project have been examined and compared to the significant levels identified by the SCAQMD, which is the agency with jurisdiction to enforce Clean Air Act regulations and other relevant local air quality regulations. The SCAQB sets the threshold limits which, if exceeded, trigger New Source Review Rules, as defined in the Act.

A conformity determination for a specific pollutant is not required because for each criteria pollutant or precursor the total of direct and indirect emissions of the criteria pollutant or precursor in the nonattainment area caused by the Federal action would not equal or exceed any of the rates in 40 CFR 93.153(b)(1) or (2). As a result, the proposed project conforms to the Federal Clean Air Act, as amended.

10.7 Noise Control Act of 1972, as amended (42 USC 4901 et seq.)

Noise generated by any activity, which may affect human health or welfare on Federal, state, county, local, or private lands, must comply with noise limits specified in the Noise Control Act.

With the exception landing/takeoff of no more than two helicopter aircraft, which is monitored for Safety issues such as crowd control around helicopters/noise, the proposed event is not likely to exceed noise levels to sensitive resources in the area. Noise will continue to be regulated with Federal, state, and local laws and ordinances and the review for this proposal has included avoidance of sensitive ecological areas.

The project is in compliance with the Act.

10.8 National Historic Preservation Act (NHPA) (16 USC 460b, 470I-470n)

Section 106 of the NHPA requires any Federal agency to take responsibility for the impact of the decisions on historic resources. Under Section 106, Federal agencies are prohibited from approving any federal "undertaking" (including the issuance of any license, permit, or approval), without 1) taking into account the effects of the undertaking on the historic properties, and 2) affording the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on the undertaking. The NHPA forces an agency to stop and consider the consequences of its undertakings on any historic property, and assures that the agency does so by requiring it to receive comment from the ACHP, or agencies acting in its stead, and from the public before proceeding with any such undertaking. In order to comply with the NHPA, a Federal agency considering an undertaking must go through the process outlined in the ACHP's regulations at 36 C.F.R. Part 800.

Since the proposed project is limited to surface activities with no subsurface project to be physically implemented, the proposed event is not likely to affect historic properties. As such, the proposed project is in compliance with Section 106 of the Act and its implementing regulations (36 CFR part 800).

10.9 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 USC 9601 et seq.)

CERCLA regulates the release or substantial threat of release into the environment of any pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare.

The proposed project is limited to an event within the Basin which has been reviewed by Federal Aviation Administration/FAA and will be monitored by Los Angeles Fire Dept. and should not result in any impacts resulting from pollutants or contaminants.

10.10 Executive Order (EO) 11514, Protection and Enhancement of Environmental Quality, amended by Executive Order 11991, Relating to Protection and Enhancement of Environmental Quality

This EO mandates that the Federal government provide leadership in protecting and enhancing the quality of the nation's environment to sustain and enrich human life. Federal agencies must initiate measures needed to direct their policies, plans and programs so as to meet national environmental goals. These regulations include procedures for early EIS preparation and require impact statements to be concise, clear, and supported by evidence that agencies have made the necessary analyses.

This Draft Environmental Assessment has been prepared to evaluate the proposal and, therefore, the proposal is in compliance with the mandates of this EO.

10.11 Executive Order 11988, Floodplain Management

In accordance with this EO, the Corps shall take action to "...avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."

This EO requires that Federal Agencies take action to manage the risk and/or impacts of floods on human safety, health, and welfare; and restore and preserve natural and beneficial values served by the floodplains. Each agency also has the responsibility to evaluate potential effects of Federal actions that may be made within floodplains.

Compliance with this EO requires proper implementation of engineering regulations (ER) 1165-2-26, which states that the policy of the Corps with respect to floodplain management is to formulate projects which, to the extent possible, avoid or minimize adverse impacts associated with use of the base (100-year) floodplain and avoid inducing development in the base floodplain unless there is no practicable alternative.

Since the proposed project is limited to a one-day event, with no project to be physically implemented, the proposed project would not result in further inducing development in the base floodplain.

There is no practicable alternative to undertaking the proposed Action Alternative within the floodplain, as the project area is already established within the floodplain. The Action Alternative recommends a land use classification plan for the Basin only, and does not include provisions for any physical development, alteration, or modification of the existing conditions. Therefore, the Action Alternative must occur within land that is already within the floodplain, and there are no practicable alternatives. The proposed event is in compliance with ER 1165-2-26 for implementing EO 11988.

10.12 Executive Order 11990, Protection of Wetlands

Federal agencies shall take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agencies responsibilities. Each agency, to the extent permitted by law, shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction and (2) that the proposed

action includes all practicable measures to minimize harm to wetlands which may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. Each agency shall also provide opportunity for early public review of any plans or proposals for new construction in wetlands.

The proposed project would not impact any wetlands within the Basin. The proposed project is in compliance with this EO.

10.13 Executive Order 12088, Federal Compliance with Pollution Control Standards

Federal Agencies are responsible for ensuring that all necessary actions are taken for the prevention, control, and abatement of environmental pollution with respect to Federal amenities and activities under control of the agency.

The action does not negatively affect the natural and beneficial values of the Basin as the reclassification of land use would conserve and protect existing natural areas from further development. The proposed project is in compliance with the EO.

10.14 Executive Order 12898, Environmental Justice Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

EO 12898 is intended to direct each Federal agency “to make achieving environmental justice part of its mission by identifying and addressing... disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations in the [U.S.]...”

No minority or low income communities would be disproportionately affected by implementation of the Proposed Action. The Proposed Action is in compliance with the EO.

10.15 Executive Order 13112, Invasive Species

Federal agencies are to expand and coordinate efforts to prevent the introduction and spread of invasive plant species and to minimize the economic, ecological, and human health impacts that invasive species may cause.

Although the invasive species *Arundo donax* is growing in patches within the Basin, maintenance of the Basin is the responsibility of the local sponsor under the terms of the lease. Eradication/maintenance of invasive species and the future replacement of non-native ornamental trees and other plant material is recommended in the updated Hansen Master Plan and per additional Corps guidance, the intent of the EO is met.

10.16 Executive Order 13148, Greening the Government through Leadership in Environmental Management

Environmental management considerations must be a fundamental and integral component of Federal Government policies, operations, planning, and management. The primary goal of this EO in the natural resources arena is for each agency to strive to promote the sustainable management of Federal facility lands through the implementation of cost-effective, environmentally sound landscaping practices, and programs to reduce adverse impacts to the natural environment.

