



**US Army Corps
of Engineers®**

DRAFT ENVIRONMENTAL ASSESSMENT

Lebanese Festival

September 1, 2013

WOODLEY PARK AT

SEPULVEDA DAM AND BASIN,

LOS ANGELES COUNTY, CALIFORNIA

Prepared by:

City of Los Angeles Department of Recreation and Parks

for the:

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

August 12, 2013

NOTICE OF PREPARATION ENVIRONMENTAL ASSESSMENT

This is to inform the general public that the United States Army Corps of Engineers Los Angeles District (Corps) has preliminarily determined that the following project proposal could be adequately evaluated under the National Environmental Policy Act (NEPA) through conducting an Environmental Assessment (EA). This notice announces preparation of a draft Environmental Assessment (dEA) for the proposal and invites public comment.

Proposal Title Lebanese Festival

Proposed Federal Action

The Corps is reviewing a special event proposal from the City of Los Angeles Department of Recreation and Parks, which operates under a lease from the U.S. Army Corps of Engineers.

Proponent City of Los Angeles, Recreation and Parks (City)
 Ramon Barrajas, Superintendent, Valley Region, at 818-756-8189
 Louis Loomis, Special Events Coordinator, at 818-756-8616

Location and Description

The Proposed Action includes Corps approval for Los Angeles City Dept. of Recreation and Parks, under its recreation lease with the Corps of Engineers, to convene a Lebanese Festival Special Event during daylight hours of Sunday, September 1, 2013, at Woodley Park located at 6350 Woodley Ave, Van Nuys, CA, 91406. Woodley Park is a large-events area within Sepulveda Recreation Area.

The proposed event would include up to approximately 5,000 individuals and would feature music, food, cultural activities and other related entertainment. A Mass would be held at 9:30 a.m. Parking would be sited at the overflow parking lot located on the west side of Woodley Avenue, south of Victory Boulevard.

Public Involvement

The Corps invites the general public to submit comments on potential environmental impacts that could result from implementation of the proposal. **The public comment period for preparation of this draft EA for the proposal described above will extend for 15 days, from August 14-29, 2013 and comments are requested be postmarked or received no later than 6 pm, August 29, 2013.**

Please direct your comments to Carvel Bass, US Army Corps of Engineers at carvel.h.bass@usace.army.mil or by mail at 915 Wilshire Boulevard, Ste. 11098, Los Angeles, CA, 90017.

If you have questions or would like additional information, please contact Carvel Bass, Ecologist, Asset Management Division at (213) 452-3392.

The Corps will actively consider any comments timely received. The results of this consideration would be reflected in a memorandum for record placed in the Administrative Record, unless consideration of the comments was reflected directly in the EA, either through a modification of the document prompted by the comments or an appendix to the EA articulating responses to the comments. Once the EA is complete and if a FONSI is determined to be appropriate based upon the analysis contained in the EA, pursuant to

the last cause of 33 CFR § 230.11, a separate notification will be sent to concerned agencies, organizations and to the interested public stating that the FONSI is available for review. If significant effects on the quality of the human environment are subsequently identified and can not be mitigated to a less than significant level, the Corps will initiate preparation of an EIS and afford the public opportunities to participate in the environmental review process.

(draft) FINDING OF NO SIGNIFICANT IMPACT

Lebanese Festival
Sunday, September 1, 2013
At Woodley Park in the
Sepulveda Flood Control Basin
Los Angeles County, California

I have reviewed the attached Environmental Assessment (EA) which was prepared to describe and analyze effects of the first Skate Par event and for Corps review and approval of the City of Los Angeles' Department of Recreation and Parks (RAP) proposal to permit the Festival. The event is proposed to be held on Sunday, September 1, 2013, at the Woodley Park portion of recreation areas north of the Wildlife Management Area within the Sepulveda Flood Control Basin. The event is a 1-day Lebanese cultural event that would host up to approximately 5,000 attendees feature music, cultural demonstrations, food, and other related entertainment. Admission will be \$5 per person, with parking at no charge.

Supplemental Agreement Number 4 to the recreation lease, DACW09-1-67-11 granted by the Corps to the City, reserves the right to the District Engineer, Los Angeles District, to Notice and approve special events that would have anticipated attendance in excess of 5,000 people per day. The current Sepulveda Dam Master Plan, in addition to certain other stipulated conditions, does anticipate events of this scope may be held in this portion of the basin. The proposed event is likely to attract up to 5,000 per day. Free parking is available at the overflow parking lot on west side of Woodley Avenue, south of Victory Boulevard.

The proposed event would temporarily affect recreation at Sepulveda Basin because it would affect such recreation management issues as trash generation, noise, and some traffic/parking in Basin or adjacent areas. RAP has committed that all other Basin areas will remain accessible to the general public. Free parking within the Basin for general recreation will be preserved. The Event Coordinator, with RAP, is finalizing a Parking Plan for the event which may include use of off-site parking, shuttle buses between parking and Event, and use of public transportation. Noise, Parking, Traffic, and any other safety issues will be regulated in accordance with the Corps' Special Events Policy and with the City's regulations and regulating agencies. Noise is anticipated to increase in this area of the basin temporarily due to the number of attendees and amplification of music at a stage.

In response to comments and event input received during the public review period of the draft FONSI and supporting EA, the following commitments have been included:

1. Corps staff will attend the Event and note any issues and conflicts with the Special Events Policy and this EA;
2. An after Event meeting shall be held between the Corps, the City RAP, and the Event Sponsor to resolve any issues identified by each party;
3. A final fee schedule for goods and services at the Event shall be submitted within 30-days of the close of the Event; and
4. A final cost analysis identifying all fees collected and all expenses shall be prepared by the Event sponsor and submitted to the Corps within 30-days of the close of the Event.

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 to the human environment. The Proposed Event, with the incorporation of the measures identified above and in this EA, is in compliance with all applicable Federal laws, Executive Orders and applicable Corps' policies. 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

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

Project Name: Lebanese Festival, 2013
Proposed Implementation Date: September 1, 2013
Proponent: City of Los Angeles Recreation and Parks
Location: Woodley Park Section I
County: Los Angeles

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 The LA Department of Recreation and Parks (City), the primary recreational facility operator and lessee at Sepulveda Basin, has submitted a request to the Corps for approval of a special event: the Lebanese Festival is a one-day celebration of the Lebanese cultures and lifestyle, and is expected to attract up to approximately 5,000 people per day in attendance, and feature music, arts, crafts, food, speakers and children’s games. Admission to this event will be \$5.00, while parking is free. Supplement number 4 to the Recreation lease, DACW09-1-67-11, 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.

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 this special event, the Lebanese Festival. This analysis was offered to the interested public to solicit input on the project and was made available for review and public input for 15 days, from 13-28 August, 2013. In addition, the proposal was noticed to the Sepulveda Basin Wildlife Management Area Steering Committee and the local Los Angeles City Council District # 6 at councildistrict6@lacity.org.

Comments received from the public in the fifteen (15) days following the Notice of Preparation were to 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. No public comments were received during the Public Notice period.

II. ALTERNATIVES

a. No Action – 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, but it is considered equivalent to the baseline condition (general park use) in this Environmental Assessment. Los Angeles Recreation and Parks maintains the Sepulveda Basin recreation areas as a locale for special recreation events such as this event, as well as general park availability.

b. Onsite -- The special event, Lebanese Festival, would be held at Woodley park Section I of Sepulveda Dam. This would be the first year for this event. The location is considered an appropriate

location by City park managers as well as per the *Sepulveda Basin Recreation Master Plan* (2011). Parking would be allowed at adjacent Sepulveda Dam parking area.

c. Offsite – Although locations (such as the Beilensen Park area) within Sepulveda Recreation Area are potentially available, no offsite locations were identified for this proposal, because this is considered the most appropriate site for this event, considering traffic, noise, other possible concerns as well per as the locale’s designation in the 2011 *Master Plan*.

III. PROPOSED ACTION

This year the American Lebanese Cultural Festival will take place on Sunday, September 1, 2013. The festival’s hours would be from 9:00a.m. to 7:00p.m. at Woodley Park Section I, with street address at 6350 Woodley Ave, Van Nuys, CA, 91406.

A Mass in the Park will take place at 9:30 a.m. Every-one attending has a chance to enjoy music, dance, traditional food, games and other attractive activities for all ages. Parking is free. This one-day event, expecting up to approximately 5,000 people at the event day, will include Lebanese cultural activities such as music, dance, traditional food, games and other attractive activities for all ages. Parking is free.

Portable restrooms and first aid capability would be established. Admission would be \$5.00 general admission, while parking would be at no charge.

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>Woodley Park is composed of turf park areas with no type of special soils.</p>	<p>Event on turf area with no special features or soils.</p>	<p>No significant adverse impact</p>
<p>2. WATER Resources:</p> <p>Park areas are composed of turf areas and no water resources are present which would be affected by regular recreation activity.</p>	<p>This event would not be held at any body of water; there would be no impact to water.</p> <p>The Sepulveda Basin Wildlife Lake/Lake Management Area is located within walking distance, to the south of Woodley Park.</p>	<p>No significant adverse impacts expected to water resources.</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.</p>	<p>The event site has parking for approximately 2,000 vehicles. Use of bicycling and provided bicycle parking will be emphasized.</p> <p>In addition, event organizer may encourage ridesharing, as well as the use of public transportation to reach this event.</p>	<p>No significant adverse impact – Air quality impacts within de minimis levels and below regional significance.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY:</p> <p>Woodley Park is composed of turf with no rare cover types on site. Woodley Park is generally used for regular recreational activities, and was previously developed for special events such as this. A nearby, adjacent area contains wildlife habitat, which is not part of this event area.</p>	<p>The park is composed of a turf substance which is suitable for this type of activity. The City will make clear to the permit holder that the sensitive habitat areas within SPVDA basin are not authorized for use.</p>	<p>No significant adverse impact</p>
<p>5. WILDLIFE:</p> <p>Woodley Park areas are not substantially nor primarily used by wildlife, birds, or fish, as this wildlife would prefer to migrate to the adjacent wildlife habitat which is more suitable for their needs and less habituated by people.</p>	<p>This is a turf park area. The Sepulveda Basin is composed of a variety of Recreation use areas, designed for different public uses. A wildlife area is nearby but not part of the area proposed for the event.</p>	<p>No significant adverse impact</p>
<p>6. THREATENED OR ENDANGERED SPECIES:</p> <p>Woodley Park areas are situated in a parklike, but not a naturally vegetated area, and not known to be used by T/E species. Elsewhere in the basin are located riparian and other aquatic-based songbirds and other birds which include examples of Federal or State listed species, but not specifically where this event is to be held.</p>	<p>Other areas within Sepulveda Basin are more sensitive in this regard and those areas are also open to the public, but are not part of the area proposed for this event.</p>	<p>No significant adverse impact</p>
<p>7. WETLANDS:</p> <p>Wetlands are not found at the proposed event site.</p>	<p>The turf park area is the only area to be used for the duration of this event, along with the parking lot for visitors' automobiles.</p>	<p>No significant adverse impact</p>
<p>8. CULTURAL RESOURCES:</p> <p>Buried cultural resources may exist within SPVDA Basin, but not necessarily at present-day Woodley Park which is the site for this event.</p>	<p>The proposed turf park area is the site used for this event, and the proposed Festival will not involve ground-disturbing activities which could impact any such resources.</p>	<p>No significant adverse impact</p>
<p>9. AESTHETICS:</p> <p>The Sepulveda Dam area is not at a prominent topographic feature although the Dam itself is quite prominent from the 405 and 101 Fwys. There would not be excessive noise or light, any more than is normal for an event with ~5,000 people arriving</p>	<p>There are some prominent features at the Basin, including the central landscaped entrance area to Woodley Park, which is isolated from populated areas. Amplified sound for this event is</p>	<p>No significant adverse impact</p>

and departing during the day. The City of Los Angeles maintains noise control standards within its city limits and, especially at the Park, endeavors to keep ambient noise to a level which would not bother other Park patrons.	expected to end at dusk. Los Angeles City noise ordinance would be enforced by local agencies, with an evening cut-off time.	
10. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: The event will be contained within Woodley Park which has been designed to be used by large numbers of Park-goers for such events as this is intended. It is used for picnicking and general recreational activities the majority of the time, as well as these occasional special events.	This is a park area where people are expected to congregate, and was planned for, designed, financed and developed for just that purpose. Other nearby recreation and wildlife areas will remain open and accessible to the general public.	No significant adverse impact
11. WATERS/NAVIGABLE WATERS OF THE UNITED STATES: No 'waters of the US' are involved at this event's footprint.	No 404 issues exist for this event.	No significant adverse impact
12. NOISE: Existing noise is that associated with general park use by picnickers and general recreational users, as well as permitted special events such as this. Adjacent road traffic and urban surroundings provide normal additional noise.	Amplified sound during daylight hours by speakers and some music would be projected to the surrounding Woodley Park area for this paid event. The event would be supervised by Los Angeles City which maintains a Noise ordinance.	No significant adverse impact
13. IMPACTS TO EXISTING FEDERAL FLOOD CONTROL PROJECT: The Flood Control structure facility at this Basin is called Sepulveda Dam, but the event site is not within and is north of, the Dam's or Operations areas.	There is no connection with this event and flood control structures at Sepulveda Basin.	No significant adverse impact
14. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: At this time there is no indication that new major, future studies, plans or projects at Sepulveda Basin are being actively pursued.	Any such activities or studies, which this proposal may impact, do not exist at this tract.	No significant adverse impact

IMPACTS ON THE HUMAN POPULATION		
DESCRIPTION OF RESOURCE AND BASELINE CONDITION	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES	
15. HUMAN HEALTH AND SAFETY: Woodley Park is a major recreation area with health and safety considerations normally associated with a park. The Park is managed on a day-to-day basis by	First Aid will be available and safety precautions will be enforced. Traffic move-ment will be facilitated.	No significant adverse impact

<p>LA City Recreation and Parks, with additional services attending in case of larger attendance needs at such special events.</p>	<p>The special event would not add to health and safety risks in the event area.</p>	
<p>16. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION:</p> <p>There are no substantial industrial, commercial, or agricultural activities in the immediate area. This special event will not add or alter the above activities.</p>	<p>The selling of food/beverages and other minor commodities for consumption by event-visitors will occur within the special event area.</p>	<p>No significant adverse impact</p>
<p>17. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:</p> <p>Generally, the Woodley Park and other Recreation Area events do not generate significant employment. Permanent jobs are not likely to be created, moved, or eliminated. Temporary part-time jobs may be created.</p>	<p>Local commerce would be positively affected for a short term event. Part-time, temporary staff may be hired for this event to handle parking and other aspects.</p>	<p>No significant adverse impact. Some positive impacts to local economy.</p>
<p>18. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:</p> <p>Other Basin areas provide habitat for wildlife. This Park location 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 cricket fields, golf course, archery range, and wildlife area. Along Bull Creek and the Los Angeles River, as well as at the Wildlife Lake Management Area, native vegetation provides habitat for wildlife species.</p>	<p>Woodley Park is a designated recreation site, owned by the United States Army Corps of Engineers and managed by City of Los Angeles for recreational purposes. An adjacent area, the Wildlife Lake Management Area, provides habitat for bird and other species such as waterfowl, raptors, songbirds, and small wild mammals and reptile.</p> <p>The City shall require the permit holder, to ensure that access to any adjacent recreation areas (such as cricket fields, wildlife area, archery range, and golf course) is unobstructed.</p>	<p>No significant adverse impact</p>
<p>19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:</p> <p>There is no housing within the Sepulveda Basin. The nearby area is urbanized and contains a mix of commercial and residential uses. This special event will neither add nor subtract, nor in anyway change, the present population at all.</p>	<p>This event will not add or encourage population growth or housing in any way.</p>	<p>No significant adverse impact</p>

<p>20. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p> <p>Traffic in the Sepulveda Basin is associated with the use of the recreational features within the basin as well as vehicles using basin roads to reach non-basin locations. This is normal activity for this recreational development.</p>	<p>Traffic is to be coordinated between the Promoter and L.A. City. This event being adjacent to a bus-line allows for public transportation, to reduce traffic impacts. The City will also encourage bicycling and other traffic-reducing measures. City requires the permit holder to control parking and traffic around the park and ensure incoming traffic does not back onto adjacent roadways. Event parking would occur at Woodley #1 and the Administrative Overflow Parking Lot. Woodley #1 has space for 220 cars; the overflow lot has space for ____ 1500. Appropriately sized disabled parking will be provided adjacent to the event. Parking at Woodley #2 and Lake Balboa will be open to the public as usual.</p>	<p>No significant adverse impact</p>
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V. CUMULATIVE IMPACTS

- Past – what impacts have past projects had on the surrounding resources
- Present – what impact would the proposed action have on existing resources?
- Future – will the proposed action contribute to the degradation of the environment?

a. **PAST** In previous years and currently, a number of mostly 1-day special recreation events have been held in the Sepulveda Recreation Area, including at Woodley Park and at the vicinity of Lake Balboa within the Anthony C. Beilenson Park portion of the Recreation Area.

Recreational special events have been a significant public offering of approved activities, following construction of the Dam in 1941. In the interim, many Basin improvements such as added parking, irrigation, and other features have been made for the local recreational public. Internal developments include the construction of numerous recreation projects by the City of Los Angeles Department of Recreation and Parks and the Corps, including Lake Balboa, the Sepulveda Dam Basin Wildlife Lake, the Bull Creek Restoration project, various ball-fields and other recreation-based initiatives, as well as the Donald C. Tillman Wastewater Reclamation Plant.

b. **PRESENT** Approximately 12 to 18 large (over-1,000 person) events are held at Sepulveda Dam Basin each year, with four of these events averaging over 10,000 attendees. The majority of special events occur at Woodley Park, with a smaller number and the largest events occurring at Anthony C. Beilenson Park. Similarly-sized events average one to two days, with additional short periods of set-up and take-down/restoration of the areas. Maximum time for set up and tear down is not to exceed 48 hours. These

special events result in more activity overall in the Sepulveda Recreation Area and tend to occur on weekends.

Other impacts within Sepulveda Dam Basin also include environmental restoration projects and additional recreational development construction projects, which may temporarily displace or inconvenience some park users. The Bull Creek Restoration project was implemented during 2008-2009 and a second restoration project, south of Burbank Boulevard on Corps Operations land, was also initiated during late 2012 and continues to the present. A Sports Complex on the west side of Balboa Boulevard was constructed and opened in recent years. Occasional short-term movie shoots are intermittently scheduled at the Dam's south Spillway. The surrounding Encino area is largely built to completion.

c. FUTURE The Corps will continue to review the City's special event proposals and anticipates that the number of special events annually will remain roughly the same. The Corps will continue to examine resource needs and conflicts in the area.

Several proposed, smaller sports areas, now being utilized under agricultural lease areas, may be developed by the City of Los Angeles in the lower Sepulveda Dam Basin, although these have not yet been approved nor designed.

This subject Lebanese Festival special event is not likely to add adverse cumulative effects at the Sepulveda Recreation Area because if such events are conducted and supervised as described, no adverse effects to the environment are foreseen.

5.0 APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS

The dEA fulfills the requirements of NEPA and other pertinent laws and regulations discussed below.

5.1.1 National Environmental Policy Act (NEPA) Compliance

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 must prepare an Environmental Assessment (EA) describing the environmental effects of any proposed action having a significant impact on the environment. The EA must identify measures necessary to avoid or minimize adverse impacts resulting from the proposed action or determine if further analysis is required and prepare an Environmental Impact Statement (EIS). This Event is in compliance with the Act.

5.1.2 U.S. Fish and Wildlife Coordination Act (16 U.S.C. 661)

This Act requires Federal agencies to coordinate with the USFWS and local and state agencies when any stream or body of water is proposed to be modified. The intent is to give fish and wildlife conservation equal consideration with other purposes of water resources development projects. The proposed Event would not involve modification of a body of water, therefore, formal coordination and preparation of a Coordination Act Report is not required.

5.1.3 Endangered Species Act of 1973 (Public Law 93-205), as amended.

The Endangered Species Act (ESA) protects threatened and endangered species, as listed by the USFWS, from unauthorized take, and directs Federal agencies to ensure that their actions do not jeopardize the continued existence of such species. Section 7 of the Act defines Federal agency responsibilities for consultation with the USFWS. The Act requires preparation of a Biological Assessment to address the effects on listed and proposed species of a project. Due to the disturbed, park like landscape of the proposed location, there would be no impacts to listed or proposed species. This Event would be in compliance with the Act.

5.1.4 Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act 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 nests or eggs. The take of all migratory birds is governed by the MBTA’s regulation of taking migratory birds for educational, scientific, and recreational purposes and requiring harvest to be limited to levels that prevent over-utilization. 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). This Event would be in compliance with the Act.

5.1.5 Clean Water Act

Section 404 (b) prohibits the discharge of dredged or fill materials into the waters of the United States, including wetlands, except as permitted under separate regulations by the U. S. Army Corps of Engineers (Corps) and U. S. Environmental Protection Agency (EPA).

Waters of the U.S.: Under Section 404 of the Clean Water Act (CWA), the Corps regulates discharges of dredged or fill material into “Waters of the United States”, including wetlands. “Waters of the United States” is defined in 33 CFR 328.3 as

- All waters which are currently used, or were used in the past or may be susceptible to use in interstate or foreign commerce;
- All interstate waters including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams, (including intermittent streams), the use, degradation or destruction of which could affect interstate or foreign commerce;
- All impoundment of waters otherwise defined as Waters of the U. S. under the definition; and
- Tributaries of waters, defined above.

The Corps does not require or issue itself permits although nation-wide permits may be applied to Corps projects and thus considered when addressing compliance under Section 404 (b) (1). Pursuant to 40 CFR Section 230.10, for all waters of the U.S. only the Least environmentally Damaging Practicable Alternative (LEDPA) can be permitted. The proposed Event does not involve discharge of dredged or fill material in waters of the US, therefore a 404 (b)(1) permit is not required.

For the same reason, the Event does not require State Water Quality Certification under Section 401 of the Act. The Event would not require a Storm Water Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination System under Section 402 of the Act. This Event is in compliance with the Act.

5.1.6 Clean Air Act of 1970 (42 U.S.C. 7401 et seq.)

1977 Amendments to the Clean Air Act enacted legislation to control seven toxic air pollutants. USEPA adopted National Emission Standards for Hazardous Air Pollutants (NESHAP), which has been designed to control Hazardous Air Pollutants (HAP) emissions to prevent adverse health effects in humans.

1990 Amendments to the Clean Air Act determine the attainment and maintenance of NAAQS (Title I), motor vehicles and reformulation (Title II), hazardous air pollutant (Title III), acid deposition (Title IV), operating permits (Titles V), stratospheric ozone protection (Title VI), and enforcement (Title VII).

General Conformity. Under Section 176(c) of the Clean Air Act Amendments (CAAA) of 1990, the Lead Agency is required to make a determination of whether the Proposed Action “conforms” to the State Implementation Plan (SIP). Conformity is defined in Section 176(c) of the CAAA as compliance with the SIPs purpose of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of such standards. However, if the total direct and indirect emissions from the Proposed Action are below the General Conformity Rule “*de minimis*” emission thresholds, the Proposed Action would be exempt from performing a comprehensive Air Quality Conformity Analysis, and would be considered to be in conformity with the SIP.

The proposed Event would not have a significant impact on air quality. The total emissions of each criteria pollutant either meets or is below *de minimis* levels as prescribed in 40 CFR 93.153(b). The action is not considered to be regionally significant. Although there would be an increase in vehicle use, it would be temporary for one day in duration and emissions are expected to be minimal and below the *de minimis* thresholds and thus would not violate National or state standards. As a result, the proposed Event would have no long-term impacts on local or regional air quality.

Therefore, this proposed Event conforms to the Federal Clean Air Act as amended 1990 and, as required. This Event is in compliance with the Act.

5.1.7 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. The Corps has determined that, by complying with the Corps’ Special Events Policy to minimize impacts during the Event, the Event is in compliance with the Act.

5.1.8 National Historic Preservation Act (Public Law 89-665; 16 U.S.C. 470- 470m, as amended, 16 U.S.C. 460b, 470l-470n)

The Proposed Event is in compliance with Section 106 of this Act, as implemented by 36 CFR 800. The Proposed Event would not impact cultural resources

5.1.9 Archeological Resources Protection Act, as amended

The Act requires oversight when cultural resources may be impacted when working on Federal lands or in case of other, work-related Federal connections. The Act allows for the preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed. The Event is in compliance with the Act because it is not anticipated that buried or other cultural resources will be affected by the Event.

5.10 Uniform Fire Code

The Uniform Fire Code (UFC) contains provisions regarding the storage and handling of hazardous materials. These provisions are contained in Articles 79 and 80, most recently revised in 1997 (UFC 1997). These articles contain minimum setback requirements for storage of materials. The proposed Event would be in compliance with the act.

5.1.11 Comprehensive Environmental Response, Compensation and Liability Act

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) provides the USEPA with the authority to identify and clean up contaminated hazardous waste sites. Individual states may implement hazardous waste programs under RCRA with USEPA approval. California has not yet received this USEPA approval; instead, the California Hazardous Waste Control Law (HWCL) is administered by the California Environmental Protection Agency (CALEPA) to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the USEPA approves the California program, both the state and Federal laws apply in California. CERCLA also contains enforcement provisions for the identification of liable parties. It details the legal claims that arise under the statute, and provides guidance on settlements with the USEPA. Section 120 of this Act addresses hazardous waste cleanups at Federal facilities, and requires the creation of a Federal Agency Hazardous Waste Compliance Docket, which lists facilities that have the potential for hazardous waste problems. In addition, a Hazardous Substance Superfund was established to pay not only the USEPA cleanup and enforcement costs and certain natural resource damages, but also to pay for certain claims of private parties. Conformance with this law would only be engaged if unforeseen waste was found or was abandoned on site. The Event is in compliance with this Act because no such CERCLA substances are involved with or locally stored due to the Event's activities.

5.1.12 National Flood Insurance Program

The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency's (FEMA's) Flood Insurance Administration. The flood control capacity of the Basin would not be impacted by the proposed Event and therefore there would be no impact to NFIP users.

5.1.13 Federal Water Project Recreation Act of 1965, as amended

This Act requires that any Federal water project must give full consideration to opportunities afforded by the project for outdoor recreation and fish and wildlife enhancement. The Proposed Event would be temporary in nature and normal park use would resume within 48-hours, per the Corps' Special Events Policy.

5.1.14 Federal Land Policy and Land Management Act of 1976 (43 USC 1701 et seq.)

The Act regulates management of the public lands and their various resource values so that resources are utilized in a combination that will best meet the present and future needs of the American people. The proposed Event would provide recreation and cultural opportunities to the public, therefore meeting the intent of the Act.

5.1.15 Americans with Disabilities Act of 1990, as amended (42 USC 126, et seq.)

The Act prohibits public entities, defined as any state or local government, or division thereof, from excluding any individual with a disability from participation in or be denied the benefits of the services,

programs, or activities of a public entity, or be subjected to discrimination by any such entity. A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity. By providing the appropriate number of Universal Access (UA) parking spaces, by having the appropriate number of UA "porta-potties" available, and in other ways making the Event accessible, the Event would be in compliance with the Act.

5.1.16 Executive Order 11988: Floodplain Management

Executive Order 11988, signed by President Jimmy Carter on 24 May 1977, and published in 42 FR 26351. Its purpose is 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."

Each agency shall provide leadership, take action to reduce the risk of flood loss, and to minimize the impact of floods on human safety, health, and welfare. Agencies shall restore and preserve natural and beneficial values served by the floodplains. Each agency also has the responsibility to evaluate potential effects of Federal action that may be made within floodplains. Each agency will ensure planning and budget requests reflect consideration of flood hazards and floodplain management. This Event would not adversely impact floodplain management or add to excessive floodplain development, because this recreational Event to be located in the large-event Beilenson Park recreation area is anticipated by planners as appropriate usage for the area.

5.1.17 Executive Order 12088, Federal Compliance with Pollution Control Standards

The head of each Executive agency is responsible for ensuring that all necessary actions are taken for the prevention, control, and abatement of environmental pollution with respect to Federal facilities and activities under control of the agency. Enactment of environmental commitments to minimize pollution impacts during the Event would meet the standards of this Act.

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

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations) was signed on February 11, 1994. This order was intended to direct Federal agencies "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 Executive Order.

6. PREPARERS

This document has been prepared by Louis Loomis of the City of Los Angeles Department of Recreation and Parks and has been reviewed by Civil Works Branch (Asset Management Division) and other staff of the U.S. Army Corps of Engineers, Los Angeles District.

7. SUMMARY OF MITIGATION MEASURES OF THE PROPOSED ACTION AND OF ALTERNATIVES

The sole alternative with mitigation measures is the Proposed alternative, which is for the Corps to allow LA City RAP permission, under the existing Recreation lease, to hold the Lebanese Festival Event. These mitigation measures, including avoidance and minimization measures, are provided by the City and Event organizers to reduce and to avoid significant adverse effects which could result from a festival of this size being held at Woodley Park within Sepulveda Basin.

As was mentioned earlier in this document, planning measures will be taken to provide the necessary plans for Traffic and Parking, as well as to monitor noise effects during the Event by Recreation and Parks, Department of Transportation, and Los Angeles Police and Fire Departments. Planning has occurred for shuttle buses and off-site parking, as well as for a degree of reliance on use of public transportation. Regular planning meetings have continually provided the needs assessment to successfully plan for reducing impacts for this event.

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.

Recreation:

- The City's permit will specifically state that the use of the archery range, cricket fields, golf course parking lots, and wildlife area are not authorized, and that access to these areas may not be impeded.
- Clean-up of area will be completed by 12:00 p.m., September 3, 2013.

Air/Traffic/Parking:

- Event parking and traffic management will be designed to avoid vehicle backup onto Victory and Burbank, reducing idling.
- Use of Orange line to 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. The 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 12:00 p.m., September 3, 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.

