Environmental Resources Management (ERM). 2017. *Final EIR for Los Angeles Trans-Pacific Telecommunications Cable Hub*. State Clearinghouse No. 2016101050. July. Prepared for City of Los Angeles Department of Public Works, Bureau of Engineering. Los Angeles, CA.

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ACRONYMS AND ABBREVIATIONS

BMH: underground beach manholes
CCC: California Coastal Commission
CEQA: California Environmental Quality Act
City: City of Los Angeles
CWA: Clean Water Act
EFH: Essential fish habitat
EIR: Environmental Impact Report
ESHA: Environmentally Sensitive Habitat Area
HDD: Horizontal Directional Drilling
LAX: Los Angeles International Airport
m: meters
MARPOL: International Convention for the Prevention of Pollution from Ship
MMRP: Mitigation Monitoring and Reporting Program
MWMCP: Marine Wildlife Monitoring and Contingency Plan
nmi: nautical mile
NOx: nitrous oxides
NRHP: National Register of Historic Places
OGB: ocean ground bed
PLCN: Pacific Light Cable Network
ROV: Remotely Operated Vehicle
SCAQMD: South Coast Air Quality Management District
U.S.: United States

1.0 INTRODUCTION

This Findings of Fact (Findings) and the Statement of Overriding Considerations summarize the findings of environmental impacts of the *Los Angeles Trans-Pacific Telecommunications Cable Hub Environmental Impact Report* (EIR) (City of Los Angeles 2017, SCH No. 2016101050) and presents the Statement of Overriding Considerations.

1.1. Purpose of Findings and the Statement of Overriding Considerations

Section 15091 of the California Environmental Quality Act (CEQA) Guidelines (and Section 21081 of the California Public Resources Code) requires a public agency, prior to approving a project, to identify significant impacts of the project and make one or more written findings for each such impact.

According to *Section 21081*, "no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following possible findings with respect to each significant effect:

1. Changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant impacts 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, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant impacts which were subject to a finding under paragraph(3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant impacts on the environment."

Section 21081.6 of CEQA also requires public agencies to adopt a monitoring and reporting program for assessing and ensuring the implementation of proposed mitigation measures. The mitigation measures identified in the *Mitigation Monitoring and Reporting Program* (MMRP) for the Los Angeles Trans-Pacific Telecommunications Cable Hub, which is provided under separate cover, are those identified within this Findings and the Statement of Overriding Considerations.

The Statement of Overriding Considerations is a written statement explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed Project outweigh the unavoidable adverse environmental impacts and why the Lead Agency is

willing to accept such impacts. This statement shall be based on the Final EIR and/or other substantial evidence in the record.

1.2. Document Organization

The CEQA Findings and the Statement of Overriding Considerations are organized as follows:

- Section 1, Introduction, provides background information of the purpose of Findings and the Statement of Overriding Considerations, presents the organization of this document, and provides a brief overview of the proposed Project.
- Section 2, Statement of Environmental Impacts and Required Findings, identifies the issue areas for which the proposed Project would have no impact or a less than significant impact, and presents a summary of the significant impacts of the proposed Project along with the one or more written findings made by the public agency explaining how it addressed each of the significant impacts and mitigation measures in the EIR.
- Section 3, Alternatives Considered, describes the alternatives evaluated in the EIR, and the findings and rationale for selection of the proposed Project and rejection of the alternatives, including the Environmentally Superior Alternative.
- Section 4, Statement of Overriding Considerations, explains in detail why the social, economic, legal, technical, or other beneficial aspects of the proposed Project outweigh the unavoidable, adverse environmental impacts and why the agency is willing to accept such impacts.

1.3. Overview of the Proposed Project

1.3.1. Project Objectives

The objectives of the Project are to install a fiber optic cable landing site that would accommodate up to four (4) trans-Pacific subsea fiber-optic telecommunication cable systems and to install one of the cable systems (Phase I) to enhance telecommunications capacity between the Asia-Pacific region and mainland United States ([U.S.]Los Angeles region). The Project has been designed to achieve the following objectives:

- Add direct telecommunications links between the Los Angeles region and the Asia-Pacific region;
- Increase telecommunications reliability between the Los Angeles region and the Asia-Pacific region;
- Increase diversity of telecommunication pathways between the Los Angeles region and the Asia-Pacific region;
- Increase data transmission capacity and speeds to satisfy the burgeoning demands of the trans-Pacific region; and
- Respond to the increasing demand for connectivity between Asia and the Los Angeles region.

1.3.2. Project Overview

The Applicant proposes to install and operate infrastructure for subsea fiber-optic telecommunications cable systems connecting the U.S. and the Asia Pacific region, referred to as the Los Angeles Trans-Pacific Telecommunications Cable Hub or the "Project." The Project location is in Los Angeles, California.

The Project would be implemented in four phases.

- Phase I would include installation of the Pacific Light Cable Network (PLCN) subsea telecommunication cable system, a second marine cable "segment," referred to herein as the Trans-Pacific Cable Segment, and construction of associated infrastructure, including horizontal directionally drilled (HDD) bore pipes, underground beach manholes (BMHs), ocean ground beds (OGBs), and the terrestrial conduit route connecting the BMHs to an existing data center.
- Phases II, III, and IV would include installation and operation of a subsea cable system to complete the Trans-Pacific Cable Segment (Phase II) and two additional cable systems (Phases III and IV, respectively). These future cable systems are unidentified at this time, and would be analyzed in more detail and permitted separately once proposed. The major work elements for these phases would include the marine installation of two additional cables from the BMH(s) on Dockweiler State Beach through U.S. territorial waters, and installation (terrestrial cable pulling) of the cable(s) through the terrestrial infrastructure installed in Phase I.

The Project referred to herein comprises Phase I in its entirety, including installation of subsurface infrastructure that would eventually accommodate Phases II, III, and IV.

1.3.3. Project Location and Setting

The proposed Los Angeles landing site is located within the northeast corner of a parking lot at Dockweiler State Beach (33° 56′ 31.26″N 118° 26′ 29.64″), immediately west of South Marine Avenue and approximately 230 feet (ft) (70 meters [m]) west of Vista del Mar Boulevard abutting the western boundary of Los Angeles International Airport (LAX).

A subsurface terrestrial conduit system would be constructed from the Project-installed BMHs at the Dockweiler State Beach parking lot to an existing data center, requiring conveyance through public street right-of-ways (ROWs) within the cities of Los Angeles and El Segundo. Phase I of the Project also includes the installation of two subsea cables within the City's submerged lands. The PLCN cable would also pass through U.S. territorial waters.

2.0 STATEMENT OF ENVIRONMENTAL IMPACTS AND REQUIRED FINDINGS

2.1. Introduction

This section discusses the impacts and mitigation measures identified for the proposed Project, and makes findings for all areas of potential impact.

The EIR focused on those impacts of the proposed Project on the environment that the Lead Agency has determined may be significant. Section 3.0 of the EIR determined that the proposed Project would have no impact on the following issue areas:

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Utilities and Service Systems

As described in *Section 15128* of the *State CEQA Guidelines*, and detailed in the EIR, these issues have no potential for significant impacts and required no further environmental review or analysis beyond the discussion in Section 3.1 of the Draft EIR.

The following issue areas analyzed in Section 3.0 of the Draft EIR were determined to result in less-than-significant impacts or less-than-significant impacts with mitigation:

- Aesthetics and Visual Resources
- Terrestrial Biological Resources
- Marine Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Public Safety
- Hydrology and Water Quality
- Land Use and Recreation
- Public Services
- Transportation and Traffic

The issue areas determined in the Draft EIR to have temporary unavoidable significant impacts from the construction of the proposed Project, even after mitigation, include:

- Air Quality
- Noise

2.1.1. Organization of CEQA Findings

Each of the resource areas analyzed in the EIR is discussed in terms of:

- *Description of Impacts* includes a brief description of the significant environmental impacts identified in the EIR.
- *Mitigation Measures* are the proposed mitigation measures for the impacts identified as significant.
- *Findings* are the findings made in accordance with *Section 21081* of *CEQA*. One of the three possible findings is made for each significant impact, in response to *Section 15091* of the *State CEQA Guidelines*. The significance of the environmental impacts after mitigation is also provided.
- *Rationale* provides a summary of the reasons for the findings.

2.2. Aesthetics and Visual Resources

No significant impacts related to aesthetics and visual resources were identified in the Draft EIR (Section 3.2).

2.3. Air Quality

Section 3.3 of the Draft EIR addresses the Project's air quality impacts.

2.3.1. Description of Impacts

Impact AIR-1: During construction and installation, the Project could generate emissions of criteria pollutants that exceed South Coast Air Quality Management District (SCAQMD) regional emission thresholds.

Project nitrous oxides (NOx) emissions may exceed the SCAQMD Regional Significance Thresholds on one or more days during three months of Project construction. Sources of NO_x emissions from the Project include fossil-fuel combustion engines on the marine vessels, terrestrial construction equipment, and vehicles. Approximately 98 percent of NO_x emissions during the highest emission days would be generated by marine vessels associated with Project installation. The calculations assume the implementation of Project controls, including compliance with the California Ocean-Going Vessel Fuel Regulation requiring use of low-sulfur marine diesel fuel, International Convention for the Prevention of Pollution from Ship (MARPOL) Annex VI limits on NOx emissions and sulfur content in marine fuels, and other off-road/non-road regulations specified in Section 3.3.2. Project vessels would also comply with the Vessel Speed Reduction Program, which requires reduction of transit speed to 12 knots or less within 40 nautical miles (nmi) of Point Fermin.

2.3.2. Mitigation Measures

MM AIR-1: Emission Reduction Measure. The maximum daily emissions scenarios for construction activities show that the Project could exceed the SCAQMD thresholds for NOx. The following mitigation measures focus on reducing emissions from marine activity and

terrestrial construction equipment. The Project shall apply the applicable standard mitigations for emission reduction:

- Develop and implement a comprehensive inspection and maintenance program for Project vessels, as well as heavy-duty, land-based equipment and trucks; and
- Use support vessels that meet the Tier 2 emission requirements or better, if available (IMO 2008).

2.3.3. Findings

For the above impacts on air quality, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on air quality from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☒ Significant ☐ Not Significant

2.3.4. Rationale

Impact AIR-1: Air emissions would be short-term and associated only with Project construction and installation activities, and applicable requirements would be applied. Implementation of **MM AIR-1** would reduce Project emissions, but the daily maximum would still remain above the applicable threshold on several days during Project construction. Temporary regional air quality impacts during construction are therefore considered **significant and unavoidable.** There would be no significant impacts on air quality during routine operations.

2.4. Terrestrial Biological Resources

Section 3.4 of the Draft EIR addresses the Project's terrestrial biological resources impacts.

2.4.1. Description of Impacts

Impact TBIO-1: Project-related activities could result in substantial adverse effects, either directly or through habitat modifications, on El Segundo blue butterfly.

Suitable habitat for the El Segundo blue butterfly (i.e., the presence of dune buckwheat (*Erioogonum parvifolium*) occurs within and adjacent to the study area. The flight period of adult El Segundo blue butterflies typically lasts from late September to early June. Project-related construction activities in proximity to suitable habitat for the El Segundo blue butterfly may result in short-term indirect effects on this species as a result of dust and disturbance generated by construction vehicles utilizing adjacent areas for access and staging. However, short-term and intermittent use of South Marine Avenue during Project construction is not anticipated to be substantially different from routine use of South Marine Avenue and the nearby Vista del Mar. The terrestrial conduit would be installed via HDD for approximately 2,165 ft (660 m) in order to avoid direct impacts on the restored southern foredune habitats where the El Segundo blue butterfly has been documented. Nevertheless, the presence of suitable habitat and documented occurrences result in the determination that Project-related activities may result in short-term adverse impacts on this species, should it be present in areas proposed for disturbance.

Impact TBIO-2: Implementation of Project-related activities could result in substantial adverse effects, either directly or through habitat modifications, on silvery legless and coast horned lizards.

Suitable habitat for the silvery legless and coast horned lizards occurs within and adjacent to the study area and in the El Segundo Dunes Environmentally Sensitive Habitat Area (ESHA) (CDFW 2016, LAX 2012). Project-related construction would avoid direct impacts on the El Segundo ESHA; however, installation of the terrestrial conduit along the beach side of South Marine Avenue has the potential to result in direct impacts on these species should they be present in areas proposed for disturbance. The Project is planning to utilize HDD to install the conduit under vegetated areas paralleling South Marine Avenue; therefore, impacts would be limited to sandy sections of the terrestrial conduit route.

Impact TBIO-3: Implementation of Project-related activities could result loss of populations or essential habitat for western snowy plover, California least tern, loggerhead shrike, burrowing owl, and other special-status avian species, including raptors.

Vegetation clearing (if needed), ground disturbance, and construction activities during the nesting season could result in direct impacts on nesting birds should they be present. The migratory bird nesting season in this area lasts from February 1 to August 31. Lighting at construction staging areas and during HDD operations may indirectly impact nesting birds in the Project vicinity. Noise and other human activity may result in nest abandonment if nesting birds are present within 250 feet of a work site. Due to the presence of suitable habitat for these species, Project-related activities may result in adverse impacts should nesting birds be present in or adjacent to areas proposed for disturbance.

Impact TBIO-6: Project activities could potentially conflict with local policies and ordinances.

The Project is located within the cities of Los Angeles and El Segundo, and would be subject to local policies and ordinances. The City of Los Angeles General Plan (City of Los Angeles 2016) includes policies to protect and promote restoration of native and sensitive species and habitats. *The City of El Segundo General Plan (*City of El Segundo 2016) includes policies to preserve beaches and protect special-status species, including the El Segundo blue butterfly. As previously noted, the Project contains a mix of land cover types and natural vegetative communities, and has the potential for temporary adverse impacts on several special-status species, prior to implementation of mitigation.

2.4.2. Mitigation Measures

MM TBIO-1: El Segundo Blue Butterfly Habitat Avoidance and Pre-construction Survey. Prior to implementation of Project-related activities, the Applicant shall retain a qualified biologist to conduct a pre-construction, presence / absence protocol survey of the final Project alignment and a 300-foot buffer, where accessible. All areas where the host plant, dune buckwheat, for the El Segundo blue butterfly is present shall be mapped. The boundaries of work areas within 300 feet of suitable butterfly habitat shall be clearly delineated under the supervision of the qualified biologist prior to initiation of construction activities. Parking, lay down, storage and staging areas, access, and other areas where ground disturbance would occur shall be located outside areas containing dune buckwheat. Where feasible, installation of terrestrial conduit within 300 feet of suitable butterfly habitat would be completed from late September to early June, outside the flight period of adult El Segundo blue butterflies.

MM TBIO-2: Worker Environmental Awareness Training. The Applicant shall retain a qualified biologist to conduct mandatory contractor/worker awareness training for Project personnel. The awareness training would be provided to all personnel to brief them on the identified location of sensitive biological resources, including how to identify species (visual and auditory) most likely to be present, the need to avoid impacts on biological resources, and to brief them on the penalties for not complying with biological mitigation requirements. If new personnel are added to the Project, the Applicant would provide them with mandatory training before starting work.

MM TBIO-3: Silvery Legless and Coast Horned Lizard Pre-construction Surveys and Avoidance Measures. Prior to implementation of Project-related activities in undisturbed portions of the site, the Project proponent shall retain a qualified biologist to determine whether suitable habitat for the silvery legless or coast horned lizard occurs within 250 feet of the proposed impact area. If suitable habitat exists, clearance surveys shall be performed by a qualified biologist in a manner to maximize detection of lizards (i.e., during warm weather, walking slowly). Clearance surveys shall be conducted daily and prior to the start of construction in areas of suitable habitat. If silvery legless or coast horned lizards are discovered within work areas, they shall be actively moved or passively encouraged to leave the work area by a qualified biologist. Workers shall observe a 10 mile per hour speed limit when driving

overland, within suitable habitat areas, to allow any lizards to move out of the way of the vehicles.

MM TBIO-4: Trench Management Measures. In the event that a trench must be left open at the end of a day's trenching activities, the end of any open walls shall be ramped at an approximate 2:1 slope to allow any wildlife that enters the excavation to escape. A qualified biologist may approve the use of alternative ramping structures, such as boards, where earthen ramps are not feasible. All open excavations shall be inspected by a qualified biologist, prior to the start of construction, to determine if trapped wildlife is present. Trapped wildlife shall be relocated by a qualified biologist, out of harm's way, or transported to a local wildlife rehabilitation facility or veterinarian as needed. The appropriate resource agencies shall be notified as required by the Project permit conditions.

MM TBIO-5: Migratory Bird Pre-construction Surveys. If vegetation clearing, ground disturbance, and/or construction activities would occur in during the migratory bird nesting season (February 1 to August 31), pre-construction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 14 days of construction initiation. Focused surveys must be performed by a qualified biologist for the purposes of determining the presence/absence of active nest sites within the proposed impact area and a 500-foot buffer, where feasible.

If active nest sites are identified within 500 feet of Project-related activities, the Project shall impose a no disturbance buffer zone for all active nest sites prior to commencement of any Project-related construction activities to avoid construction or access-related disturbances to migratory bird nesting activities. The buffer constitutes an area where Project-related activities (i.e., vegetation removal, earth moving, and construction) cannot occur until the nest is deemed inactive. Activities permitted within and the size of the no disturbance buffer shall be established by a qualified biologist based on the birds' behavior, nest location, surrounding landscape features, and proposed site activities in the vicinity.

MM TBIO-6: Artificial Lighting. Artificial lighting of work areas during nighttime hours shall be minimized to the maximum extent practicable. When nighttime lighting is necessary, appropriate light and glare screening measures shall be implemented including the use of downward cast lighting.

2.4.3. Findings

For the above impacts on terrestrial biological resources, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such

changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on terrestrial biological resources from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.4.4. Rationale

The use of HDD for installation of the terrestrial conduit along vegetated sections parallel to South Marine Avenue would avoid most impacts on habitats and sensitive species in the Project area. Implementation of the above mitigation measures, including pre-construction surveys, worker training, and trench management (if applicable), would help to further reduce the potential for significant impacts on sensitive species during construction. With implementation of mitigation, Project impacts on terrestrial biological resources would be **less than significant.** No impacts on terrestrial species or habitats would occur during the operation phase of the Project.

2.5. Marine Biological Resources

Section 3.5 of the Draft EIR addresses the Project's marine biological resources impacts.

2.5.1. Description of Impacts

Impact MBIO-1: Vessel strikes or collisions with marine special-status species in the offshore environment could occur during the installation or repair of the marine components of the Project.

Vessel strikes are unlikely during cable installation because Project vessels operate at low speeds (between 0.5-1 knots) and proceed along a predictable path. The movement and sound of the vessel could be detectible to marine mammals and turtles, giving them the opportunity to escape or avoid Project vessels. However, the possibility remains that special-status marine species that are physically compromised due to illness, injury, or inability to perceive environmental stimuli could be struck.

Impact MBIO-2: Project vessel movements and noise could disturb marine special-status species.

Project vessel movement and noise during cable installation or repair have the potential to temporarily disturb marine special-status species in the impacted area. Potential impacts such as disruption of animal movements or other behavior from the presence of vessels and increased underwater noise during installation would be temporary and localized to the immediate vicinity of the vessel.

Impact MBIO-3: Marine special-status species could become entangled in cable suspended above the seafloor or in fishing gear caught on suspended cable.

There is a small likelihood that marine mammals could become entangled in the fiber optic cables, once installed offshore. Modern fiber optic cable installations have low potential for cable exposures or suspensions that could entangle marine species. Fishing gear snagged and sacrificed on exposed cable is another potential source of entanglement for marine species.

Impact MBIO-4: Accidental release of fuel, fuel oil, hydraulic fluids, or drilling mud could impact marine special-status species.

Project activities require use of vessels and equipment that have the potential to release fuel, oil, lubricants, or non-toxic drilling muds into the marine environment. Accidental releases could expose marine special-status species to oil or hazardous materials, resulting in direct impacts, such as becoming oiled or sickened, or indirect impacts through destruction or degradation of habitat, food sources, or nursery grounds.

Impact MBIO-5: Project-related activities could result in substantial adverse impacts, either directly or through habitat modifications, on grunion.

Grunion have been documented to use Dockweiler State Beach for spawning. The four proposed bore pipes would be installed via HDD from the bore entry locations at Dockweiler State Beach parking lot and would terminate at water depths of 49 ft (15 m) offshore, avoiding direct disturbance to the beach and surf zone. As a result, impacts on grunion spawning habitat would largely be avoided by the Project. However, an HDD drilling fluid release during grunion spawning and egg incubation may result in adverse impacts on this species if they are present.

Impact MBIO-7: The Project could impact hard bottom communities that support special-status marine wildlife, kelp forests, and deep-sea corals and sponges.

Cable installation in hard bottom areas would have direct impacts on hard bottom habitats that would be localized and generally limited to the area proportional to the width of the cable (approximately 3 inches).

Impact MBIO-8: Implementation of Project activities could result in impacts on federally protected waters.

The Project would impact waters protected under the *Clean Water Act (CWA) Sections 404 and 401*. The jurisdiction for *CWA Sections 404 and 401* extends 3 nmi seaward from the mean high water line. Impacts on water quality are discussed in Sections 3.9, Hazards and Public Safety, and 3.10, Hydrology and Water Quality, and accidental releases to marine waters are discussed above under Impact MBIO-4. All impacts would be considered temporary.

Impact MBIO-10: The Project would pass through designated Essential Fish Habitat (EFH) areas.

The proposed PLCN and Trans-Pacific Cable Segment routes avoid Marine Protected Areas, California Cowcod Conservation Area, Hidden Reef-Kidney Bank, and the Channel Island

National Marine Sanctuary. The cable routes would pass through portions of the study area generally defined as EFH for groundfish. As discussed in **Impact MBIO-6 and MBIO-7**, impacts caused by installation would be temporary, and the impacted area would be small relative to the overall EFH. The Project would not introduce permanent structures that would block emigration and immigration, and organisms are expected to recruit into the impacted area and repopulate.

2.5.2. Mitigation Measures

MM MBIO-1: Prepare and Implement Marine Wildlife Monitoring and Contingency Plan (MWMCP). The Applicant shall prepare and implement a MWMCP that shall apply to cable installation and repair activities within the Project area, and consist of the following elements, procedures, and response actions:

- Awareness training for Project vessel crew that includes identification of common marine wildlife and avoidance procedures included in the MWMCP for Project activities.
- Provision of two qualified shipboard marine mammal observers to conduct observations during cable installation activity. The MWMCP shall include qualifications of and required equipment for the observers.
- Project-specific monitoring procedures, including recommended avoidance radii and stop-work authority for the observers.
- Project-specific control measures for Project vessels (including support boats) and actions to be undertaken when marine wildlife is present, such as reduced vessel speeds or suspended operations.
- Reporting requirements and procedures for wildlife sightings and /or contact, and post-installation reporting. The MWMCP shall also identify the resource agencies that are to be contacted in case of marine wildlife incidents and that would receive reports at the conclusion of Project installation.
- The MWMCP shall be submitted to the City of Los Angeles and California Coastal Commission (CCC) at least 60 days prior to the start of marine installation activities for review.

MM MBIO-2: Burial Verification Report and Survey.

Cable Installation Report. After cable installation has been completed, the Applicant shall submit a cable installation report to the City of Los Angeles documenting the Project activities and as-laid cable condition within 60 days of cable installation. The report is to include the burial status of the cable recorded during the installation and Post-Lay Inspection and Burial, and identify areas where the cable is not buried, including suspended cable greater than 3 ft (1 m) above the seafloor.

Information on the as-laid cable alignment shall also be provided to the CCC, California State Lands Commission, and the National Oceanic and Atmospheric Administration Hydrographic Service.

Monitoring protocols shall be incorporated into the *Inadvertent Release Contingency Plan* and submitted to the City of Los Angeles and CCC 60 days prior to commencing HDD operations. The monitoring protocols shall be implemented during HDD operations for the marine bores.

MM MBIO-5: Grunion Run Monitoring. If HDD occurs during the seasonally predicted grunion run and egg incubation period (generally April through August), then prior to construction activities on the beach, the Applicant shall obtain a qualified biologist to conduct a survey of the Project site to determine presence of California grunion. If the biologist determines that grunion are present and/or spawning in the area adjacent to the proposed HDD activity, no HDD shall be permitted until the end of the egg incubation period for the most recent grunion run in which grunion were observed. Surveys shall be conducted for all seasonally predicted run periods. The Applicant shall have the biologist provide inspection reports after each grunion run observed and shall provide copies of such reports to the City of Los Angeles and CCC.

MM MBIO-6: Post-Lay Hard Bottom Report. Within 60 days of completion of cable installation, the Applicant shall submit to the City of Los Angeles and CCC a report quantifying the extent of hard bottom substrate that was impacted by cable installation. The report, which may be submitted with the Cable Installation Report (see MM MBIO-2), would use data collected during cable installation and/or post-lay burial operations to determine areas where the cable is in direct contact with or is suspended above hard bottom substrate. The report shall quantify the extent of exposed rocky substrate, out to the edge of the outer continental shelf (3,937 ft [1,200 m] water depth contour, or "isobath").

MM MBIO-7: Hard Bottom Mitigation Fee. The Applicant shall compensate for all Project-related impacts on hard bottom habitat through payment of a compensatory hard bottom mitigation fee using a methodology applied to recent California fiber optic cable projects by the CCC (CCC 2016a). The fees are used to remove derelict fishing gear and other marine debris from waters in the SCB, and implemented pursuant to a Memorandum of Agreement by and between the CCC and the Regents of the University of California on behalf of the UC Davis Wildlife Health Center's California Lost Fishing Gear Recovery Project.

Hard bottom impacts will be quantified for water depths up to 3,937 ft (1,200 m) based on the results of the hard bottom report (MM MBIO-6) and in consultation with the CCC. The fee shall be paid to the UC Davis Wildlife Center within 30 calendar days of the approval of the results of the hard bottom report (**MM MBIO-6)** by the City of Los Angeles and CCC. The Applicant shall provide evidence of this payment to the City of Los Angeles and CCC within the same timeframe.

2.5.3. Findings

For the above impacts on marine biological resources, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on marine biological resource from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.5.4. Rationale

Impact MBIO-1. The potential for Project vessels to strike or otherwise contact special-status marine species is low given the slow vessel speed used during cable installation. Implementation of **MM MBIO-1**, including the presence of qualified marine mammal observers, would further reduce potential vessel strikes or collisions to the greatest extent feasible by establishing prevention/avoidance measures, and actions to be implemented in the event of marine wildlife encounters. Impacts on special-status marine species from Project vessel strikes or collisions would be **less than significant with mitigation.**

Impact MBIO-2. Disruption caused by Project vessels (e.g., noise) would not be substantially different from normal ship traffic in the study area (AMS 2015). Although vessel noise could impact the behavior of marine mammals in the immediate vicinity of the vessels, the impact would be **less than significant with mitigation** because of the isolated and short-term nature of the noise and because of precautions and safe distances introduced by **MM MBIO-1**.

Impact MBIO-3. The Project would include measures to reduce the likelihood of exposed cable and sacrificed fishing gear; specifically, burial of the cable in soft sediments and engagement with local commercial fishing organizations. In areas of hard bottom, the cable would be surface-laid with only enough slack to allow the cable to conform to the seabed. Implementation of mitigation measures **MM MBIO-2** and **MM MBIO-3** would verify the effectiveness of cable burial and reduce the potential for marine wildlife entanglement to **less than significant with mitigation.**

Impact MBIO-4. Vessels operate under strict regulatory requirements that include measures to prevent and respond to an unforeseen accident. Compliance with applicable regulatory requirements and Project-specific procedures addressing drilling fluid management and release prevention would reduce the likelihood of an accidental release of these substances into the marine environment. With these measures and **MM MBIO-4** in place, the impact of an

accidental release of fuel, lubricants, or drilling fluid would be **less than significant with mitigation**.

Impact MBIO-5. The Project would use HDD for installation of the marine bore pipes, therefore avoiding direct disturbance of most grunion spawning habitat in the Project area. Compliance with applicable regulatory requirements and Project-specific procedures, along with the implementation of **MM-BIO-4** and **MM-BIO-5** to mitigate impacts on grunion from a potential frac-out, would reduce impacts on grunion to **less than significant with mitigation**.

Impact MBIO-7. The Project includes avoidance measures for hard bottom habitat, and the small footprint of the cable route over hard substrate would not impact the larger function of the hard-bottom habitat or its local ecosystem functions. The implementation of **MM MBIO-6** and **MM MBIO-7** would further reduce the impacts on hard bottom communities. The resulting impact on hard bottom communities would be **less than significant with mitigation**.

Impact MBIO-8. All impacts on water quality as a result of the Project would be temporary and localized to the immediate vicinity of the installation. The Applicant shall comply with all federal regulations and obtain the necessary authorization from the U.S. Army Corps of Engineers prior to Project implementation. With these measures and **MM-BIO-4** in place, impacts on federally protected waters would be **less than significant with mitigation**.

Impact MBIO-10. Impacts caused by installation of the fiber optic cables would be temporary, and the impacted area would be small relative to the overall EFH. The Project would not introduce permanent structures that would block emigration and immigration, and organisms are expected to recruit into the impacted area and repopulate. Implementation of mitigation measures **MM MBIO-6 and MM MBIO-7** would reduce impacts on EFH to **less than significant with mitigation**.

2.6. Cultural Resources

Section 3.6 of the Draft EIR addresses the Project's cultural resources impacts.

2.6.1. Description of Impacts

Impact CR-1: Ground disturbance during terrestrial construction activities could disturb unknown historic or archaeological resources.

The Project would employ ground disturbing activities, including trenching and HDD, during construction of the terrestrial conduit and manholes, and HDD for installation of the four marine bore pipes. There are no recorded archaeological resources or listed historic structures within the Project footprint, and no resources were identified during a pedestrian survey of the Project area. However, the Project has the potential to impact previously unidentified resources during trenching and HDD activities. One potential historical resource was identified along the terrestrial conduit route: the Equinix Data Center at 1920 East Maple Avenue, where the terrestrial route terminates. This structure, built circa 1956, is undocumented and has not been evaluated for eligibility to either the California Register of Historical Resources or the National Register of Historic Places (NRHP).

Impact CR-2: Ground disturbance during terrestrial construction activities could directly or indirectly destroy a unique paleontological resource.

Surficial geologic deposits in the vicinity of terrestrial Project components consist of loosely consolidated and geologically recent aeolian/marine formations. The surficial deposits are underlain, generally at a depth of approximately 50 ft, by shallow marine sediments from the Pleistocene which are known to contain abundant mollusk fossils and microfossils. Although no known occurrences of vertebrate fossils or unique resources intersect the landing site or terrestrial conduit route, there is some potential for vertebrate fossils to be impacted if ground disturbing activities penetrate this formation.

Impact CR-3: Disturbance of human remains could result from terrestrial construction activities, including remains interred outside of formal cemeteries.

No burial sites or human remains have been identified along the proposed terrestrial cable route. The Project has the potential to impact previously unidentified human remains during trenching and HDD activities. Due to previous ground disturbances throughout the terrestrial route, the potential for encountering such remains is low.

2.6.2. Mitigation Measures

MM CR-1: Cultural and Paleontological Resources Management Plan. The Project shall develop a Cultural and Paleontological Resource Management Plan, for submission to the City of Los Angeles 60 days prior to commencing construction activities. The Plan would outline measures to be taken prior to and during Project construction, including cultural monitoring, awareness training, and procedures for responding to unanticipated finds. Additional detail on each of these elements is provided below.

Awareness Training

Prior to the initiation of site preparation and/or the start of construction, the Applicant shall provide construction workers with awareness training from a qualified professional who is experienced in teaching non-specialists, to enable workers to recognize archaeological or paleontological resources in the event that any are encountered during construction.

Monitoring

Where ground disturbance has potential to encounter buried cultural resources, an archaeologist shall be on call to identify any historic resources or human remains. Native American monitors may also be present to identify tribal cultural resources encountered during construction.

Protocol for Unanticipated Find(s) of Cultural and Paleontological Resources

If unidentified cultural or paleontological resources are found or suspected during construction, the Applicant shall take the following actions:

- All construction activity within 100 ft of the find shall cease immediately.

- All remains or materials are to be left in place unless in jeopardy because of Project activities.
- The area would be secured to prevent any damage or loss of removable objects. If feasible, a fence or other barrier would be erected to demarcate and protect the find.
- The consulting archeologist or paleontologist would be notified and once on scene would record the find location and delineate the extent of the find relative to planned Project activities. The consulting archeologist or paleontologist would assess, record, and photograph the find.
- Within 48 hours of the find, the consulting archeologist or paleontologist would notify the appropriate agency officials. If cultural resources or remains have the potential to be culturally significant to a living Native American Tribe, agency officials would notify the California Native American Heritage Commission.
- The consulting archeologist or paleontologist would make a recommendation on the significance of the find, including eligibility of the resources to the NRHP, and the impact of Project activity on historic properties, if present.

A consulting archeologist or paleontologist would visit the discovery site as soon as practicable for identification and evaluation pursuant to *Section 21083.2* of the PRC and *Title 14, Section 15126.4* of the CCR. If the archeologist determines the artifact is not significant, construction may resume. If the archeologist determines the artifact is significant, the archeologist would determine if the artifact can be avoided and, if so, would detail avoidance procedures. If the artifact cannot be avoided, the archeologist would develop within 48 hours an Action Plan that would include provisions to minimize impacts and, if required, a Data Recovery Plan for recovery of artifacts in accordance with *Section 21083.2* of the PRC and *Title 14, Section 15126.4* of the CCR. State laws pertaining to the discovery of human remains would be followed. Work in areas where any burial site is found would be restricted or stopped until proper protocols are met.

MM CR-2: Documentation of Potentially Eligible Historic Structures. Prior to any Project activities which have the potential to impact a potentially eligible historic structure, the structure shall be documented and evaluated by a cultural resource specialist meeting the Secretary of Interior's Professional Qualification Standards for historic architecture.

If the historic property is determined to be significant by the State Historic Preservation Office and the Lead Agency, and cannot be avoided, the cultural resource specialist would identify actions to minimize impacts, which could include one or more of the following: shifting the Project footprint away from the resource; limiting activities in the vicinity of the resource; or monitoring construction activities near the resource to inform whether additional actions are warranted. If none can be identified, a Data Recovery Plan would be developed, in consultation with the appropriate agency officials and consulting parties, in accordance with *Section 21083.2* of the PRC and *Title 14, Section 15126.4* of the CCR.

MM CR-3: Appropriate Treatment of Human Remains. In the event of an inadvertent discovery of human remains, the Applicant shall halt all work within the vicinity of the

discovery. Per *14 CCR § 15064.5 (e)*, the county coroner would be notified within 24 hours of the discovery, and the NAHC contacted if the remains are likely Native American. Mitigation measures shall be determined based on the recommendations of the most likely descendants as identified by the NAHC.

2.6.3. Findings

For the above impacts on cultural resources, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on cultural resources from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.6.4. Rationale

Project activities (i.e., the installation of a telecommunications cable) would be consistent with the intended use of the one potentially eligible historic building in the Project Area (Equinix Data Center), and would not directly impact the building. No known archaeological or paleontological resources have been identified in the Project Area. Implementation of mitigation measures **MM CR-1** and **MM CR-2** would enable the Project to plan and monitor for potential encounters with cultural, historic, and paleontological resources during construction, implement a stop-work procedure, and document, evaluate and treat significant resources in the event that they are encountered. In the event that human remains are identified during construction or installation of Project components, mitigation measure **MM CR-3** would require the Applicant to notify the authorities and appropriately manage any human remains discovered during Project activities. After implementation of mitigation measures, Project impacts on cultural resources would be **less than significant with mitigation.** No impacts on cultural resources would occur during the operation phase of the Project.

2.7. Geology and Soils

No significant impacts related to geology and soils were identified in Section 3.7 of the Draft EIR.

2.8. Greenhouse Gas Emissions

No significant impacts related to greenhouse gas emissions were identified in Section 3.8 of the Draft EIR.

2.9. Hazards and Public Safety

No significant impacts related to hazards and public safety were identified in Section 3.9 of the Draft EIR.

2.10. Hydrology and Water Quality

Section 3.10 of the Draft EIR addresses the Project's hydrology and water quality impacts.

2.10.1. Description of Impacts

Impact HWQ-1: Terrestrial Project construction could adversely impact surface water quality by creating pollution, contamination, or nuisance, or by causing regulatory standards to be violated.

Terrestrial construction and installation activities would include all activities at the landing site - including setup, drilling of the marine bores, and cleanup and restoration of the site - as well as construction of the terrestrial conduit and terrestrial cable pulling. Potential sources of impact on surface water quality during the construction phase of the Project include:

- Construction vehicles and equipment could accidentally release fuels, lubricants, oils, or other maintenance materials. These materials could enter the storm drain system or migrate in surface water overflow to Santa Monica Bay, which would degrade the water quality of the Bay.
- Construction of the terrestrial conduit route and intermediate manholes would involve temporary removal of the existing paved surface, resulting in exposure of soils. Exposed soils could be entrained in surface water runoff if a significant rain event occurred during construction.
- Construction of the marine bores at the landing site could result in the release of drilling fluids if an unplanned event were to occur during HDD drilling activities.

2.10.2. Mitigation Measures

MM MBIO-4: Release detection and monitoring during HDD. *See Marine Biological Resources.*

2.10.3. Findings

For the above impacts on hydrology and water quality, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on hydrology and water quality from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.10.4. Rationale

The Project would be implemented in accordance with regulations that aim to reduce potentially contaminated surface runoff discharges. In addition, the Applicant would apply standard best management practices to reduce the potential for erosion and topsoil loss, prevent and manage accidental spills, and protect surface water quality. These would include, for example, preparation and implementation of a Storm Water Pollution Prevention Plan detailing erosion and stormwater runoff prevention measures; a Spill Prevention and Contingency Plan; and an Inadvertent Release Contingency Plan, detailing monitoring and management measures to detect and respond to potential inadvertent releases of drilling fluid during HDD. Taking into consideration compliance with regulatory requirements, control measures, and implementation of mitigation measure **MM MBIO-4**, potential violations of water quality standards or waste discharge requirements from terrestrial Project construction would be **less than significant with mitigation.** No impacts on hydrology and water quality would occur during the operation phase of the Project.

2.11. Land Use and Recreation

Section 3.11 of the Draft EIR addresses the Project's land use and recreation impacts.

2.11.1. Description of Impacts

Impact LU-1: Project activities could conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental impact.

A detailed policy review of land use policies and plans - including the *California Coastal Act, Lost Angeles General Plan, El Segundo General Plan*, and *Westchester-Playa del Rey Community Plan* - identified some impacts from Project activities that would require mitigation in order to maintain consistency with applicable policies. Each of these items is separately addressed in other sections of the EIR, including impacts on parking areas or facilities, marine biological resources, water quality, hazardous material management, commercial fishing, recreational activities, sensitive terrestrial habitats and species, and archaeological and cultural resources.

Impact LU-2: Terrestrial construction activities could temporarily preclude or disrupt existing land uses.

Installation of the cable landing infrastructure would result in temporary disruptions to recreational activities on Dockweiler State Beach. Construction activities at the landing site are expected to take approximately four months to complete.

Construction activities at the landing site, including drilling of the marine bore pipes, installation of the manholes and OGBs, and installation of the cable, would generate noise that could temporarily disturb recreational activities in the immediate vicinity of the landing site. As discussed in Section 3.12, Noise, these impacts would be limited to approximately 415 ft around the cable landing site.

Impact LU-3: Project activities could preclude or disrupt existing marine uses.

The proposed marine cable routes were designed to minimize conflicts with other seabed uses, such as anchorages, fishing areas, and marine protected areas. During installation, there would be temporary impacts on marine users due to the presence of a safety buffer zone around the cable ship. The cables would be buried in soft sediments out to a water depth of 1,200 m in order to avoid conflicts with other marine uses, in particular commercial fishing, during the operation phase. With Applicant measures in place, the likelihood of significant impacts on other marine users during operation is low.

2.11.2. Mitigation Measures

MM LU-1: Site Access Management. In the event that construction activities at the landing site extend into peak beach use season, the Applicant shall coordinate with the County of Los Angeles, Department of Beaches and Harbors and, if needed, arrange for a shuttle to transport construction workers onto the work site from a location away from the beach to avoid occupying public parking spaces in the Dockweiler State Beach parking lot.

MM TBIO-1: El Segundo Blue Butterfly Habitat Avoidance and Pre-construction Survey. *See Terrestrial Biology.*

MM TBIO-2: Worker Environmental Awareness Training. *See Terrestrial Biology.*

MM TBIO-3: Silvery Legless and Coast Horned Lizard Pre-construction Surveys and Avoidance Measures. *See Terrestrial Biology.*

MM CR-1: Cultural and Paleontological Resources Management Plan. *See Cultural Resources.*

MM CR-2: Documentation of Potentially Eligible Historic Structures. *See Cultural Resources.*

MM NOISE-1: Construction Noise Reduction Measures. *See Noise and Vibration.*

MM TR-1: Construction Timing Restrictions. *See Transportation and Traffic.*

MM MBIO-2: Burial Verification Report and Survey. *See Marine Biological Resources.*

MM MBIO-3: Fishing Gear Retrieval. *See Marine Biological Resources.*

MM MBIO-4: Release detection and monitoring during HDD. *See Marine Biological Resources.*

MM MBIO-5: Grunion Run Monitoring. *See Marine Biological Resources.*

MM MBIO-6: Post-Lay Hard Bottom Report. *See Marine Biological Resources.*

MM MBIO-7: Hard Bottom Mitigation Fee. *See Marine Biological Resources.*

2.11.3. Findings

For the above impacts on land use and recreation, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on land use and recreation from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.11.4. Rationale

As discussed in more detail under each respective resource area, with implementation of the mitigation measures listed above, the Project would be consistent with all applicable policies and regulations during construction and operation. Access to Dockweiler State Beach, nearby recreation facilities, and parks along Imperial Avenue would be maintained throughout Project

construction. The Applicant would avoid work at the landing site during the peak season to the extent possible, and implement **MM LU-1** if necessary to reduce impacts on parking during construction at the site.

Applicant measures including communication and coordination with nearby marine users – e.g. the Navy, Hyperion Water Reclamation Facility, Chevron El Segundo Refinery, commercial fishermen, the Coast Guard - would help to avoid impacts on marine activities during cable installation. The cable ship would move through the Project Area at a slow, steady speed during cable lay, and maintain a 1 nmi safety buffer from the vessel. Given the extent of available fishing and recreation areas in the Project vicinity, the impact on other marine users during installation would be **less than significant.** During operation, impacts on other marine users would be reduced through implementation of Applicant and mitigation measures, including confirmation of cable burial, provision of the final as-laid cable coordinates to agencies and fishing groups, and ongoing communication with fishermen.

Impacts on land use and recreation are therefore expected to be less **than significant with mitigation.**

2.12. Noise and Vibration

Section 3.12 of the Draft EIR addresses the Project's noise and vibration impacts.

2.12.1. Description of Impacts

Impact NOISE-1: The Project could expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

- **Cable Landing Site, Los Angeles:** Construction activities at the cable landing site would include staging and HDD in the proposed area of the Dockweiler State Beach parking lot. HDD operations may take place over a 24-hour period, which would be outside applicable work hours in the City of Los Angeles. The greatest magnitude of noise at the cable landing site is expected to result from the HDD and truck movements, when operating at the same time. Based on expected noise levels from simultaneous truck and HDD operations, the Project would exceed applicable City of Los Angeles noise thresholds within the noise impact area (415 ft from the HDD equipment), which could be accessible to beachgoers. While beachgoers are not considered noise sensitive receptors, for the purposes of this analysis, it is assumed that beachgoers entering the noise impact area are exposed to significant levels of noise.
- **Terrestrial Conduit Construction, Los Angeles:** Construction of the terrestrial conduit route from the cable landing site along Marine Avenue to Imperial Highway would use a combination of conventional boring and open cut trenching. Assuming simultaneous operation of a concrete saw and truck movements, Project construction activities would temporarily exceed applicable noise thresholds within the noise impact area (473 feet from conduit construction activities), which could be accessible to beach goers. Construction

activity for the terrestrial conduit route would occur within the applicable work hours in the City of Los Angeles.

- **Terrestrial Conduit Construction, El Segundo:** Assuming simultaneous operation of a concrete saw and truck movements, Project construction activities would temporarily exceed applicable noise thresholds within the noise impact area along Imperial Avenue (i.e. 410 ft from construction equipment), as well as along California Street and Maple Avenue (600 ft from construction equipment) in El Segundo. Construction activity for the terrestrial conduit route would occur within the applicable work hours in the City of El Segundo.

Impact NOISE-3: Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

As discussed in Impact NOISE-1, terrestrial construction activities at the cable landing site and along the terrestrial conduit route in Los Angeles and El Segundo would result in a substantial temporary increase in ambient noise levels in the Project vicinity.

2.12.2. Mitigation Measures

MM NOISE-1: Construction Noise Reduction Measures.

- Construction contracts shall specify that all construction equipment must be equipped with mufflers and other feasible noise attenuation devices.
- The use of horns, whistles, alarms, and bells shall only be used for safety purposes.
- The Proponent shall establish a noise communication program to provide advance notice of construction activity to the public and a mechanism for the public to report noise concerns. The program shall include telephone and web-based contact information for the public to obtain Project information and schedules, and to report noise concerns. All communication shall be documented and provided to the City of Los Angeles, City of El Segundo, and Los Angeles County Beaches and Harbors.

2.12.3. Findings

For the above impacts on noise and vibration, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained

workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on noise and vibration from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☒ Significant ☐ Not Significant

2.12.4. Rationale

Cable landing site and terrestrial conduit route, Los Angeles. Estimated noise levels during construction are conservatively based on a scenario where the noisiest pieces of equipment are operating simultaneously, something that would only occur during a portion of the time. The noise impact area would extend 415 ft from the HDD equipment and 473 ft from conduit construction activities, respectively, and therefore have temporary impacts on beachgoers only as they pass through the area during construction. No residences, commercial properties, or sensitive receptors are located in the landing site area or near the terrestrial conduit route within Los Angeles. Initial conversations between the Applicant and LA County Beaches and Harbors have indicated that work outside of standard working hours at the cable landing site would be acceptable.

Terrestrial Conduit Route, El Segundo. In the City of El Segundo, construction of the terrestrial conduit would pass through residential areas. The impact calculations conservatively assume that the noisiest equipment is operating concurrently, and therefore actual noise levels would be lower than the maximum for much of the time. Construction activities would proceed along the conduit route at an estimated 500 ft per day; therefore, impacts on sensitive receptors would be temporary for any given section of the route. Construction activity for the terrestrial conduit would occur within the applicable work hours in the City of El Segundo.

MM Noise-1 would reduce noise impacts, but some receptors would still be subject to noise levels above the thresholds. Therefore, temporary noise impacts on receptors at the cable landing site and terrestrial conduit route would remain **significant and unavoidable.** There would be no noise impacts during the operation phase of the Project.

2.13. Public Services

Section 3.13 of the Draft EIR addresses the Project's public services impacts.

2.13.1. Description of Impacts

IMPACT PUB-2: Construction of terrestrial and marine Project components could temporarily limit access to portions of Dockweiler State Beach and the El Segundo Dog Park, and could shift demand for use to other areas of the Beach and Park.

As discussed in further detail under Land Use and Recreation (**Impact LU-2)**, construction of the cable landing infrastructure at the landing site would result in temporary disruptions to recreational activities and parking at Dockweiler State Beach, potentially shifting demand to

other areas. These facilities would not be permanently impacted and would return to public use after proposed construction activities are complete.

2.13.2. Mitigation Measures

MM LU-1: Site Access Management. *See Land Use and Recreation.*

2.13.3. Findings

For the above impacts on public services, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on public services from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.13.4. Rationale

Landing site. Implementation of **MM LU-1: Site Access Management**, detailed in Section 3.11, Land Use and Recreation, would reduce impacts on parking areas for Dockweiler State Beach in the event that construction extended into peak season. These facilities would not be permanently impacted and would return to public use after proposed construction activities are complete.

Conduit Route. Since construction would proceed down Imperial Avenue, only one access point to the parks along that road would be restricted at a time, and park users should be able to readily access the park from other nearby access points along the street. No physical impacts on Clutters Park, El Segundo Dog Park or Memory Tree Row would occur, and there would be no long-term or permanent impacts on park access.

The impact of the Project on the demand for recreation and park services is therefore expected to be **less than significant with mitigation.** No impacts on public services would occur during the operation phase of the Project.

2.14. Transportation and Traffic

Section 3.14 of the Draft EIR addresses the Project's transportation and traffic impacts.

2.14.1. Description of Impacts

Impact TR-1: Project-related construction activities could temporarily impact traffic capacity on roads and at intersections, and could conflict with applicable measures of performance.

Construction and installation of the terrestrial conduit and manholes would occur in the public ROW, within or immediately adjacent to existing streets in the cities of Los Angeles and El Segundo. The conduit would be installed in the shoulder where possible. Where a shoulder area is not available, construction activities could encroach upon one lane of traffic. Lane blockage could reduce the capacity of the impacted road, which could lead to temporarily increased congestion. It is likely that, during peak hours, the increased volume to capacity ratios during the construction phase could exceed the thresholds identified by the City of Los Angeles.

Impact TR-2: Project-related construction activities could temporarily impact traffic capacity on roads and at intersections, and could conflict with congestion management plans.

Increased congestion caused by Project construction, as described under Impact TR-1, could cause affected roads to temporarily meet or exceed the level of service thresholds defined in the MTA 2010 Congestion Management Plan.

Impact TR-3: Project-related construction activities could temporarily impact emergency response or access.

As described under Impact TR-1, Project construction could temporarily increase congestion on major roads. This congestion could increase response times for emergency vehicles, and could temporarily block access to roads and driveways along the impacted routes.

Impact TR-4: Project-related construction activities could temporarily impact transit, bicycle, and pedestrian facilities.

The streets impacted by Project construction have pedestrian facilities (sidewalks and paths), shoulders that can be used for cycling, and bus transit service. The proposed construction method (open trenching and/or HDD workspaces within the transportation ROW) could interrupt these modes of transportation. Bus transit on impacted roads could experience delays during Project construction.

2.14.2. Mitigation Measures

MM TR-1: Construction Timing Restrictions. The Applicant shall restrict construction on arterial or collector roads to off-peak hours (i.e., between morning and afternoon peak hours), and following afternoon peak hours (including nighttime construction where consistent with noise restrictions).

MM TR-2: Maintenance of Pedestrian/Bicycle Connectivity. In areas where sidewalks and/or paved paths exist, the Applicant shall site construction workspaces in a way that maintains a continuous pedestrian/bicycle route.

2.14.3. Findings

For the above impacts on transportation and traffic, the following finding is made:

☒ Changes or alterations have been required in, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

☐ Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

☐ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Impacts on transportation and traffic from the operation of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub are found to be:

☐ Significant ☒ Not Significant

2.14.4. Rationale

Avoidance of construction during peak travel times through compliance with City requirements and incorporation of **MM TR-1** would reduce the significance of construction impacts on congestion on the critical arterial and collector roads in the Project area, including Imperial Highway and Vista del Mar. Implementation of mitigation would likewise maintain continuous pedestrian and bicycle access during construction. These measures would reduce temporary impacts on congestion, emergency response, and bicycle and pedestrian facilities to **less than significant with mitigation**. No impacts on traffic and transportation would occur during the operation phase of the Project.

3.0 ALTERNATIVES CONSIDERED

Section 15126.6 of the *State CEQA Guidelines* requires an evaluation of the comparative impacts of a reasonable range of alternatives to the Project that would feasibly attain most of the Project's basic objectives and would avoid or substantially lessen any of the significant impacts of the Project. A feasible alternative is one that can be accomplished successfully in a reasonable period of time, taking into consideration economic, legal, social, and technological factors. The range of alternatives is governed by the "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasonable choice. The analysis detailed in Section 4.1 of the Draft EIR identifies a number of alternatives for the landing site, data center destination, terrestrial conduit route, and technical options for installation. Section 4.1 of the Draft EIR also discussed several alternatives that were considered but not carried forward for analysis.

As explained further in Section 4.1 of the Draft EIR, these alternatives were eliminated from analysis because they would not be feasible, they would not achieve most of the Project objectives, or they would not reduce or avoid significant impacts of the proposed Project.

3.1. Alternatives Analyzed in the Draft EIR

Four location and/or technical alternatives as well as the No Project Alternative were analyzed in detail in Section 4.1 of the Draft EIR. The relative impacts of each alternative were compared to the proposed Project. The following discussion is a brief summary of each of the alternatives.

3.1.1. No Action Alternative

Under this alternative, the Project would not be implemented and a Trans-Pacific Telecommunications Cable Hub would not be installed. Therefore, impacts associated with construction and operation of the Project would not occur. Consequently, existing conditions would remain and change over time with local and regional growth, including other projects planned for development and those that will occur in the future.

3.1.2. Beach Landing Location Alternative: 11th Street, Hermosa Beach

The 11th Street site between Hermosa Avenue and Beach Drive in the City of Hermosa Beach is a public parking lot in the commercial district of the City of Hermosa Beach and a viable landing site for a cable hub.

This alternative would involve new construction of Power Feed Equipment, which introduces construction- and maintenance-related air emissions not required for the proposed Project. Impacts associated with noise and transportation and traffic would be similar, if not greater than the proposed Project, given the densely populated area of the City of Hermosa Beach, through which the terrestrial conduit route would be constructed. The alternative site is closer to other existing seabed uses, such as several fiber-optic cables (three different owners); the Hermosa Beach Pier; and AES Redondo Beach Generating Plant, all of which would require coordination during marine installation. Similar to the proposed Project, the alternative location would temporarily preclude off-shore commercial and recreational fishing, recreational boating, anchored vessels, and other marine sports. Furthermore, although the landing location would

be separate from the MC Global sites and other existing landing sites in the City of Hermosa Beach, the geographical diversity, and therefore potential reliability, may be lower than that provided by the proposed Project, which is located farther away from existing cables. Therefore, this alternative may not fully satisfy one of the Project objectives (increased diversity and reliability).

3.1.3. Data Center Destination Alternative: Equinix LA4

The proposed Project currently terminates at the Equinix data center located at 1920 East Maple Avenue, El Segundo (LA3). A viable data center alternative exists in the same immediate industrial area within El Segundo, the Equinix data center located at 445 North Douglas Street (LA4). This alternative considers bypassing LA3 to connect all systems to LA4 or connecting one or more systems to LA3 and extending others to LA4 (i.e., a combined LA3+LA4 alternative).

This alternative would have a minor increase in air emissions and extend the time over which they may be concurrent with marine installation-related emissions (a source of significance threshold exceedance). It would also extend temporary increases in ambient noise levels for an additional 10 to 12 days over a length of approximately 0.9 mile, including one to two days adjacent to the outdoor athletic facility of El Segundo High School along East Mariposa Avenue. Impacts on traffic congestion and transportation facilities would extend across the route between LA3 and LA4. Other impacts would be similar to impacts under the proposed Project.

3.1.4. Terrestrial Route Alternative: Route along Imperial Highway

An alternative to install the terrestrial conduit route down Imperial Highway for a majority of the eastward route was considered given the directness of the route and distance from noise sensitive receptors. Imperial Highway is a four-lane major arterial, State Route (SR-90), that runs 41 miles through the Los Angeles metropolitan area. The highway contains intersections with other arterials and collectors and provides access to the cargo functions at LAX.

This route alternative would increase potentially significant impacts associated with traffic capacity, congestion, and transportation facilities along Imperial Highway, as compared to the proposed Project (i.e., Imperial Avenue). The alternative would also require increased coordination with LAX and transit authorities. Other impacts would be similar to impacts under the proposed Project.

3.1.5. Technical Options Alternative: Touchdown Monitoring

A proposed alternative method for installation of the marine cables includes the addition of "touchdown monitoring" during the main cable lay portions of the PLCN cable and Trans-Pacific Cable Segment. This method would require the use of a second cable ship or survey vessel, equipped with a ROV. The second vessel would follow behind the main lay vessel and deploy the ROV along surface-laid portions of the cable to provide real-time video feed of the status of the cable installation. If the ROV identifies a cable suspension along the route that can be eliminated or minimized by repositioning or introducing additional cable slack, the cable ship would recover the cable and reinstall it along that portion of the route.

The touchdown monitoring installation method alternative could reduce the likelihood of cable suspensions along the marine cable route. This would potentially reduce impacts on fishermen and marine species. However, no cases of wildlife entanglement or fishing gear entanglement have been reported for cables installed in the area or elsewhere in the state with or without touchdown monitoring, since 2000. There would be no change in impact significance with implementation of this Project alternative. However, impacts on air quality, already **significant and unavoidable** under the proposed Project, would be greater with the addition of touchdown monitoring.

3.2. Environmental Superior Alternative

For this Project, the No Project Alternative is the Environmentally Superior Alternative because it is the only alternative that avoids **significant and unavoidable** impacts from short-term air emissions and temporary construction noise**.** However, *Section 15126.6, Subdivision (e)(2)* of the *State CEQA Guidelines* states, in part, "*If the environmentally superior alternative is the 'no project' alternative*, the EIR shall also identify an environmentally superior alternative among the other alternatives" (emphasis added). All alternatives other than the No Project Alternative maintain or increase the overall severity of **less than significant with mitigation** impacts.

Based on the above, the Data Center Destination Alternative 1 (connection to LA4) was determined to be the Environmentally Superior Alternative because the data center would fulfill the Project objectives without introducing other potentially significant impacts, as is the case for the other alternatives proposed.

4.0 STATEMENT OF OVERRIDING CONSIDERATIONS

The Los Angeles Trans-Pacific Telecommunications Cable Hub Project would result in the following unavoidable significant adverse impacts after mitigation:

- **Air Quality:** Project NOx emissions may exceed the SCAQMD Regional Significance Thresholds on one or more days during three months of Project construction. Approximately 98 percent of NOx emissions during the highest emission days would be generated offshore by marine vessels associated with Project installation. Air emissions would be short-term and associated only with Project construction activities, and applicable requirements would be applied. Implementation of mitigation would reduce Project emissions, but the daily maximum would likely still remain above the applicable threshold on several days during Project construction.
- **Noise:** Construction noise levels would exceed specified limits set by the City of Los Angeles and City of El Segundo. Impacts would, however, be temporary and transitory, with impacts from conduit construction moving away from affected locations to the next area of construction. Impacts at Dockweiler State Beach would be limited to the duration of construction, and would affect beachgoers in the immediate vicinity of the site. Mitigation measures would reduce overall construction noise impacts, but residual noise impacts would remain above the thresholds.

The below stated reasons summarize the benefits, goals, and objectives of the Project, and provide the rationale for the benefits of the Project. Any one of the overriding considerations of economic, social, and environmental benefits individually would be sufficient to outweigh the adverse environmental impacts of the Project and justify their adoption and certification of the Final EIR.

- Duration and Nature of Effects: The significant effects of the Project would be temporary and confined to the construction/installation phase of the Project. Air quality impacts are predominantly from vessel emissions offshore. Noise impacts would occur only during construction working hours and while in proximity to residents and other noise sensitive receptors.
- Economic Benefits: The Project would generate local construction-related expenditures and jobs, and provide revenues to the cities of Los Angeles and El Segundo from licenses, fees, and taxes. The Project would also provide critical infrastructure required to support Internet- and cloud-based companies and services in the region, and would have capacity to accommodate additional telecommunication cable systems.
- Infrastructure in Developed Areas and Designed for Future Capacity Needs: The Project would be located within highly developed and industrial areas, and the "Hub" concept would accommodate up to four telecommunication cable systems. Project infrastructure would be constructed within existing public ROWs, and the landing site is within existing beach development areas (parking lots) and adjacent to LAX and other industrial uses, avoiding development of sensitive resources or habitats. The Project

would have capacity for future systems that could be installed without new construction in the public ROWs, reducing the environmental impact and local disturbance as future systems are added.

Accordingly, the City hereby concludes that the Project's benefits outweigh and override its unavoidable significant impacts for the reasons stated above. The City reached this decision after having done all of the following: (1) adopted all feasible mitigation measures, (2) rejected as infeasible alternatives to the Project, (3) rejected alternatives that do not fully meet the project objectives (4) recognized all significant, unavoidable impacts, and (5) balanced the benefits of the Project against their significant and unavoidable impacts.

5.0 REFERENCES

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