

Final Environmental Impact Report

Pacific Place Project

SCH No. 2023060250

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LIST OF ACRONYMS

AAMP	Ambient Air Monitoring Plan
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AEC	areas of environmental concern
AECs	areas of elevated concentrations
Applicant	Artesia Acquisition Company, LLC
AQ/GHG	Air Quality and Greenhouse Gas
Basin Plan	Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties
bgs	below ground surface
BMPs	Best Management Practices
BRA	Biological Resources Assessment
Cal/OSHA	California Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERP	Community Emission Reduction Plan
CESA	California Endangered Species Act
cfs	cubic feet per second
City	City of Long Beach
CKG	Carl Kim Geotechnical, Inc.
CLRRRA	California Land Reuse and Revitalization Act of 2004
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CO	carbon monoxide
COPCs	Chemicals of potential concern
Court	Los Angeles Superior Court
Court Ruling	Riverpark Coalition and LA Waterkeeper v. City of Long Beach
CRHR	California Register of Historical Resources
CRTA	California Recreational Trails Act
CS	Commercial Storage
CS(H)	Commercial Storage with Horse Overlay zoning
CSU	California State University
CTMP	Construction Traffic Management Plan
CX3	Communities of Excellence in Nutrition, Physical Activity and Obesity Prevention
DAC	Disadvantaged Community
DPM	diesel particulate matter
DPR	Los Angeles County Department of Parks and Recreation

LIST OF ACRONYMS

Draft EIR	Draft Environmental Impact Report
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EMFAC	Emission Factors
EMP	Excavation Management Plan
ESA	Environmental Site Assessment
FCS	First Carbon Solutions
Final EIR	Final Environmental Impact Report
FS	Feasibility Study
ft	feet
FTA	Federal Transit Administration
FY	Fiscal Year
GCLs	Geosynthetic clay liners
GHG	greenhouse gas
HASP	Health and Safety Plan
HCP	Habitat Conservation Plan
HETASC	Historic Equestrian Trail Association of Wrigley Heights
HI	Hazard Index
HMMP	Habitat Management and Monitoring Plan
HRA	Health Risk Assessment
HVAC	heating, ventilating, and air conditioning
I	Interstate
IL	Light Industrial
IS	Initial Study
ITE	Institute of Transportation Engineers
JPA	Joint Powers Authority
JWPCP	Joint Water Pollution Control Plant
LACDPW	Los Angeles County Department of Public Works
LACFCD	Los Angeles County Flood Control District
LACSD	Los Angeles County Sanitation District
LARMP	Los Angeles River Master Plan
LARWQCB	Los Angeles Regional Water Quality Control
lbs/day	pounds per day
LBWD	Long Beach Water Department
LBWRP	Long Beach Water Reclamation Plant
LCNA	Los Cerritos Neighborhood Association
LID	Low Impact Development
LLARRP	Lower LA River Revitalization Plan
LST	localized significance threshold
MEIR	Maximally Exposed Impacted Resident

LIST OF ACRONYMS

Metro	Los Angeles County Metropolitan Transportation Authority
mgd	Million gallons per day
MLD	Most Likely Descendent
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Plan
MMTCO ₂ e	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
MTCO ₂ e	metric tons of carbon dioxide equivalent
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NCRS	Natural Resource Conservation Service
NOA	Notice of Availability
NOC	Notice of Completion
NOP	Notice of Preparation
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OEHHA	Office of Environmental Health Hazard Assessment
OM&M	Operations Monitoring and Maintenance
PDF	Project Design Feature
Petition	Petition for Writ of Mandate
PlaceType	General Plan land use designation
PM10	particulate matter with a diameter of 10 microns or less
PMI	Point of Maximum Impact
PNA	Parks Needs Assessment
ppm	parts per million
PRC	California Public Resources Code
PRFF	City of Long Beach Parks and Recreation Facilities Fee
PRM	Long Beach Department of Parks, Recreation, and Marine
R-1-N	Residential zoning
RAOs	Remedial action objectives
RCP	reinforced concrete pipe
RDIP	Remedial Design and Implementation Plan
RI	Remedial Investigation
RMC	Rivers and Mountains Conservancy
RP	Response Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board

LIST OF ACRONYMS

SAP/ROF	Site Assessment Plan and Report of Findings
SB	Senate Bill
SBRA	Supplemental Biological Resources Assessment
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South-Central Coastal Information Center
SCH	State Clearinghouse
SERRF	Southeast Resource Recovery Facility
SLF	Sacred Lands File
SMARTS	Storm Water Multiple Application & Reporting System
SMP	Soil Management Plan
SO _x	sulfur oxides
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
TACs	toxic air contaminants
TCR	Tribal Cultural Resources
TIA	Transportation Impact Analysis
TPH	total petroleum hydrocarbon
Trails Plan	California Recreational Trails System Plan
TRUs	Transport Refrigeration Units
UC	University of California
USACE	United States Army Corps of Engineers
USDOT	U.S. Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WCWLB	Wilmington, Carson, and West Long Beach
WDID	Waste Discharge Identification
WELO	Water Efficient Landscape Ordinance
WSS	Web Soil Survey
µg/m ³	micrograms per cubic meter
RP-15	Residential, Planned Unit Development zoning
RP-15 (H)	Residential, Planned Unit Development with Horse Overlay zoning
PM2.5	particulate matter with a diameter of 2.5 microns or less

SECTION 1.0 INTRODUCTION AND SUMMARY

1.1 INTRODUCTION

This Final Environmental Impact Report (Final EIR) has been prepared by the City of Long Beach (City), for the Pacific Place Project (Project). This Final EIR has been prepared consistent with California Environmental Quality Act (CEQA) statutes (Cal. Pub. Res. Code, Sections 21000 et seq., as amended) and implementing guidelines (Cal. Code Regs., Title 14, Sections 15000 et seq.).

Before approving a project, CEQA requires that the Lead Agency prepare and certify a Final EIR per State CEQA Guidelines Section 15090. As Lead Agency, the City has the principal responsibility for approval of the Project. According to Section 15132 of the State CEQA Guidelines, the Final EIR must include:

- The Draft EIR or a revision of the Draft EIR;
- Comments and recommendations received on the Draft EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

1.2 PUBLIC REVIEW PROCESS

A summary of the public review process that was conducted for the Project pursuant to CEQA requirements is provided below. Additional outreach occurred above and beyond what was required for CEQA which is not described below.

Notice of Preparation

As part of the Draft EIR process, a Notice of Preparation (NOP) was released on June 7, 2023, beginning the 30-day public scoping period for the EIR, which ended on July 7, 2023. During the 30-day NOP scoping period leading up to publication of this Draft EIR, the City received a total of 73 written comments, including seven public agency comment letters and 66 comment letters from other individuals and organizations.

During the scoping period, the City held a virtual scoping meeting on June 21, 2023.

The Draft EIR incorporated the comments received from the public and public agencies in response to the NOP.

Public Review of the Draft EIR

The Draft EIR was made available for public review and comment pursuant to State CEQA Guidelines Section 15087. Copies of the Draft EIR and Appendices were available for a review period of 60 calendar days from July 31, 2024 to September 30, 2024.

The Draft EIR was available to the general public for review at the following locations:

City of Long Beach City Hall
411 West Ocean Boulevard, 2nd Floor
Long Beach, CA 90802
Hours: Monday through Friday,
7:30 a.m. to 4:30 p.m.
Saturday and Sunday, Closed

Dana Neighborhood Library
3680 Atlantic Avenue
Long Beach, CA 90807
Hours: Tuesday and Thursday, 12:00 p.m. to
7:00 p.m.
Wednesday, 12:00 p.m. to 6:00 p.m.
Friday and Saturday, 10:00 a.m. to 5:00 p.m.
Monday and Sunday, Closed

The Draft EIR was also available for review online at:

<http://longbeach.gov/lbcd/planning/environmental/reports/>

Electronic files related to this Project were also made available for download from the Project website provided above. Written comments regarding the Draft EIR were required to be submitted no later than September 30, 2024 at 4:30 p.m., and were able to be submitted in-person, by mail and by e-mail.

On July 31, 2024, at the beginning of the public review period, an electronic copy of the Draft EIR with appendices, was submitted to the State Clearinghouse located in the Governor's Office of Planning and Research along with a Notice of Availability (NOA) of a Draft EIR (Appendix A), Notice of Completion & Environmental Document Transmittal (NOC) form, and a Summary Form for Electronic Document Submittal (i.e., SCH Summary Form). Also on July 31, 2024, the NOA was emailed to public entities and interested parties, and was filed with the Los Angeles County Clerk-Recorder and remained posted through the end of the public review period. The NOA described where the Draft EIR was available and how to submit written comments on the Draft EIR.

SECTION 2.0 RESPONSE TO COMMENTS

The following is a list of public agencies, organizations, and persons that submitted comments on the Draft EIR. Comments have been numbered and responses have been developed with corresponding letters/numbers. Appendix B, Comment Letters, contains all comments received from public agencies, persons, and organizations.

2.1 LIST OF WRITTEN COMMENTERS

A list of the public agencies and the persons and organizations that submitted written comments on the Draft EIR is provided in Table 2-1. Public agency comments are provided below in Section 2.2 of this Final EIR.

**TABLE 2-1
COMMENT LETTERS**

Comment Letter	Date	Name
Public Agencies		
A.1	September 16, 2024	Los Angeles County Sanitation Districts
A.2	September 26, 2024	California Department of Fish and Wildlife, Region 5
A.3	September 27, 2024	South Coast Air Quality Management District
A.4	September 30, 2024	San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
A.5	September 30, 2024	Gabrieleno, San Gabriel Band of Mission Indians
A.6	September 30, 2024	Los Angeles County Department of Parks and Recreation
A.7	September 30, 2024	California Department of Transportation, District 7
Persons and Organizations That Submitted Written Comments on the Draft EIR		
1	September 6, 2024	Gidon R. Vardi and Debra G. Vardi
2	September 9, 2024	Carolynn King
3	September 24, 2024	Bill White
4	September 25, 2024	Tad Boub
5	September 25, 2024	Olivia Juarez, Green Latinos
6	September 25, 2024	Corey Bennett
7	September 25, 2024	Jorge Luna
8	September 25, 2024	Lisa van Wijk
9	September 25, 2024	Keith Tyschper
10	September 26, 2024	Thomas R. Crowder
11	September 26, 2024	Jen Moody
12	September 26, 2024	Charlie Dodson
13	September 26, 2024	Staci Broughton
14	September 26, 2024	Susana Luna
15	September 26, 2024	Michael Annichiarico
16	September 26, 2024	Andrea Fortanel
17	September 26, 2024	Daniel Henry
18	September 26, 2024	Michael Gardner
19	September 26, 2024	Sean McCabe
20	September 26, 2024	Adriana Garcia, Los Angeles Neighborhood Land Trust & Riverpark Coalition
21	September 26, 2024	Tim Curns

**TABLE 2-1
COMMENT LETTERS**

Comment Letter	Date	Name
22	September 26, 2024	George Gonzalez
23	September 26, 2024	Mia Korkidas
24	September 26, 2024	Jonathan Potts
25	September 26, 2024	Lena Welch
26	September 26, 2024	Gabrielle Sibai
27	September 27, 2024	Ella Profenius
28	September 27, 2024	Bill Schechter
29	September 27, 2024	Fritz Williams
30	September 27, 2024	Kenneth Gore
31	September 27, 2024	Frane Sosic
32	September 27, 2024	Harry Karp
33	September 27, 2024	Matthew Austin
34	September 27, 2024	Brian Weber
35	September 27, 2024	Susan Ballagh
36	September 27, 2024	Ellisa Hall
37	September 27, 2024	Leah Odette
38	September 27, 2024	Emma Corman
39	September 28, 2024	Michael Vozzella
40	September 28, 2024	David Shea
41	September 28, 2024	Camber Hill
42	September 28, 2024	Carson Walter
43	September 28, 2024	Melinda Cotton
44	September 28, 2024	Melinda Barbee
45	September 28, 2024	Enrique Murillo
46	September 29, 2024	Scott Alden
47	September 29, 2024	Chip Rubsamen
48	September 29, 2024	Patrick Brown
49	September 29, 2024	Penny Weinand
50	September 29, 2024	Lynette Ferenczy
51	September 29, 2024	Cindy Weber
52	September 29, 2024	Timothy Kirk and Linda Lee
53	September 30, 2024	Leslie Garretson
54	September 30, 2024	William Frankenfeld
55	September 30, 2024	Ian Patton
56	September 30, 2024	Wendy Morgan
57	September 30, 2024	Juan L. Miranda
58	September 30, 2024	Juan E. Ovalle
59	September 30, 2024	Renee Lawler
60	September 30, 2024	Carstens, Black & Minter LLP
61	September 30, 2024	Kai Craig
62	September 30, 2024	Cecilia Burns
63	September 30, 2024	Joe Weinstein
64	September 30, 2024	Serena Steers

**TABLE 2-1
COMMENT LETTERS**

Comment Letter	Date	Name
65	September 30, 2024	Anna Christensen and Ann Cantrell, Sierra Club Los Cerritos Wetlands Task Force
66	September 30, 2024	Corliss Lee

2.2 COMMENTS AND RESPONSES

All comment letters received by the City during the 60-day public review period for the Draft EIR have been included and responded to in this Final EIR. Comments that raise environmental issues have been addressed in these responses. Comments that do not require a response include those that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise substantive environmental/CEQA issues; (3) do not address the Project; or (4) request the incorporation of additional information not relevant to environmental issues.

Regarding the evaluation and response to comments, Section 15088 of the State CEQA Guidelines states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The Lead Agency shall respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments;
- b) The Lead Agency shall provide a written proposed response, either in a printed copy or in an electronic format, to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report;
- c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment; and
- d) The response to comments may take the form of a revision to the Draft EIR or may be a separate section in the Final EIR. Where the response to comments makes important changes in the information contained in the text of the Draft EIR, the lead agency should either:
 - 1. Revise the text in the body of the EIR; or
 - 2. Include marginal notes showing that the information is revised in the response to comments.

With respect to comments letters received, aside from certain courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter is available as Appendix A of this Final EIR. Brackets delineating the individual comments and a numeric identifier have been added to the right margin of the letter. The City's responses to each applicable comment are included in this section. Responses are delineated to match the numeric identifier of each comment letter. In the process of responding to the comments, there were minor revisions to the text of the Draft EIR shown in this section and in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, of this Final EIR. None of the comments or responses constitute "significant new information", and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines that would require recirculation of the Draft EIR has been met. Therefore, this Response to Comments section, the Corrections, Clarifications and Additions to the Draft EIR section, and the Mitigation Monitoring Program section are included as part of this Final EIR along with the Draft EIR for consideration by the City Planning Commission and ultimately the City Council.

Response to Comment Letter A.1

**Patricia Horsley, Environmental Planner
Los Angeles County Sanitation Districts
September 16, 2024**

Response A.1-1

The comment contains introductory language regarding the Los Angeles Sanitation Districts (Districts) and the Project and acknowledges receipt of the NOA for the Draft EIR. No further response is warranted.

Response A.1-2

This comment states that wastewater generated by the proposed Project would be treated at the A.K. Warren Water Resource Facility, formerly known as the Joint Water Pollution Control Plant, which has a capacity of 400 million gallons per day (mgd) and currently processes an average flow of 247.2 mgd. The relevant text in the Draft EIR has been corrected; however, the text called out by the commenter on page 4.17-1 of the Draft EIR has not been revised because it is a summary of the text from the MND.

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions that require modifying the EIR's findings.

Section 4.17, Utilities and Service Systems, Page 4.17-3**Sewer**

The LBWD operates and maintains over 700 miles of sanitary sewer lines, safely collecting and delivering over 40 million gallons of wastewater per day to the Sanitation Districts of Los Angeles County for treatment (LBWD 2023). Existing sewer infrastructure in the area includes a Los Angeles County Sanitation District (LACSD) 30-inch sewer main, which bisects the Project Site north to south (LACSD 2024). After being collected from the sewer main, wastewater would then be treated at either the Long Beach Water Reclamation Plant (LBWRP) managed by the LACSD or the ~~Joint Water Pollution Control Plant (JWPCP)~~ **A.K. Warren Water Resource Facility** managed by and located in the City of Carson (LBWD 2021). The LBWRP has a capacity of 25 million gallons of wastewater per day (mgd) and average effluent flows in 2022 were approximately 11.39 mgd (LACSD 2022). The ~~JWPCP~~ **A.K. Warren Water Resource Facility** has capacity of 400 mgd and average wastewater flows in ~~2022~~ **2024** were ~~237.03~~ **247.2** mgd. (LACSD 2022 **and 2024a**).

Section 4.17, Utilities and Service Systems, Page 4.17-17**Wastewater**

Wastewater from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. Wastewater would be collected onsite through a series of proposed 6-inch sewer lateral pipelines located along the eastern portion of the site (JCT 2022), and conveyed to the existing 30-inch LACSD sewer main, which

bisect the Project Site. Ultimately, the wastewater would be conveyed offsite to the connecting City sewer system, which is operated and maintained by the LBWD. The wastewater collected from the Project Site would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility** wastewater treatment plants. The LBWRP has a daily capacity of 25 mgd and the JWPCP **A.K. Warren Water Resource Facility** has a daily capacity of 400 mgd.

Section 4.17, Utilities and Service Systems, Page 4.17-21

As stated above, the wastewater generated from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. The LBWD operates and maintains the City's sewers, and the wastewater would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility**. As the LBWRP has a capacity of 25 million gallons of wastewater per day (mgd) and average effluent flows in 2022 were approximately 11.39 mgd, there is a remaining daily capacity of 13.61 mgd. In addition, as the JWPCP **A.K. Warren Water Resource Facility** has capacity of 400 mgd and average wastewater flows in ~~2022~~ **2024** were ~~237.03~~ **247.2** mgd, there is a remaining daily capacity of ~~162.97~~ **152.8** mgd. The nominal increases in wastewater flow would be well within the remaining daily capacity of both the LBWRP and the JWPCP **A.K. Warren Water Resource Facility**.

Section 4.17, Utilities and Service Systems, Page 4.17-29

Los Angeles County Sanitation Districts (LACSD). 2024a (September 16). NOA Response to Pacific Place Project. Whittier, CA: LACSD.

~~Los Angeles County Sanitation Districts (LACSD).~~ ~~_____~~, 2024 (July 23, access date). LACSD Underground Utilities. Whittier, CA: LACSD. <https://www.app.lacsd.org/ugutilities/>

~~_____~~. 2023 (December 7, access date). Wastewater Service Overview. Whittier, CA: LACSD. <https://lacsd.org/services/wastewater-sewage>.

~~_____~~. 2022. 2022 Pretreatment Program Annual Report. <https://www.lacsd.org/home/showpublisheddocument/10575/638180122960570000>.

Response A.1-3

This comment states that the Southeast Resource Recovery Facility (SERRF) is now closed as of January 31, 2024.

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions to the EIR which require modifying the findings.

Section 4.17, Utilities and Service Systems, Page 4.17-4 to -5

A majority of the City's solid waste is **was previously** sent to the Southeast Resource Recovery Facility (SERRF), **before it closed on January 31, 2024**, ~~a publicly owned solid~~

waste management facility located at 120 Pier South Avenue in the City of Long Beach. This facility is owned by the SERRF Joint Powers Authority (JPA) and is operated by Covanta Long Beach Renewable Energy Corporation. The SERRF is a refuse-to-energy transformation facility that reduces the volume of solid waste it receives by approximately 80 percent using mass burn technology. Residential and commercial solid waste is combusted in high temperature boilers to produce steam, which in turn is used to run the turbine generator to produce electrical energy (Long Beach 2019).

The SERRF receives the greatest tonnage of solid waste of all disposal sites located within the City. Solid waste from the existing uses in the City is collected and trucked to the SERRF where it is processed. The SERRF performs “front end” and “back end” recycling by recovering items such as white goods (i.e., large appliances) prior to incineration and collection of metals removed from the boilers after incineration. Each month, an average of 825 tons (1,878,338 pounds) of metal are recycled rather than sent to a landfill. The Solid Waste Facility Permit for the SERRF identifies that the design capacity of this facility is 2,240 tons per day (4,480,000 pounds). As described above, the SERRF currently processes approximately 1,290 tons per day (2,580,000 pounds) (Long Beach 2019). The 2020 average waste quantities from the SERRF included 1,218 tpd of waste received (based on six days) and 1,217 tpd of waste processed (LACPW 2021).

Solid waste that is generated in the City but is not sent to the SERRF is taken to **LACSD facilities as well as** landfills in Orange, San Bernardino, and Riverside Counties. According to LACSD, since the closure of the Puente Hills Landfill in 2013, residents and commercial haulers are encouraged to use other nearby LACSD’s facilities for disposal and recycling (Long Beach 2019) including those shown in Table 4.17-1, Landfills Serving the City of Long Beach.

Section 4.17, Utilities and Service Systems, Page 4.17-22

As stated above, a majority of the City’s solid waste is sent to the SERRF, and each month, an average of 825 tons of metal are recycled rather than sent to a landfill. The SERRF facility capacity is approximately 2,240 tons per day, and the SERRF currently processes approximately 1,290 tons per day. As such, there is an approximate additional capacity of 950 tpd at the SERRF. Solid waste that is generated in the City but is not sent to the SERRF is taken to **LACSD facilities as well as** landfills in Orange, San Bernardino, and Riverside Counties, as shown in further detail in Table 4.17-3.

Section 4.17, Utilities and Service Systems, Page 4.17-23

As the operational solid waste generation would be approximately 1,976 pounds per day (or 0.99 tons per day), **this would only represent a small percentage of the remaining daily capacity of the landfills serving the City of Long Beach, as shown in Table 4.17-1.** less than one percent of the remaining daily capacity at the SERRF, and would be served by the other landfills within the vicinity if needed. As such, the City and other landfills would have sufficient capacity for the Project and would not generate solid waste in excess of State or local standards. Therefore, Project impacts on solid waste disposal capacity would be less than significant.

Section 4.17, Utilities and Service Systems, Page 4.17-26

As described above, the Project would not result in significant adverse impacts related to solid waste infrastructure and service providers. Projects considered in the cumulative impact analysis consist of six projects within the City of Long Beach. These related projects are described in more detail in Table 4-1, Cumulative Projects List, which is

provided in Section 4.0, Impact Analysis. Future development in the City is expected to increase solid waste generation within the City. Solid waste that would be generated by the cumulative projects as well as the proposed Project would not be cumulatively considerable given these projects would collectively generate a very small percentage of the daily capacity for the landfills that would receive these projects' waste. Also, the ~~City of Long Beach SERF and additional LASAN~~ landfill system would have the capacity to provide the proposed Project with long-term solid waste disposal services, both on a project-specific and cumulative basis. Therefore, cumulative impacts related to the solid waste would be less than significant, and no mitigation is required.

This revision does not constitute "significant new information", and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Response A.1-4

The comment states that all other information concerning the Districts' facilities and service systems are current. No further response is warranted.

Response A.1-5

This comment, as well as the following comments, are related to the enclosed letter from the Districts' related to the Notice of Preparation (NOP) for the Project dated June 28th, 2023. The comment states that the Districts maintain sewerage facilities within the Project area that may be affected by the Project, and provides additional information regarding the Districts' buildover procedures and requirements. The Draft EIR considers the Project-related impacts to the Districts' facilities throughout Section 4.17, Utilities and Service Systems. No further response is warranted.

Response A.1-6

The comment states that individual developments associated with the proposed Project may require a Districts' Industrial Wastewater Discharge Permit, and if deemed necessary, to forward copies of final plans and supporting information to the Districts for review and approval before beginning construction. The Project would comply with the Districts' applicable requirements and regulations, including implementation of the Industrial Wastewater Discharge Permit if deemed necessary. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response A.1-7

The comment states that the wastewater flow originating from the Project will discharge directly to the Districts' North Long Beach Trunk Sewer, located in a private right-of-way west of Pacific Place, which has a capacity of 7.7 mgd and conveyed a peak flow of 4.2 mgd when last measured in 2017. The comment also stated that a 6-inch diameter or smaller direct connection to a Districts' trunk sewer requires a Trunk Sewer Connection Permit issued by the Districts and a 8-inch diameter or larger direct connection to a Districts' trunk sewer requires submittal of Sewer Plans for review and approval by the Districts. The Project would comply with the Districts' applicable requirements and regulations for either/both the 6-inch or 8-inch connection lines, as necessary. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response A.1-8

The comment states that the wastewater generated by the Project will be treated at the Joint Water Pollution Control Plant, which has a capacity of 400 mgd and currently processes an average flow of 243.1 mgd. The Districts provided an update to this comment in the more recent response letter dated September 16, 2024, as addressed in Response A.1-2 above. As such, minor modifications were made to the Draft EIR language to reflect minor updates/clarification and do not represent material changes or revisions that modify the findings.

Response A.1-9

The comment states that the average wastewater flow from the Project is approximately 33,339 gallons per day.

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings. These edits also capture the edits from the above Response A.1-2.

Section 4.17, Utilities and Service Systems, Page 4.17-17

Wastewater

Wastewater from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. **The average wastewater flow from the Project is approximately 33,339 gpd, or 0.033 mgd.** Wastewater would be collected onsite through a series of proposed 6-inch sewer lateral pipelines located along the eastern portion of the site (JCT 2022), and conveyed to the existing 30-inch LACSD sewer main, which bisects the Project Site. Ultimately, the wastewater would be conveyed offsite to the connecting City sewer system, which is operated and maintained by the LBWD. The wastewater collected from the Project Site would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility** wastewater treatment plants. The LBWRP has a daily capacity of 25 mgd and the JWPCP **A.K. Warren Water Resource Facility** has a daily capacity of 400 mgd.

Section 4.17, Utilities and Service Systems, Page 4.17-21

As stated above, the wastewater generated from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. **The average wastewater flow from the Project is approximately 33,339 gpd or 0.033 mgd.** The LBWD operates and maintains the City's sewers, and the wastewater would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility**. As the LBWRP has a capacity of 25 million gallons of wastewater per day (mgd) and average effluent flows in 2022 were approximately 11.39 mgd, there is a remaining daily capacity of 13.61 mgd. In addition, as the JWPCP **A.K. Warren Water Resource Facility** has capacity of 400 mgd and average wastewater flows in ~~2022~~ **2024** were ~~237.03~~ **247.2** mgd, there is a remaining daily capacity of ~~162.97~~ **152.8** mgd. The nominal increases in wastewater flow ~~would be well within~~ **represent less than one percent** of the remaining daily capacity of both the LBWRP and the JWPCP **A.K. Warren Water Resource Facility**.

This revision does not constitute “significant new information”, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Response A.1-10

The comment states that the California Health and Safety Code charges a fee to connect facilities to the District’s Sewer System or increase the strength/quantity of wastewater discharged from connected facilities. The comment provides additional information related to how the connection fee is determined. The Project would pay all required fees as applicable. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response A.1-11

The comment states that all expansions of Districts’ facilities must be sized and service phased in a manner that is consistent with Southern California Association of Governments (SCAG) regional growth forecasts for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The comment further states that the letter does not guarantee wastewater service but aims to advise the Project Applicant that the Districts intend to provide service up to legally permitted levels and inform the Applicant of current existing capacity and proposed expansion.

Discussion of consistency with the SCAG’s most recent Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Plan referred to as “Connect SoCal”, is discussed further in Section 4.10, Land Use and Planning. The Draft EIR considers the Project-related impacts to the Districts’ facilities throughout Section 4.17, Utilities and Service Systems.

Response to Comment Letter A.2

**Felicia Silva, Environmental Scientist
California Department of Fish and Wildlife South Coast Region 5
September 26, 2024**

As a general matter and as detailed in the Supplemental Biological Resources Assessment (SBRA) (Appendix E-3) and Exhibit L thereto, since the date of this comment letter, the Applicant has resolved all CDFW comments in direct correspondence and cooperation with CDFW and the City. As acknowledged in CDFW's email dated March 20, 2025, "CDFW has no further feedback regarding the mitigation measures." (Appendix E-3)

Response A.2-1

The commenter states that they have reviewed the Draft EIR for the Project. The commenter summarizes the CDFW's role, Project description, Biological setting, and Project history. No further response is warranted.

Response A.2-2

The commenter states that they appreciate the City's efforts to incorporate CDFW's comments and that they have provided additional comments and recommendations within their comment letter. As detailed in the SBRA and Exhibit L thereto, the Applicant has resolved all CDFW comments in direct correspondence and cooperation with CDFW and the City. As acknowledged in CDFW's email dated March 20, 2025, "CDFW has no further feedback regarding the mitigation measures." No further response is warranted. (Appendix E-3)

Response A.2-3

The commenter states that the Project may have adverse impacts on rare plants including southern tarplant and suggests that MM BIO-1b be revised to first test the seeds prior to any use and should include the option to collect seeds from the nearby southern tarplant population if necessary.

First, as a general matter and as detailed in the SBRA and Exhibit L thereto, since the date of this comment letter, the Applicant has resolved all CDFW comments in direct correspondence and cooperation with CDFW and the City. As acknowledged in CDFW's email dated March 20, 2025, "CDFW has no further feedback regarding the mitigation measures." (Appendix E-3)

Second, the mitigation measure referenced in this comment, BIO MM-1b, has been revised to the final version reflected in the SBRA for the Project and set forth below, in collaboration with CDFW; and CDFW has approved this revised tarplant mitigation measure (Appendix E-3). First Carbon Solutions (FCS), the Applicant's Biological consultant, has consulted regularly with CDFW and the City during the preparation of the Project BRA, SBRA and associated mitigation measures. Following FCS discussions with CDFW and the City on December 15, 2023, where this issue was raised, MM BIO-1b was prepared to address CDFW's concerns. The correct version of the measure was set forth in the 2024 BRA (Appendix E-2). However, the measure included in Section 4.3, Biological Resources, of the Draft EIR was incorrect. That error has been corrected in the Final EIR.

MM BIO-1b provides for (1) full on-site mitigation of tarplants in a tarplant restoration area; and (2) seeding of the tarplant restoration area with "southern tarplant seeds obtained from a seed distributor or collected from a nearby population," rather than using propagules collected from the Project Site (Appendix E-2, Appendix E-3). At a subsequent meeting between FCS and CDFW

on November 19, 2024, CDFW confirmed approval of MM BIO-1b (Appendix E-3). On January 31, 2025 CDFW requested an additional administrative change to MM BIO-1b, asking that the Southern Tarplant Mitigation and Monitoring Plan be submitted prior to ground-disturbing activities rather than after grading permits. (Appendix E-3) The Applicant agreed to this change and CDFW confirmed that it approved revised MM BIO-1b and had no further comments on the Project biological reports or mitigation measures. (Appendix E-3)

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-19

The following species were assessed in the 2020 BRA as having low potential to occur on the Project Site, ~~but~~ **and** their potential for occurrence on the site was assessed in the 2024 BRA as no or low potential for occurrence, including the burrowing owl; Yuma myotis; Mexican free-tailed bat; and western yellow bat. **In the 2025 Supplemental BRA, a new assessment was prepared.** Although the potential for burrowing owls to occur on-site is considered low, it may be possible that the site could be inhabited temporarily by dispersing or transient burrowing owls, and therefore is also discussed further below. As the other wildlife species are currently identified as having no potential to occur on site, no impacts would occur. (FCS 2024, **2025**)

In cooperation with CDFW, MM BIO-1b has been updated to the following final version in the Final EIR and SBRA (Appendix E-3):

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1b On-site Restoration of Southern Tarplant Program. The Project Applicant shall implement an on-site restoration of southern tarplant using **southern tarplant seeds obtained from a seed distributor or collected from a nearby population** ~~propagules (seeds, topsoil) that were collected on the Project Site in 2020.~~ The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the ~~property owned by the County of Los Angeles~~ **County property** west of the Project Site. The goal of the restoration program shall be replacement of ~~4,275~~ **1,287** southern tarplants ~~in this area to achieve a 1:1 ratio of lost to replaced plants.~~ **including 1,275 previously removed southern tarplants that shall be mitigated at a 1:1 ratio of replaced to lost plants and six southern tarplants discovered in 2024 that would be mitigated at a 2:1 ratio of replaced to lost plants.** Prior to implementing the restoration effort, the **Project** applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or Restoration Ecologist. The **final** plan shall be submitted to CDFW **and the City of Long Beach** ~~within 6 months following issuance of a grading permit~~ **prior to any Project ground-disturbing activities.** The plan shall detail the identification of on-site

areas for receiving southern tarplant propagules, methods for implementing site preparation and habitat restoration techniques, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a five ~~five~~ 5-year period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if success criteria are not met. The Project Applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy. **To prevent trampling/crushing of southern tarplants on the County property west of the project site, the Project Site boundary shall be delineated and orange construction fencing shall be installed along the western boundary of the Project Site. The fencing shall be installed prior to the initiation of ground-disturbing or vegetation-removing activities and shall be maintained throughout the duration of Project construction.**

The revisions to MM BIO-1b requested by CDFW do not identify a new significant biological resources impact, or a substantial increase in the severity of a biological resources impact, and the Applicant has not declined to adopt a mitigation measure that would reduce an impact. (CEQA Guidelines Section 15088.5(a).) The Biological Resources section of the Draft EIR identified a potentially significant impact to southern tarplant, and that impact can be mitigated to a less than significant level by MM BIO-1b as revised. All changes to MM BIO-1b are added to clarify and amplify the Draft EIR's analysis in response to comments and requests by CDFW. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

In conformance with the above revised MM BIO-1b, the Project Applicant has purchased 5 pounds of southern tarplant seeds, and the supplier (S&S Seeds) has indicated there are approximately 100,000 seeds per pound. Therefore, the southern tarplant restoration effort would involve seeding the on-site area with approximately 500,000 southern tarplant seeds. Successful germination of 0.3% of these seeds would exceed the 1,287 southern tarplants needed to achieve the CDFW-approved mitigation ratios. Based on FCS's experience, FCS anticipates that the germination rate will be much higher than 0.3% which would far exceed the 2:1 mitigation ratio required by MM BIO-1b. (Appendix E-3)

The commenter also states that they are concerned that MM BIO-1a does not outline compensatory mitigation for any new rare plant observations that may occur during rare plant surveys. As detailed at Comment A.2.-6, recommended edits to MM BIO-1a were provided by CDFW. The mitigation measure referenced in this comment, MM BIO-1a, has been revised to the final version reflected in the SBRA for the Project and set forth below, in collaboration with CDFW; and CDFW has approved this revised mitigation measure (Appendix E-3).

In cooperation with CDFW, MM BIO-1a has been updated to the following final version in the Final EIR and SBRA (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21, 4.3-27, and 4.3-28

MM BIO-1a Rare Plant Surveys. Prior to the initiation of construction on the Project Site, the Project Applicant shall retain a **CDFW-approved** qualified Biologist or Botanist to conduct focused rare plant surveys in accordance with the California Department of Fish and Wildlife (CDFW) (2018) protocols. The rare plant surveys shall be conducted at the proper time of year when the target rare species (southern tarplant, decumbent goldenbush) are “evident” and identifiable, i.e., during bloom periods. ~~If additional southern tarplant individuals or decumbent goldenbush individuals are found on the Project Site, the Project applicant shall consult with CDFW to determine appropriate off site mitigation. If no decumbent goldenbush individuals are found, then the proposed Project would not have any impacts to this species and no mitigation measures would be necessary.~~ **The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and CDFW within 30 days of completion of the survey(s). At a minimum, the survey report shall include: a description and map of the survey area; field survey conditions; a complete list of plant species present; a map of the location of any rare plants; a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions of where each rare plant was found; and species-specific measures to mitigate impacts to rare plants.**

Due to the changes to MM BIO-1a and b, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23

Southern Tarplant: The **Southern tarplant** seeds and topsoil collected in late 2020 were stored on-site and these materials **obtained from a seed distributor or collected from a nearby population** would be used to implement an on-site restoration program for southern tarplant, as detailed in **MM BIO-1b** that requires on-site restoration of southern tarplant. **If additional southern tarplant are identified during rare plant surveys, impacted individuals would be replaced at a minimum 2:1 ratio as detailed in MM BIO-1c. Additionally, if additional rare plants are detected during rare plant surveys or construction and would be impacted, MM BIO-1d would require replacement at a minimum 2:1 ratio and the mitigation area would be subject to CDFW approval, provided in perpetuity under a conservation easement, and an endowment would be required to provide for long-term monitoring and management. Implementation of MM BIO-1e would also require development and implementation of a Habitat Management and Monitoring Plan (HMMP).** Therefore, with implementation of **MM BIO-1b, MM BIO-1c, MM BIO-1d, and MM BIO-1e** impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

The revisions to MM BIO-1a requested by CDFW do not identify a new significant biological resources impact, or a substantial increase in the severity of a biological resources impact, and the Applicant has not declined to adopt a mitigation measure that would reduce an impact. (CEQA Guidelines Section 15088.5(a).) The Biological Resources section of the Draft EIR identified a potentially significant impact to rare plants, and that impact can be mitigated to a less than

significant level by MM BIO-1a as revised. All changes to MM BIO-1a are added to clarify and amplify the Draft EIR's analysis in response to comments and requests by CDFW. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

As discussed in the 2025 SBRA, the Applicant has agreed to all changes requested by CDFW. As detailed in the Rare Plant Survey Report (Appendix E-3), FCS conducted rare plant surveys on the Project Site during 2024. The report summarizes the findings of a literature review and three rare plant surveys conducted on the Project Site by FCS between July 2024 and August 2024. These dates correspond to the blooming period of the target rare plant species, southern tarplant (*Centromadia parryi* ssp. *australis*) and decumbent goldenbush (*Isocoma menziesii* var. *decumbens*). The survey and report satisfy requirements specified in BIO MM-1a. (Appendix E-3) The commenter also states that it appears that the a portion of the Project's off-site improvements in the southwestern area of the Project site encroach upon the existing southern tarplant population, which contained approximately 2,000 southern tarplant when surveyed in 2023. The commenter states that if off-site improvements would impact additional southern tarplant, these new impacts should be thoroughly discussed and appropriately mitigated. As discussed in the 2025 SBRA, FCS confirmed that the off-site improvement areas would not overlap with the southern tarplant population that FCS Biologists recorded on the adjacent County lands and reported in the 2024 BRA for the Project. (Appendix E-3) The Project Applicant offered to additionally state that best management practices (BMPs) such as establishing Environmentally Sensitive Areas (ESAs) around sensitive resources would be employed to protect them during the construction phase, including use of ESA fencing along the west side of the Project Site to protect the southern tarplant population on the adjacent property. This is incorporated in revised MM BIO-1b. CDFW stated that this was an acceptable resolution of this comment, and after further correspondence with FCS, CDFW has approved the final version of MM BIO-1b that appears in the 2025 BRA. (Appendix E-3)

Response A.2-4

The commenter provides general information regarding potential impacts to plants with CRPR 1B rankings. The commenter states that mitigation measures MM BIO 1a and MM BIO 1b as written could be considered deferred mitigation. Mitigation measures should be drafted to be effective, feasible, and fully enforceable (CEQA Guidelines, §15126.4). With revisions, these measures could provide appropriate mitigation for impacts to southern tarplant and other rare plants. As stated above in Response A.2-3, and further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, since this comment was submitted MM BIO-1a and MM BIO-1b have been revised to the final versions reflected in the 2025 SBRA and CDFW has accepted these revised mitigation measures. (Appendix E-3) These revisions were made to the Draft EIR and reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Response A.2-5

The commenter recommends that the City revise the Project Description in the Final EIR to include a thorough description of the exact off-site improvements such that the Final EIR evaluates whether the off-site improvements would have a direct or indirect impact on the southern taplant population. The commenter is directed to Section 3.0 of the DEIR (Project Description) which fully describes the offsite improvements including the off-site improvements along Pacific Place Road, easement for public access along the southern boundary of the site, and utility improvements including catch basins, a storm drain line and water line in and along North Pacific Place. These off-site improvement areas are also depicted in Exhibits 4, 5 and 6 to the 2024 BRA.

As shown on Exhibit 6 of the 2024 BRA, Southern California Edison (SCE) holds an easement for overhead powerlines over the LACFCD parcel. The Applicant is not proposing any work in this SCE easement area. If required in the future, the easement may be accessed by SCE crews for future maintenance activities on the overhead line. The maintenance activities would be performed using equipment parked on existing dirt roads on the LACFCD parcel and would not involve work in or disturbance to areas supporting southern tarplants. As a general matter, any Project activities (including off-site improvements) that would disturb areas supporting the southern tarplant population would be subject to compliance with BIO MM-1a through 1c, inclusive.

The Project Applicant offered to additionally state that BMPs such as establishing ESAs around sensitive resources would be employed to protect them during the construction phase, including use of ESA fencing along the west side of the Project site to protect the southern tarplant population on the adjacent property. (Attachment K of the 2025 SBRA) This is incorporated in revised MM BIO-1b. CDFW stated that this was an acceptable resolution of this comment, and after further correspondence with FCS, CDFW has approved the final version of MM BIO-1b that appears in the 2025 SBRA.

Response A.2-6

The commenter provides recommended edits to MM BIO-1a. The commenter is referred to Response to A.2-3 and the SBRA for the complete version of MM BIO-1a with this revision incorporated.

Response A.2-7

The commenter provides recommended edits to MM BIO-1b. The commenter is referred to Response to A.2-3 and the SBRA for the complete version of MM BIO-1b with this revision incorporated.

Response A.2-8

The commenter requests that a new mitigation measure be added to the Draft EIR requiring a 2:1 replacement ratio for any additional southern tarplants discovered on the Project Site. The Applicant agreed to incorporate this additional mitigation measure as MM BIO-1c in the Final EIR and to implement it in connection with the Project. (Appendix E-3) CDFW has approved the final version of MM BIO-1c that appears in the 2025 BRA. (Appendix E-3)

In cooperation with CDFW, the following new MM BIO-1c has been added to the Final EIR and SBRA (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1c Additional Southern Tarplant Mitigation. If additional southern tarplant are detected during the rare plant surveys and will be impacted by Project activities, the Project proponent shall mitigate the loss of individual southern tarplant at a minimum of 2:1. The mitigation shall be included in the on-site restoration of southern tarplant program.

The addition of MM BIO-1c does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to southern tarplant, so no new or substantially increased impact has been identified. MM BIO-1c clarifies and amplifies the Draft EIR's analysis. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the changes to MM BIO-1c, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23

Southern Tarplant: The **Southern tarplant** seeds and topsoil collected in late 2020 were stored on-site and these materials **obtained from a seed distributor or collected from a nearby population** would be used to implement an on-site restoration program for southern tarplant, as detailed in **MM BIO-1b** that requires on-site restoration of southern tarplant. **If additional southern tarplant are identified during rare plant surveys, impacted individuals would be replaced at a minimum 2:1 ratio as detailed in MM BIO-1c. Additionally, if additional rare plants are detected during rare plant surveys or construction and would be impacted, MM BIO-1d would require replacement at a minimum 2:1 ratio and the mitigation area would be subject to CDFW approval, provided in perpetuity under a conservation easement, and an endowment would be required to provide for long-term monitoring and management. Implementation of MM BIO-1e would also require development and implementation of a Habitat Management and Monitoring Plan (HMMP).** Therefore, with implementation of **MM BIO-1b, MM BIO-1c, MM BIO-1d, and MM BIO-1e** impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

Response A.2-9

The commenter requests that a new mitigation measure be added to the Draft EIR requiring off-site compensatory mitigation for any other rare plant species discovered on site. Applicant agreed to incorporate this additional mitigation measure as MM BIO-1d in the Final EIR and to implement it in connection with the Project. (Appendix E-3) In cooperation with CDFW, the following new MM BIO-1d has been added to the Final EIR and SBRA (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect

minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1d Rare Plant Compensatory Mitigation. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the project applicant shall mitigate the loss of individual rare plants at a minimum of a 2:1 ratio of replaced to lost plants. The mitigation area shall be approved by the California Department of Fish and Wildlife (CDFW) and shall provide equivalent or greater habitat value than that of the Project Site. The Project proponent shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill (AB) 1094. Recordation of the conservation easement shall occur prior to commencement of ground-disturbing or vegetation-removing Project activities. An appropriate endowment shall also be provided for the long-term monitoring and management of mitigation lands in perpetuity. The endowment shall be provided to a CDFW-approved entity authorized to hold such funds.

The addition of MM BIO-1d does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to rare plants, so no new or substantially increased impact has been identified. MM BIO-1d clarifies and amplifies the Draft EIR's analysis. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the changes to MM BIO-1d, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23

Southern Tarplant: ~~The Southern tarplant seeds and topsoil collected in late 2020 were stored on-site and these materials~~ **obtained from a seed distributor or collected from a nearby population** would be used to implement an on-site restoration program for southern tarplant, as detailed in **MM BIO-1b** that requires on-site restoration of southern tarplant. **If additional southern tarplant are identified during rare plant surveys, impacted individuals would be replaced at a minimum 2:1 ratio as detailed in MM BIO-1c. Additionally, if additional rare plants are detected during rare plant surveys or construction and would be impacted, MM BIO-1d would require replacement at a minimum 2:1 ratio and the mitigation area would be subject to CDFW approval, provided in perpetuity under a conservation easement, and an endowment would be required to provide for long-term monitoring and management. Implementation of MM BIO-1e would also require development and implementation of a Habitat Management and Monitoring Plan (HMMP).** Therefore, with implementation of **MM BIO-1b, MM BIO-1c, MM BIO-1d, and MM BIO-1e** impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

Response A.2-10

The commenter requests that a new mitigation measure be added to the Draft EIR requiring the development of a habitat management and monitoring plan for any other rare plant species discovered on-site. The Applicant's team agreed to incorporate this additional mitigation measure as MM BIO-1e in the Final EIR and to implement it in connection with the Project. (Appendix E-3) CDFW has approved the final version of MM BIO-1e that appears in the 2025 BRA. (Appendix E-3)

In cooperation with CDFW, the new MM BIO-1e has been added to the Final EIR and SBRA and approved by CDFW (Appendix E-3), as shown below.

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1e Habitat Management and Monitoring Plan. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the project Applicant shall retain a qualified Botanist to draft a Habitat Management and Monitoring Plan (HMMP) and submit it to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) for review and approval prior to issuance of the Project grading permit. The HMMP shall outline initial and long-term management and maintenance activities that would occur on mitigation lands. The HMMP shall provide measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Maintenance activities outlined in the HMMP shall include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities.

The addition of MM BIO-1e does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to rare plants, so no new or substantially increased impact has been identified. MM BIO-1e clarifies and amplifies the Draft EIR's analysis. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the changes to MM BIO-1e, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23

Southern Tarplant: The Southern tarplant seeds and topsoil collected in late 2020 were stored on-site and these materials obtained from a seed distributor or collected from a nearby population would be used to implement an on-site restoration program for southern tarplant, as detailed in MM BIO-1b that requires on-site restoration of southern tarplant. If additional southern tarplant are identified during rare plant surveys, impacted individuals would be replaced at a minimum 2:1 ratio as detailed in MM BIO-1c. Additionally, if additional rare plants are detected during rare plant surveys or construction and would be impacted, MM BIO-1d would require replacement at a minimum 2:1 ratio and the mitigation area would be subject to CDFW approval, provided in perpetuity under a conservation easement, and an endowment would be required to provide for long-term monitoring and management. Implementation of MM BIO-1e would also require development and implementation of a Habitat Management and Monitoring Plan (HMMP). Therefore, with implementation of MM BIO-1b, MM BIO-1c, MM BIO-1d, and MM BIO-1e impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

Response A.2-11

The commenter states that the existing mitigation pertaining to Monarch Butterflies may not fully avoid Project impact. As such, the commenter provided a revised draft of MM BIO-2a and MM BIO-2b in Comment A.2-12. These recommendations have been incorporated, as described below in Response A.2-12.

Response A.2-12

The commenter provides a revised draft of MM BIO-2a and MM BIO-2b. The Applicant has agreed to these revisions to MM BIO-2a and MM BIO-2b, and will implement these updated measures in connection with the Project (Appendix E-3). With these revisions to MM BIO-2a and MM BIO-2b, including some additional administrative clarifications requested by CDFW and accepted by the Applicant, CDFW had no further comments on monarch butterfly mitigation for the Project (Appendix E-3).

In cooperation with CDFW, MM BIO-2a and MM BIO-2b have been updated to the following final versions in the Final EIR and SBRA (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (underline) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21, Page 4.3-22, and 4.3-28

MM BIO-2a Monarch Butterfly Focused Pre-construction Surveys and Monitoring. ~~If construction activities are initiated during the migration season for monarch butterflies (typically October 15 through February 15),~~ a ~~a~~ qualified Biologist shall conduct pre-construction a minimum of three focused surveys for roosting monarch butterflies within and adjacent to the construction area, including a 500-foot survey buffer, ~~no more than 3 days prior to the start of construction activities in the construction area~~ Project Site during the migration season (typically October 1 through March 1) prior to the start of ground-disturbing activities. The surveys

shall be conducted on and adjacent to the Project Site, including a 500-foot survey buffer (as access allows). The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the surveys.

During the construction phase of the proposed Project, a qualified Biologist shall monitor the Project Site for the presence of migrating and overwintering monarchs during the migration season (typically October 1 through March 1). Monitoring should be conducted biweekly during the overwintering season as well as immediately following storm events to capture changing distributions throughout the season.

- MM BIO-2b** **Avoidance of Monarch Butterfly Roosts.** If a monarch butterfly roost is detected during focused surveys or during monitoring pre-construction surveys or at any point during the construction phase of the proposed project, the qualified Biologist shall notify the United States Fish and Wildlife Service (USFWS) and/or, California Department of Fish and Wildlife (CDFW) (as appropriate) ~~shall be notified regarding the status of the roost. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the roost until the monarch butterflies have dispersed from the roost or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around a monarch butterfly roost) or alteration of the construction schedule.~~, and the City of Long Beach regarding the status of the roost. The project applicant and qualified Biologist shall consult with USFWS to prepare a long-term Monarch Butterfly Overwintering Habitat Management Plan (HMP). The HMP shall include a process for delineating and observing a no-disturbance buffer; a plan for protecting, managing, enhancing, and restoring monarch butterfly overwintering site(s) and surrounding habitat; a plan to protect monarchs and their habitats from pesticides, insecticides, fungicides, and herbicides; and a plan to prevent planting of milkweed at overwintering sites to facilitate maintenance of normal migration behaviors. The HMP shall be adaptive, with specific goals and objectives, continued monitoring, and refinement over time. The HMP shall include as an objective that the baseline population/individual occurrence numbers shall not decrease over 3 years due to project activities and shall include adaptive and contingent measures to ensure this objective is met.

As the revisions to MM BIO-2a and MM BIO-2b clarify and amplify the Draft EIR analysis, recirculation is not required. (CEQA Guidelines Section 15088.5(b).) The focused surveys for monarch butterflies required by MM BIO-2a and MM BIO-2b were conducted by FCS in 2023 and 2024, and no monarch butterflies were observed during the surveys conducted on the Project Site. (Appendix E-3)

Due to the changes in MM BIO-2a and MM BIO-2b, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold

underlining (underline) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-24

Monarch Butterfly: The Project would incorporate **MM BIO-2a**, which requires ~~pre-construction~~ focused surveys and monitoring and **MM BIO-2b**, which requires avoidance of monarch butterfly roosts during construction activities, to ensure less than significant impacts. Therefore, with implementation of **MM BIO-2a** and **MM BIO-2b**, impacts related to the monarch butterflies would be less than significant. (FCS 2024) Crotch's Bumblebee: The Project would incorporate **MM BIO-3**, which requires multiple Crotch's bumble bee surveys during the peak flight season (March through September). With implementation of **MM BIO-3**, impacts related to the Crotch's bumble bee would be less than significant. (FCS 2024)

Response A.2-13

The commenter states that the Project has the potential to impact roosting and foraging habitat of the Western Yellow Bat within and adjacent to the Project site. As such, the commenter provided recommended mitigation measures in Comments A.2-14 through A.2-16. These recommendations have been incorporated, as described below in Responses A.2-14 through A.2-16.

The following text has been added to address potential impact related to bats. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (underline) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21, (after Burrowing Owls)

Bats

The project site, off-site improvement areas, and adjacent areas contain marginally suitable roosting habitat for bat species. FCS reviewed pertinent information about the proposed project and the bat species that could occur on the project site in existing literature, including species-occurrence database reviews prepared in support of the proposed project. Following this review, FCS conducted a survey of the project site on October 10, 2024, targeting trees and structures that could provide roosting habitat for special-status bats. No special-status or common bat species were observed during the field visit. There are no caves, crevices, buildings, structures, or other similar habitat that would provide roosting opportunities for Yuma myotis (*Myotis yumanensis*) or Mexican free-tailed bat (*Tadarida brasiliensis*), and these species are not expected to occur on-site. The potential roosts in trees observed included fronds of Mexican fan palms (*Washingtonia robusta*) located in the adjoining off-site area that could potentially provide roosting opportunities for western yellow bat (*Lasiurus xanthinus*). Marginal roosting habitat in the form of cavities were found in three trees on-site and adjacent to the offsite improvement area. None of the observed tree cavities exhibited evidence of occupancy by bats; however, it may be possible that the cavities provide roosting habitat for common bat species, such as big brown bat

(*Eptesicus fuscus*) and California myotis (*Myotis californicus*). Therefore, the Project has the potential to impact burrowing owls, resulting in a potentially significant impact. (FCS 2025)

Response A.2-14

The commenter suggested the addition of a new mitigation measure requiring that bat focused surveys be performed prior to construction. The Applicant has agreed to incorporate this mitigation into the Project MMRP as MM BIO-6a¹ (Appendix E-3).

In cooperation with CDFW, the following new MM BIO-6a has been added to the Final EIR and SBRA and approved by CDFW (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6a Bat Focused Surveys. The Project Applicant shall retain a qualified Bat Specialist to conduct daytime and nighttime bat surveys throughout the Project Site plus a 100-foot buffer (as access allows). These surveys shall be conducted during the maternity roosting season (March 1 through September 30) prior to the start of construction activities and shall identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. Acoustic monitoring stations shall be deployed for a minimum of 3 days and 3 nights. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s). If no bat species are detected, the proposed Project may proceed. If bat species are detected, no Project activities shall commence, and the Project proponent shall contact CDFW to coordinate on appropriate actions and compensatory mitigation. Actions may include but not be limited to avoidance of roost site(s), installing bat boxes on-site to offset the loss of roosts, and/or off-site mitigation, subject to CDFW oversight.

In accordance with MM BIO-6a, a bat habitat assessment was performed on October 10, 2024 (Appendix E-3). The assessment determined that there is no suitable bat roosting habitat on-site, but identified trees in and directly adjacent to the project off-site improvement areas that could potentially provide roosting habitat for bats. (Id.) To ensure this potential impact remains less than significant, focused surveys will be implemented prior to initiation of ground-disturbing or vegetation removing activities. Daytime and nighttime visual and acoustic surveys for bats will be

¹ The addition of MMs BIO-6a through MM BIO-6c are included out of numerical order to keep consistent numbering with the SBRA recommendations.

conducted throughout the Project area (plus a 100-foot buffer as access allows) in accordance with the mitigation requested by CDFW and incorporated as MM BIO-6a (Appendix E-3).

The addition of MM BIO-6a to address potential impacts to bat species, including the western yellow bat, does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to bat species, specifically the western yellow bat, which was assessed in the 2020 BRA (Appendix E-1) and 2024 BRA (Appendix E-2) as having low or no potential for occurrence on the Project Site; therefore, no specific mitigation was proposed. Applicant agreed to incorporate this additional mitigation measure to clarify and amplify the Draft EIR's analysis (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the addition of MM BIO-6a, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-24

Yuma Myotis, Mexican Free-tailed Bat, and Western Yellow Bat: ~~No impact would occur and therefore no mitigation is required.~~ **The Project would incorporate MM BIO-6a, MM BIO-6b, and MM BIO-6c which would require bat focused surveys, special treatment during tree removals, and avoidance of active bat maternity roosts. With implementation of MM BIO-6a, MM BIO-6b, and MM BIO-6c, impacts related to bats would be less than significant.**

Section 4.3, Biological Resources, Page 4.3-27, Cumulative Impacts

Project development has the potential to impact special status plant and wildlife species with potential to occur on-site, including the southern tarplant, monarch butterfly, crotch's bumble bee, ~~and burrowing owls,~~ **and bats** through removal of habitat, resulting in a potentially significant cumulative impact

Response A.2-15

The commenter suggested the addition of a new mitigation measure requiring avoidance of bat roosts during tree removal activities. The Applicant has agreed to incorporate this mitigation into the Project MMRP as MM BIO-6b² (Appendix E-3).

In cooperation with CDFW, the following new MM BIO-6b has been added to the Final EIR and SBRA and approved by CDFW (Appendix E-3):

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has

² The addition of MMs BIO-6a through MM BIO-6c are included out of numerical order to keep consistent numbering with the SBRA recommendations.

been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6b Tree Removal. If bats are not detected on the project site or in the 100-foot survey buffer area, but the qualified Bat Specialist determines that roosting bats may be present in trees on the project site or in the off-site improvements area, the trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a qualified Bat Specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24–48 hours, as determined by the qualified Bat Specialist, shall elapse prior to such operations to allow bats to escape.

The addition of MM BIO-6b to address potential impacts to bat species, including the western yellow bat, does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to bat species, specifically the western yellow bat, which was assessed in the 2020 BRA (Appendix E-1) and 2024 BRA (Appendix E-2) as having low or no potential for occurrence on the Project Site; therefore, no specific mitigation was proposed. Applicant agreed to incorporate this additional mitigation measure to clarify and amplify the Draft EIR's analysis (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the addition of MM BIO-6b, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-24

Yuma Myotis, Mexican Free-tailed Bat, and Western Yellow Bat: ~~No impact would occur and therefore no mitigation is required.~~ **The Project would incorporate MM BIO-6a, MM BIO-6b, and MM BIO-6c which would require bat focused surveys, special treatment during tree removals, and avoidance of active bat maternity roosts. With implementation of MM BIO-6a, MM BIO-6b, and MM BIO-6c, impacts related to bats would be less than significant.**

Section 4.3, Biological Resources, Page 4.3-27, Cumulative Impacts

Project development has the potential to impact special status plant and wildlife species with potential to occur on-site, including the southern tarplant, monarch butterfly, crotch's bumble bee, ~~and burrowing owls,~~ **and bats** through removal of habitat, resulting in a potentially significant cumulative impact.

Response A.2-16

The commenter suggested the addition of a new mitigation measure requiring avoidance of maternal bat roosts during construction activities. The Applicant has agreed to incorporate this mitigation into the Project MMRP as MM BIO-6c³ (Appendix E-3).

In cooperation with CDFW, the following new MM BIO-6c has been added to the Final EIR and SBRA and approved by CDFW (Appendix E-3):

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6c Bat Maternity Roosts. If the Project Site supports an active bat maternity roost, work within 100 feet of the roost shall be scheduled to occur between October 1 and February 28, outside of the maternity roosting season, when young bats are present. If Project work cannot be implemented outside of the bat maternity roosting period, work shall not occur within 100 feet of, or directly under or adjacent to, an active roost. If the Project Site supports an active bat maternity roost, work over the entire Project Site shall not occur between 30 minutes before sunset and 30 minutes after sunrise. If tree removal activities occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by a qualified Bat Specialist. Inspections of each tree shall be implemented no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to support maternity roosts shall be left in place during the maternity season (March 1 to September 30) and removed outside of the maternity season (October 1 to February 28).

This revision does not constitute “significant new information”, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

The addition of MM BIO-6c to address potential impacts to bat species, including the western yellow bat, does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to bat species, specifically the western yellow bat, which was assessed in the 2020 BRA (Appendix E-1) and 2024 BRA (Appendix E-2) as having low or no potential for occurrence on the Project Site; therefore, no specific mitigation was proposed. Applicant agreed to incorporate this additional mitigation measure to clarify and amplify the Draft EIR’s analysis (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Due to the addition of MM BIO-6c, the following text has been revised. These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications

³ The addition of MMs BIO-6a through MM BIO-6c are included out of numerical order to keep consistent numbering with the SBRA recommendations.

and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-24

Yuma Myotis, Mexican Free-tailed Bat, and Western Yellow Bat: ~~No impact would occur and therefore no mitigation is required.~~ **The Project would incorporate MM BIO-6a, MM BIO-6b, and MM BIO-6c which would require bat focused surveys, special treatment during tree removals, and avoidance of active bat maternity roosts. With implementation of MM BIO-6a, MM BIO-6b, and MM BIO-6c, impacts related to bats would be less than significant.**

Section 4.3, Biological Resources, Page 4.3-27, Cumulative Impacts

Project development has the potential to impact special status plant and wildlife species with potential to occur on-site, including the southern tarplant, monarch butterfly, crotch's bumble bee, ~~and burrowing owls,~~ **and bats** through removal of habitat, resulting in a potentially significant cumulative impact

Response A.2-17

The commenter states that the Project has the potential to impact nesting birds and raptors within and adjacent to the Project site. As such, the commenter provided recommended mitigation measures in Comment A.2-18. These recommendations have been incorporated, as described below in Response A.2-18.

Response A.2-18

The commenter requested minor changes to mitigation measures pertaining to pre-construction surveys for and avoidance of actively nesting birds and raptors. The Applicant agreed to these revisions, which were incorporated into the proposed project's MMRP as MM BIO-5a and MM BIO-5b.

In cooperation with CDFW, MM BIO-5a and MM BIO-5b have been updated to the following final versions in the Final EIR and SBRA (Appendix E-3):

Section 4.3, Biological Resources, Page 4.3-25 and 4.3-30

MM BIO-5a Nesting Bird Pre-construction Surveys. Project activities shall occur outside the nesting season for migratory birds and raptors (February 1 through September 15 and as early as January 1 for some raptors). If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds (~~typically February 1 through September 15~~), a qualified Biologist shall conduct pre-construction surveys for ~~special status birds and other migratory birds~~ **and raptors** within the construction area, including a 300-foot survey buffer, **on the Project Site and a 300-foot buffer around the Project Site (as access allows)** no more than 3 days prior to the start of ground-disturbing activities in the construction area. **If Project activities are delayed or suspended for more than 7 days during the nesting season, the nesting bird and raptor survey shall be repeated. The**

Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s).

This revision does not constitute “significant new information”, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Section 4.3, Biological Resources, Page 4.3-26 and 4.3-30

MM BIO-5b **Avoidance of Active Avian Nests.** If an active nest is located during preconstruction surveys or at any point during the construction phase of the Project, **the species shall be identified, and a no-disturbance buffer shall be established around the active nest. If a nest of a special-status bird or raptor is detected,** the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. ~~Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at.~~ **At a minimum, a no-disturbance buffer of 500 feet** ~~radius of 300 feet~~ around an active raptor nest and a **no-disturbance buffer of 100 feet shall be placed** ~~50-foot radius~~ around an active migratory bird nest) ~~or alteration of the construction schedule.~~ **Personnel working on the Project, including all contractors working onsite, shall be instructed on the presence of nesting birds, restricted areas, and adherence to no-disturbance buffers. A qualified biologist shall periodically monitor any active bird nests on at least a weekly basis to determine if Project-related activities occurring outside the “no-disturbance” buffer disturbs the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, Project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.**

The revisions to MM BIO-5a and MM BIO-5b to address potential impacts to nesting birds and raptors does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the Draft EIR, Biological Resources, identified a potentially significant impact to nesting birds, so no new or substantially increased impact has been identified. Revised MM BIO-5a and MM BIO-5b clarify and amplify the Draft EIR’s analysis. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Response A.2-19

The commenter articulated support for Alternative 2 on the basis that it could potentially provide more room for on-site mitigation. Applicant and City confirmed that Alternative 2 would not provide any additional space for on-site mitigation because it simply extended the size and type of the trailer parking spaces. All RV spaces would simply be pull-through and the spaces and drive aisles would be wider than the Project. FCS further confirmed that the 0.5-acre on-site mitigation area would provide more than sufficient space for achieving the mitigation ratios needed for the

southern tarplant restoration program and all other biological mitigation measures outlined above. Therefore, from a biological perspective, Alternative 2 is not environmentally superior to the Project, and the Project as designed will support all biological mitigation measures as set forth in the 2025 SBRA. (Appendix E-3)

Response A.2-20

The commenter requests that the City provide clarification as to whether the construction, operation, and maintenance of the trail is proposed as part of this Project, or whether development, operation, and maintenance of the trail will be analyzed as a separate discretionary action under CEQA. The construction, operation, and maintenance of the trail is not a part of the Project and would be implemented at a future date when the adjacent County property is likewise improved. The dedication of an easement for future development of a publicly accessible trail and trailhead is a part of the Project and is included in Section 3.0, Project Description, of the Draft EIR.

Response A.2-21

The commenter recommended that exterior lighting installed as part of the Project be directed away from the on-site southern tarplant on-site mitigation area. The Applicant agreed to implement this recommendation. (Appendix E-3)

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (underline) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 3.5, Project Elements, Lighting, Page 3-6

Lighting elements would be installed throughout the site, including lighting standards throughout the RV storage area and exterior security lighting for the self-storage building and car wash. All lighting elements would be shielded to direct lighting onto the **developed portions of the** Project site and minimize light spillage onto **on-site vegetated areas and** off-site areas.

This revision does not constitute “significant new information”, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Response A.2-22

The commenter recommends that the City incorporate a planting palette in the Final EIR, specifying the vegetation that will be used as landscaping for this Project and that the Project not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. The commenter also recommends that the Project restrict use of any species, particularly moderate or high, listed by the California Invasive Plant Council. As described in Appendix E-3, the Project would implement these recommendations. The Project plans reflect a landscape palette of species that are either native or widely used in the area. Any non-native species are included due to their drought tolerant nature. These plantings are required to make the Project consistent with applicable City regulations and state Water Efficient Landscape Ordinance (WELO) minimum water efficiency requirements for new landscapes. No non-native species will be planted or seeded adjacent to or near native habitat areas. (Appendix E-3)

The commenter further recommended that the Project proponent restrict use of any species, particularly “moderate” or “high” listed by the California Invasive Plant Council (Cal-IPC 2024). The Project’s planting plan does not include any invasive plant species designated as “moderate” or “high” on the 2024 California Invasive Plant Inventory list created by the California Invasive Plant Council. (Appendix E-3)

CDFW reviewed the letter from the Project Landscape Architect and accepted that it resolved these comments and that CDFW did not have any further comments regarding landscaping. (Appendix E-3)

Response A.2-23

The commenter recommends that the Project’s environmental document include the mitigation measures recommended within their letter. All recommended mitigation measures have been incorporated into the Project MMRP, as discussed in Responses A.2-1 through A.2-22, above.

Response A.2-24

The commenter notes that any special status and natural communities must be reported to the California Natural Diversity Database (CNDDDB). Pursuant to industry standards, this information has been submitted.

Response A.2-25

The commenter states that the assessment of environmental document filing fees will be necessary; the comment is noted. All applicable CDFW fees will be paid by the Lead Agency upon filing the Project’s Notice of Determination.

Response A.2-26

The commenter provides a conclusion to their letter and does not provide any further substantive comment. No further response is required.

Response to Comment Letter A.3⁴

**Sam Wang, Program Supervisor
South Coast Air Quality Management District
September 27, 2024**

Response A.3-1

The commenter provides an introduction to their letter and provides a summary of Project information; the comment is noted and no further response is warranted.

Response A.3-2

The commenter notes that the Project is located within the AB 617-designated Wilmington, Carson, West Long Beach (WCWLB) community and is heavily impacted from existing air pollution. The commenter notes that the SCAQMD Governing Board has adopted the WCWLB Community Emission Reduction Plan (CERP) and recommends that the Lead Agency review the actions to reduce air pollution in the community included in Chapter 5 of the CERP. The commenter adds that the CERP-related objectives and actions include, but are not limited to Reduce Truck Idling and Reduce Emissions from Heavy-Duty Trucks. The City has reviewed the WCWLB CERP and has determined that the Project would not conflict with its objectives. Specifically, the Project's self-storage and R.V. storage activities would not involve land uses characteristic of truck idling and heavy-duty trucks (i.e. warehouse or other industrial uses that would generate a significant amount toxic air contaminants). Further, as discussed in Section 4.2, Air Quality, of the Draft EIR, the Project's air emissions, with the mitigation already imposed by the EIR, are well below SCAQMD thresholds.

Response A.3-3

The commenter states that the Project Description within the Draft EIR does not specify whether the Project includes allocating warehouse land for cold storage. The Project does not propose the construction of warehouse land uses and would not include allocation of land for cold storage. The commenter states that if cold storage is proposed, the Final EIR should disclose the number of Transport Refrigeration Units (TRUs) anticipated during Project operations. As previously stated, the Project would not involve cold storage and therefore, Project operations would not involve the use of TRUs.

Response A.3-4

The commenter notes that if implementation of the Project required the use of new stationary and portable sources, SCAQMD permits would be required. The comment is noted, and the Project Applicant would obtain any necessary permits from SCAQMD, however, no new portable or stationary sources are anticipated at this time.

The commenter adds that the Project's environmental document should include a discussion of potentially applicable rules that the Project needs to comply with; the commenter is referred to the discussion that was included in Section 4.2, Air Quality, of the Draft EIR, detailing applicable rules and regulations.

The commenter states that they are concerned that the Project Description and analysis in its current form in the "Mitigated Negative Declaration (MND)" is inadequate and recommends that

⁴ Responses A.3-1 through A.3-5 are based on the attached Supplemental Air Quality Memorandum prepared by Psomas (Appendix C-1)

the document be revised to include a discussion of any new stationary and portable equipment requiring SCAQMD permits, provide an evaluation of their Air Quality and Greenhouse Gas (AQ/GHG) impacts, and identify SCAQMD as a responsible agency for the Project. An EIR was prepared for the Project, not a MND. Further, as discussed previously, the Project does not propose the implementation of any new portable or stationary sources at this time and therefore, it is not expected that SCAQMD would be a responsible agency for the Project. Moreover, the Project Description contained in the Project's Draft EIR is accurate and reflected in the Project's Air Quality and Greenhouse Gas (GHG) analyses contained in Sections 4.2 and 4.7 of the Draft EIR.

Response A.3-5

The commenter provides a conclusion to their letter and requests that SCAQMD receive written responses to comment at least 10 days prior to the certification of the Final EIR. The comment is noted and SCAQMD will receive written responses to comment at least 10 days prior to certification of the Final EIR.

Response to Comment Letter A.4

Mark Stanley
San Gabriel & Lower Los Angeles, Rivers and Mountains Conservancy
September 23, 2024

Response A.4-1

The comment contains introductory language regarding the San Gabriel & Lower Los Angeles, Rivers and Mountains Conservancy (RMC) and the Project. This comment is noted for the record and no further response is warranted.

Response A.4-2

The comment contains introductory language related to the RMC's role and provides an overview of the Lower LA River Revitalization Plan (LLARRP). This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response A.4-3

The comment first states that the Project is inconsistent with the LLARRP, as the Project Site was identified as Opportunity ID 68 "Wrigley Heights River Park" and is one of the seven signature projects identified in the LLARRP recommended to undergo a feasibility study to explore options of developing the site into public space. The comment further elaborates, and states that the establishment of a paved Project will represent a further loss of opportunity for open space within the Disadvantaged Community (DAC) Category ranking on CalEnviroScreen 4.0, where the Site ranks in the top 25% percentile.

The City disagrees that the Project is inconsistent with or in conflict with the LLARRP. As stated in the Draft EIR Section 4.10, Land Use and Planning, Opportunity 68 (which itself is one of 155 Opportunity Areas across 14 different jurisdictions) is a diverse compilation of parcels consisting of 58 acres total (of which the Project Site is only 14.2 acres) that present "acquisition opportunities" where privately owned, which may be cost prohibitive given legacy pollutant issues. (LLARRP 2022) No public agency at this time has identified, secured, or issued funding to acquire and remediate the Project Site, which was and remains a privately owned property, nor has the City or any other public agency made an offer to acquire the Project Site. See Response 65-12 regarding conversations with the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy about a willing seller letter, but no funding was issued nor was an offer made to acquire the Project site. Accordingly, development pursuant to the LLARRP opportunity is infeasible at the Project Site at this time, and the Project is therefore not in conflict with the LLARRP since the Project Site does not currently present an acquisition opportunity. Notwithstanding that, as further stated in the Draft EIR Section 4.10, Land Use and Planning, the Project would not prevent the City or another public agency from identifying and securing funding in the future to acquire and remediate the Project Site and develop it pursuant to the LLARRP. The Project also does not prevent the adjacent LACFCD property, which is a significant portion of Opportunity 68 and the property directly abutting the LA River and existing public bike path, from being developed as public open space in the near term. The Project in fact facilitates these efforts by including some design features that directly implement the LLARRP's objectives to create more publicly accessible green spaces along the LA River. The Project will provide a public trail easement, as well as native landscaping, along the Project Site's southern, western, and northern property lines. These features will, once the LACFCD property is developed for public open space, provide beautified, safe, and direct public access from North Pacific Place to the LACFCD property, LA River, and existing bike path along the LA River.

The comment also states that the Project Site sits on a census tract ranked in the top 25% percentile for the Disadvantaged Community Category (DAC) on CalEnviroScreen 4.0, and that census tracts in that category are most disproportionately impacted by pollution and socioeconomic indicators that make them more susceptible to pollution. The comment further states that the Project, due to its paving, will be a major loss for open space within this DAC and will deplete already limited options for open space along the LA River.

This portion of the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR's analysis on the topic of pollution. CEQA Guidelines Section 15131(a) states that economic and social factors are not, in and of themselves, to be considered environmental impacts. CEQA Section 15131(c) states that such factors are to be considered in deciding whether changes in a project are feasible to reduce or avoid significant effects on the environment identified in the EIR. The commenter has not stated how socioeconomic indicators change the Draft EIR's impact conclusions regarding pollution or the extent to which the Project's proposed design or mitigation do or do not reduce the Project's effects on pollution. As required by CEQA, the Project's impacts on air quality and greenhouse gas emissions are evaluated in the Draft EIR in Sections 4.2 and 4.7 and both sections conclude that the Project's impacts will be less than significant. In addition, a health risk assessment was prepared for the Project and determined that cancer risk and non-carcinogenic hazards to the nearest residential receptors and workers are, with mitigation, below SCAQMD's health risk thresholds. The Draft EIR discusses the health risk assessment in Section 4.2. No further response is warranted.

With regard to open space, the Draft EIR at Section 4.14, Recreation, discusses the Project's impact to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project will have less than significant impacts with respect to this topic. This portion of the comment does not present any information for the City's consideration to change the Draft EIR's conclusions and therefore no further response is warranted.

Response A.4-4

The comment states that the short-term construction impacts on surface water quality from grading and other construction related activities are likely to enter the waterway and air despite the BMPs, and the soil has not undergone a documented remediation process, which is particularly concerning given the proximity to an elementary school, park and residential neighborhoods.

The Draft EIR Section 4.9, Hydrology and Water Quality, Section 4.2, Air Quality, and Section 4.8, Hazards and Hazardous Materials evaluate the Project's potential impacts on water and air during construction and conclude that impacts will be less than significant for Hydrology and Water Quality, and less than significant with mitigation for Air Quality and Hazards and Hazardous Materials. These Draft EIR Sections extensively discuss the regulatory framework, BMPs, mitigation, and other measures that will be in place during construction to ensure impacts, including to the school, park, and residents are reduced to less than significant. Further, remediation of the soil cannot commence until the CEQA process is complete to evaluate the proposed remedy – the Response Plan and engineered cap pursuant to the California Land Reuse and Revitalization Act (CLRRA) – which the Draft EIR does. Notwithstanding that, as stated above, the Draft EIR evaluates how the Project's impacts during construction will be addressed until remediation can be completed. The commenter does not state why they believe the Draft EIR's analysis and conclusions are defective or why the proposed BMPs will not adequately address their concerns. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced sections of the Draft EIR.

Response A.4-5

The comment states that the Project's long-term operations will result in point source pollution related to the long-term storage of recreational vehicles (RVs) and vehicle washing facility, including from heavy metals, petroleum, motor oil, waste oil, rubber, antifreeze, sewage, paint, suspended solids, and other byproducts of large recreational vehicles. The RMC suggests identifying the detergents, cleaners and waxes to be used at the vehicle wash facility, as well as identifying hazardous waste material plans to remove contaminated water.

The commenter identifies heavy metals, petroleum, motor oil, waste oil, rubber, antifreeze, and paint as potentially being released onsite. However, the Project consists of vehicle storage. It does not include automotive fueling, repairs, a body shop, or other similar uses that could result in such contaminants. The RV storage area is designed and will be used only for static vehicle storage. Accordingly, it is not anticipated that heavy metals, petroleum, motor oil, waste oil, rubber, antifreeze, and paint will be released onsite. If such materials were inadvertently released from the stored RVs, surface water runoff as the Project Site will be controlled by an onsite stormwater management system. As stated in Draft EIR Section 4.9, Hydrology and Water Quality, a Project-specific Low Impact Development (LID) plan was prepared in accordance with the City's MS4 Permit, and specifies BMPs that would be implemented during Project design and operation to minimize stormwater pollution. The Project would utilize biofiltration BMPs, including a modular wetland biofiltration system and stormwater detention system to remove pollutants from contaminated stormwater before the then-treated water is discharged offsite at a controlled rate into the municipal stormwater system. As such, the LID plan and BMPs would provide Project-specific surface water treatment and management during long-term operations. Due to the engineered cap covering the Project Site and the LID system, surface water would not infiltrate into the Project Site soil and contact the contaminated soil underneath.

Regarding the vehicle washing facility (the carwash), the carwash would be connected to the Los Angeles County Sanitation District (LACSD) sewer system so that water used at the carwash is discharged into the sewer system and not into the stormwater system. The carwash is anticipated to have minimal use – up to eight times per day or approximately 1,000 gallons of water per day – as it would only be available to customers of the R.V. and self-storage facility. The LACSD does not consider a carwash producing less than six million gallons per year as an industrial waste discharger requiring an industrial waste permit. The carwash would still be required to comply with LACSD's Wastewater Ordinance, and in any event, the Project would only provide standard soap for the carwash but would not provide waxes, detergents, or other cleaners. In addition, the Project's carwash design includes installation of a carwash oil separator through which water used in the carwash is filtered before entering the County sewer system. A carwash oil separator separates out oil, grease, grime, and other similar pollutants to prevent heavier contaminants from entering the sewer system. The oil separator is cleaned every few months as needed by a professional cleaning company. For the reasons above, the carwash is not anticipated to cause significant impacts relating to hazards and hazardous materials.

Regarding the commenter's reference to sewage being released at the Project Site, the dump station proposed as part of the Project would be connected to the LACSD sewage system. The dump station would be required to obtain a permit for a R.V. sanitary waste disposal station from the LACSD.

The dump station would be required to comply with that permit and with the Wastewater Ordinance of the Sanitation District, which governs the usage of LACSD's sewage system, including that the design of the dump station will be in conformance with the Sanitation District's standard drawings for an approved trailer sewage disposal station, that the dump station shall be secured when not in use with a key or access available from an employee onsite when needed by a customer, and that the dump station shall be available as needed for inspection by LACSD.

Compliance with the Wastewater Ordinance and permitting requirements of LACSD would ensure that neither the dump station itself nor sewage deposited onsite will adversely impact the environment and public health.

Response A.4-6

The comment expresses concern for capping 14 acres of permeable land, which would render the entire Project Site impervious and generate more runoff than existing conditions, and result in additional pollutants entering receiving waters near the LA River. The RMC recommends testing the new stormwater system to ensure there is adequate volume and proposes additional bioremediation measures be explored.

The commenter correctly states that the proposed remedy for the Project Site to address the historical contamination is to install an engineered cap to prevent surface waters from contacting impacted sump materials and AECs beneath. As explained in the Draft EIR Section 4.8 Hazards and Hazardous Materials, this remedy is proposed in coordination with DTSC as the remedy best suited to be protective of human health and the environment. As stated in Draft EIR Section 4.9, Hydrology and Water Quality, because the engineered asphalt cap would render the entire site impervious and because infiltration is infeasible due to the historical soil contamination, the Project would implement Project-specific LID features, such as the biofiltration system and stormwater detention system, to ensure the Project would not result in stormwater runoff impacts from the additional impervious surfaces on-site. The LID system would store stormwater during storms and then release it into municipal storm drains at a controlled rate so that the post-Project runoff rate does not exceed the pre-Project rate; and to avoid exceeding the municipal storm drains' capacities. Stormwater discharged from the detention systems would be directed to the two proposed biofiltration systems, comprised of modular wetlands, for treatment, and then the treated stormwater is ultimately conveyed into the municipal storm drains located along the southern portion of the Project site towards the proposed extension of North Pacific Place northwest and Ambeco Road. Both detention systems would have a greater stormwater capacity than required by the City of Long Beach LID requirements and MS4 permit. The Draft EIR, Section 3.0, Project Description, Exhibit 3-4, LID Plan, illustrates the layout and components of the proposed stormwater management system for the Project. The commenter does not provide any details regarding why they believe the proposed LID system does not adequately address the Project's stormwater runoff or lacks sufficient capacity. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced sections of the Draft EIR.

The comment also states that the Project Site appears satisfactory for infiltration and spreading basins and that it is one of the few locations along the Lower LA River where groundwater recharge is possible. As discussed above and in the Draft EIR, surface water infiltration is infeasible due to the historical soil contamination. The Draft EIR further discusses in Section 4.9, Hydrology and Water Quality that the Project Site is not used for intentional groundwater recharge and groundwater pumping rights are set by the Water Replenishment District of Southern California, as the designated Watermaster for the groundwater subbasin where the Project Site is located to manage groundwater pumping and storage. Accordingly, the Project would not impede sustainable groundwater management in the basin. The comment does not provide specific information stating explaining why the Draft EIR's analysis and conclusions regarding groundwater are defective. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced section of the Draft EIR.

Response to Comment Letter A.5

**Chief Anthony Morales, Chair, Gabrieleno, San Gabriel Band of Mission Indians and Rebecca Robles, Acjachemen Culture Keeper
Gabrieleno San Gabriel Band of Mission Indians
September 30, 2024**

Response A.5-1

The commenter states that in April 2021, they previously opposed the City of Long Beach Planning Commission's determination that an MND was sufficient to address the impacts of the Prior Project. The commenter also states that they had previously requested a full EIR be completed for the Project and an open space alternative be analyzed. These comments are noted.

The commenter incorporates by reference comments by Chester King; these comments are responded to in Responses 60-E19-1 through 60-E19-9, below.

The commenter claims that the Draft EIR ignored the significance and potential of the site with respect to cultural resources. This commenter is referred to Sections 4.4, Cultural Resources, and 4.16, Tribal Cultural Resources, which provide evaluations of the Project Site in reference to cultural and tribal culture significance, respectively.

Response A.5-2

The commenter asserts that the Project Site has cultural and historical significance for tribal peoples. While the comment is noted, as discussed in Section 4.16, Tribal Cultural Resources, of the Draft EIR, Tribal Cultural Resource consultations were conducted as part of the government-to-government consultations between the City and tribal governments requesting to consult on the Project as required by Assembly Bill (AB) 52 and SB 18.

On April 14, 2020, the Gabrieleno Band of Mission Indians—Kizh Nation requested consultation with the City regarding the Project as part of the preparation for the MND previously prepared for the project presented to the City in 2020 (see Draft EIR, Section 2.0, Introduction for the Project history to explain why an MND was previously prepared and now an EIR is being prepared). Consultation was conducted via phone on June 19, 2020, with Matthew Teutimez on behalf of the Gabrieleno Band of Mission Indians—Kizh Nation. Based on consultation between the City of Long Beach and the tribal representative, no TCRs were identified on the Project Site; however, it was stated that excavation and grading at the Project Site has the potential to disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources. Based on consultation, mitigation measures were developed (MM TRIB CUL-1 through MM TRIB CUL-5) for and imposed by the MND. Additionally, these measures were carried through and imposed by the Draft EIR, as discussed in Section 4.16, Tribal Cultural Resources.

Following issuance of the NOP for the present EIR, those contacted on July 28, 2023 for AB 52 and SB 18 consultation included the Gabrieleno Band of Mission Indians – Kizh Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, Gabrieleno/Tongva Nation, Gabrieleno Tongva Indians of California Tribal Council, Gabrieleno-Tongva Tribe, Juaneno Band of Mission Indians Acjachemen Nation – Belardes, Juaneno Band of Mission Indians Acjachemen Nation 84A, Santa Rosa Band of Cahuilla Indians, and Soboba Band of Luiseno Indians. On August 3, 2023, the Gabrieleno Tongva Indians of California Tribal Council identified the Project Site as being located within an area known for tribal cultural resources and requested that the Gabrieleno Tongva Indians of California Tribal Council be present for Native American monitoring for all ground disturbing activities because of the possibility for intact precontact archaeological and tribal cultural resources below the surface. On April 15, 2024, Christina Conley from the Gabrieleno

Tongva Indians of California Tribal Council sent preferred Mitigation Measures to the City to be incorporated into the Mitigation Monitoring and Reporting Program (MM TRIB CUL-6 through MM TRIB CUL-11). The Gabrieleno Band of Mission Indians—Kizh Nation did not request consultation for the EIR as they did for the MND, but the City nonetheless included the same mitigation measures (MM TRIB CUL-1 through MM TRIB CUL-5) in the Draft EIR, Section 4.16, Tribal Cultural Resources, which were previously requested by the Kizh Nation and imposed by the MND because the Project in the Draft EIR will have the same potential impacts with respect to soil disturbance as the prior project proposed in the MND.

Moreover, as explained in the Draft EIR, Section 4.16, Tribal Cultural Resources, based on the SCCIC literature review and records searches from 2020 and 2023 and the results from the NAHC SLF database, there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. In addition to the literature and database searches, tribal consultation was conducted and a field survey conducted onsite in 2020.

While the commenter states that sacred objects and other tribal cultural materials have been unearthed nearby, the commenter does not state that these objects were found on the Project Site or in proximity to the Project Site, nor does the commenter state that the above-referenced mitigation measures imposed by the Draft EIR do not adequately address any potential impacts should similar such materials be found onsite during Project construction. Accordingly, the City cannot provide a more detailed response regarding these objects and directs the commenter to the above-referenced section of the Draft EIR.

The commenter also states that the Draft EIR does not take into account the location of the village of Tevaazx'anga or the original boundaries of Rancho Los Cerritos when discussing historically relevant locations near the Project site. As stated above, and as explained in the Draft EIR, Section 4.16, based on the SCCIC literature review and records searches from 2020 and 2023 and the results from the NAHC SLF database, there are no known resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. In addition to the literature and database searches, tribal consultation was conducted in accordance with AB 52 and SB 18 and a field survey conducted onsite in 2020. Neither the record searches nor consultation indicated the presence, or locations, of the resources mentioned by the commenter.

The commenter also states that the Rancho Los Cerritos buildings are on the National Register of Historic Places. These buildings are located approximately 4000 ft northeast of the Project site. While the comment is noted, this resource is not located within the Project Site and would not be impacted by Project implementation. Due to the Project Site's isolation between the LA River, I-405 Freeway, and Metro tracks and its distance from this resource, the Project would not impact these buildings.

Response A.5-3

The commenter asserts that cumulative impacts related to tribal cultural resources were not analyzed in the Draft EIR and should be assessed. A cumulative impacts discussion related to tribal cultural resources was provided in Section 4.16, Tribal Cultural Resources, of the Draft EIR. No further detail is provided by the commenter that states how the Draft EIR's cumulative impacts

analysis for tribal cultural resources is defective. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced section of the Draft EIR.

Response A.5-4

The commenter requests that the City consider the determination of the Project Site as eligible for Tribal Cultural Landscape Status and set aside funds to purchase the Project Site as park space. The City of Long Beach recognizes that the Project Site is in an area of Los Angeles County that is considered important to the local Native American community. As described in more detail in the Draft EIR and Response A.5-2, the City consulted with members from the local Native American community, requested a sacred lands files database search from the Native American Heritage Commission (NAHC), received the results of a cultural resources records search from the SCCIC, and conducted a field survey in 2020. The results from the consultation, NAHC, SCCIC, and field survey lead the City to conclude that the Project would have a less than significant impact on tribal cultural resources with the imposition of MM TRIB CUL-1 through MM TRIB CUL-11 and that the Project Site is not at this time eligible for tribal cultural landscape status. Further, the City does not own the Project Site; it is privately owned and the City does not intend at this time to consider or pursue purchasing the Project Site. The City's decision to not consider or pursue purchasing the Project Site for open space is outside the scope of CEQA and this portion of the comment does not raise a defect with the Draft EIR's analysis. The commenter's request that the City purchase the Project Site will be forwarded to the decision makers for review and consideration.

The commenter also asserts that they do not agree with a number of statements within the Draft EIR; these statements are addressed individually in Responses A.5-5 through A.5-8, below.

Response A.5-5

The commenter states that they disagree with the following statement: "The results of the SCCIC records search confirms there are no cultural resources located within the Project Site." The commenter further states that records searches may indicate the presence of cultural resources, but cannot confirm that what has not yet been recorded does not exist.

While the comment is noted, this statement does not appear in the Draft EIR. The referenced statement does appear in the 2020 Cultural and Paleontological Resources Analysis for the 3701 Pacific Place Project, Long Beach, Los Angeles County, California, prepared by LSA.

Furthermore, as discussed in Section 4.16, Tribal Cultural Resources, of the Draft EIR, an updated SCCIC literature review and record search was conducted by Psomas in 2023 and provided as Appendix E-1 of the Draft EIR. Moreover, Section 4.16, Tribal Cultural Resources, of the Draft EIR contains the following statement, acknowledging that records search results cannot confirm that what has not yet been recorded does not exist. The following statement also shows that the Draft EIR's ultimate conclusions are not based solely on the SCCIC literature searches from 2020 and 2023, but also on the NAHC SLC database search, tribal consultation, and a field survey.

"Based on information available through the record searches at the SCCIC (March 13, 2020 and September 11, 2023 and the NAHC, the 2020 pedestrian field survey conducted by LSA, the long-term past use of the Project Site, and the oversight by Tribal Monitors during the Surcharge Activities (discussed below), there is no information available that indicates there are significant tribal resources within the Project Site that would be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 (SCCIC 2020, SCCIC 2023, LSA 2020). However, excavation and grading at the Project Site may disturb native sediments and, therefore,

could have the potential to impact unidentified tribal cultural resources.” (Section 4.16, Tribal Cultural Resources)

In recognition of the fact that records searches cannot review potentially sacred objects that have simply not yet been found, the Draft EIR imposes MM TRIB CUL-1 through MM TRIB CUL-11 to ensure that tribal monitors are present during all ground disturbing activities and appropriate protective measures taken should new items be discovered.

Response A.5-6

The commenter states that they disagree with the following statement: “The project Site was originally used as an oil sump, with more recent usage as a driving range and an unofficial dump site.” The commenter adds that the site was not “originally used as an oil sump, but by Tongva peoples as a village/work/trail/fishing site”.

This statement appears on Page 3 of Appendix E-2 of the Draft EIR and is intended to provide context for the existing artificial fill at the Project Site; it is not intended to provide a comprehensive history of the site.

Response A.5-7

The commenter disagrees with the discussion in the Draft EIR regarding spoils. It is noted that the word “spoils” has more than one meaning; however, in the context of this Draft EIR, the word “spoils” is defined as materials removed from a construction site during excavation, earthwork, and foundation construction. Moreover, based on MMs TRIB CUL-1 through TRIB CUL-11, tribal cultural resources monitors would be onsite during all ground disturbing activities and appropriate protective measures would be taken should new items of tribal cultural significance be discovered.

Response A.5-8

The commenter states that they disagree with the following statement: “No further archaeological studies are recommended” which can be found in the Phase I Archaeological Cultural Resources Study included as Appendix E-2 to the Draft EIR. However, the commenter also adds that the Phase I Archaeological Cultural Resources Study, acknowledged that the absence of information in the SLF database does not indicate the absence of cultural resources. The commenter asserts that this is not an appropriate conclusion but one that indicates how little deference is paid to the Tongva as being a living culture, not an artifact. The statement in the Phase I Archaeological Cultural Resources Study was in response to the identified low likelihood of unknown resources due to the location of the Project Site within a historic floodplain and having been subject to prior ground disturbance. However, as discussed in Section 4.4 of the Draft EIR, MM CUL-1 requires evaluation of any resources that are inadvertently unearthed during construction. Additionally, the Phase I Archaeological Cultural Resources Study was not prepared to directly address Tribal Cultural Resources; a separate process involving an additional records search, a field survey, and Tribal Consultation pursuant to AB 52 and SB 18 was undertaken and is detailed in the Draft EIR, Section 4.16, Tribal Cultural Resources, and a series of mitigation measures (MMs TRIB CUL-1 through TRIB CUL-11) is identified. These MMs were developed as part of the tribal cultural resource consultation and will provide protections for inadvertent discoveries of tribal cultural resources and precontact archaeological resources during Project implementation.

Response A.5-9

The commenter states that in addition to human remains and objects, tribal cultural resources are understood to include the biological resources and the tribes historic, current, and potential relationship to the site as inseparable from tribal identity and well-being. Impacts to tribal culture

are not limited to “ground disturbing activities” therefore tribes and tribal monitors may determine that monitoring is appropriate in addition to “ground disturbing activities.”

The commenter also states that a single group is defining the scope of tribal involvement and determining the structure of the CEQA document; the commenter adds that a CEQA document should not grant specific tribal entities the sole right to decide who the developer will retain and compensate for the services of a Tribal monitor/consultant or who will be consulted regarding the treatment and curation of tribal cultural resources.

While the comment is noted, the City respectfully disagrees that a single group has defined the scope of tribal involvement for the Project. As discussed above in Responses A.5-2, A.5-4, and A.5-5, AB 52 and SB 18 consultations were conducted in accordance with all laws and regulations and the consultation period has concluded. As discussed above and documented in the Draft EIR, Section 4.16, Tribal Cultural Resources, several Gabrieleno/Tongva peoples who are traditionally and culturally affiliated to the geographic area were contacted by the City and given the opportunity to consult on the Project, including the commenter. As a result of these consultations, the Draft EIR imposes appropriate mitigation measures to reduce the Project’s potential impacts related to Tribal Cultural Resources to less than significant.

Response to Comment Letter A.6

Michelle O'Connor
County of Los Angeles Department of Parks and Recreation
September 30, 2024

Response A.6-1

The commenter states that they have reviewed the Draft EIR. The commenter provides a summary of the Project Description. The comment does not raise any defects with the Draft EIR and no further response is warranted.

Response A.6-2

The commenter states that the Draft EIR does not analyze Project impacts on the LA River regional multi-use trail. The commenter specifies that while the Draft EIR analyzes the paved river bikeways and pedestrian trails managed by LACDPW, it does not address DPR's existing unpaved multi-use trail at the base of the levee that accommodates equestrians, hikers, and mountain bikers. The LA River multi-use trail is an off-site facility, similar to the LA River Bike Path. As with the LA River Bike Path, the Project would not result in any impacts to this trail nor impede the public from continuing to use the trail for equestrian, hiking, and biking uses. The Project Site is separated from the trail by the vacant property owned by Los Angeles County Flood Control District, and the commenter acknowledges that the trail is approximately 125 feet from the southwest corner of the Project Site. The Project Site is also private property and does not, nor has it in the past, provided access to the LA River trails and recreation areas. No equestrian or other recreational uses exist on the Project Site, and no formal trails occur within or abutting the Project Site. Accordingly, development of the Project Site would not impact use of the trail referenced by the commenter.

Response A.6-3

The commenter states that the Draft EIR does not cite or consider the 2017 LLARRP and the 2022 LA River Master Plan. The City is not aware of a 2017 version of the LLARRP and believes the commenter intends to refer to the 2022 LLARRP. The Draft EIR analyzes consistency with both of these plans in Section 4.10, Land Use. Related to the LLARRP, the Draft EIR, Section 4.10, Land Use extensively analyzed the Project's relation to the LLARRP and determined that the Project is not inconsistent nor in conflict with the LLARRP. Similarly, related to the LA River Master Plan, the Draft EIR, Section 4.10, Land Use extensively analyzed the Project's relation to the plan and determined that the Project is not inconsistent nor in conflict with it. The commenter does not state that these analyses in the Draft EIR are defective. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced sections in the Draft EIR.

Response to Comment Letter A.7

Anthony Higgins
Caltrans Department of Transportation – District 7
September 27, 2024

Response A.7-1

The comment contains introductory language regarding Caltrans and the Project and provides a brief Project summary. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response A.7-2

The comment states that the proposed Project plan shows driveways to be constructed directly on a portion of Caltrans-owned slope easement. For this reason, the commenter states that consultation and collaboration with the Caltrans Division of Right-of-Way Excess Land and Design will be required.

The Project Applicant consulted with Caltrans regarding this comment, and received confirmation that the slope easement referenced in the comment was quitclaimed by Caltrans to Oil Operators, Inc. by that certain Director's Quitclaim Deed DK 7904-01-01 recorded December 2, 2003 as Instrument No. 03-3634887 of Official Records. When the Project was reviewed in September of 2024 by Caltrans, this quitclaim deed was missed. Based on the Quitclaim Deed, Caltrans has confirmed that "Caltrans does not have any other rights in subject property" and "the comment regarding the slope easement in the comment letter is no longer a concern." (Appendix H)

Response A.7-3

The comment provides recommendations from Caltrans to best meet the needs of the surrounding community and encourage transportation option, such as reducing the amount of parking whenever possible and connecting to nearby transit and active transportation infrastructure. Additionally, Caltrans approves of the easement that will be set aside for future access to the LA River Trail and would encourage active transportation/reduce reliance on private vehicles. These recommendations will be considered and forwarded to the decision-makers for further review and consideration.

Response A.7-4

The comment states that prior to issuance of building or grading permits, the Project Applicant is required to prepare a Construction Traffic Management Plan (CTMP) for review and approval by the City staff to ensure that Project construction would not result in significant impacts. Further, any work that would affect the freeways or facilities are under Caltrans jurisdiction, and transportation of heavy construction equipment on State highways will require a transportation permit from Caltrans. The Project will follow all relevant Caltrans requirements, including preparing the CTMP and applying for permits, as applicable. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 1

Gidon R. Vardi & Debra G. Vardi
September 6, 2024

Response 1-1

The commenter states that they attended a video presentation by DTSC on September 3, 2024; the commenter adds that at the end of the presentation, they participated in a Q&A session, during which they asked about what requirements will be in place for insurance/bonds to cover injuries and illnesses in the future.

The Applicant's consultant, Roux, under oversight from the Department of Toxic Substances Control (DTSC), generated a robust and comprehensive dataset (documented in the 2020 Site Assessment Plan and Report of Findings, Appendix I-4 of the Draft EIR), which complements earlier data collected by LFR Inc. (documented in the 2009 Remedial Investigation Report) and other previous onsite investigations (included as appendices in the 2009 LFR report [Appendix I-4 of the Draft EIR]), that adequately characterized the magnitude and distribution of environmental contaminants that would be disturbed or impacted by the development, both during and after construction.

In accordance with the California Land Reuse and Revitalization Act (CLRRA) and as explained in the draft Response Plan (Appendix I-15 of the Draft EIR), the primary lens through which the need for remedial action was determined was a Human Health Risk Screening Evaluation for construction workers, site occupants, and offsite receptors, which included a determination of contaminant exposure pathways during and after construction, an evaluation of the toxicity of contaminants found at the Property, and an estimation of carcinogenic and non-carcinogenic risks specific to the Property.

Based on the results of the health risk evaluation, which were approved by DTSC, specific remedial actions and long-term monitoring obligations addressing current and future health risks associated with development and operation of the Project and Property are proposed by the Applicant for review and approval by DTSC, to be followed by implementation under DTSC oversight, via preparation and implementation of a Response Plan. These long-term monitoring obligations include groundwater monitoring wells and perimeter soil vapor monitoring probes that will be constructed to monitor the Property for long term protection. Furthermore, the site will be inspected and maintained as determined in the Operation, Maintenance and Monitoring (OM&M) Plan in addition to yearly inspections and Five-Year Reviews with financial assurance for such activities. As discussed in the draft Response Plan, the perimeter soil vapor probes will be monitored on a quarterly basis for a minimum of two years to evaluate changes in subsurface conditions and to ensure that potential methane/soil vapor does not migrate offsite. The monitoring data will be used to determine future monitoring frequency in consultation with and approval by DTSC and SCAQMD. Implementation of the Response Plan, which is described in more detail in Draft EIR Section 4.8, Hazards and Hazardous Materials, will reduce unreasonable risk to levels that are protective of human health and the environment.

Because the above actions will reduce unreasonable risk to levels that are protective of human health and the environment, as required by CLRRA, additional protective measures, such as insurance requirements are not necessary (nor are they required by local, state, or federal government agencies).

Response 1-2

The commenter correctly states that the environmental investigations at the Project Site revealed arsenic, benzene, and heavy metals in the soil in some areas onsite, that the proposed remedy based on consultation with DTSC to address historical soil contamination onsite is to leave the soil onsite and install an engineered cap over it, and that air quality monitoring will be undertaken during construction. These portions of the comment recite facts from, and do not present potential defects with, the Draft EIR. Accordingly, no further response is warranted.

The commenter also states that DTSC's presentation regarding the Project is best described as an attempt to soften the blow of the potential catastrophic consequences and demonstrated DTSC's support for the construction of the Project in lieu of a park. The commenter does not provide details about alleged catastrophic consequences that will result from the Project, and the City therefore directs the commenter to the Draft EIR, Section 4.8, Hazards and Hazardous Materials, which analyzes the potential impacts from the proposed remediation of the Project Site and concludes that, with implementation of MM HAZ-1, the Project's impacts relating to hazards and hazardous materials would be less than significant. With regard to DTSC's endorsement of the Project in lieu of a park, this comment is outside the scope of CEQA. DTSC is not a planning or zoning agency and does not make land use decisions. DTSC's only jurisdiction with regard to the Project is as the government agency responsible for ensuring that all appropriate laws and regulations are followed to address environmental contamination and that the site will be safe for the uses proposed at the Project Site by the property owner, which consists of the Project rather than a park.

Response 1-3

The commenter states that the aforementioned DTSC presentation "left open the possibility that some contaminants may escape into adjacent neighborhoods: and that the presentation "did not have a single statement that all cleanup operations and/or contaminant will result in a 100% safety guarantee that no one in the adjacent neighborhoods, including the construction workers and future employees of the proposed facility, will not suffer harm due to the hazardous materials at the site". The commenter adds that "anything less than 100% is not acceptable".

CLRRRA, which is a state statute that provides for the cleanup and reuse of contaminated properties in a manner protective of public health and safety and the environment as a priority of the state, does not require response actions to address all risk, but rather to address all unreasonable risk, which is measured as follows and as set forth in the Draft EIR Section 4.8, Hazards and Hazardous Materials. A Human Health Risk Screening Risk Evaluation prepared by Roux and presented in the draft Response Plan estimated cumulative risk to future industrial workers and current construction workers. Cancer risk was expressed as the excess probability that an individual will develop cancer over a lifetime due to exposure to carcinogens associated with the Site, which federal guidelines indicate should not exceed a range of 1 in 10,000 to 1 in 1,000,000. Non-carcinogenic health risks were cumulatively evaluated against individual contaminant health screening criteria established by California. For future industrial workers, cancer risk was estimated to be within the acceptable range and non-cancer health risk did not exceed DTSC's target threshold. For construction workers, cancer risk was below the acceptable range and although none of the individual contaminant exposure point concentrations exceeded their regulatory health screening criteria, the cumulative non-cancer health risk estimate did exceed the DTSC target threshold. However, the non-cancer risk estimate was not driven by a single compound, but multiple (thallium, cobalt, and others). Moreover, none of the chemicals of potential concern (COPCs) associated with historical site operations (e.g. total petroleum hydrocarbon [TPH]) contributed significantly to the non-cancer risk estimate. (Appendix I-15 of the Draft EIR)

Based on the planned use of the Property and the results of the Screening Risk Evaluation, the draft Response Plan (Appendix I-15 of the Draft EIR) defines eight remedial action objectives (RAOs) to guide selection of specific remedial components of the development that will be protective to both on- and off-site receptors. The RAOs are to:

- Prevent ingestion or direct contact with TPH-impacted sump materials and soil that pose an unreasonable risk to human health or the environment;
- Prevent inhalation of soil vapor containing volatile organic compounds (VOCs) that pose an unreasonable risk to human health or the environment;
- Regulate and mitigate surface migration of VOCs and methane;
- Prevent explosive risks associated with methane;
- Prevent infiltration of surface water or stormwater into the subsurface;
- Prevent ingestion and direct contact with groundwater;
- Monitor and maintain existing groundwater quality; and
- Manage stormwater to prevent off-Site transport of contaminants.

The response actions defined in the draft Response Plan were developed to achieve the RAOs and reduce potential risk of exposures under prescribed thresholds that would be protective of human health and the environment. (Appendix I-15 of the Draft EIR)

To be protective during development, all earth-moving activities will be conducted in accordance with the Site-specific Soil Management Plan (SMP) and other supporting documents including the Ambient Air monitoring Plan (AAMP), the Excavation Management Plan (EMP) and Health and Safety Plan (HASp), as presented in the draft Response Plan (Appendix I-15 of the Draft EIR) to ensure safety to construction workers and reduce the risk identified in the Screening Risk Evaluation (noted above) to reasonable levels. Further, as described in more detail in Response 1-1, the site will be inspected and maintained long-term under DTSC oversight as determined in the OM&M Plan in addition to yearly inspections and Five-Year Reviews with financial assurance for such activities to ensure the continuing efficacy of the remedial actions. Accordingly, with implementation of the draft Response Plan, the Project and Property will be developed and operated in a manner protective of public health, safety and the environment and risk levels associated therewith will be reduced to reasonable levels.

Response 1-4

The commenter references the aforementioned DTSC presentation failed to take into account “post-construction mitigation activities”. The commenter adds that they expect that the Project would require significant underground utilities including sewer, water, gas, and electrical services and that to accomplish these tasks it may be necessary to trench into the contaminated soil and cut into the proposed cap; the commenter adds that they believe this would allow airborne and below ground contaminants to migrate to other locations;

As required by CLRRRA, the draft Response Plan addresses post-construction procedures and protective measures. The utilities will be installed prior to construction of the proposed cap. As described in the draft Response Plan, all earth-moving activities, including trenching associated with installation of utilities, will be implemented in accordance with the SMP, which provides for protective measures to monitor and manage potentially impacted soils that may be encountered during construction activities. During and after all earth-moving activities associated with the implementation of the Response Plan, proper dust and vapor control measures will be taken in accordance with the SCAQMD requirements, and real-time air monitoring will be conducted in

work areas as well as at the property boundary to ensure compliance and no health impact to the surrounding community. (Appendix I-15 of the Draft EIR)

Any future work that would penetrate the engineered cap, including maintenance work on utilities systems, would also need to be conducted in accordance with the SMP, AAMP and EMP. In addition, an OM&M Plan will be prepared and approved by DTSC. The OM&M Plan is required to include procedures to maintain controls at the Property including, and not limited to, monitoring of groundwater and perimeter soil vapor probes, inspection of the engineered cap and alternative cap, operation and maintenance of the soil venting systems, and monitoring the building protection systems to ensure the continued integrity of the cap and other remedial components. (Appendix I-15 of the Draft EIR)

Response 1-5

The commenter states that the aforementioned DTSC presentation did not address the potential of below ground utilities breaking, leaking, or eroding, and how the potential effects of this would be remedied.

Subsurface utility vaults and manholes will be surrounded by a bentonite and cement slurry to minimize settlement that could cause potential breakages and leaks. In addition, the subsurface pipes will be designed to accommodate potential settlement. The proposed stormwater detention basin and modular stormwater biofiltration system will be provided with geosynthetic clay liners (GCLs) to contain and capture any water from potential leakage, thereby preventing infiltration into the underlying impacted materials.

Following completion of the response actions described in the draft Response Plan a site-specific long-term OM&M Plan will be submitted for DTSC approval. The OM&M Plan is required to include procedures to maintain controls at the Property including, and not limited to, monitoring of groundwater and perimeter soil vapor probes, inspection of the engineered cap and alternative cap, operation and maintenance of the soil venting systems, and monitoring the building protection systems to ensure the continued integrity of the cap and other remedial components. As will be set forth in the OM&M Plan, leaks in pipes will be immediately repaired when identified. (Appendix I-15 of the Draft EIR)

Response 1-6

The commenter contends that the only way to eliminate the contaminants within the Project site is by exporting the contaminated soil to designated hazardous waste sites.

In accordance with CLRRRA, the goal of implementing the response actions presented in the draft Response Plan is to prevent or eliminate an unreasonable risk from hazardous materials at the site. Cleanup can refer to many alternatives that serve to mitigate or remove the contamination, including caps and containments, excavation, in-situ and ex-situ treatments, engineering controls such as a vapor barrier, and administrative controls such as a Land Use Covenant that prevents certain uses or protects an engineering control. Excavation and offsite disposal of all the contaminated materials (between 390,000 and 490,000 cubic yards) and import soils for backfilling could result in over 50,000 truck trips and associated emissions, and potential noise, dust and odor nuisances. This alternative would likely result in a real exposure to onsite construction workers and the surrounding community. Based on a detailed evaluation of this alternative in the draft Response Plan and its potential impacts, it is rejected as a viable solution. (Appendix I-15 of the Draft EIR)

Instead of a soil removal action, the methodology proposed in the draft Response Plan (i.e., the engineered cap) fulfills the goal of reducing exposure and associated health risk. This development will:

- Mitigate pre-existing environmental conditions as approved by DTSC, making the property and community safer and the environment cleaner;
- Improve the neighborhood (Property will not be an eyesore any longer);
- Prevent trespassers, unlawful encampments, littering, drug use and other crimes, and off-roading bikes; and
- Eliminate dust blowing offsite.

Response 1-7

The commenter states that the current site has a mound of soil already graded at the site without any warning provided to local residents. The mound of soil referred to in the comment is the Surcharge Pile and Surcharge Activities that were undertaken in 2020 and 2021. As discussed in the Draft EIR, Section 3.0, Project Description, the Surcharge Activities undertaken in late 2020 through early 2021 were to determine the type of building foundation that would be most suitable for the proposed development at the Project Site. Surcharging is a geotechnical study to test the site soil conditions for suitability and stability to support improvements. In this case, the Surcharge Pile was designed to determine whether pile-supported foundations would be required or could be eliminated altogether in lieu of alternative, less intrusive foundation designs. The Surcharge Activities, which were developed by the Project's geotechnical and civil engineers, included moving existing, pre-characterized, clean cover soil from the northern portion of the Project Site and importing certified clean soil from offsite. Based on the results of the environmental investigations of the Project Site, as described in Draft EIR, Section 4.8, Hazards and Hazardous Materials, Roux identified twelve AECs within the cover soil and determined that the remainder of the cover soil is environmentally suitable for grading. The contaminated sump materials lay below the cover soil and were not disturbed during the Surcharge Activities. Only two of the AECs (SB-8 and SB-2) lay within the areas graded for the Surcharge Activities, and these were excavated and reconsolidated onsite.

Several governmental agencies were involved in reviewing and overseeing the Surcharge Activities, and the public was notified. Given the site's environmental history, the Project applicant coordinated with DTSC during the planning and implementation of the Surcharge Activities, including the following actions taken:

1. Prior to commencing the Surcharge Activities, the following plans were prepared and submitted and reviewed by DTSC to reduce the potential risks from exposure to site contaminants:
 - a. Soil Management Plan (SMP)
 - b. Ambient Air Monitoring Plan (AAMP)
 - c. Health and Safety Plan (HASP)

Prior to commencing the Surcharge Activities, the Project applicant notified the South Coast Air Quality Management District (SCAQMD) about upcoming earthmoving activities. They also prepared a Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP) in accordance with the California Construction General Permit, which were submitted to and approved by the Los Angeles Regional Water Quality Control (LARWQCB) and are available online in the LARWQCB's Storm Water Multiple Application & Reporting System (SMARTS) system (Waste Discharge Identification [WDID] number 4 19C391158). In August 2020, DTSC informed the

surrounding community of the upcoming Surcharge Activities through community mailers and a work notice, copies of which are now available to the public on DTSC's public document repository, Envirostor. The community mailers and work notice informed the community that the Surcharge Pile would be approximately 15 feet high and was intended to simulate the weight of a 50,000 square foot building. Per the AAMP, the Project applicant performed baseline air monitoring in August 2020 and began mobilizing for the earth-moving activities.

All earth-moving activities associated with the Surcharge Activities, including movement of the AECs, were conducted in accordance with the SMP, AAMP, HASP, SWPPP and SCAQMD requirements, and all future earth-moving activities will be subject to the same requirements as set forth in the Draft EIR, Section 4.8, Hazards and Hazardous Materials.

Response 1-8

The commenter states that the site must be preserved to provide much needed open space. As required by CEQA, the Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact on recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts related to these topics would be less than significant. The commenter does not indicate that these analyses in the Draft EIR are deficient. Accordingly, the City cannot provide any further response, and the City directs the commenter to the above-referenced sections in the Draft EIR. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 1-9

The commenter states that the Project Site was promised to be part of the riverfront development decades ago rather than a commercial project and will bring more pollutants into the neighborhoods. The City has never promised the Project Site as a park, and the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

With regard to the Project causing a release of pollutants into the neighborhoods, the City directs the commenter to Draft EIR, Section 4.2, Air Quality, Section 4.8 Hazards and Hazardous Materials, and Section 4.9 Hydrology and Water Quality which extensively analyze the Project's potential to release pollutants and ultimately conclude that the Project's impacts in this regard would be less than significant.

Response 1-10

The commenter states that the Project will impact health and increase the noise and air pollution within the area. As explained in Draft EIR Section 4.2, Air Quality and 4.11, Noise, the Project would not result in significant impacts related to air quality and noise. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 1-11

The commenter states that legal mechanisms such as bonds and insurance policies are backed up by the local government in case insurance companies are unable to fulfill their obligations. Please see Response 1-1, which explains why additional insurance and bonds are not required or necessary for the Project.

Response 1-12

The commenter states that the Project would impact property values of the community. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 1-13

The commenter states that the Department appears to have taken a biased stand in favor of the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 1-14

The commenter states that the public deserves a park rather than a parking lot. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 1-15

The commenter states that the land was robbed from the Native Americans who lived here first and questions who will protect the environment. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 2

Carolynn King
September 9, 2024

Response 2-1

The comment states that the North and West side of Long Beach are in need of clean air and open space and provides a passage from the LLARRP. The comment also states that the North and West side of Long Beach need additional recreational facilities and less business buildings/warehouses. As explained in Draft EIR Section 4.2, Air Quality and Section 4.14, Recreation, the Project would not result in significant impacts related to air quality or recreational facilities. In addition, Draft EIR Section 4.10, Land Use and Planning, analyzes the Project's relation to and impact on the LLARRP, finding that the Project would not conflict with the LLARRP. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 3

Bill White
September 24, 2024

Response 3-1

The comment expresses general opposition to the Project, and states lack of green space and climate change are two major concerns. As explained in Draft EIR Section 4.7, Greenhouse Gas Emissions and Section 4.14, Recreation, the Project would not result in significant impacts related to GHGs/climate change or recreational facilities. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 4

Tad Boub
September 25, 2024

Response 4-1

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 4-2

The comment states a park area conserving current biological inhabitants/species within the area is more important than additional commercial development, and that North Long Beach residents deserve more green spaces. As explained in Draft EIR Section 4.3, Biological Resources and Section 4.14, Recreation, the Project would not result in significant impacts related to biological resources and recreational facilities/open space. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 4-3

The comment states that disturbance of soil may cause toxic exposure and would increase traffic and air pollution. As explained in Draft EIR Section 4.2, Air Quality, Section 4.8, Hazards and Hazardous Materials, and Section 4.15, Transportation, the Project would result in less than significant impacts related to air quality, exposure to hazards and hazardous materials, and traffic, with implementation of applicable mitigation measures. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 4-4

The comment reiterates opposition to the Project, and supports the space being developed into open space. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 5

Olivia Juarez, Green Latinos
September 25, 2024

Response 5-1

The comment provides introductory remarks, and does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines. No further response is warranted.

Response 5-2

The comment provides an overview, including the history and purpose, of the GreenLatinos organization. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 5-3

The comment states opposition to the Project, and supports a cleanup of toxic substances on the site and development of the space being a public park. As explained in Draft EIR Section 4.8, Hazards and Hazardous Materials, and Section 4.14, Recreation, the Project includes remediation of the Project Site due to its environmental history and the Project would have a less than significant impact regarding recreation. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 5-4

The comment states support for national organizations' calls for more development of parks and open space for underserved communities. As explained in Draft EIR Section 4.14, Recreation, the Project would have a less than significant impact regarding recreation. To the extent the comment raises issues outside of the above-referenced section, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 5-5

The comment states that DTSC has not held sufficient public meetings or conducted a sufficient study of the site's soil conditions. The comment further expresses concerns related to the disturbance of toxic soil and the potential impact that may have on the community and expresses alarm that the developer graded the site and removed vegetation without a construction permit.

The Project Site has been the subject of environmental investigations for many years under the supervision of DTSC to adequately characterize the subsurface impacts.

As explained in much more detail in the Draft EIR, Section 4.8, Hazards and Hazardous Materials, the Project Site was initially investigated in 2007/2008 under a Voluntary Cleanup Agreement (VCA) that was executed in 2005 between DTSC and the previous owner, CRG Properties. The VCA's scope of work was concluded with the approval of the Remedial Investigation (RI) Report, approved by DTSC on June 15, 2009. The RI Report recommended continuation with the next phase of the project, including preparation of a Feasibility Study (FS) and a Health Risk Assessment (HRA), to evaluate remedial alternatives in order to mitigate the Project Site's

contamination. Unfortunately, work on the Project Site was halted due to the economic downturn of 2008/2009.

In 2019, the current owner approached DTSC to enter into a California Land Reuse and Revitalization Act of 2004 (CLRRRA) agreement and purchased the Project Site. The environmental assessment process under DTSC's supervision was restarted with a Phase I Environmental Site Assessment, a Supplemental Site Assessment, and a Site Assessment Plan and Report of Findings (SAP/ROF), as well as a SAP/ROF Addendum to investigate the current Project Site conditions. The SAP/ROF and SAP/ROF Addendum also include human health risk evaluations on the various parcels. Based on the findings in these reports and the historical investigations, DTSC determined that the hazardous materials present at the Project Site in the sump materials and cover soil have been adequately characterized. Accordingly, a draft Response Plan has been prepared to evaluate several cleanup alternatives for the planned development at the Project Site. DTSC released the draft Response Plan for public review and comment from August 28, 2024 through September 3, 2024 (refer to Appendix L). The CLRRRA agreement, Phase I Environmental Site Assessment and supplement, and SAP/ROF and addendum, and draft Response Plan are attached to the Draft EIR as Appendices I-1, I-2, I-4, I-6, I-7, I-9, and I-15. The draft Response Plan is provided as Appendix I-15 of the Draft EIR.

All above-mentioned documents can also be found on DTSC's Envirostor database at the following link:

https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=70000161.

The Surcharge Activities were necessary for engineering purposes. The Surcharge Pile construction began on October 12, 2020 while monitoring data during site demolition, clearing and grubbing, and other site preparatory activities starting on August 24, 2020. The Surcharge Activities were conducted to determine the feasibility and suitability of this location for construction on this Project Site, such as the type of foundations that may be needed. It is in the nature of a geotechnical study, and similar to other Project Site investigations, such as environmental sampling, that are needed to evaluate the feasibility and suitability of a property for development. It does not reflect any commitment to or approval by the City of the Project, or any commitment to or approval of the draft Response Plan by DTSC. The developer obtained all necessary permits from the City to undertake the Surcharge Activities.

Because the Surcharge Activities involved movement of soil onsite, the Surcharge Activities implicated environmental concerns and therefore DTSC, prior to soil disturbance, ordered:

1. Monitoring for potentially impacted soils.
2. Excavation and placement in a reconsolidation cell onsite of approximately 400 cubic yards of impacted soil from AECs (the two AECs that were located in the area of the Surcharge Activities).
3. Environmental monitoring of placement of cover soil activities to the Surcharge Pile (industrial/commercial standard).
4. Development of plans reducing potential risks for exposure to Project Site contaminants:
 - a. Surcharge Pilot Test Program Implementation Plan
 - b. Soil Management Plan (SMP)
 - c. Ambient Air Monitoring Plan (AAMP)
 - d. Health and Safety Plan (HASP)

- e. Stormwater Pollution Prevention Plan (SWPPP) [reviewed and approved by the LARWQCB]

The developer's environmental consultant, Roux, conducted baseline monitoring of the air quality prior to the Surcharge Activities, and the monitoring results did not indicate adverse impacts associated with the Project Site conditions or the Surcharge Activities. In order to be protective of the public and consistent with the South Coast Air Quality Management District (SCAQMD) requirements, DTSC also required the developer to implement monitoring activities at the Project Site during soil movement and import. These activities include real-time monitoring of soil gases (per SCAQMD Rule 1166) and real-time air monitoring (per the Site's AAMP). Real-time air monitoring was conducted using three monitoring stations along the Project Site perimeter. Two of the monitoring stations were located along the northern and eastern boundaries between the work activities and the residences and elementary school across the railway tracks. The air monitoring was conducted in accordance with SCAQMD requirements. According to SCAQMD Rule 403, operations at the site shall not allow PM₁₀ (dust) levels to exceed 50 micrograms per cubic meter (µg/m³) when determined, by simultaneous sampling, as the difference between upwind and downwind stations. A more stringent threshold of 25 µg/m³ was used during the surcharge testing program, in accordance with SCAQMD Rule 1466.

DTSC has also kept the public informed throughout the Surcharge Activities in accordance with CLRRRA. In August 2020, DTSC informed the surrounding community of the upcoming Surcharge Activities through community mailers and a work notice, copies of which can now be found on Envirostor. With regard to the draft Response Plan, it was released for public review and the public comment period commenced on August 28, 2024 and ended on September 27, 2024. DTSC sent a Community Update to the established mailing lists to announce the availability of the draft Response Plan and hosted an online meeting on September 3, 2024 to provide an overview of the draft Response Plan. (Appendix L)

Also as explained in more detail in the Draft EIR, Section 4.8, Hazards and Hazardous Materials, and Section 4.2, Air Quality, the City in consultation with DTSC has carefully reviewed the Project Site's environmental history and evaluated the potential impacts relating to hazardous materials and air quality of implementing the draft Response Plan and developing the Project. As set forth in the Draft EIR, the Project's impact relating to hazardous materials and air quality will be less than significant with implementation of MM HAZ-1 and MM AIR-1.

The grading referred to by the commenter was the Surcharge Activities discussed above, which were conducted later 2020 through early 2021. As noted above, the developer obtained all required permits from the City and reviews by DTSC, SCAQMD, and LARWQCB prior to proceeding with the Surcharge Activities. However, since the Court Ruling issued October 18, 2022 ordering the City to prepare an EIR for the Project in lieu of the previously prepared MND, the applicant has not conducted any physical work on the Project Site other than to maintain the vacant site in an orderly condition and the stormwater BMPs as required by the SWPPP.

In sum, the City and DTSC have taken all required measures to ensure that the public is informed about the Project and that impacts from it would be less than significant with implementation of applicable mitigation measures.

Response 5-6

The comment requests the City to consider the climate crisis in context to urban heat, vehicle traffic and emissions, air pollution, and the loss of nature in the City. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA, and addresses the Project's impacts, including those related to Greenhouse Gas Emissions in Section 4.7, Greenhouse Gases. The City also refers the commenter to Section 4.1, Aesthetics, Section 4.3, Biological Resources, and

Section 4.10, Land Use, for discussion regarding potential impacts related to the loss of vacant land. Additionally, Section 4.2, Air Quality, evaluates potential impacts related to air quality, and Section 4.15, Transportation, provides a full analysis of the Project's potential transportation impacts related to Vehicle Miles Traveled, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743.

The comment further discusses the overburden of diesel particulate matter, toxic releases and traffic on the local populations. As part of the Draft EIR, a Health Risk Assessment was prepared to evaluate the Project's potential impacts related to exposure to toxic air contaminants, and a Carbon Monoxide hotspot screening. The analysis and findings are detailed in the Draft EIR Section 4.2, Air Quality, with an additional discussion in Section 4.8, Hazards and Hazardous Materials, of the Draft EIR, along with mitigation measures MM AIR-1 (which requires the use of a minimum of Tier 3 or equivalent off-road engine emission standards for construction activities that have already occurred related to Surcharge Activities and Tier 4 off-road engine emissions standards for construction equipment used in all future construction activities) and MM HAZ-1 (which would control potential exposures of off-Site receptors to impacted soils and sump materials through implementation of a Soil Management Plan, and Excavation Management Plan, and would be monitored through an Ambient Air Monitoring Plan) that would reduce impacts to less than significant.

Response 5-7

The comment restates opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 6

Corey Bennett
September 25, 2024

Response 6-1

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 6-2

The comment states the Project ignores community needs and environmental remediation of past uses. The City directs the commenter to Draft EIR Section 4.8, Hazards and Hazardous Materials, which provides a full analysis of potential impacts from the Project due to the Project Site's historical environmental contamination and the site remediation that is included as part of the Project under DTSC's supervision.

Response 6-3

The comment states that the Western portion of the property is subject to illegal dirt biking, which destroys wildlife habitat, kicks up dust, and creates noise and safety hazards. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines and therefore no further response or changes to the Draft EIR are warranted; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The comment also states that the proposed construction shows nothing on the "Western portion" and asks why that portion at least cannot be converted to green space. The proposed self-storage and RV storage areas would occupy the majority of the parcels owned by the developer, which are depicted Draft EIR Section 2.0, Introduction, in Exhibit 2-3. A small portion of the western and northern portion of the site would not be developed and instead would be used for on-site restoration of southern tarplant, as required by MM BIO-1b (see Draft EIR, Section 4.3, Biological Resources). In addition, as described in the Draft EIR, Section 3.0, Project Description in PDF-4, an easement around the southern and western edges of the Property would also be undeveloped and available for the City's future development of a public trail to access recreational opportunities along the LA River. Because the majority of the Project Site would be occupied by the self-storage and RV storage uses, the City believes the commenter's reference to the undeveloped "Western portion" may be a reference to the vacant property to the west of the Project Site, which is owned by the Los Angeles County Flood Control District (LACFCD). This is the area outside of the yellow outline in the Draft EIR, Section 2.0, Introduction in Exhibit 2-3. This area is not part of the Project and therefore is not assessed as part of the Project in the Draft EIR. Notwithstanding that, as noted in the Draft EIR, Section 4.10, Land Use and Planning, the LACFCD is currently being evaluated by the City and County for development as public open space. If that park development were to move forward, it would be subject to separate CEQA review at that time.

Response 6-4

The commenter states that the Project continues discriminatory government practices that result in negative effects for lower-income and nonwhite communities over the last century. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 7

Jorge Luna
September 25, 2024

Response 7-1

The comment states that they previously petitioned for the Project Site to be a park, and that western Long Beach is park deficient. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 7-2

The comment states that the Project does not consider climate change, the need for additional green space, and implies that the Project would impose hazards to the community and historic Los Cerritos area related to the disturbance of toxic soil. The City directs the commenter to Draft EIR Section 4.2, Air Quality, Section 4.7, Greenhouse Gases, Section 4.8, Hazards and Hazardous Materials, and Section 4.14, Recreation, which provides a full analysis of potential impacts from the Project related to disturbance of hazardous materials onsite, recreation, and greenhouse gases. The Draft EIR concluded that the Project would have less than significant impacts regarding these topics with implementation of the applicable mitigation measures.

Response 7-3

The comment states that the Project would result in increased traffic and air pollution. As explained in Draft EIR Sections 4.2, Air Quality, and 4.15, Transportation, the Project would have less than significant impacts related to air quality and traffic with implementation of applicable mitigation measures.

Response 7-4

The comment states that the Project may cause damage to the storm drain beneath the Site and expresses opposition to the proposed building height. Please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

Regarding the proposed building height, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input.

Response 7-5

The comment states that there is no plan or mitigation for biological resources. As explained in the Draft EIR Section 4.3, Biological Resources, and the 2025 SBRA a total of 17 biological resources mitigation measures would be implemented that would ensure the Project will have less than significant impacts to biological resources (Appendix E-3).

Response 7-6

The comment expresses that there is not a need for the Project in Long Beach. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 7-7

The comment expresses that the Project would impact historic resources in the surrounding area. As explained in the Draft EIR, Section 4.4, Cultural Resources, the Project would not result in significant impacts related to historic resources.

Response 7-8

The comment expresses opposition to the Project and voices support for the development of the River Park. With regard to open space, the Draft EIR, Section 4.14, Recreation discusses the Project's impacts related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 8

Lisa van Wijk
September 25, 2024

Response 8-1

The comment expresses general opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 8-2

The comment states that the Project may cause disturbance of toxic soil and contribute to climate change. As explained in Draft EIR Section 4.7, Greenhouse Gases, Section 4.2, Air Quality, and Section 4.8, Hazards and Hazardous Materials, the Project would not result in significant impacts related to GHGs/climate change, hazardous materials, or air quality with implementation of applicable mitigation measures. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 8-3

The commenter states that DTSC has not completed its study of the site or held sufficient public meetings. Additionally, the commenter states that although the development was not fully entitled or construction permit issued, the developer was allowed to grade the site and move the toxic soil. Please see Response 5-5.

Response to Comment Letter 9

Keith Tyschper
September 25, 2024

Response 9-1

The comment is an introductory statement and does not address the content and adequacy of the Draft EIR under CEQA or the State CEQA Guidelines.

Response 9-2

The comment requests clarification on what constitutes a state-of-the-art storage facility. This statement is found in OBJ-1 of the Project Objectives as stated in Sections 1.0, Executive Summary, and Section 3.0, Project Description, of the Draft EIR. The Project is described in detail in Section 3.5, Project Elements, including a description of the Project; architectural style; landscape and hardscape; lighting; vehicular access, parking and on-site circulation; storm water; utility improvements; site remediation; project phasing and schedule; and sustainable features. This comment does not address the content and adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 9-3

The commenter that there are no studies that support the idea that there is a demand for self storage and RV lots in Long Beach. The reference to “demand” for self-storage and RV storage appears in OBJ-1 of the Project Objectives as stated in Sections 1.0, Executive Summary, and Section 3.0, Project Description, of the Draft EIR. See Response 60-72 addressing the demand for storage uses and the role it plays in the Draft EIR.

The commenter also states that it is unclear how the Project is the highest and best use of the Project Site. This comment does not address the content and adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 9-4

The commenter enquires about the City’s commitment to the future development of the trail easement as well as the easement details, including width and characteristics. The Project involves dedication of the easement and does not evaluate future development of the easement as it exists under current conditions and does not involve any improvements in the form of a trail, landscaping or other use. Future development would be at the sole discretion of the City, would be subject to a separate CEQA process, and is not an element of the Project.

Response 9-5

The commenter enquires about employment opportunities and states that any impact will only affect the surrounding community if it is significant. As explained in Draft EIR Section 4.12, Population and Housing, construction is expected to generate a small number of temporary construction jobs from September 2020⁵ to January 2021, and from December 2024 to July 2026, and operations of the proposed storage uses is estimated to generate approximately 10

⁵ As previously discussed through the Draft EIR, the Surcharge Activities, which are part of the Project, were already conducted from September 2020 through January 2021.

permanent jobs. In addition, it is expected that future employment positions at the Project Site would be filled by the local population and would not induce population growth or the need for additional housing. As such, the Draft EIR determined that the Project would not result in significant impacts related to employment.

Response 9-6

The comment states that references to the Project appear to ignore the 2007 Riverlink Plan. The 2007 Riverlink Plan is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning.

Response 9-7

The commenter states that noise studies do not appear to have been conducted and that other foundation systems should be explored. The commenter also notes that there is a lack of clarity on mitigation measures concerning City guidelines to prevent disruptions at Los Cerritos school and how the City plans to safeguard individuals with autism from excessive noise.

A full noise and vibration analysis was conducted as part of the Draft EIR (please refer to Section 4.11, Noise, and Appendix L of the Draft EIR). As stated in Draft EIR Section 4.11-10, Noise, the analysis of existing noise and potential increases in noise associated with implementation of the Project is based on noise monitoring and noise prediction modeling conducted as part of the Project's environmental analysis. Similarly, the analysis of vibration generated during Project construction was conducted based on methodology established by the United States Department of Transportation (USDOT) Federal Transit Administration (FTA). Noise and vibration analysis methodology is further detailed in Appendix L, Noise and Vibration Report of the Draft EIR.

As stated in Draft EIR Section 4.11-10, Noise, MM NOI-1 would also implement additional measures to reduce noise, including locating equipment and material staging as far as practicable from sensitive receptors, including Los Cerritos School, construction equipment to be equipped with specialized mufflers, and orienting stationary equipment so the loudest noise is directed away from sensitive receptors. As such, with implementation of mitigation, the Project would result in less than significant impacts related to on-site construction and operational noise.

Response 9-8

The commenter states that the development is exacerbating open space inequity. The Draft EIR at Section 4.14, Recreation, discusses the Project's impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. To the extent this comment raises concerns outside of those discussed in Sections 4-10 and 4-14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Although a landscape plan is not included as an exhibit in the Draft EIR, nor is it a requirement for CEQA, as detailed in Draft EIR Section 3.5 and conceptually shown on Exhibit 3-2, Self-Storage Building Rendering, the Project proposes incorporation of landscaping in several areas of the Project Site. As discussed in Section 4.10 of the Draft EIR, in addition to proposed landscaping, the Project would set aside an easement to provide future pedestrian access to the LA River, the development or preservation of which would be at the discretion of the City. As discussed in Section 4.10 of the Draft EIR, on-site infiltration would be infeasible due to soil contamination and the proposed geengineered cap. However, Section 4.9, Hydrology and Water

Quality, provides a detailed analysis of water quality, including discussion of the two proposed biofiltration systems to be comprised of modular wetlands for treatment.

Response 9-9

The commenter acknowledges the Project's plan to offset electrical demand and identifies areas that may achieve a greater offset. The Draft EIR identifies the anticipated offset based on the design of the Project and does not limit future increased offsets as technologies improve related to battery or other technologies. The Draft EIR, in Section 4.2 Air Quality, Section 4.5, Energy, and Section 4.7, Greenhouse Gases discuss the Project's electrical demand and concludes that the Project's impacts would be less than significant. Accordingly, no further mitigation to offset electrical demand may be required through the CEQA process other than what is set forth in the Draft EIR.

Additionally, the commenter states that the car wash would produce a "great deal" of wastewater that can be collected, filtered, treated, and reused rather than being collected by the sanitary system. As discussed in Section 4.17, Utilities and Service Systems, of the Draft EIR, the car wash is expected to be used an average of eight times per day and require approximately 1,000 gallons of water per day. Wastewater from the carwash would be conveyed offsite to the connecting City sewer system, which is operated and maintained by the LBWD. The wastewater collected from the Project Site would then be treated at either the LBWRP or the JWPCP wastewater treatment plants. Ultimately, the Draft EIR, in Section 4.17, Utilities and Services Systems, concluded that the Project would have a less than significant impact related to wastewater. Accordingly, no further mitigation to offset wastewater use may be required through the CEQA process other than what is set forth in the Draft EIR.

The commenter's recommendations for additional electrical offsets are noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 9-10

The commenter states that because the Project is located within view of Los Cerritos school, the developer and City bear a responsibility to be an example of sustainable development. All environmental impacts within the scope of CEQA have been analyzed and would be less than significant with implementation of applicable mitigation measures as discussed in the Draft EIR. To the extent this comment recommends additional sustainability features, it does not address the content and adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, these recommendations are noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 10

Thomas R. Crowder
September 26, 2024

Response 10-1

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 11

Jen Moody
September 26, 2024

Response 11-1

The comment states that the City would be better served if the Project Site were developed as a park. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 11-2

The comment states that the area around the LA River should be looked at as an opportunity to preserve and create greenspace to, in part, counteract climate change. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 12

Charlie Dodson
September 26, 2024

Response 12-1

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 12-2

The comment states that western portions of the City need additional public green spaces, and it further states that public open space at this site was promised after the prior golf driving range use ceased. The City has never promised the Project Site as a park, and the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

With regard to the portion of the comment about additional public green spaces in the western portions of the City, the Draft EIR at Section 4.14, Recreation, discusses the Project's impact to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. To the extent this comment raises concerns outside of those discussed in Sections 4-10 and 4-14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 12-3

The commenter states that it is irresponsible to develop polluted land with underlying toxic soil so close to Los Cerritos Elementary School. The City directs the commenter to Draft EIR Section 4.2, Air Quality, and Section 4.8, Hazards and Hazardous Materials, which provides a full analysis of potential impacts from the Project due to hazardous materials on onsite. The Draft EIR concluded that the Project would have less than significant impacts with implementation of applicable mitigation measures regarding these topics.

Response 12-4

The commenter states that the Project should not grant a variance to build a 44-foot-tall building. As discussed in the Draft EIR, Section 3.0, Project Description, the applicant has not applied for a height variance. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This

comment will be forwarded to the decision makers for consideration when making those determinations.

Response 12-5

The commenter states that additional open space is the commenter's preferred use of the Project Site. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 12-6

The commenter states they have copied the LBC Councilmember and LBUSD Board member. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 13

Staci Broughton
September 26, 2024

Response 13-1

The comment states that the Project would increase pollution, traffic, unresolved toxic sites and environmental and inter structural damage. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The City refers the commenter to Section 4.2, Air Quality, and 4.9, Hydrology and Water Quality, which evaluate potential impacts related to air quality and water quality, respectively; Section 4.8, Hazards and Hazardous Materials, which evaluates hazardous materials; Section 4.11, Noise, which evaluates potential vibration impacts; and Section 4.15, Transportation, which provides a full analysis of the Project's potential transportation impacts related to Vehicle Miles Traveled, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743. The Draft EIR concluded that the Project's impacts regarding these topics would be less than significant with implementation of applicable mitigation measures.

Response 13-2

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 14

Susana Luna
September 26, 2024

Response 14-1

This is the same comment as 7-1. See Response 7-1.

Response 14-2

This is the same comment as 7-2. See Response 7-2.

Response 14-3

This is the same comment as 7-3. See Response 7-3.

Response 14-4

This is the same comment as 7-4. See Response 7-4.

Response 14-5

This is the same comment as 7-5. See Response 7-5.

Response 14-6

This is the same comment as 7-6. See Response 7-6.

Response 14-7

This is the same comment as 7-7. See Response 7-7.

Response 14-8

This is the same comment as 7-8. See Response 7-8.

Response to Comment Letter 15

Michael Annichiarico
September 26, 2024

Response 15-1

This is the same comment as 7-1. See Response 7-1.

Response 15-2

This is the same comment as 7-2. See Response 7-2.

Response 15-3

This is the same comment as 7-3. See Response 7-3.

Response 15-4

This is the same comment as 7-4. See Response 7-4.

Response 15-5

This is the same comment as 7-5. See Response 7-5.

Response 15-6

This is the same comment as 7-6. See Response 7-6.

Response 15-7

This is the same comment as 7-7. See Response 7-7.

Response 15-8

This is the same comment as 7-8. See Response 7-8.

Response to Comment Letter 16

Andrea Fortanel
September 26, 2024

Response 16-1

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines, and no additional response is required.

Response 16-2

This is the same comment as 8-1. Please see Response 8-2.

Response 16-3

This is the same comment as 8-3. Please see Response 8-3.

Response to Comment Letter 17

Daniel Henry
September 26, 2024

Response 17-1

The comment expresses general opposition to the Project. The comment also states that they have been promised for years that the Project Site would be a park and questions whether the Riverlink Plan has been thrown out the window. The City has never promised the Project Site as a park, and the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

The Draft EIR at Section 4.14, Recreation, discusses the Project's impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it.

Response 17-2

The comment states that the City would benefit from creation of an additional park and open space, that a commercial development would affect biodiversity in the area, and there is toxic soil within the area. As explained in Draft EIR Section 4.2, Air Quality, Section 4.8, Hazards and Hazardous Materials, Section 4.14, Recreation, Section 10, Land Use and Planning, and Section 4.3, Biological Resources, the Project would not result in significant impacts related to toxic soil, recreation and open space, or biological resources with implementation of applicable mitigation measures. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 17-3

The commenter reiterates that the Project Site should be occupied by a park. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 18

Michael Gardner
September 26, 2024

Response 18-1

The commenter states that the landscape buffer is inadequate to shield the view of the facility from the neighborhood. As stated in Draft EIR Section 4.1, Aesthetics, the Project is naturally buffered from residential and public facilities uses to the east by the 405 Freeway to the south and the Metro right-of-way and Del Mar Avenue to the west, and the proposed 5-story limit will help buffer the Los Cerritos neighborhood from the Industrial PlaceType properties to the west, some of which permit up to 60 feet in height. The proposed landscaping would not provide a full visual buffer from the surrounding areas; rather, changes in topography and intervening land uses would reduce direct views of the Project. Further, the Project is consistent with the proposed Community Commercial Centers and Corridors PlaceType and proposed Commercial Storage zoning, and the Project complies with applicable zoning and other regulations governing scenic quality. For these reasons, the Draft EIR concludes that the Project would have a less than significant impact on scenic quality and no mitigation would be required. The commenter's recommendation for additional landscape buffering, however, will be forwarded to the decision makers for consideration when acting on the Project's entitlements.

Response 18-2

The commenter provides a visual to support the claim above, stating that the Project would degrade the visuals within the area. The commenter states that this could be mitigated with a dense tree line. See Response 18-1.

Response to Comment Letter 19

Sean McCabe
September 27, 2024

Response 19-1

The commenter reiterates that the Project Site should be occupied by a park. The Draft EIR, Section 4.10, Land Use and Planning, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 19-2

The commenter cites the 2007 LARRMP and a Frank Gehry proposed river park project along the LA River. The Draft EIR extensively analyzes consistency with the LARRMP in Section 4.10, Land Use and determined that the Project is not inconsistent nor in conflict with the LARRMP.

Response 19-3

The commenter discusses the LA river bike path and lack of shade areas. The City notes that the Project Site does not directly abut the LA River or bike path. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 19-4

The commenter discusses the Project Site's location within the RiverLink Destination 6, Wrigley Heights, and cites the Dominguez Gap Wetlands as a successful project. The Draft EIR at Section 4.14, Recreation, discusses the Project's impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 19-5

The commenter cites the Shoemaker bridge project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 19-6

The commenter states the Project will increase traffic and the site would be better suited as a park. As explained in Draft EIR Section 4.14, Transportation, the Project would not result in significant impacts related to traffic. This comment does not address the adequacy of the Draft

EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Draft EIR, Section 4.10, Land Use and Planning, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 20

**Adriana Garcia, Los Angeles Neighborhood Land Trust & Riverpark Coalition
September 26, 2024**

Response 20-1

The comment provides introductory remarks. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines.

Response 20-2

The comment expresses general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 20-3

The commenter states that the Project would disturb potentially hazardous soil, and undermines efforts to advance climate resiliency. As explained in Draft EIR Section 4.2, Air Quality, Section 4.8, Hazards and Hazardous Materials, and Section 4.7, Greenhouse Gas Emissions, the Project would not result in significant impacts related to GHGs/climate change or hazardous materials in soil with implementation of applicable mitigation measures. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 20-4

The commenter states that the DTSC have not addressed concerns regarding soil toxicity, as demonstrated by the lack of public meetings, and the developer has already flattened the site even though no construction permit was issued. Please see Response 5-5.

Response 20-5

The comment provides concluding remarks. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 21

Tim Curns
September 26, 2024

Response 21-1

The comment expresses concern that disturbance of soil associated with Project implementation may cause toxic exposure, lead to habitat degradation and would increase traffic and air pollution. As explained in Draft EIR Sections 4.2, Air Quality, Section 4.3, Biological Resources, Section 4.8, Hazardous and Hazardous Materials, and 4.15, Transportation, the Project would result in less than significant impacts related to biological resources, air quality, hazardous materials, and traffic with implementation of applicable mitigation measures.

Response 21-2

The comment states the need for more green and recreational spaces in the community, and that the Project Site is not an appropriate area for the Project as it would degrade the neighborhood. The Draft EIR, Section 4.10, Land Use and Planning, and Section 4.14, Recreation, analyze the Project's potential impact on recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts to these topics will be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 21-3

The comment expresses opposition to the Project for the reasons provided above, and requests to be notified if there is anyone else this should be expressed to, or in any other matter. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 22

George Gonzalez
September 26, 2024

Response 22-1

The comment expresses opposition to the Project stating that there is already a similar facility nearby and that the Project Site should instead be used for park space. The Draft EIR, Section 4.10, Land Use and Planning, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 23

Mike Korkidas
September 26, 2024

Response 23-1

The comment expresses opposition to the Project and states that it would result in increased traffic and air pollution, citing the existing congestion on the nearby I-405 and I-710 freeways. As stated in Sections 4.2, Air Quality, and 4.15, Transportation, the Project would not result in significant impacts related to air quality and traffic. To the extent this comment raises concerns outside of those discussed in Sections 4.2 and 4.15, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 23-2

The comment expresses support of the RiverLink Plan and the “River Park” conceptualized within the Plan and reiterates opposition to the Project. The Draft EIR at Section 4.14, Recreation, discusses the Project’s impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project’s consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The commenter’s opposition to the Project will be forwarded to the decision makers for their consideration.

Response to Comment Letter 24

Jonathan Potts
September 26, 2024

Response 24-1

The comment expresses opposition to the Project and states that it would result in increased noise and air pollution and disappointment that the Project Site will not be developed as a park. As stated in Sections 4.2, Air Quality, and 4.11, Noise, the Project would not result in significant impacts related to air quality and noise. The City has never promised the Project Site as a park, and the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

The Draft EIR at Section 4.14, Recreation, discusses the Project's impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 24-2

The comment states that the Project would be an eyesore, would displace native wildlife, and would degrade the aesthetic quality of the Site and surrounding area. The comment expresses a preference for the Site to be used for park/green space instead. As explained in Draft EIR Sections 4.1, Aesthetics, and 4.3, Biological Resources, the Project would not result in significant impacts related to aesthetics and native wildlife. This comment otherwise does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 25

Lena Welch
September 26, 2024

Response 25-1

The comment expresses opposition to the Project and support of the “Wrigley Heights park project”. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 25-2

The comment expresses the need for new green space and a cleanup of the area. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 26

Gabrielle Sibal
September 26, 2024

Response 26-1

The comment expresses opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 26-2

The comment expresses support for the development of RV storage in Long Beach; however, believes that the Project Site is better suited for a park/green space which is lacking in western Long Beach. The Draft EIR at Section 4.14, Recreation, discusses the Project's impact related to recreation within the purview of CEQA and at Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to open space, and finds that the Project would have less than significant impacts with respect to this topic. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 26-3

The comment states that a park at the Project Site would be beneficial for environmental reasons related to greenhouse gas emissions, air quality, and storm drainage. As explained in Draft EIR Section 4.2, Air Quality, Section 4.7, Greenhouse Gas Emissions, and Section 4.9, Hydrology and Water Quality, the Project would not result in significant impacts related to GHGs/climate change, air quality, or water quality with implementation of applicable mitigation measures. To the extent the comment raises issues outside of the above-referenced sections, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 26-4

The comment expresses opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 27

Ella Profenius
September 27, 2024

Response 27-1

The comment expresses opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 27-2

The comment states that the Project will increase traffic and air pollution, and does not consider climate change. The comment additionally expresses concerns about the toxic soils, building height, and minimization of green space, and states that the Draft EIR does not have adequate mitigation for biological resources.

Please see Response 12-4 related to the Project's proposed height. As explained in Draft EIR Sections 4.2, Air Quality, 4.7, Greenhouse Gas Emissions, 4.15, Transportation, and 4.3, Biological Resources, 4.10, Land Use and Planning, and 4.14, Recreation, the Project would result in less than significant impacts related to air quality, climate change, traffic, recreation, and biological resources with implementation of applicable mitigation measures.

Response to Comment Letter 28

Bill Schechter
September 27, 2024

Response 28-1

The comment expresses opposition to the Project stating disappointment that previously allocated green space is going to be developed with a storage facility and that it would result in increased traffic and vehicle pollution. The comment expresses that the Project Site is not a good location for the Project and implies that the Project is not consistent with the RiverLink Plan, which previously allocated the Project Site as greenspace.

The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

Please see Response 23-1 regarding traffic and vehicle pollution. Please see Response 23-2 regarding the Riverlink plan.

Response to Comment Letter 29

Fritz Williams
September 27, 2024

Response 29-1

The comment expresses opposition to the Project stating that the Project Site was allocated for park land, and the Project would result in increased traffic and air pollution and damage to storm drainage. Additionally, the comment states that the biological resources mitigation measures are inadequate, and that exceptions to height limitations are unacceptable.

The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

Please see Response 23-1 regarding traffic and pollution. Regarding endangered species and natural habitat mitigation, as explained in the Draft EIR Section 4.3, Biological Resources, and the 2025 SBRA, a total of 17 biological resources mitigation measures would be implemented that would ensure the Project would have less than significant impacts to biological resources (Appendix E-3). Please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

As discussed in the Draft EIR, Section 3.0, Project Description, the applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response to Comment Letter 30

Kenneth Gore
September 27, 2024

Response 30-1

The comment expresses opposition to the Project, expressing the need for more green space, and stating that disturbance of soil may cause toxic exposure and would result in increased traffic and air pollution. Additionally, the comment states that exceptions to height limitations are unacceptable and the biological resources mitigation measures are inadequate.

The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration. As explained in Draft EIR Section 4.2, Air Quality, Section 4.8, Hazards and Hazardous Materials, and Section 4.15, Transportation, the Project would result in less than significant impacts related to traffic and transportation, as well as air quality and exposure to hazardous materials, including disturbance of toxic soils with implementation of applicable mitigation measures. Regarding endangered species and natural habitat mitigation, as explained in the Draft EIR Section 4.3, Biological Resources, and the 2025 SBRA, a total of 17 biological resources mitigation measures would be implemented that would ensure the Project would have less than significant impacts related to biological resources (Appendix E-3).

As discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response to Comment Letter 31

Frane Sosic
September 27, 2024

Response 31-1

The comment expresses opposition to the Project, expressing the need for more green space and a park. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 31-2

The comment states that the Project does not consider climate change. The City directs the commenter to Draft EIR Section 4.7, Greenhouse Gases, which analyzes the Project's impacts related to greenhouse gases within the scope of CEQA and concludes that the Project will have less than significant impacts regarding this topic.

Response 31-3

The comment reiterates the need for more green space and a park. Please see Response 31-1.

Response 31-4

The comment states that there are heavy metals and chemicals of concern in the soil and implies there will be increased dust related to that, and that the Project will increase air pollution. The commenter also notes that Los Cerritos elementary school is across the street from the Project Site. The City directs the commenter to Draft EIR Section 4.2, Air Quality and Section 4.8, Hazards and Hazardous Materials, which explain the Project Site's environmental history and well-documented characterization of the metals and other soil contamination onsite. These sections conclude that, with the mitigation measures in those sections implemented, the Project would not result in adverse impacts related to air pollution or disturbance of the onsite soil, including to sensitive receptors such as those at Los Cerritos Elementary School.

Response 31-5

The comment states that the Project would cause increased traffic pollution. As explained in Draft EIR Sections 4.15, Transportation, the Project would not result in significant impacts related to traffic.

Response 31-6

The comment states that the Project would cause increased noise pollution. As explained in Draft EIR Sections 4.11, Noise, the Project would not result in significant impacts related to noise.

Response 31-7

The comment states that the Project would cause increased light pollution, and questions why an exception has been given to allow for a 44-foot-tall building. As explained in Draft EIR

Sections 4.1, Aesthetics, the Project would not result in significant impacts related to light pollution. As discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response 31-8

The comment states that there are inadequate environmental mitigations in place. As shown throughout the Draft EIR, the Project would be required to implement mitigation measures AIR-1, HAZ-1, BIO-1a through BIO-6c, CUL-1, GEO-1, NOI-1 and NOI-2, TRIB CUL-1 through TRIB CUL-11, to ensure environmental impacts would be less than significant with mitigation incorporated.

Response 31-9

The comment claims that the City may have been bought off by an individual pushing for the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 31-10

The comment reiterates general opposition to the Project. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 32

Harry Karp
September 27, 2024

Response 32-1

The comment expresses the preference to use the Project Site for green space. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4-.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 33

Matthew Austin
September 27, 2024

Response 33-1

The comment expresses opposition to the Project, stating that it takes away from the promised “River Park” and reduces needed green space that will impact migratory species, and that runoff from the Site will contaminate the neighborhood and LA River. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City’s General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site’s prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project’s potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project’s impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Regarding migratory species and potential contamination from water runoff, as explained in Draft EIR Section 4.3, Biological Resources and Section 4.9, Hydrology and Water Quality, the Project would not result in significant impacts related to biological resources or water runoff with implementation of applicable mitigation measures.

Response to Comment Letter 34

Brian Weber
September 27, 2024

Response 34-1

The comment expresses opposition to the Project and support for the “Wrigley Heights Park North”. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project’s potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project’s impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The commenter’s opposition to the Project will be forwarded to the decision makers for their consideration.

Response to Comment Letter 35

Susan Ballagh
September 27, 2024

Response 35-1

The comment expresses opposition to the Project and preference for the development of a park at the Project Site. The comment states that the Project will not help control greenhouse gases and that the soil at the site needs to be cleaned up. The comment further states that it is not clear why the building height is allowed. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

As explained in Draft EIR Section 4.8, Hazards and Hazardous Materials, the Project includes remediation of the Project Site due to its environmental history. As explained in Draft EIR Section 4.7, Greenhouse Gas Emissions, the Project would have less than significant impacts related to greenhouse gases.

Regarding building height, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response 35-2

The comment further expresses opposition to the Project and states why the Project Site should be used for park/greenspace. Please refer to Response 35-1 regarding why the Project Site is not being considered for a park at this time. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 36

Ellisa Hall
September 27, 2024

Response 36-1

The comment expresses general opposition to the Project, states that the Project replaces park space that was approved in 2007 and 2015, and states that additional park and open space is important. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4-10 and 4-14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 36-2

The commenter states that the Project will lead to increased traffic and air pollution. As explained in Draft EIR Section 4.2, Air Quality and Section 4.15, Transportation, the Project would not result in significant impacts related to air quality or transportation.

Response 36-3

The comment states that the construction of a new structure over the aging storm drain poses a significant risk. Please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

Response 36-4

The commenter states that the approval of the 44-foot-tall building exceeds height limitations for the area and that an exception sets a concerning precedent. As discussed in the Draft EIR, Section 3.0, Project Description, the applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response 36-5

The comment states that the construction site is close to an elementary school and disturbing toxic soil could pose serious health risks. The City directs the commenter to Draft EIR Section 4.2, Air Quality and Section 4.8, Hazards and Hazardous Materials, which provide a full analysis of potential impacts from the Project due to disturbance of hazardous materials on onsite. The Draft EIR concluded that the Project would have less than significant impacts regarding these topics with implementation of applicable mitigation measures.

Response 36-6

The comment expresses general opposition to the Project, states support for prioritizing a park at this location, and offers concluding remarks. Please see Response 36-1.

Response to Comment Letter 37

Leah Odette
September 27, 2024

Response 37-1

The comment expresses concern over the Project related to limited public green space within the City and the City's lack of action to identify space for new parks. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 37-2

The comment requests that the City make efforts to provide additional green space in Western Long Beach, should the Project be approved. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 38

Emma Corman
September 27, 2024

Response 38-1

The comment expresses opposition to the Project and cites the RiverLink Plan to question why a park will not be developed at the Project Site. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 38-2

The comment asks why the Project Site has not been cleaned up given toxic substances onsite from the old oil operations. The City directs the commenter to Draft EIR Section 4.8, Hazards and Hazardous Materials, which explains that the Project includes remediation of the Project Site due to its environmental history and includes an analysis of potential impacts to and protections for offsite receptors.

Response 38-3

The comment states that the Project will worsen climate change and air pollution and lead to biological destruction. The comment also states that the biological resources mitigation measures are not sufficient. The City directs the commenter to Draft EIR Section 4.2, Air Quality and Section 4.7, Greenhouse Gases, which provides a full analysis of potential impacts from the Project related to greenhouse gases and air quality and concludes that the Project would have less than significant impacts with implementation of applicable mitigation measures. As explained in the Draft EIR Section 4.3, Biological Resources, and the 2025 SBRA a total of 17 biological resources mitigation measures would be implemented that would ensure the Project would have less than significant impacts to biological resources (Appendix E-3).

Response 38-4

The comment restates opposition to the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 39

Michael Vozzella
September 28, 2024

Response 39-1

The comment expresses opposition to the Project stating that it would result in an eyesore, increased traffic and air pollution, and that the Project Site was previously slated for a park which is preferred over the Project. As explained in Draft EIR Section 4.2, Air Quality and Section 4.15, Transportation, the Project would not result in significant impacts related to air quality or transportation with implementation of applicable mitigation measures. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 40

David Shea
September 28, 2024

Response 40-1

The comment expresses opposition to the Project, stating that the development of green space at the Project Site is preferred over the Project. As explained in Draft EIR Section 4.2, Air Quality and Section 4.15, Transportation, the Project would not result in significant impacts related to air quality or transportation with implementation of applicable mitigation measures. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 41

**Camber Hill
September 28, 2024**

Response 41-1

The comment states that the Project does not consider climate change and the need to increase green space and will increase traffic and air pollution. The comment expresses concerns regarding the toxic soil on-site, building height, damage to the storm drain, and states that the biological resources mitigation measures are inadequate. As explained in Draft EIR Section 4.2, Air Quality, 4.7 Greenhouse Gases, and Section 4.15, Transportation, the Project would not result in significant impacts related to air quality, greenhouse gases, or transportation with implementation of applicable mitigation measures. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. As explained in the Draft EIR Section 4.3, Biological Resources, and the 2025 SBRA a total of 17 biological resources mitigation measures would be implemented that would ensure the Project would have less than significant impacts related to biological resources (Appendix E-3).

Regarding the disturbance of toxic soil, the City directs the commenter to Draft EIR Section 4.2, Air Quality and Section 4.8, Hazards and Hazardous Materials, which provide a full analysis of potential impacts from the Project due to disturbance of hazardous materials on site. The Draft EIR concluded that the Project would have less than significant impacts regarding these topics with implementation of applicable mitigation measures.

Regarding building height, as discussed in the Draft EIR, Section 3.0, Project Description, the applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

Response to Comment Letter 42

Carson Walter
September 28, 2024

Response 42-1

The comment expresses general opposition to the Project and the City committed to building the site out as a park as part of the RiverLink Plan. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 42-2

The commenter states that the Project does not adequately address the increase in green space which is critical in light of climate change. See Response 41-1.

Response 42-3

The commenter states that there is a significant risk of soil disturbance, which is concerning due to the proximity to Los Cerritos Elementary School. See Response 41-1.

Response 42-4

The commenter states that the Project will cause increased traffic and air pollution. See Response 41-1.

Response 42-5

The comment states that the aging storm drain may lead to long-term infrastructure issues. See Response 41-1.

Response 42-6

The commenter states that the 44-foot building is incompatible with the surrounding environment. See Response 41-1.

Response 42-7

The commenter states that mitigation for biological resources is inadequate. See Response 41-1.

Response 42-8

The comment includes concluding remarks. See Response 42-1.

Response to Comment Letter 43

Melinda Cotton
September 28, 2024

Response 43-1

The comment expresses concern regarding on-site contaminants stating that a comprehensive review of the property related to contaminants and the release of such into the air during soil preparation was not provided. See Response 5-5.

Response 43-2

The comment expresses opposition to the Project and a preference for the development of park/green space instead and that the Project Site was previously designated for park and open space. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 43-3

The comment states that the Draft EIR needs to consider the Project's effects on the disturbance of toxic soils near schools, climate change and the need to increase green space, traffic and air pollution, height limitations, inadequate biological resources mitigation measures, and tribal and cultural issues. See Response 41-1. The City also directs the commenter to Draft EIR Section 4.16, Tribal and Cultural Resources, which concludes that the Project would have a less than significant impact related to tribal cultural resources with implementation of applicable mitigation measures.

Response to Comment Letter 44

Melinda Barbee
September 28, 2024

Response 44-1

The comment expresses opposition to the Project and a preference to develop green space at the Project Site instead. The comment states that it is feasible to create an environmentally laudable and green recreation area that combines Los Cerritos Park with the river side. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 45

Enrique Murillo
September 28, 2024

Response 45-1

The comment states that disturbance of soil may cause toxic exposure and that the Project would result in increased traffic and air pollution and damage to the storm drain beneath the self-storage facility structure. The comment states that the Project does not consider climate change and the need for additional green space, that the building height should not be allowed, and that the biological resources mitigation measures are inadequate. The comment expresses opposition to the Project and a preference to develop the Project Site for green space instead. See Response 41-1.

Response to Comment Letter 46

Scott Alden
September 29, 2024

Response 46-1

The comment expresses opposition to the Project stating it would worsen climate change and that the development of green space would be more beneficial. As explained in Draft EIR Section 4.7, Greenhouse Gas Emissions, the Project would not result in significant impacts related to climate change. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4-10 and 4-14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 46-2

The comment states that the Project should be reduced in footprint and height, and that the City should take action on developing more green space. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 47

Charles and Connie Rubsamen
September 29, 2024

Response 47-1

The comment expresses opposition to the Project and states that the Project would increase air pollution. As explained in Draft EIR Section 4.2, Air Quality, the Project would not result in significant impacts related to air quality with implementation of applicable mitigation measures. Please see Response 60-15 regarding potential impacts from the dump station.

Response 47-2

The comment refers to a park promised pursuant to the RiverLink plan and states that Project construction will release toxins into the community and school. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4-10 and 4-14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration. Regarding the portion of the comment about releasing significant toxics into the community and school, see Response 41-1.

Response 47-3

The comment states that the Project does not consider climate change and the need to increase green space, the disturbance of toxic soils, the increased traffic and air pollution, the possible damage to storm drain infrastructure, the exception to building height limitations, and inadequate mitigation measures for biological resources. See Response 41-1.

Response to Comment Letter 48

Patrick Brown
September 29, 2024

Response 48-1

The comment expresses support for the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 49

**Penny Weinand
September 29, 2024**

Response 49-1

The comment expresses a preference to build a park on the Project Site, stating that Western Long Beach lacks park space. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 50

Lynette Ferenczy
September 29, 2024

Response 50-1

The commenter expresses general opposition to the Project, and the Project may stir up potentially hazardous soil, and impact the area with the heat island factor. As explained in Draft EIR Section 4.7, Greenhouse Gas Emissions, the Project would not result in significant impacts related to GHGs/climate change. See Response 5-5 regarding how the Draft EIR addresses potential impacts from the disturbance of toxic soil at the Project Site.

Response 50-2

The commenter states that the no project alternative is the best feasible option for the residents of central and west Long Beach because it will provide open space and be consistent with the Park, Recreation, and Marine Strategic Plan. The comment assumes that in the “no project” alternative, a park will be developed in lieu of the Project. See Response 60-79.

Response 50-3

The commenter provides an excerpt from the Parks, Recreation and Marine Strategic Plan 2022 and states that the Project entitlements would violate that plan. Draft EIR Section 4.10, Land Use and Planning provides a policy consistency analysis with this plan, and impacts were determined to be less than significant.

Response 50-4

The comment first states that the Project is in direct opposition to the Livability Plan and the General Plan Land Use Element City-Wide Implementation Strategy LU-M-53 stating that the City will continue to implement the Long Beach I-710 Community Livability Plan. See Response 60-34 and Draft EIR Section 4.10, Land Use and Planning.

The comment next states that the Commercial Storage zone allows for a maximum two-story height and that the Project is nonconforming with that limitation. The comment also states that the Project will adversely impact view of the Project Site from the neighborhood above and that mitigation should therefore be considered. As discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance or exception. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City’s Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. Accordingly, the Project height will not be nonconforming with the zoning if the Project’s various entitlements are approved. With regard to views of the Project Site, see Draft EIR Section 4.1, Aesthetics. Because the Draft EIR concludes that the Project would not result in significant impacts related to views and aesthetics pursuant to CEQA, no mitigation is required.

The comment next states that the Project does not align with the General Plan and zoning because until 2019 the area was designated Open Space and used as a golf driving range. The

City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial.

The comment next states that the Project violates the City's General Plan Open Space and Recreation Element policy to target eight acres of park space per 1,000 residents. The commenter is correct that the City's 2002 Open Space and Recreation Element includes a "target of eight acres [of recreation open space] per 1,000 residents." (City of Long Beach, 2002). The General Plan Land Use Element subsequently adopted in 2019 acknowledges this "ambitious goal of providing eight acres of open space for each 1,000 residents" and states that "the Land Use Element supports this goal, and the Open Space PlaceType delineates areas where such new open space might be created." (City of Long Beach, 2019). As a general matter, the City notes that this is a City-wide goal that is not specific to the western area of the City, as the comment seems to suggest.

As noted in the Land Use Element, the Open Space Elements delineates three specific strategies for meeting this goal City-wide: (1) making the recreational areas of the City's 49 school recreation grounds available to the community (these include several schools in western Long Beach and the immediate vicinity of the Property); (2) reviewing the City's park impact fees for possible adjustments; and (3) establishment of a dedicated source of funds for park infrastructure maintenance and capital improvement programs, to establish "dedicated annual funding" for park projects. (City of Long Beach, 2002). None of these implementation strategies identify the Project Site, which is not a school site nor a site identified by the City as a target for acquisition or development of parkland with City funds reserved for such projects. Nor does the Open Space Element's implementation strategy call for the City to meet this goal by acquiring industrially-zoned private property for conversion to parkland.

As such, substantial evidence supports the City's determination that the development of the Project on this property is consistent with the General Plan, including the Open Space Element thereof. It is well-established that "the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity." (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 677–678.) "Because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes." (*Id.*)

The comment also states that there is a vacant piece of land similar in size located across from 4036 Via Oro Ave. at the northwest intersection of the 405 and 710 freeways that could be used as an alternate site for self-storage. See Response 60-69.

Response 50-5

The commenter states approval of the Project will violate the City's Open Space Element goals, objectives and policies. Draft EIR Section 4.10, Land Use and Planning provides a policy consistency analysis with this plan, and impacts were determined to be less than significant. See also Responses 50-4 and 60-38.

Response 50-6

The commenter asserts that the proposed building height will have a negative impact on views of the Project Site and states their general opposition to the proposed building height. As stated in the Draft EIR Section 4.1, Aesthetics, the Project is not seeking an exception to applicable height standards; rather, the Project's proposed entitlements include a General Plan amendment allowing up to 5 stories at the Project Site, a Zone change to add a Height Overlay of 50 feet, and a Zone text amendment allowing height overlays in the proposed CS zoning for the Project Site. If these entitlements are approved, the Project's proposed 44-foot-tall self-storage building would be consistent with these height allowances and other design and aesthetics requirements under the Project Site's new General Plan and zoning designations. As explained in Draft EIR Section 4.1, Aesthetics, CEQA inquires for Aesthetics pertaining to urbanized sites whether the Project would conflict with the applicable zoning and other regulations governing scenic quality. As noted above, the Project will comply if these entitlements are approved. To the extent this comment addresses issues outside the scope of Draft EIR Section 4.1, the inquiry is outside the scope of CEQA. However, the comments will be forwarded to the decision makers for their consideration when acting on the proposed entitlements.

Response 50-7

The commenter critiques the Project objectives that they do not consider the Project's negative impacts, such as whether self-storage facilities add to the character, livability, or attractiveness of the City and whether they benefit the surrounding community. See Response 60-63 regarding the adequacy of the Draft EIR's Project objectives.

Response 50-8

The commenter states that the location is inappropriate for the Community Commercial Centers and Corridors General Plan designation because the location's limited access is contrary to the designation's intention to serve community based needs for goods and services. The commenter also states that the site could be used for a shopping center under that General Plan designation. See Draft EIR Section 4.10, Land Use and Planning (page 4.10-8) for why the Community Commercial Centers and Corridors designation is appropriate for the site, particularly in light of the additional regulations that would be placed on it by the new proposed Commercial Storage zoning and the intent of that zoning designation. A proposal for a shopping center is not part of the Project. If such a use were proposed in the future, it would be subject to a discretionary review process and CEQA review at that time for any potential impacts it might cause.

Response 50-9

The commenter states that the Project is a huge opportunity lost for open space and recreational opportunity in the City, and the Project lacks access to the equestrian trail along the LA River. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration. See Response A.6-2 for the Project's potential impacts on equestrian access.

Response to Comment Letter 51

Cindy Weber
September 29, 2024

Response 51-1

The comment states that the Project would have a negative impact on the soil and air quality of the area. As explained in Draft EIR Section 4.2, Air Quality, 4.3, Biological Resources, 4.8, Hazardous and Hazardous Materials, and 4.6, Geology and Soils, the Project would result in less than significant impacts related to air quality, soil, and wildlife/biological resources with implementation of applicable mitigation measures. In addition, the Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 52

Timothy Kirk and Linda Lee
September 29, 2024

Response 52-1

The commenter states that the City needs additional green areas and that the River Park was promised, and is a former oil operations system, which should be cleaned up given its proximity to Los Cerritos Elementary School.

Regarding the development of the Project Site as a park, the Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan specifically is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with it. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Regarding site remediation, as explained in Draft EIR Section 4.8, Hazards and Hazardous Materials, the Project includes remediation of the Project Site due to its environmental history.

Response 52-2

The commenter objects to the allowance of a 44-foot-tall building, and is concerned with the aging storm drain underneath. Additionally, the commenter claims the paving would add to runoff and flooding. Regarding the proposed building height, as discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Regarding the storm drain, please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

Regarding runoff and flooding, as stated in Draft EIR Section 4.9, Hydrology and Water Quality, the Project would implement LID features such as the biofiltration system and stormwater detention system. With implementation of this system, surface runoff would be captured on-site, treated and deposited and released into the municipal stormwater system. Onsite drainage would generally be directed towards a series of new catch basins and underground storage pipes along the site perimeters, which would convey stormwater to the two proposed detention systems

located along the western and eastern portions of the Project site and consisting of multiple underground cisterns. The system will store stormwater during storms and then release it into municipal storm drains at a controlled rate so that the post-Project runoff rate does not exceed the pre-Project rate; and to avoid exceeding the storm drains' capacities. As such, the Project would not result in significant impacts related to runoff and flooding.

Response to Comment Letter 53

Leslie Garretson
September 30, 2024

Response 53-1

The commenter states that the Project would create health and traffic issues. As stated in Sections 4.2, Air Quality, and 4.15, Transportation, the Project would not result in significant impacts related to air quality and traffic with implementation of applicable mitigation measures.

Response 53-2

The commenter states that there was communication between the former Los Cerritos Neighborhood Association (LCNA) President Bob Gill and the City regarding this Project. The Draft EIR is an informational document and does not state support or opposition to the Project, nor does it discuss or rely on any communications with City officials. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 53-3

The Project will not change access to the freeways. The TIA includes operational analysis of the Pacific Place intersection with the I-710 and I-405 on-ramps, which will continue to operate acceptably after completion of the Project.

Concerning the intersection of Pacific Place and Wardlow Road, the Project is expected to contribute five outbound trips in the PM peak hour specifically related to the RV parking portion of the site (which may or may not be RVs). Of those five peak hour trips, it is estimated that one or two may make a southbound left turn onto Wardlow Road. Responses 60-63 and 60-64 provide additional information; generally speaking, the rail crossing is an existing concern and is a location where RVs or other large vehicles may already be crossing. Metro has approved a Corridor Mobility Infrastructure Plan (as indicated in Comment 60-65) which includes improvements concerning the crossing on Wardlow Road. This Project will not affect the ability of the improvements in the document to be constructed/implemented.

The merge of southbound vehicles on Pacific Place and the I-405 and I-710 southbound off-ramps is an existing condition, although southbound traffic on Pacific Place is minimal. Drivers exiting the Project Site to travel south would have over 1,100 feet to accelerate up to the posted speed limit. Drivers exiting I-405 and I-710 are responsible for slowing down from freeway speeds to the posted speed limit on Pacific Place. More importantly, drivers exiting I-405 and I-710 have a dedicated lane to merge onto Pacific Place since the southbound approach only includes a single lane north of the merge. While a fire under the I-405 would be a concern, the merge point in question is approximately 200 feet south of the interstate mainline.

The TIA includes evaluation of turning templates for RVs and RV towing a boat; the turning evaluation shows that those large vehicles will be able to turn from the site onto the I-710 on-ramp. RVs or other vehicles having to accelerate onto the freeway from a stop condition is not substantially different than other existing on-ramp conditions in the region. There is nothing uniquely hazardous about this intersection. Further, there are expected to be only five outbound trips from the RV portion of the site (not all of which will necessarily be RVs) in the peak hour, and only 49 outbound trips per day. Therefore, any potential conflicts would be minimal.

Response 53-4

The commenter includes sources from the City's Park, Recreation and Marine 10-year plan and LLARP regarding potential park and green spaces. The Draft EIR Section 4.10, Land Use and Planning, extensively analyzed the Project's relation to the LLARRP and the City's Park, Recreation and Marine Strategic Plan and determined that the Project is not inconsistent nor in conflict with these plans. To the extent this comment raises concerns outside of those discussed in Section 4.10, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 53-5

The commenter states that the Project does not provide for the Gabrielino/Tongva artifacts that may be found in this location. Please see Response A.5-2 related to tribal cultural resources.

Response 53-6

The commenter states that the City has not created an equitable distribution of open space throughout the City, is concerned with park equity, and cites the City's Open Space and Recreation Element standard of 8 acres of recreational open space per 1,000 residents as well as the Los Angeles County Parks Needs Assessment. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Draft EIR, Section 4.10, Land Use and Planning specifically analyzes the Los Angeles County Parks Needs Assessment and determines that the Project is not inconsistent with it. Regarding the Open Space and Recreation Element target of 8 acres of recreational open space per 1,000 residents, see Response 50-4. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 53-7

The commenter cites the City's 2010 Green Vision Map and grant funding that has been received to invest in park planning efforts. The Draft EIR, Section 4.10, Land Use and Planning, discusses the Green Vision Map within the discussion of the I-710 Corridor Community Livability Plan and concludes that the Project is not inconsistent with it. To the extent this comment raises concerns outside of those discussed in Section 4.10, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 53-8

The commenter cites the Long Beach Parks, Recreation and Marine Department Strategic Plan, and provides several pages of excerpts from the plan. The Draft EIR Section 4.10, Land Use and Planning, extensively analyzed the Project's relation to the City's Park, Recreation and Marine Strategic Plan and determined that the Project is not inconsistent nor in conflict with this plan. To the extent this comment raises concerns outside of those discussed in Section 4.10, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 53-9

The commenter provides concluding remarks. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 54

William Frankenfeld
September 30, 2024

Response 54-1

The comment expresses support for the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 54-2

The comment states reasons in support of the Project, which include the cleanup of contaminated soil, the shortage of industrial space in Long Beach, the reduction in VMT, and addition of property tax revenue and jobs to fund future park/green space projects. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 54-3

The comment restates support of the Project. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 55

Ian Patton
September 30, 2024

Response 55-1

The commenter states that the Project does not properly address alternative land use concerns, traffic concerns, storm drain concerns, toxic land concerns, and endangered species concerns. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 5.0, Alternatives, which provides a full analysis of a reasonable range of alternatives; Section 4.15, Transportation, which provides a full analysis of the Project's potential transportation impacts related to Vehicle Miles Traveled, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743; Section 4.8, Hazards and Hazardous Materials, which addresses hazardous materials and evaluates the Project's loading on the existing storm drain; and Section 4.3, Biological Resources, which addresses biological resources. The commenter is also referred to Responses 60-27 and 60-28 for additional analysis relating to the Project's potential impacts on the storm drain running under the Project Site.

Response 55-2

The commenter states that the alternative land use should have been the foremost concern, and the land should be publicly purchased and converted into a portion of the LA River greenbelt. In addition, the commenter states that the Project's variances to limitation, zoning, and parcel redrawing are inappropriate. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Riverlink Plan, LLARRP, and LA River Master Plan are specifically analyzed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent or in conflict with those plans. The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

As discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response 55-3

The commenter states that the Project would create additional traffic. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 4.15, Transportation, which provides a full analysis of the Project's potential transportation impacts related to Vehicle Miles Traveled, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743. To the extent this comment is about traffic congestion, this comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines as VMT is now the required transportation metric for CEQA purposes rather than level of service and congestion; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 55-4

The commenter states that the old storm drain underneath the Project Site is an issue. Please see Responses 60-27 and 60-28 relating to the Project's potential impacts on the storm drain running under the Project Site.

Response 55-5

The commenter states that the Project Site used to drain oil industry runoff and requests better mitigation, as Los Cerritos Elementary School is nearby. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 4.2, Air Quality, and Section 4.8, Hazards and Hazardous Materials, which provide a full analysis of the Project's potential impacts related to existing hazardous materials and on-site pollution. Specifically, a series of remedial plans and actions would be required to be prepared, approved, and implemented to remediate the site to contain hazardous materials, including runoff from the site.

Response 55-6

The commenter states that the endangered species tarplant has not been dealt with properly, which brings up Endangered Species Act concerns. Please refer to Responses A.2-3 through A.2-8- related to tarplant. This comment does not address the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response to Comment Letter 56

Wendy Morgan
September 30, 2024

Response 56-1

The comment expresses the preference for a park instead of the Project. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact on recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 56-2

The comment states that the Project would cause additional air pollution. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 4.2, Air Quality, which provides a full analysis of the Project's potential air quality impacts. As explained in Draft EIR Section 4.2, Air Quality, the Project would not result in significant impacts related to air quality with implementation of identified mitigation measures. This comment does not include a specific criticism of the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 56-3

The comment expresses opposition to the Project and implies that it would result in impacts to endangered species. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 4.3, Biological Resources, which provides a full analysis of the Project's potential impacts related to endangered species. As explained in Draft EIR, the Project would not result in significant impacts to endangered species or biological resources with implementation of identified mitigation measures.

Response to Comment Letter 57

Juan L. Miranda
September 30, 2024

Response 57-1

The comment expresses opposition to the Project stating that it would result in increased traffic and air pollution and expresses a preference for the development of park/green space instead. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to the Draft EIR Section 4.2, Air Quality, which provides a full analysis of the Project's potential air quality impacts, and Section 4.15, Transportation, which provides a full analysis of the Project's potential transportation impacts related to VMT, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response to Comment Letter 58

Juan E. Ovalle
September 30, 2024

Response 58-1

The commenter expresses overall opposition to the Project and urges the City to consider the No Project Alternative to allow for future development of parkland at the site. Please see Response 60-79.

Response 58-2

The commenter disputes the accuracy of the Park Acquisition Feasibility Report, which is included with the Draft EIR as Appendix K, to determine the feasibility of acquiring open space for park development along the LA River. Please refer to Response 60-76 and Response 60-77 why the park alternative was rejected as infeasible for further consideration.

The commenter also presents several critiques regarding sincerity of and intentions behind the Park Acquisition Feasibility Report. These comments do not present critiques of the Draft EIR's analyses or conclusions and therefore no further response is warranted here. These comments will be forwarded to the decision makers for their review and consideration.

Response 58-3

The commenter states the Project is ideal for pedestrian traffic and the City should look into the possibilities of creating a park dedicated to reducing pollution. The commenter also states that the City should enhance public transportation alternatives such as the existing station at Wardlow Road. The City providing public transportation alternatives falls outside the scope of the Project, and is not required to be addressed by the EIR. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. The Draft EIR, Section 4.10, Land Use extensively analyzed the Project's relation to the LA River Master Plan and determined that the Project is not inconsistent nor in conflict with it. Similarly, the Riverlink Plan is discussed in detail throughout Draft EIR Section 4.10, Land Use and Planning, and the Draft EIR concluded that the Project is not inconsistent with it. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 58-4

The commenter states that the Feasibility Report falsely identified that eminent domain would likely be needed to create a public park and requests the Draft EIR be rejected. The commenter also states that it is required for the City to further study acquiring the Project Site and developing it as a park. See Response 60-77 why the Draft EIR is not required to further analyze the feasibility of the City purchasing and developing the Project Site as a park. This topic is outside the scope of CEQA, but the commenter's desire for the City to purchase and develop the Project Site as a park will be forwarded to the decisionmakers for review and consideration.

Response 58-5

The commenter states that development of self-storage and RV storage do not support local demand. The commenter also states that the Project objectives in the Draft EIR should have been focused on creation of a park at the Project Site and provides ten parkland objectives that the commenter would like to replace the Project objectives in the Draft EIR. See Response 60-72 why the Project objectives in the Draft EIR are appropriate, including the market demand for self-storage and RV storage. See Response 60-76 why the Draft EIR rejected a park alternative for consideration as a full alternative.

Response 58-6

The commenter expresses opposition to the Project and states that the Parkland Alternative is feasible. See Response 60-72 why the Project objectives in the Draft EIR are appropriate, including the market demand for self-storage and RV storage. See Response 60-76 why the Draft EIR rejected a park alternative for consideration as a full alternative.

Response to Comment Letter 59

Renee Lawler
September 30, 2024

Response 59-1

The commenter states that the Project requires additional environmental review, and states the Project will have significant impacts under multiple CEQA topics. The commenter also provides excerpts from the CEQA Guidelines related to Class I, III, V, and 11 Categorical Exemptions. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. This comment does not include specific criticism of the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the commenter is referred to the Draft EIR, which provides a full analysis of the Project's potential impacts. As stated throughout the Draft EIR, all potentially significant environmental impacts would be reduced to less than significant with incorporation of mitigation measures AIR-1, HAZ-1, BIO-1a through BIO-6c CUL-1, GEO-1, NOI-1 and NOI-2, TRIB CUL-1 through TRIB CUL-11. In addition, an EIR is the appropriate and most stringent level of environmental review, and the commenter incorrectly cites references to CEQA Guidelines related to categorical exemptions, which do not apply when an EIR is prepared.

Response 59-2

The commenter contends that the 1947 dedicated bridle and hiking trail would be impacted by the Project by inhibiting safe passage by introducing additional un-regulated crossings of and mergers onto the trail and reducing scenic views due to the height of the facility. The comment also states that the equestrian trail is a mobility corridor and lifeline between the various zones where horses live in the vicinity. As explained in the Draft EIR, Section 4.16, SCCIC literature reviews and records searches were conducted in 2020 and 2023 in addition to an NAHC SLF database search. None of these records searches indicated the presence of a historic 1947 dedicated bridle trail. Additionally, the Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. The LA River multi-use trail is an off-site facility, similar to the LA River Bike Path. Similar to the LA River Bike Path, the Project would not result in any impacts to the trails along the LA River due to the trails' distance from the Project Site, nor would the Project impede the public from continuing to use the trails for equestrian, hiking, and biking uses or prevent the LA River trails from being further developed as public open space in the future. The Project Site is separated from the LA River trails by the vacant property owned by LACFCD, and as a result, the trails are over 100' from the western property line of the Project Site. The Project Site is private property and does not, nor has it ever in the past, provided access to the LA River trails and recreation areas. No equestrian or other recreational uses exist on the Project Site, and no formal trails occur within or abutting the Project Site. Because there is no access to the LA River Trails from the Project Site or from facilities abutting the Project Site, the use of the Project Site cannot impact access to or use of those trails, nor cause trail crossing or merger hazards.

In addition, the Project will have no impact on the City's horse overlay zones. The horse overlay zone regulations are set forth in the City's Municipal Code, Chapter 21.38. The sole purpose of the horse overlay zones is to allow for keeping horses on individual parcels of private property with approval of a horse overlay zone and compliance with the regulations therein. These regulations include limits on uses such as renting stable space, horse breeding, and offering horsemanship instruction; the number of horses permitted, and the design of the stalls. These horse overlay zones do not address public trail use and the regulations do not contemplate that

these individual private properties with the overlays would be connected via public trails. The Project will not impair or impact the use of the existing horse overlay zones nor will future private property owners be impeded in any way in seeking the horse overlay zone designation for their properties.

Further, contrary to the comment, the Project would not introduce additional traffic to these trails because there is no evidence to suggest that the customers using the Project's self-storage and RV storage uses will concurrently be using the nearby LA River Trails. Moreover, even if customers of the Project happen to use the LA River Trails, they would do so because they already use the trails and access the trails elsewhere since the Project will not add, change, impede, or alter public access to the LA River; in other words, Project users would not use the LA River Trails as a result of the Project. Should a trail access to the adjacent LACFCD property be developed in the future using the easement set aside as part of the Project, a separate CEQA process would be undertaken at that time to evaluate potential impacts to trail access; in fact, if that trail access is developed in the future, it will only improve access to the LA River by providing a safe, legal access from Pacific Place to the LA River Trails where none previously existed.

Further, the Draft EIR provides an analysis of scenic vistas from the LA River Bike Path, which would be similar to views from the LA River multi-use trail. The Project's distance from the trails and intervening LACFCD property combined with the size of the Project Site in comparison to the length of the trail as well as the existing presence of I-405 freeway that currently blocks views in the area would minimize impacts to scenic views. Accordingly, development of the Project Site will not impact use or view of the LA River trails.

The commenter also states that the Project's location is culturally significant due to past historic equestrian land uses adjacent and in the immediate vicinity of the Project site. The commenter cites the following resources as recognizing the historic equestrian land uses:

1. 1947 Trail Act

The City has researched but cannot find that a "1947 Trail Act" exists. Accordingly, the City believes that the comment may have a typo and intend to refer instead to the California Recreational Trails Act (CRTA), which was passed by the California Legislature in 1974 (Cal. Pub. Resources Code sec. 5070, *et. seq.*). The CRTA requires the State Parks director to prepare and maintain a comprehensive plan for the development and operation of a statewide system of recreation trails, called the California Recreational Trails System Plan (trails plan). The trails plan assesses present and future demand for recreational trail use and recommends a system of trail routes designed to provide a wide range of recreational opportunities. State Parks first completed the trails plan in 1978 and later updated it in 2002. The 2002 plan update identified 12 goals, including to develop adequate and stable funding for planning, acquisition, development and management of trails; prepare regional and statewide inventories of existing, planned, and potential trails; and promote and encourage the incorporation of trails and greenways development and linkages into all local and statewide land use planning. The commenter does not state the relevance of the CRTA for the Project or for the Draft EIR's analysis. The CRTA does not require any action of private property owners adjacent to CRTA trails. The CRTA does require the State Parks director to submit a report that highlights progress on the plan to the Legislature periodically. The last available update is from 2011. It reported on progress on the 12 goals and on specific trails around the state. In particular, it noted a need for more funding for trail maintenance, planning, and increasing access. Relevant here, the 2011 update references a planned 26 mile trail along the LA River that would be managed by the L.A. County Dept. of Parks and Recreation and a portion of this referenced L.A. River trail runs adjacent to the LA River and LACFCD property, per the L.A. County Dept. of Parks and Recreation website. As explained above, the Project would not adversely impact the existing trails along the LA River.

2. Historic Equestrian Trail Assn of Wrigley Heights (HETASC) v LACFCD, the County of Los Angeles Case No. 166575 settlement (Wrigley North), November 26, 2018.

The commenter refers to a settlement agreement for *Historic Equestrian Trail Assn of Wrigley Heights (HETASC) v LACFCD*, the County of Los Angeles Case No. 166575. While the settlement agreement is confidential and therefore not part of the public record, the City reviewed all publicly available documents including the Writ of Mandate filed December 16, 2016. Available documents indicate that the project at issue in that case was a Public Equestrian Rest Area over a mile south of the Project site and that the County of Los Angeles, rather than the City, was Lead Agency under CEQA. While the petitioner in that matter did allege that the Public Equestrian Rest Area at issue would require the removal of existing equestrian facilities along the LA River, there is no ruling to substantiate the petitioner's allegation of an impact on cultural resources, and therefore it does not substantiate the commenter's claim of the same. Further, nothing in the record for that matter indicates why this is case or the project it discusses is relevant to the Project and the commenter has not provided analysis to this point.

3. Riverpark Coalition and LA Waterkeeper v. City of Long Beach, dated October 19, 2022 (Court Ruling)

The commenter refers to the Court Ruling in the litigation regarding the Prior Project at the Project Site, which is described in detail in Section 2.0 of the Draft EIR (Introduction). (*Riverpark Coalition and LA Waterkeeper v. City of Long Beach*, Los Angeles Superior Court, Case No. 21STCP01537). In that case, with regard to the historic nature of equestrian land uses, the petitioners in their Petition for Writ of Mandate (Petition) alleged that (1) the MND failed to examine the Prior Project's inconsistency with horse overlay zones, (2) the horse overlay zones were approved to preserve and protect the unique equestrian culture and community within the City, and (3) the Prior Project sits near one of the last remaining equestrian-zone properties within the City, which in turn is adjacent to a historic equestrian trail, and would adversely impact equestrian-zoned properties and adjoining trails. The petitioners did not, however, provide any briefing on these allegations in the Petition, nor on any issues relating to cultural or historic resources, or impacts to equestrian-zoned properties or horse overlay zones. The Court in the Court Ruling therefore did not discuss, reference, or reach any conclusions on these topics. Accordingly, the Court Ruling provides no evidence of the historic nature of equestrian land uses in the area.

4. Riverpark v River Park Project Owner LLC., State Clearing House No. 20211020492 (Wrigley Heights 712 Baker Street Horse zone) dated August 16 2023.

The commenter refers to a Notice of Determination for River Park, a separate project within the City. This project involved rezoning of 6 parcels on the western edge of the City that are not connected to the Project site. In approving the River Park project, the City approved a change from Commercial Storage (CS), Commercial Storage with Horse Overlay (CS(H)), and Single-Family Residential, Standard Lot (R-1-N) to Residential, Planned Unit Development (RP-15) and Residential, Planned Unit Development with Horse Overlay (RP-15 (H)). The Horse Overlay District is applied over an existing use district on private properties to allow the keeping of horses and ponies. (Long Beach Municipal Code, § 21.38.010.) The Horse Overlay District does not signify any cultural importance, but rather it allows private property owners to keep a limited number of horses for either personal or commercial use depending on the underlying zone. The Horse Overlay does not involve any trail systems and the Horse Overlay Districts do not connect to one another to create any type of corridor or trail system. Further, while the Horse Overlay District does apply to the property at issue in the *Riverpark v River Park Project Owner LLC* case, it is not applicable to the Project site, which is zoned Light Industrial with no overlays. As such, this example does not demonstrate any cultural significance of the Project site related to equestrian use or trails.

Response 59-3

This comment states that removing “additional restorative habitat” on site would result in a cumulative impact on all species that depend on the Los Angeles River corridor for foraging, nesting, shelter, and hunting. As analyzed in detail in Section 4.3, Biological Resources, of the Draft EIR the Project Site was evaluated for evidence of a wildlife movement corridor during the general biological survey. The focus of this study was to determine whether a change in land use at the Project Site could have significant impacts on the regional movement of wildlife. This evaluation concluded that there are no wildlife movement corridors located on the Project Site. The majority of the Project Site consists of undeveloped land, but it is generally surrounded by urbanized areas, roads, and highways that limit wildlife movement through the project site. As explained in Section 4.3, Biological Resources, of the Draft EIR, the adjacent Los Angeles River may provide movement opportunities for common wildlife species, but the Project Site itself does not serve as a wildlife movement corridor and the construction and operation of the Project would not impact the Los Angeles River corridor or influence wildlife movement within it. Therefore, the Project would not impact wildlife corridors and less than significant impacts would occur (Appendix E-2).¹

The comment refers to an Audubon log of bird species in the vicinity. However, no reference to a specific study is provided, therefore, no further response is warranted.

The comment specifically mentions cumulative impacts to endangered and watched bird species, including least Bell’s vireo and burrowing owl. With respect to impacts to least Bell’s vireo, the commenter is referred to Section 4.3, Biological Resources, of the Draft EIR, which confirms that no riparian habitat is present on site for the least Bell’s vireo, and according to the California Natural Diversity Database, the species may be locally extirpated.

With respect to the burrowing owl, the commenter is referred to Response 65-5, which details mitigation measures MM BIO-4a through MM BIO-4d of the Draft EIR and the results of burrowing owl surveys in 2023 and 2024.

This comment also states that “there is evidence that Crotch’s bumble bees also need to be further evaluated for habitat and impacts.” As the comment does not offer any evidence in support of this statement, the comment does not identify a deficiency in the Draft EIR and no further response is required. Nevertheless, the commenter is referred to Response 65-4, which details MM BIO-3.

Response 59-4

The commenter claims that the Project Site “is part of a linear biological corridor with multi-use recreation and cultural significance that must be reviewed” per the “Lower Los Angeles River Master Plan and further by CDFW and in response to any sensitive natural community identified in local or regional plans, policies or regulations by the [CDFW] or United States Department of Fish and Wildlife.” While the commenter is referring to the “Lower Los Angeles River Master Plan”, this plan does not exist; therefore, this response presumes that they are referencing The Lower Los Angeles River Revitalization Plan (LLARRP).

The commenter is referred to Response 59-3 and Section 4.3, Biological Resources, of the Draft EIR, which provide a detailed analysis demonstrating that there is no riparian habitat or sensitive natural communities present on-site or adjacent to the Project Site. Therefore, the Project would not impact riparian habitats or other sensitive natural communities and no impact would occur (Appendix E-2) . CDFW did not raise any concerns regarding impacts to riparian habitats or sensitive natural communities in either comment letter regarding the Project mitigation. (Appendix E-3)

The LLARRP the Project site on the Map of Opportunity Areas for the plan, but development of the Project site would not prevent wildlife from moving along the Los Angeles River corridor once the LLARRP has been implemented.

Response 59-5

This comment references “a major migratory bird and wildlife corridor” that has been impacted by man-made encroachments such as the Project which requires further EIR review. No specific information or details are provided regarding the unknown corridor to allow the City to respond to his comment. Nevertheless, the commenter is referred to Response 59-3 and Section 4.3 of the Draft EIR, which provide a detailed analysis supporting that no wildlife movement corridors are located on the Project Site.

The comment further states that there are many bird species that regularly use the Project site for habitat, foraging, and nesting. As detailed in the 2024 BRA, the site is surrounded by urban development and has a history of disturbance including historical uses associated with oil production, partial cleanup and treatment efforts, and a golf driving range (the Long Beach Golf Learning Center). LSA and FCS Biologists have conducted numerous surveys of the Project Site and have characterized use of the Project Site by birds and other wildlife species. Due to the disturbed nature of the Project Site and its situation within an urbanized area, use of the Project Site by birds is limited. The commenter is referred to Response 60-E7-6 and Section 4.3, Biological Resources, of the Draft EIR, which provide a detailed analysis supporting that the Project Site provides poor habitat for bird species.

Aerial photographs obtained from Google Earth provided numerous views of the Project Site between 1994 and 2023. The imagery shows a pattern of surface disturbances at the Project Site over the past 30 years, which is described in the Draft EIR at Sections 4.3, Biological Resources, and 4.8, Hazardous Materials. Therefore, the Project Site provides poor habitat for native and migratory bird species. Despite the habitat being heavily disturbed, the Draft EIR at Section 4.3, Biological Resources, states that the Project Site and adjacent lands support vegetation communities, land cover types, trees, and other habitat features that provide nesting habitat for common, native avian species covered under the MBTA and Fish and Game Code. MM BIO-5a and MM BIO-5b were revised based on CDFW requests and require a pre-construction survey and active avoidance buffers of avian nests to prevent impacts to nesting birds (Appendix E-3).

Response 59-6

The commentor argues that the Project Site is considered habitat by the City of Long Beach given its history for migratory bird species, sea birds, watched and endangered species and therefore, impacts to this corridor need to be evaluated. The commentor then asserts that, the Project conflicts with the provisions of an adopted HCP, NCCP, or State, regional, or local HCP.

This comment is noted. As stated in the 2024 BRA, the Project is not located within an HCP area, nor an NCCP area, nor within any other approved local, regional, or State HCP area (Appendix E-2). Therefore, implementation of the Project would not conflict with an HCP and mitigation is neither proposed nor required. Further, the City has not designated the Project Site as a conservation plan area. No additional response is required.

Response 59-7

The commenter contends that the Project's location and its proximity to a historic trail, former rancho land uses, and native sovereign people's historic uses should be further reviewed for determination to be eligible for listing in the CRHR. While the comment is noted, as stated above, and as explained in the Draft EIR, Section 4.16, based on the SCCIC literature review and records

searches from 2020 and 2023 and on the results from the NAHC SLF database there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Similarly, the mentioned horse trail was not identified by any of the aforementioned records searches. The Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. In addition to the literature and database searches, tribal consultation was conducted in accordance with AB 52 and SB 18 and a field survey conducted onsite in 2020. Neither the records searches nor consultation indicated the presence of these resources or history. Accordingly, there is no evidence to indicate that the historic uses of the trail by former ranchos and native sovereign peoples would qualify the trail to meet the criteria for listing under CEQA Guidelines Section 15064.5.

Nonetheless, excavation and grading at the Project Site has the potential to disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources. Based on consultation, mitigation measures MM TRIB CUL-1 through MM TRIB CUL-11 were developed and included in the Draft EIR to mitigate impacts to potential unidentified cultural and tribal cultural resources.

Response 59-8

Please refer to Responses 60-50 through 60-54.

Response 59-9

Please refer to Responses 60-50 through 60-54.

Response 59-10

The commenter contends that views from the 1947 dedicated bridle and hiking trail, as a historic resource, would be impacted by the Project. As discussed above in Response 59-7 and explained in the Draft EIR, Section 4.16, SCCIC literature reviews and records searches were conducted in 2020 and 2023 in addition to an NAHC SLF database search. None of these records searches indicated the presence of a historic 1947 dedicated bridle trail. Additionally, the Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. Because there is no evidence to support that the referenced trail is a historic resource, the Project would not cause adverse impacts to a historic resource with regard to the trail. In any event, as set forth in Response 59-2, the Project would not have any impact on the LA River trails due to the Project Site's distance from them, as well as the lack of interaction between the Project uses and those of the river trails.

The commenter contends that the Project would result in additional glare and light impact to the river environmental habitat and 1 mile zone identified in the LA River Master Plan. As discussed in the draft EIR, Section 3.0 the Project proposes to install exterior security lighting that would be shielded and directed at the storage building, car wash, and RV stalls to minimize light spillage onto off-site areas. Moreover, the Project would be subject to the City's Lighting ordinance which includes onsite plan review pertaining to lighting and photometric design standards. Additionally, as stated in Response A.2-21, CDFW recommended that exterior lighting installed as part of the Project be directed away from the on-site southern tarplant on-site mitigation area. The Applicant agreed to implement this recommendation. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts related to Aesthetics. This comment does not identify specific criticisms related to the adequacy of the Draft EIR under CEQA

or the State CEQA Guidelines; however, the commenter is referred to Section 4.1, Aesthetics, for discussion regarding potential impacts related to scenic resources

Response 59-11

The comment states concerns regarding air quality related to traffic and exposing sensitive receptors to substantial pollutant concentrations. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to Section 4.2, Air Quality, that evaluates potential impacts related to air quality. As part of the Draft EIR, a Health Risk Assessment was prepared to evaluate the Project's potential impacts related to exposure to toxic air contaminants, and a Carbon Monoxide hotspot screening. The analysis and findings are detailed in Section 4.2, Air Quality, of the Draft EIR, along with mitigation measures MM AIR-1 (which requires the use of a minimum of Tier 3 or equivalent off-road engine emission standards for construction activities that have already occurred related to Surcharge Activities and Tier 4 off-road engine emissions standards for construction equipment used in all future construction activities) that is required to reduce impacts to less than significant. Further, Section 4.8, Hazards and Hazardous Materials, of the Draft EIR evaluates the anticipated presence of hazardous materials associated with Project operation and found that expected operations would result in less than significant impacts related to hazards and hazardous materials with implementation of applicable mitigation measures.

The comment also states that the Project will have propane tanks onsite and that the explosive and health hazards of propane have not been evaluated. The comment further states that tank valves and lines tend to leak and fail and that impacts air quality, as well. The City finds that there would be little to no risk associated with propane tanks onsite. The RVs that are stored onsite may have propane tanks in them associated with an RV's cooking facilities, if any. However, the Project Site will only be used for passive RV storage; the Project approvals do not include a request that the RVs will be used or permitted to be used onsite for cooking, living, or other uses other than passive storage. In addition, the Project Site has not applied for and will not have any facilities to refill, exchange, or empty propane tanks. Accordingly, no propane tanks will be opened or used while onsite and thus there is no evidence that propane will be released. The commenter's statements that the tanks may be explosive or that they tend to leak are speculative and the commenter has not provided any technical evidence to support those claims.

Response 59-12

The comment states concerns regarding liquefaction. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts. The commenter is referred to Section 4.6, Geology and Soils, for an analysis of potential impacts related to liquefaction. As noted in the Draft EIR, "the Project would be designed and constructed in accordance with the recommendations of the Geotechnical Study and CBC requirements to ensure that isolated areas with liquefaction potential are properly remediated."

Response 59-13

Please refer to Responses 60-43 through 60-50 regarding compliance with the NPDES permit requirements, including the SWPPP and BMPs.

Response 59-14

This comment states the Project Site is within the boundaries of a navigable waterway as determined by the USEPA and is known to be historic marsh and wetland habitat. A formal jurisdictional delineation of wetlands/waters was completed by South Environmental of the Project Site on October 10, 2023 (Appendix D-2 of the Draft EIR). South Environmental concluded that

the proposed Project would not impact, permanently, or temporarily, non-wetland or wetland waters of the US/State. South Environmental, based on the formal jurisdictional delineation, also determined that the Project would not impact any CDFW waters jurisdictions. The Project Site has a history of disturbance and would not provide opportunity for restoration of marsh or wetland habitat.

Additionally, the formal jurisdictional delineation from South Environmental found that the Project Site is topographically higher and distal relative to the jurisdictional Los Angeles River; moreover, the Project Site is separated by a topographic low relative to the jurisdictional Los Angeles River. The Project would not cause discharge of water or other materials from the Project Site into the Los Angeles River.

Response 59-15

This comment states that the Project reduces recreation open spaces and will cause negative impacts for the necessary buffers needed within for the equestrians who depend on the historic trail network adjacent to the Project Site as their only mobility corridor for connecting various horse zones. See Responses A.6-2 and 59-2.

The comment also states that the proposed height variance and zoning changes should be denied for this location. As discussed in the Draft EIR, Section 3.0, Project Description, the Applicant has not applied for a height variance. Rather, as part of the Project, the developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

The comment also states that the Project does not comply with the 2020 Lower Los Angeles River Revitalization Plan. See Response A.4-3.

Response 59-16

The commenter states that the Project has not complied with Public Works Development Guidelines regarding consistency with plans, standards, requirements and more. The commenter goes on to state that an EIR is necessary and not an MND. The commenter further provides an extensive list of the names of national, state, and local laws and planning documents and states the Project does not conform to these resources, but the comment does not state the relevance of these resources to the Project or how the Project is inconsistent with them. Accordingly, the City is unable to provide a response to the alleged deficiencies. The City has reviewed the list of resources in this comment and concludes that, to the extent they are not already included in the Draft EIR's analysis, they are not pertinent to it. It should also be noted that an EIR was prepared for the Project.

Response 59-17

Please refer to Responses 60-63 and 60-64

Response 59-18

The commenter identifies a list of City and other local guidelines that the Project should consider. As part of the City's standard development application review, compliance with applicable guidelines is considered. However, this process is not related to the Draft EIR.

Response 59-19

Please refer to Response 59-2.

Response 59-20

Please refer to Response 60-E18-1.

Response 59-21

The commenter states there is a potentially significant impact related to various utilities. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts related to Utilities and Service Systems. This comment does not identify specific criticisms related to the adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the commenter is referred to Section 4.11, Utilities and Service Systems, of the Draft EIR analyzes the capacity of utility providers to adequately serve the Project. Additionally, refer to Responses 60-43 through 60-50 regarding compliance with the NPDES permit requirements, including the SWPPP and BMPs.

Response to Comment Letter 60**Cartstens, Black & Minter LLP**
September 30, 2024**Response 60-1**

The commenter provides introductory language, stating that their comments are submitted on behalf of Riverpark Coalition and Los Angeles Waterkeeper.

Response 60-2

This comment largely summarizes the commenters' conclusions about the more in depth comments in this Comment Letter 60 and does not provide sufficient detail to allow the City to respond to the critiques within this Response 60-2. Accordingly, the City directs the commenter to the Responses 60-3 through 60-E25-7. Notwithstanding that, the City responds as follows to specific portions of this Comment 60-2.

The commenter states that the Project's census tract ranks worse than 89% of the rest of the state for pollution burden, that the area has more people living with asthma, emergency department visits from asthma symptoms, and deaths from asthma than 92% of California census tracts, and that the Project is within the Wilmington-Carson-West Long Beach AB 617 area. The commenter states further that the Project Site is in an environmental justice community that has been disproportionately harmed by high diesel traffic, decades of oil extraction, and lack of outdoor recreational sites. This portion of the comment does not raise any specific issues with respect to the content and adequacy of the Draft EIR's analysis on the topics of air quality, hazardous materials, and recreation. CEQA Guidelines Section 15131(a) states that economic and social factors are not, in and of themselves, to be considered environmental impacts. CEQA Section 15131(c) states that such factors are to be considered in deciding whether changes in a project are feasible to reduce or avoid significant effects on the environment identified in the EIR. The commenter has not stated how the data provided changes the Draft EIR's impact conclusions regarding air quality, hazardous materials, and recreation or the extent to which the Project's proposed design or mitigation do or do not reduce the Project's impacts with regard to those topics. As required by CEQA, the Project's impacts on air quality, hazards and hazardous materials, and recreation are evaluated in the Draft EIR in Sections 4.2, 4.8, and 4.14 and those sections conclude that the Project's impacts would be less than significant with the appropriate mitigation measures in place. In addition, the health risk assessment prepared for the Project determined that cancer risk and non-carcinogenic hazards to the nearest residential receptors and workers are, with mitigation, below SCAQMD's health risk thresholds. The Draft EIR discusses the health risk assessment in Section 4.2, Air Quality, of the Draft EIR. No further response is warranted.

Although no further response is warranted as this topic is outside the scope of CEQA review, it should be noted that even though the Los Angeles County Parks Needs Assessment states that the greater North and West Long Beach areas lack sufficient parkspace, this particular Project Site is located across the street from Los Cerritos Park, a 7.24 acre park with developed recreational facilities serving the surrounding community, located at the intersection of Country Club Drive and Bixby Road, as depicted in Appendix O of the Final EIR.

As detailed below and depicted in Appendix P of the Final EIR, the area west of the LA River is cumulatively disadvantaged on both environmental and sociodemographic indicators when compared to the Project site and other areas east of the LA River. The Project Site is separated from these more disadvantaged areas of the City by the LA River and I-710 Freeway. These divisions are clearly supported by the average CalEnviroScreen and poverty scores for these

wider areas east and west of the LA River. To illustrate, when comparing the average scores for tracts east of the LA River and I-710 freeway to those for tracts west of the LA River and I-710 freeway, the tracts to the west have disadvantaged scores, while the tracts to the east, which the Project will serve, have clearly advantaged scores on all metrics. The tracts within the vicinity of the Project Site west of the freeway (Census Tracts 5440.01, 5440.02, 5724.00, 5723.01, and 5723.02) have an average overall CalEnviroScreen score of 55 and an average poverty score of 33.8, while the census tracts east of the freeway (Census Tracts 5721.00, 5718.00, 5720.02, 5719.00, and 5722.01) have an average overall CalEnviroScreen score of 35.2 and an average Poverty score of 21.8.

Further, while the Project site is located at the far northeastern corner of Census Tract 5721.00, which has a CalEnviroScreen score of 45, which falls in the 82nd percentile (indicating it is less disadvantaged than 18% of census tracts in the state); and a poverty score of 20, which falls in the 34th percentile (indicating that this neighborhood is less burdened by poverty than 66% of census tracts in the state) the Project site directly abuts and will serve the Los Cerritos neighborhood to the north, within Census Tract 5718.00, which has a CalEnviroScreen score of 16, which falls in the 28th percentile (indicating this neighborhood is less disadvantaged than 72% of census tracts in the state) and a poverty score of 13, which falls in the 16th percentile (indicating that this neighborhood is less burdened by poverty than 84% of census tracts in the state).

This disparity of existing environmental justice conditions is currently delineated by the combined geographic divide of the I-710 freeway and Los Angeles River on a North-South axis, with significantly more disadvantaged areas west of the LA river and 710 freeway, as depicted in Appendix P of the Final EIR. In summary, the CalEnviroScreen scores for census tracts west of the LA River indicate that this area is more cumulatively disadvantaged on both environmental and sociodemographic indicators when compared to the area east of the river.

The commenter next states that the City and regional entities have long designated the Project Site and its surrounding area for park development, and that development of the Project Site as a park would eliminate the harmful impacts of building another intensive use in a contaminated location, remove the Project's conflicts with applicable land use plans, and provide the western Long Beach community with much-needed recreational assets. Although aspirational and visioning plans have contemplated additional parkspace along the LA River, the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the designation was updated in the review process prior to adoption, and the current Land Use Element designates the Project Site as Neo-Industrial. Further, although there have been aspirational visioning documents from other public agencies contemplating the potential for open space on the site, this private property has never been formally designated as an open space land use. In fact, only the City - not any regional entity - has jurisdiction to assign land use designations to private property within the City. Accordingly, no regional entity can designate or has designated the Project Site for park or open space uses. The Project Site, in addition to many other areas along the LA River in many jurisdictions, has been identified in various local and regional vision plans or opportunity plans and studies as part of an area that could, if public funding becomes available is secured and resources are allocated, be acquired by public agencies for park and open space. Importantly, these various plans do not prescribe rules, regulations, policies, or land use designations for the Project Site. However, the City does not have such resources. Based on a review of funds available and budget projections, the City of Long Beach does not have sufficient funds to acquire this private property for development as park land. According to the City's Budget Office, the City's most recent Open Space Bond has no proceeds remaining. Therefore, there are two budgetary sources of funding

for park acquisition—the use of Park Impact Fees, and the City’s General Fund. The Park Impact Fee, known also in Long Beach as the Parks and Recreation Facilities Fee (PRFF), is a fee on new development designed to maintain the existing level of service for existing and new residents. New residential development increases the population of Long Beach by providing more places to live, which results in an increased need for new parks and recreational resources. In FY 24, the Parks and Recreation Facilities Fee was applied to 1,637,532 gross square feet of residential unit development. On March 18, 2025, the Long Beach City Council adopted a resolution approving the annual and Five-Year reports for several impact fees including the PRFF, found [here](#)⁶. As shown in the report, the FY24 ending fund balance of Park Impact Fees is \$11,673,626. However, the City Council’s resolution included a commitment to spending these funds on a list of projects already identified in [Exhibit B-27](#). The Exhibit also identifies hundreds of millions of dollars of unfunded park development projects already prioritized by the City. During a Special Meeting held on March 18, 2025, the City Council conducted a [Study Session on the City’s Fiscal Outlook](#)⁸. The 5-year General Fund projection presented by the City’s Budget Office staff revealed that the City is currently projecting a \$57.3 million dollar shortfall for the General Fund through FY31. Of this amount, the City is projecting a \$19.8 million shortfall in FY 26 with City departments requested to forgo any non-critical use of operating savings in the current year to help preserve one-time resources and allow for the opportunity to maintain services in the outyears. Therefore, the City does not have sufficient funds available for park additional park acquisition at this time.

In any event, these various plans are all analyzed in detail in the Draft EIR, Section 4.10, Land Use and Planning, and the Draft EIR concludes that the Project is not inconsistent with them.

In addition, the Draft EIR, Section 4.14, Recreation discusses the Project’s impact related to recreation and finds that the Project would have a less than significant impact. The balance of the comment raises concerns outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 60-3

The comment states that the Project Applicant had already altered environmental conditions on-site prior to Project approval, and the surcharge and other activities that were performed on site as part of the whole of the Project must be included in the EIR.

The Surcharge Pile is discussed and its impacts analyzed in great detail in the Draft EIR in the following sections: Section 1.0, Executive Summary; Section 2.0, Introduction; Section 3.0, Project Description; Section 4.1, Aesthetics; Section 4.2, Air Quality; Section 4.3, Biological Resources; Section 4.6, Geology and Soils; Section 4.7, Greenhouse Gas Emissions; Section 4.8, Hazards and Hazardous Materials; Section 4.9, Hydrology and Water Quality; Section 4.10, Land Use; Section 4.12, Population and Housing; Section 4.16, Tribal Cultural Resources; Section 4.17, Utilities and Service Systems; Section 5.0, Alternatives; and 6.0, Other CEQA Considerations.

As stated in the Draft EIR Section 3.0, Project Description, the Surcharge Activities were undertaken in late 2020 through early 2021 to determine the type of building foundation that would be most suitable for the proposed development at the Project Site. The Surcharge Activities were appropriately monitored, and the Applicant obtained all necessary permits from the City to

⁶ <https://longbeach.primegov.com/search/itemsearch?meetingItemId=56464>

⁷ <https://longbeach.primegov.com/Portal/viewer?id=0&type=7&uid=4abaf645-8dd2-488e-946e-e1ca69304ca6>

⁸ <https://longbeach.primegov.com/Portal/Meeting?meetingTemplateId=31390>

undertake the Surcharge Activities. Given the site's environmental history, the Applicant also coordinated with the DTSC during the planning and implementation of the Surcharge Activities.

As stated in Draft EIR Section 2.0, Introduction, the environmental baseline for the Draft EIR is the site conditions at the time the previous development application was filed on January 13, 2020, which occurred before the Surcharge Activities took place to ensure all Project-related actions (including the Surcharge Activities and associated removal of vegetation) are fully addressed in the Draft EIR. As such, the Surcharge Pile was adequately addressed and analyzed in the Draft EIR.

Response 60-4

The comment states that the Draft EIR's project description lacks sufficient information about operation of the Project, including the exact vehicles permitted in the parking stalls, the hours of operation, and the wastewater dump station.

The project description in an EIR, which in this case is set forth in Draft EIR, Section 3.0, Project Description, need only provide, aside from the location, project objectives, and uses of the EIR, a "general" description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities." (Cal. Code Regs., tit. 14, § 15124, emphasis added).

The Draft EIR's Project Description provides sufficient detail about the Project for the public to understand the whole of the action and be evaluated in the EIR, including the Project location, the Project uses, size of the structures and facilities that comprise the Project, the Project's general architecture, landscaping, and lighting features, stormwater management system, vehicular access, utility improvements, construction phasing and grading, and the scope of the Project Site remediation. The more specific, technical details listed by the comment are not needed for a general description of the Project. Notwithstanding the requirements of CEQA Guidelines Section 15124, additional Project details are provided throughout the EIR where needed to ensure certain impacts are evaluated. As discussed in Section 4.2, Air Quality, of the Draft EIR, the Draft EIR's analysis properly assumes a worst case scenario and studies the most intensive type of vehicle that could be stored (a diesel powered RV). Additionally, while approximately one-third of RVs travelling within the air basin are diesel (EMFAC2021), the HRA conservatively assumed that all the RV emissions result in diesel exhaust. The dump station is evaluated in the Draft EIR in Section 4.2, Air Quality, Section 4.10, Land Use and Planning, Section 4.11, Noise, and Section 4.17, Utilities and Service Systems, and further, in Appendix J of this Final EIR and Responses A.4-5 and 60-15. The Project's hours of operation are considered and analyzed in Section 4.2, Air Quality, and 4.11, Noise.

Response 60-5

The comment states that the City should have conducted an Initial Study for the Project. The comment also states that the lack of an Initial Study appears to cabin the Draft EIR's scope of review of the Project.

CEQA does not require the lead agency to prepare an Initial Study where the Lead Agency determines that an EIR will clearly be required for the project. (Cal. Code Regs., tit. 14, § 15063(a).) An EIR is the broadest, most in-depth form of CEQA review and is required where there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15063(b).) The Project has several components that together and individually indicate it may cause a significant effect on the environment, including without limitation on the topics of air quality, hazards and hazardous materials, and biological resources. The City determined that an EIR should be

prepared. Having made this determination, an Initial Study was unnecessary and not required by CEQA. Regarding the second portion of the comment, the Draft EIR does not cabin the scope of review of the Project. The Draft EIR is a full and complete EIR and includes all components that CEQA requires be included in an EIR. Because the commenter has not stated how, specifically, the Draft EIR cabins the Project analysis, no further response is warranted.

Response 60-6

The comment states that the Draft EIR improperly relies on studies that were prepared for the IS/MND, and reliance on outdated studies is unsupported given the changes to the Project. The commenter also states the Draft EIR must include updated studies to analyze the current Project's impacts.

The Draft EIR does not rely on outdated studies or analyses. Because the project analyzed in the MND and the Project in this Draft EIR are very similar, some technical information from the MND studies remains relevant. However, as explained in the Draft EIR, Section 2.0, Introduction, the Draft EIR incorporates analysis and findings from the MND which are still relevant with updates to the technical information and analysis as needed to confirm the continuing validity of the MND's conclusions. Section 2.0, Introduction, the Draft EIR clearly explains the differences between the Prior project from the MND and the Project in this Draft EIR. Accordingly, to ensure that the Draft EIR contains current, up to date analyses and technical studies, the following new/updated studies were prepared, attached as appendices to, and analyzed in the Draft EIR:

- Air Quality and Greenhouse Gas Emissions Analysis, prepared by Psomas, dated July 2024 and included as Appendix C-1 of the Draft EIR
- Health Risk Assessment, prepared by Psomas, dated July 2024, and included as Appendix C-2 of the Draft EIR
- Air Quality and Greenhouse Gas Emissions Calculations, dated July 2024, and included as Appendix C-3 of the Draft EIR
- Biological Resources Assessment, prepared by FirstCarbon Solutions, dated July 25, 2024 and included as Appendix D-1 of the Draft EIR
- Jurisdictional Delineation, prepared by South Environmental, dated October 10, 2023, and included as Appendix D-2 of the Draft EIR
- Updated SCCIC Literature Review and Records Search, dated September 11, 2023 and included as Appendix E-1 of the Draft EIR
- Energy Calculations, prepared by Psomas, dated July 2024, and included as Appendix F of the Draft EIR
- Addendum No. 3 to the Geotechnical Exploration Report, prepared by Carl Kim Geotechnical, Inc., dated March 4, 2024 and included as Appendix G-4 of the Draft EIR
- Storm Drain Plan, prepared by Joseph C. Truxaw and Associated Inc., dated July 29, 2022 and included as Appendix J-1 of the Draft EIR
- Off-Site Storm Drain Plan, prepared by Joseph C. Truxaw and Associated Inc., dated June 21, 2022 and included as Appendix J-2 of the Draft EIR
- Stormwater Pollution Prevention Plan, prepared by Incompli, Inc., dated January 1, 2024 and included as Appendix J-3 of the Draft EIR
- Noise and Vibration Report, prepared by Psomas, dated May 2024, and included as Appendix L of the Draft EIR

- Traffic Impact Analysis, prepared by Psomas, dated July 2024, and included as Appendix M of the Draft EIR
- Kizh Nation Negative Findings Memo, prepared by the Kizh Nation, dated April 11, 2024 and included as Appendix N of the Draft EIR

As shown above, the Project did not rely on outdated studies and included updated studies to analyze the Project's current impacts. The hazardous materials documents are included as Appendices I-1 through I-17 of the Draft EIR, and refer to processes that span decades on-site. Project Site testing included extensive soil, soil vapor, and groundwater samples conducted throughout historical environmental investigations and more recently in 2019, which have not since changed, and therefore did not require more updated testing. See Response 60-23 for further information regarding why the current Draft Response Plan is similar to the original Response Plan.

Response 60-7

The comment provides information related to the functions of CEQA and states the Draft EIR failed to adequately analyze and disclose several significant impacts but does not specify which impacts. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. Therefore, this comment lacks sufficient details for a response.

Response 60-8⁹

The commenter identifies that the Project Site is located within the Wilmington-Carson-West Long Beach AB 6127 designated area under AB 617, and subject to the requirements of the 2019 CERP. As discussed in Response A.3-2, the City has reviewed the WCWLB CERP and has determined that the Project would not conflict with its objectives. Specifically, the Project's self-storage and R.V. storage activities would not involve land uses characteristic of truck idling and heavy-duty trucks (i.e. warehouse or other industrial uses that would generate a significant amount toxic air contaminants). Further, as discussed in Section 4.2, Air Quality, of the Draft EIR, the Project's air emissions, with the mitigation already imposed by the EIR, are well below SCAQMD thresholds.

The commenter adds that when a proposed Project would exacerbate environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. A comprehensive HRA was prepared as part of the Draft EIR's air quality analysis, as detailed in Section 4.2, Air Quality, of the Draft EIR and included as Appendix C-2 of the Draft EIR. Health risks within the context of the Project's HRA were represented as the increase in cancer risk associated with exposure to Toxic Air Contaminants (TACs) from construction vehicles and truck emissions generated from construction as well as recreational vehicles during the operations phase of the Project. The assumptions applied in calculating cancer risk from the various TACs are based on the methodology published by the SCAQMD and the Office of Environmental Health Hazard Assessment (OEHHA). The assessment of cancer risk shows that the Point of Maximum Impact (PMI) is in an uninhabited area just between the northeast Project Site boundary and the railroad tracks where no one is anticipated to be exposed for a prolonged period of years. The Maximally Exposed Impacted Resident (MEIR) describes the highest impacted residential use nearest to the Project Site. The MEIR is located to the northeast of the Project Site at residences located along Marion Way and would be exposed to a total risk level of 25 in a million, which is greater than the SCAQMD's significance threshold of 10 in a million. With implementation of MM AIR-1, cancer risk levels at the MEIR, located to the northeast

⁹ Responses 60-8 through 60-18 are based on the attached Supplemental Air Quality Memorandum prepared by Psomas (Appendix C-1).

of the Project Site (i.e., at the nearest residences located to the northeast of the Project Site), would be exposed to a maximum risk level of 8 in a million, which is less than the SCAQMD's significance threshold of 10 in a million and therefore less than significant. The HRA also shows that the estimated chronic non-cancer risk HI at the maximally impacted MEIR is <0.1 , which, for comparison purposes, is substantially less than the OEHHA HI of 1.0 for which no adverse noncancer health risk is anticipated. Regarding the operational portion of the HRA, while approximately one-third of RVs travelling within the air basin are diesel (EMFAC2021), it was conservatively assumed in this Draft EIR and HRA that all the RV emissions result in diesel exhaust in order to capture a worst case scenario.

Regarding the commenter's statement related to health risks for future on-site users and workers, SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Nonetheless, as discussed in the Project's HRA, the maximum cancer risk resulting from Project operations at the off-site MEIR would be approximately <0.1 . While on-site receptors may be exposed to DPM during Project operations, because on-site receptors would only be either customers onsite for short periods of time sporadically or employees onsite for limited days and hours per week, they would be exposed to these concentrations for much shorter durations compared to the MEIR, which, based on the methodology utilized in the HRA assumes that the MEIR is located at a nearby residential use and exposed continuously (24-hours a day) to a source of TAC emissions over a 30-year exposure period.

Additionally, the commenter states that if a project would cause a substantial adverse effect on human beings a mandatory finding of significance is required. However, as discussed above, the Project's HRA determined that with implementation of MM AIR-1 the Project would not cause a substantial adverse effect on human beings and would therefore not require a mandatory finding of significance. Further, as stated in Section 4.2, Air Quality, and detailed in Section 4.8, Hazards and Hazardous Materials, of the Draft EIR, it is also known that toxics including arsenic and lead are present in the soils onsite, and could be subject to disturbance during construction. As discussed in Section 4.8, MM HAZ-1 requires implementation of a Response Plan, which includes implementation of the Soil Management Plan (attached to the Response Plan) that sets procedures for the proper monitoring, handling, segregation, stockpiling, dust control, testing, transport, and disposal of soil in areas of elevated concentrations and sump materials that might be encountered during construction, construction of a permanent engineered cap to cover the site, installation of methane/soil gas mitigation under buildings and under parking areas, installation of perimeter soil gas probes, installation of groundwater monitoring wells, and institutional controls for exposures to impacted soils and sumps. Together, MM AIR-1 and MM HAZ-1 reduce the Project's potential impacts to less than significant.

Response 60-9

The commenter states that the Project site is located at the interchange of the 405 and 710 freeways. The commenter claims that the addition of the Project's land uses at the Project site would exacerbate "already hazardous" air quality conditions at the Project site. As discussed in Response 60-8, the Project's HRA analyzed the Project's health impacts to nearby sensitive receptors. While the Project's HRA only accounts for impacts related to Project emissions (including the Surcharge Activities), and does not include background risk or pollutant concentrations, current SCAQMD methodology states that if health risk is less than significant at a Project-level basis, the risk would be considered less than significant on a cumulative basis as well (SCAQMD 2003).

Additionally, the commenter states that the Surcharge Activities done prior to preparation of the Draft EIR disturbed soils and resulted in the creation of a surcharge pile at the Project Site and, because these activities were conducted prior to preparation of the Draft EIR, the EIR must find that the impacts from it are significant. CEQA does not require that activities conducted prior to

preparation of an EIR automatically result in a significance finding – rather, only activities which result in a significant impact require a significance finding. In this case, the Surcharge Activities are accounted for in the Project’s Draft EIR’s air quality analyses, including California Emissions Estimator Model (CalEEMod) modeling (Appendix C-3 OF the Draft EIR), Localized Significance Thresholds (LST) analysis (Appendix C-1 of the Draft EIR), and HRA (Appendix C-2 of the Draft EIR). As explained in the Draft EIR, Section 4.2, Air Quality, with the implementation of MM AIR-1, the Project (including the Surcharge Activities) would have a less than significant air quality impact.

The commenter claims that due to the existing onsite surcharge pile, “winds blow hazardous dust onto neighboring sensitive receptors”. The Surcharge Pile does not contain hazardous materials. As described in Draft EIR Section 4.8, Hazards and Hazardous Materials, the Surcharge Pile is comprised of on-site cover soils (documented to be clean by soil sampling conducted by Roux) and import fill soils that were sampled by Roux prior to import pursuant to DTSC Information Advisory, Clean Imported Fill Material. The existing surcharge pile is comprised of a combination of pre-characterized, clean soil from the northern portion of the Project Site and certified clean soil, previously imported to the Project site. As such, the surcharge pile does not consist of hazardous soil and would not result in hazardous dust blowing onto neighboring sensitive receptors. Moreover, it should be noted that the Project would be required to implement dust control measures under SCAQMD Rule 403, which requires the implementation of best available control measures for reducing fugitive dust emissions.

Based on the comments above, the commenter concludes that a “significant impact” finding is necessary. As discussed throughout Section 4.2, Air Quality, of the Draft EIR, all impacts associated with air quality would be less than significant with implementation of MM AIR-1 and MM HAZ-1; therefore, no significant impact finding is necessary.

The commenter also states that the Draft EIR cannot rely upon previous studies “claiming that this is the same project then disown the impacts of the whole project”. The Draft EIR does not claim that this Project is the same as the Prior Project. Detailed descriptions of the Prior Project compared to the Project are provided in Sections 2.0, Introduction, and 3.0, Project Description, of the Draft EIR. Moreover, the Draft EIR’s analysis does not rely upon previous studies; rather, the Draft EIR relies largely on new studies conducted for the Draft EIR and Project. For purposes of the air quality, GHG, and health risk analyses, the Draft EIR relies on wholly new studies prepared for the Project. (See Appendices C-1 through C-3 of the Draft EIR.) The Draft EIR at times references studies previously prepared for the Prior Project to provide additional historical context of the Project site and a historical physical baseline to properly characterize pre-surge conditions, as appropriate. The following provides examples of the interplay between the new studies prepared for the Draft EIR and the prior studies prepared for the MND.

- *Biological Resources Assessment for the Artesia Parcels*, prepared by LSA on April 8, 2020; *Focused Special-Status Plant Species for the Industrial Self-Storage/RV Parking Project at 3701 Pacific Place, Long Beach, California*, prepared by LSA on August 21, 2020; *Crotch Bumblebee Visual Survey for the Industrial Self Storage/RV Parking at 3701 Pacific Place, Long Beach, California*, prepared by LSA on September 11, 2020
 - These studies were referenced in the “Existing Conditions, Previous Biological Studies” sub-section of the Environmental Setting chapter of Section 4.3, Biological Resources, of the Draft EIR.
 - A separate BRA was prepared by FirstCarbon Solutions on June 6, 2024 for the Project, and was utilized for the biological resources impact analysis within the Draft EIR.

- *Letter Report for the McDonald Parcels*, prepared by Psomas on April 23, 2020
 - This report is referenced in the introductory paragraph of Section 4.3, Biological Resources, of the Draft EIR as a previous biological study, and was not included anywhere else throughout this section, or relied upon to make any determinations of Project impacts on biological resources.
 - A separate BRA was prepared by FirstCarbon Solutions on June 6, 2024 for the Project, and was utilized for the biological resources impact analysis within the Draft EIR.
- *Jurisdictional Delineation for 3701 North Pacific Place Project*, prepared by South Environmental on October 10, 2023
 - This report is referenced in the introductory paragraph of Section 4.3, Biological Resources, of the Draft EIR as a previous biological study, however, this statement was made in error; this report was prepared specifically for the Project. This has been corrected in the errata for the Draft EIR.
- *Phase I Archaeological Cultural Resources Study for the Self-Storage/RV Parking at 3701 North Pacific Place in Long Beach, Los Angeles, California*, prepared by LSA on April 2, 2020.
 - This study was referenced in the “Existing Conditions, Phase I Cultural Resources Study (LSA)” sub-section of the Environmental Setting chapter of Section 4.4, Cultural Resources, of the Draft EIR.
 - An updated 2023 SCCIC literature review and records search was conducted by Psomas on September 11, 2023
- *SWPPP*, prepared by Joseph C. Truxaw and Associates, Inc. on August 13, 2020, revised through May 12, 2022
 - The SWPPP is frequently revised and updated. The most recent approved version at the time of this Draft EIR is the May 12, 2022 version, included as Appendix J-3. As and when the SWPPP is updated, new versions can be accessed at the SWRCB’s SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwPublicUserMenu.xhtml>. After clicking on the hyperlink, select “Search for Owners/Operators or Facilities/Sites” and search WDID No. 4 19C391158 (for the original SWPPP and amendments) or WDID No. 4 19C402990 (for the most current SWPPP and any amendments).
 - Additionally, a new SWPPP was prepared by Incompli, Inc. on January 3, 2024 to address the updated Project and incorporate the BMPs that were implemented as part of the Surcharge Program.
- *Addendum to the Geotechnical Exploration Report, Evaluation of Loading on Existing Sewer Line, Proposed Self-Storage Facility, 3701 North Pacific Place, Long Beach California 90806*, prepared by Carl Kim Geotechnical, Inc. (CKG) on July 21, 2021
 - This report was referenced in the Environmental Setting chapter of Section 4.17, Utilities and Service Systems, of the Draft EIR, and included as Appendix G-2, for informational purposes.

Additionally, the commenter states that MM AIR-1 is insufficient. The commenter also states that the measure is improperly deferred, stating that the measure fails to provide any specific performance criteria for future construction plans and specifications. MM AIR-1 requires that all onsite construction equipment used during creation of the surcharge pile meet a minimum of Tier 3 or equivalent off-road engine emissions standards, and that prior to the issuance of each grading

permit for all future construction activities, the Applicant shall provide construction plans and specifications demonstrating that onsite equipment used for construction of the Project shall be required to meet a minimum of Tier 4 off-road engine emissions standards. The use of Tier 4 off-road engines is the performance standard for MM AIR-1 and is easily verifiable by reviewing the engine manufacturer's specifications – these specifications, however, cannot be produced to the City now because the equipment for construction first has to be obtained, which does not occur until the Project is at the stage of applying for construction permits; further, as demonstrated in Appendices C-1 and C-2 of the Draft EIR, and further supported Appendices C-1 through C-3 of the Final EIR, the reductions from implementation of MM AIR-1 were quantified in CalEEMod, and demonstrated that all impacts would be less than significant with implementation of MM AIR-1. The construction plans and specifications referenced in MM AIR-1 are not the plans and specifications for the Tier 4 engines themselves, which as mentioned above are not available until later in the Project's permitting process; rather, the reference is a City requirement that the Applicant's construction drawings will state MM AIR-1 on the drawings themselves so that construction contractors know that they are only permitted to use off-road equipment that meets Tier 4 standards. Accordingly, MM AIR-1 is not insufficient for the reasons stated by the commenter.

Additionally, the commenter states that MM AIR-1 does not address the Project's operational impacts. As demonstrated in Appendices C-1 through C-3 of the Final EIR, estimated maximum daily operational emissions were below the respective SCAQMD thresholds and no mitigation is required. Further, the Project's HRA considers both construction and operational cancer risk cumulatively; as such, as demonstrated in Appendix C-2 of the Draft EIR, implementation of MM AIR-1, is sufficient to reduce cancer risk impacts to a less than significant level.

The commenter also states that the MM AIR-1 does not address impacts relating to the Surcharge Activities. This is not correct; MM AIR-1 specifically states that off-road engines utilized during Surcharge Activities shall have Tier 3 engines or better. This portion of MM AIR-1 was implemented during the Surcharge Activities.

Response 60-10

The commenter states that the Draft EIR does not adequately support its conclusion that the Project would have no impact to sensitive receptors related to CO hotspots. The commenter contends that the analysis of CO Hotspots should assess onsite CO emissions resulting from the operation of RVs at the Project site. As demonstrated in Section 4.2, Air Quality, of the Draft EIR, operational (which includes both on- and offsite Project activity) carbon monoxide (CO) emissions quantified using CalEEMod are below the SCAQMD's threshold of 550 pounds per day of CO. As shown in Table 4.2-6 of the Draft EIR, Project operation is anticipated to generate an average of 11 pounds per day of CO (it is important to note that the operational fleet mix for the RV Storage portion of the Project were adjusted to 100 percent Motor Homes in order to be more conservative and capture worse-case emissions generated by RVs). The amount of CO generated as a result of Project operations would be below the State and Federal Ambient Air Quality Standards (AAQS) for CO. Specifically, concentrations of operational CO emissions would be below the State 1-hour AAQS of 20 parts per million (ppm), the State 8-hour AAQS of 9 ppm, the Federal 1-hour AAQS of 35 ppm, and the Federal 8-hour AAQS of 9.5 ppm.

In order to evaluate the potential for CO hotspots, as part of the 2003 AQMP, SCAQMD performed a CO hotspot analysis for four busy intersections in Los Angeles County. The busiest intersection, evaluated, Wilshire Boulevard and Veteran Avenue, had a daily traffic volume of approximately 100,000 vehicles per day, and AM/PM peak traffic volumes of 8,062 and 7,719 vehicles per hour, respectively. The results of this analysis indicated that even these traffic conditions would not result in a CO hotspot and would not result in an exceedance of the AAQS. The number of vehicles accessing the Project site would represent a fraction of the vehicles analyzed in the 2003

AQMP CO hotspot analysis, and further, as a result of increasingly advanced vehicle emission controls over the past twenty years, CO emissions from vehicle travel and idling has been significantly reduced. Additionally, an operations phase localized emissions analysis was conducted for the Project. As shown in Table 4.2-9 of the Draft EIR, the Project's operational CO emissions would be below the SCAQMD screening LST for CO. These significance thresholds account for background concentrations in the Project vicinity in order to ensure additional analysis is performed in cases where an exceedance of the AAQS may be possible. As the Project's operational CO emissions would be below the CO LST, it can be inferred that the Project would not contribute to an exceedance of the AAQS.

Nonetheless, detailed modeling of the Project's operational NOX, CO, PM10, and PM2.5 emissions has been prepared in order to evaluate whether the Project's operational emissions may contribute to an exceedance of the AAQS for these pollutants. The results of this analysis are included as Appendix C-2 of this Final EIR. Based on the modeling results, the Project's construction and operational CO emissions would not result in a CO hotspot and would not result in an exceedance of the 1-hour or 8-hour CO AAQS, even when combined with background CO concentrations in the vicinity of the Project Site.

Response 60-11

The commenter states that the CalEEMod data appears to be revised from default inputs and that the output does not provide a list of which inputs were used to calculate the results. The commenter requests that a more detailed justification be provided to explain deviations from model inputs. Appendix C-1, Supplemental Air Quality Memorandum, details user-defined CalEEMod inputs utilized in the Project's AQ/GHG analysis.

Additionally, based on comments received during the public review period and available Project-specific data CalEEMod inputs were refined and the latest CalEEMod output is provided as Appendix C-3 to this Final EIR. As detailed in the following tables and in Appendices C-1 through C-3, no new impacts would occur and no new mitigation is required.

As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR, and thus and do not represent material changes or revisions that modify the findings. These edits also capture the edits from the above Response 60-11.

Section 4.2, Air Quality, (Page 4.2-27)

TABLE 4.2-5
ESTIMATED UNMITIGATED MAXIMUM DAILY CONSTRUCTION EMISSIONS
(LBS/DAY)

Year	VOC	NOx	CO	SOx	PM10	PM2.5
Unmitigated Emissions						
2020	10	112	77	<1	11	7
2021	9	102	72	<1	11	6
2024	7	68	60	<1	9	5
2025	7	70	72	<1	10	5
2026	5 52	18	26	<1	2	1
Maximum	49 52	112	77	<1	11	7
SCAQMD Daily Thresholds (Table 4.2-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	Yes	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound(s); NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: inhalable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2023 (Thresholds). CalEEMod data in Appendix C-3.						

Section 4.2, Air Quality (Page 4.2-28)

TABLE 4.2-6
ESTIMATED MAXIMUM DAILY OPERATIONAL EMISSIONS

Source	Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Mobile sources	1	1	11	<1	3	1
Area sources	<1 7	<1	<1	<1	<1	<1
Energy sources	<1	<1	<1	<1	<1	<1
Water sources	<1	<1	<1	<1	<1	<1
Waste sources	1	1	10	<1	3	1
Total Operational Emissions*	4 8	1	44 21¹⁰	<1	3	1
SCAQMD Significance Thresholds (Table 4.2-4)	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compounds; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur dioxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. * Some totals may not add due to rounding. Note: CalEEMod model data sheets are included in Appendix C-3.						

¹⁰ It should be noted that this edit was not made in response to the updated CalEEMod; rather, this is a correction made in response to a typo in the Draft EIR.

Section 4.2, Air Quality (Page 4.2-29)

TABLE 4.2-7
ESTIMATED MITIGATED MAXIMUM DAILY CONSTRUCTION EMISSIONS
(LBS/DAY)

Year	VOC	NOx	CO	SOx	PM10	PM2.5
Mitigated Emissions (with implementation of MM AIR-1, as Amended)						
2020	3	69	77	<1	9	5
2021	3	68	77	<1	9	5
2024	2	13	69	<1	6	3
2025	2	18	88	<1	7	3
2026	~~4~~ 51	8	31	<1	1	<1
Maximum	~~4~~ 51	69	88	<1	9	5
SCAQMD Daily Thresholds (Table 4.2-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound(s); NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: inhalable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2023 (Thresholds). CalEEMod data in Appendix C-3.						

Section 4.2, Air Quality (Page 4.2-31)

**TABLE 4.2-8
LOCALIZED CONSTRUCTION POLLUTANT EMISSIONS
(LBS/DAY)**

	NOx	CO	PM10	PM2.5
Surcharge (Site Preparation) [2020] Emissions	109	74	11	7
SCAQMD LSTs for Surcharge (Site Preparation)*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Surcharge (Site Preparation) [2021] Emissions	99	70	10	6
SCAQMD LSTs for Surcharge (Site Preparation)*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Grading (2024) Emissions	68	58	8	5
SCAQMD LSTs for Site Grading*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Grading (2025) Emissions	59	54	8	5
SCAQMD LSTs for Site Grading*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Building Construction (2025) Emissions	~~19~~ ¹¹ 10	21	<1	<1
SCAQMD LSTs for Building Construction*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Building Construction (2026) Emissions	19	21	<1	<1
SCAQMD LSTs for Building Construction*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Paving (2026) Emissions	4	5	<1	<1
SCAQMD LSTs for Paving*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Architectural Coatings (2026) Emissions	3	4	<1	<1
SCAQMD LSTs for Architectural Coatings*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No

lbs/day: pounds per day; NOx: nitrogen oxides; CO: carbon monoxide; PM10: respirable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District; LST: Localized Significance Threshold.

* Thresholds for Source Receptor Area 4, South Coast LA County, 5-acre site disturbance, 55-meter receptor distance for all construction phases. The 55-meter receptor distance was used to account for the distance between the closest point at which construction activities would occur and the nearest sensitive receptor.

Source: SCAQMD 2009.

¹¹ It should be noted that this edit is not a result of the updated CalEEMod. This change was made in response to a typo in the Draft EIR.

Section 4.2, Air Quality (Page 4.2-32)

**TABLE 4.2-9
OPERATIONS PHASE
LOCALIZED SIGNIFICANCE THRESHOLD EMISSIONS**

Emissions and Thresholds	Emissions (lbs/day)			
	NOx	CO	PM10	PM2.5
Project maximum daily on-site emissions				
Area	<1	<1 <u>10</u>	<1	<1
Energy	<1	<1	<1	<1
Mobile ¹	<1	<1 <u>1</u> ¹²	<1	<1
Total	<1	4-10	<1	<1
Localized Significance Threshold	119	2,045	10	3
Exceed threshold?	No	No	No	No
lbs/day: pounds per day; NOx: nitrogen oxides; CO: carbon monoxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter;				
¹ Onsite mobile emissions are conservatively assumed to be 5% of the total on- and off-site emissions.				
Note: Data is for SCAQMD Source Receptor Area 4, South Los Angeles County Coastal				
Source: SCAQMD 2009 (thresholds); see Attachment A for CalEEMod model outputs.				

Section 4.7, Greenhouse Gas Emissions (Page 4.7-18)

The results of the calculations of operational annual GHG emissions at Project buildout (year 2026) are shown in Table 4.7-3, Estimated Annual Operational Greenhouse Gas Emissions. CalEEMod data sheets are included in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations of this EIR. The total operational GHG emissions at Project buildout is estimated at ~~649~~ **660** MTCO₂e per year.

**TABLE 4.7-3
ESTIMATED ANNUAL OPERATIONAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions MTCO ₂ e/year	Percent of Total
Area	<1 <u>5</u>	~~0~~ <u>1</u> %
Energy	17	3%
Mobile	~~462~~ 469	71%
Solid Waste	168	26%
Water	1	0%
Annual GHG Emissions	649 660	100%
MTCO ₂ e/year: metric tons of carbon dioxide equivalent per year; GHG: greenhouse gas(es).		
Note: Totals may not balance due to rounding		
Source: CalEEMod outputs can be found in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations.		

¹² It should be noted that this edit is not a result of the updated CalEEMod. This change was made in response to a typo in the Draft EIR.

Table 4.7-4, Estimated Annual Greenhouse Gas Emissions, shows that the sum of amortized construction emissions and annual operational emissions would be approximately 749 **730** MTCO₂e/year at buildout.

**TABLE 4.7-4
ESTIMATED ANNUAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions MTCO₂e/year
Construction (amortized) (from Table 4.7-2)	70
Operations (from Table 4.7-3)	649 660
Total Annual GHG Emissions	749 <u>730</u>
SCAQMD-recommended project-level screening threshold	3,000
Exceed threshold?	No
MTCO ₂ e/year: metric tons of carbon dioxide equivalent per year; GHG: greenhouse gas; SCAQMD: South Coast Air Quality Management District.	
Note: Totals may not balance due to rounding.	
Source: CalEEMod outputs can be found in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations.	

These revisions do not constitute “significant new information”, do not result in any changes to conclusion findings, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft Subsequent EIR.

Response 60-12

The commenter states that the Draft EIR relies upon LST lookup tables for evaluation of localized emissions. The commenter also states that the SCAQMD limits the use of lookup tables to Project sites that are (1) five acres or smaller in size, (2) limited to eight-hours of operation per day, (3) limited to operations during the day, and (4) assume emission sources are distributed evenly across the project site. While the Project would be greater than five acres, SCAQMD has indicated that the use of the lookup tables for Project sites larger than 5-acres would be a conservative approach as it would effectively condense all emissions into a smaller area, resulting in higher modeled concentrations. Additionally, while the Project is expected to exceed eight hours of operation per day, the use of lookup tables for projects exceeding eight hours of operation a day would be considered conservative, as it would effectively condense emissions that would be spread out over a longer duration into a smaller window of time, resulting in higher modeled emissions. Nonetheless, site-specific dispersion modeling has been performed to support the conclusions of the Draft EIR. As detailed in Appendix C-2, Pacific Place Project Localized Air Quality Assessment, prepared by Urban Crossroads in October 2024, with implementation of MM AIR-1, Project construction and operational impacts would still be less than significant related to localized air quality impacts based on site-specific dispersion modeling. Accordingly, the site-specific dispersion modeling analysis does not constitute “significant new information”, does not result in any changes to conclusion findings, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

The commenter also asks that the Draft EIR include the following information (1) off-road equipment (including type, horsepower, and hours of operation) assumed for a day of construction activity with maximum emissions, (2) maximum number of acres disturbed on the peak day using the equipment list from SCAQMD guidance and the table from the CalEEMod Appendix, (3) Any emission control devices added onto off-road equipment, and (4) specific dust suppression

techniques used on the day of construction activity maximum emissions. Appendix C-1, Supplemental Air Quality Memorandum, details the requested information.

The commenter adds that because the CalEEMod output lacks this data, the air quality analysis cannot rely on the lookup tables and must prepare a site-specific analysis. While the Project can rely upon the lookup tables, as discussed above, a site-specific analysis has been prepared to support the findings of the Draft EIR (Appendix C-2). As discussed previously, with implementation of MM AIR-1, Project construction and operational impacts would be less than significant related to localized air quality impacts.

Response 60-13

The commenter states that the Draft EIR does not take into account the hours operation of the Project, nor does the Draft EIR explain whether emissions would be distributed evenly throughout the Project site. Project emissions calculated using CalEEMod takes into consideration emissions from vehicles operating throughout the Project site – this is a reasonable assumption since the majority of the Project Site operations would consist of the RV storage parking stalls which are organized in a relatively uniform fashion throughout the Project Site. The commenter states that the Draft EIR does not state the hours of operation, or whether operations would be limited to during the day. As discussed in Section, 4.11, Noise, of the Draft EIR, customers would be permitted to access the self-storage facility from 5AM to 10PM. The commenter also asks how the 55 meter threshold was interpolated. The 55-meter threshold was linearly interpolated from existing SCAQMD thresholds in accordance with LST methodology (SCAQMD 2008). Nonetheless, the Project's emissions would be below the LSTs if the 50-meter distance was selected. In any event, see Response 60-12 explaining how site-specific dispersion modeling was conducted, which confirmed that localized air quality impacts will be less than significant.

Response 60-14

The commenter states that West Long Beach is a “cancer hotspot”. The commenter adds that the Draft EIR found that the Project would result in a significant impact on cancer risk for neighborhood residents closest to the Project site and claims the following: “the Draft EIR fails to impose adequate mitigation for this extremely harmful impact. It merely relies on MM AIR-1, as well as MM HAZ-1, which defers analysis and mitigation of hazardous impacts to a separate process between the Applicant and DTSC.” As described in Section 4.2, Air Quality, of the Draft EIR, implementation of MM AIR-1 was accounted for in mitigated air quality quantifications, including the Project's HRA, which determined that impacts would be less than significant with implementation of MM AIR-1. See Response 60-9 which explains why MM AIR-1 does not inappropriately defer analysis and mitigation.

Regarding MM HAZ-1, neither, the City nor MM HAZ-1 defer analysis and mitigation of air quality and hazardous impacts to a separate process between the Applicant and DTSC. The City consulted and coordinated closely with DTSC throughout the Project's environmental history, in preparing the Draft EIR's hazardous analysis, and in drafting MM HAZ-1 both because DTSC (along with the State Water Resources Control Board) is the only agency with regulatory jurisdiction over the remediation of the Project Site under CLRRRA and because DTSC is a Responsible Agency pursuant to CEQA. (Pub. Res. Code, § 21080.4(a); Health & Saf. Code, § 25395.97.) In addition, because of DTSC's central role in the remediation process, it is an agency with specialized expertise regarding how to develop historically contaminated properties safely.

As described in the Draft EIR, Section 4.8, Hazards and Hazardous Materials, the Project Site's environmental condition has been analyzed for many years under DTSC's oversight, including through extensive sampling and testing, which has been memorialized in the numerous investigation records described in Section 4.8. DTSC has reviewed and accepted these various

investigation reports and confirmed that the Project Site's soils, soil vapor, and cover soils have been adequately delineated and characterized. Following characterization of the site, the Applicant's environmental consultant prepared the Draft Response Plan in accordance with CLRRRA outlining the proposed remedial actions. As explained in the Draft EIR, Section 4.2, Air Quality, the Draft Response Plan includes required implementation of the SMP, EMP, and AAMP, which would ensure that Project construction has a less than significant impact with regard to hazardous materials being released in the air during construction. The Draft Response Plan is attached to the Draft EIR as Appendix I-15, and the SMP, EMP, and AAMP are all attached as exhibits to the Draft Response Plan. These plans include, for instance, screening criteria for the reuse of onsite soils during construction, procedures for how to handle onsite soils during construction, and air quality monitoring requirements during construction. Prior to the date of publication of this Final EIR, DTSC thoroughly reviewed the Draft Response Plan and determined that DTSC's comments on the Draft Response Plan and the proposed remedial actions therein have been satisfactorily addressed. (Appendix K) Accordingly, DTSC released the Draft Response Plan for public review and comment from August 28, 2024 through September 27, 2024 and held a community meeting on September 3, 2024 to solicit verbal public comments on the Draft Response Plan. (Appendix M). DTSC will respond to the public comments received during the public comment period and incorporate them into the Draft Response Plan, if needed. Because of DTSC's jurisdiction over the remediation of the Project Site and its specialized expertise and history with the Project Site, the City coordinated closely with DTSC in preparing Section 4.2 and 4.8 of the Draft EIR and in drafting MM HAZ-1, which requires approval and implementation of the Draft Response Plan.

As explained above and in Sections 4.2 and 4.8 of the Draft EIR, neither the analysis nor mitigation of the Project's impacts on air quality due to the presence of hazardous materials was deferred. Nor did the City improperly relegate to DTSC its responsibility to evaluate these impacts. Notwithstanding the City's close coordination with DTSC, the City reviewed firsthand the historical environmental records discussed above and in Section 4.8, including the Draft Response Plan and public comments received by DTSC, and has determined based on its independent judgment that the Draft Response Plan, if approved and implemented under DTSC's oversight as required by MM HAZ-1, will appropriately mitigate the Project's potential hazardous materials and air quality impacts to less than significant.

DTSC, as a Responsible Agency, cannot take final action on the Draft Response Plan until the City's CEQA process is complete. (Cal. Code Regs., tit. 14, § 15096.) Therefore, while DTSC's CLRRRA process is not yet fully complete, it has to date, as discussed above and in Sections 4.2 and 4.8, thoroughly investigated and evaluated the site to a sufficient degree to permit the City to complete its CEQA analysis with regard to air quality and hazardous materials impacts related to the Project. The commenter does not provide any explanation why it believes that MM AIR-1 and MM HAZ-1 defer analysis and mitigation of the Project's air quality impacts, and therefore the City cannot provide a further detailed response.

Response 60-15

The commenter mentions the potential for sewer gas generation associated with the dump station. The Project would include a dump station for RVs parked onsite. Use of the RV dump station would be limited to tenants of the RV storage and would be connected to the City sewer system. As discussed in Appendix J, RV Dump Station Memorandum prepared by Roux on January 7, 2025, based on the standard construction and use of the proposed RV dump station little to no exposure to off-Site receptors would occur. The RV dump station would be reviewed and approved by LACSD. Sewage would be discharged into the dump station drain and directly into the sewer main pipe. While the P-trap provided on the drain inlet pipe would create a water seal preventing potential sewer gases and odors from being discharged to the atmosphere even when

the dump station is not in use, if sewer gases were to be discharged during the RV dump station use during small increments of time while the hose is being connected from the RV to the dump station hatch, associated gases would dissipate very quickly into the atmosphere. Sewer gas can typically include methane, hydrogen sulfide, ammonia, nitrogen, carbon dioxide and other trace gases. Most of these gases can present a health risk only after prolonged periods of exposure in poor ventilated areas. In the case of the RV dump station use, the sewer gas, if released, would enter directly into the atmosphere, get diluted and disperse because the dump station is located fully outdoors rather than in an enclosed area. Methane, hydrogen sulfide and ammonia have a tendency to disperse quickly in open environments. Moreover, the proposed RV dump station is approximately 600 feet from the closest residence to the north and approximately 450 feet from the elementary school boundary. It is highly unlikely that, if released, the sewer gas would reach any of these locations at a concentration that would pose any health risk or present an odor issue. (Appendix J)

Response 60-16

The commenter claims that the Draft EIR does not provide any information on how the Project would prevent nuisance causing emissions and odors such that there would be no impacts; additionally, the commenter claims that the Draft EIR only states that such emissions are prohibited, and therefore the Draft EIR impermissibly deferred the issue. As discussed in detail in Section 4.2, Air Quality, the dump station would be connected to the City sewer system. The use of the dump station is a potential source of odors due to the transfer of solid waste from the RV to the dump station. However, the release of odors would be minimized due to the use of a dump station cover which would have seals to prevent the escape of objectional odors. The seals would only be opened momentarily when connected to the RV transfer hose. Additionally, use of this facility would be limited (estimated 2-3 times week) and there is a substantial distance (approximately 450 feet) between this facility and the nearest offsite school or residence. In addition, see Response 60-15 for additional technical information supporting why the dump station will not cause an adverse air quality impact. The aforementioned analysis is the basis for a less than significant impact finding; as such, while the Draft EIR states that the Project would also be regulated from nuisance odors and other objectionable emissions by SCAQMD Rule 402 (SR AQ-2), the Draft EIR does not solely rely upon regulatory requirements to come to the conclusion that impacts associated with odors would be less than significant, as evidenced by the prior in depth discussion regarding the dump station.

Response 60-17

The commenter comments on the total number of southern tarplants that were previously removed. No response is required. The commenter is referred to Section 4.3 of the DEIR which explains this issue in detail. LSA conducted Focused Special-Status Plant Species surveys on August 21, 2020 (Appendix D-4 of the DEIR) which recorded that approximately 830 southern tarplant individuals occurred on the Project Site. A portion of the south side of the Project Site was cleared of vegetation in August 2020 prior to the completion of rare plant surveys. At CDFW's request, FCS conducted an analysis and conservatively estimated that 445 additional tarplants may have occurred in this cleared area, based on the density of tarplants in other areas of the Project Site (Appendix E-2). The Project's Biological Resources Assessment therefore includes these additional 445 tarplants in the total estimate of tarplants removed from the Project Site, and in the related mitigation measures that have been drafted accordingly (Appendix E-2).

Response 60-18

The commenter expresses concern about the efficacy of the proposed mitigation measure for "on-site restoration of southern tarplant using propagules (seeds, topsoil) that were collected on the Project Site in 2020." The mitigation measure referenced in this comment, BIO MM-1b, has been

revised to the final version reflected in the Supplemental BRA for the Project and set forth below, in collaboration with CDFW; and CDFW has approved this revised tarplant mitigation measure (Appendix E-3). In fact, FCS has consulted regularly with CDFW and the City during the preparation of the Project BRA, Supplemental BRA and associated mitigation measures. Following FCS discussions with CDFW and the City on December 15, 2023, where this issue was raised, MM BIO-1b was prepared to address CDFW's concerns. The correct version of the measure was set forth in the 2024 BRA (Appendix D-1 of the DEIR; Appendix E-2 to this Final EIR). However, the measure included in Section 4.3, Biological Resources, was incorrect. That error has been corrected in the Final EIR.

MM BIO-1b provides for 1) full on-site mitigation of tarplants in a tarplant restoration area; and 2) seeding of the tarplant restoration area with "southern tarplant seeds obtained from a seed distributor or collected from a nearby population," rather than using propagules collected from the Project Site (Appendix E-2, Appendix E-3). At a subsequent meeting between FCS and CDFW on November 19, 2024, CDFW confirmed approval of MM BIO-1b (Appendix E-3). On January 31, 2025 CDFW requested an additional administrative change to MM BIO-1b, asking that the Southern Tarplant Mitigation and Monitoring Plan be submitted prior to ground-disturbing activities rather than after grading permits. (Appendix E-3) The Applicant agreed to this change and CDFW confirmed that it approved revised MM BIO-1b and had no further comments on the Project biological reports or mitigation measures. (Appendix E-3)

In cooperation with CDFW, MM BIO-1b has been updated to the following final version in the Final EIR and 2025 SBRA (Appendix E-3):

These edits have been incorporated into the Draft EIR. As further discussed in Section 3.0, Corrections, Clarifications and Additions to the Draft EIR, the following text is modified as part of the Final EIR. The change in text is signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The revisions reflect minor updates or clarifications to the content of the Draft EIR that do not represent material changes or revisions which require modifying the findings.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1b On-site Restoration of Southern Tarplant Program

The Project Applicant shall implement an on-site restoration of southern tarplant using **southern tarplant seeds obtained from a seed distributor or collected from a nearby population** ~~propagules (seeds, topsoil) that were collected on the Project Site in 2020.~~ The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the ~~property owned by the County of Los Angeles~~ **County property** west of the Project Site. The goal of the restoration program shall be replacement of ~~4,275~~ **1,287** southern tarplants in this area to achieve a 1:1 ratio of lost to replaced plants, **including 1,275 previously removed southern tarplants that shall be mitigated at a 1:1 ratio of replaced to lost plants and six southern tarplants discovered in 2024 that would be mitigated at a 2:1 ratio of replaced to lost plants.** Prior to implementing the restoration effort, the **Project** applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or Restoration Ecologist. The **final** plan shall be submitted to CDFW **and the City of Long Beach** within ~~6 months following issuance of a grading permit~~ **prior to any Project ground-disturbing**

activities. The plan shall detail the identification of on-site areas for receiving southern tarplant propagules, methods for implementing site preparation and habitat restoration techniques, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a five 5-year period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if success criteria are not met. The project applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy. **To prevent trampling/crushing of southern tarplants on the County property west of the project site, the Project Site boundary shall be delineated and orange construction fencing shall be installed along the western boundary of the Project Site. The fencing shall be installed prior to the initiation of ground-disturbing or vegetation-removing activities and shall be maintained throughout the duration of Project construction.**

The revisions to MM BIO-1b requested by CDFW do not identify a new significant biological resources impact, or a substantial increase in the severity of a biological resources impact, and the applicant has not declined to adopt a mitigation measure that would reduce an impact. (CEQA Guidelines Section 15088.5(a).) The Biological Resources section of the DEIR identified a potentially significant impact to southern tarplant, and that impact can be mitigated to a less than significant level by MM BIO-1b as revised. All changes to MM BIO-1b are added to clarify and amplify the Draft EIR's analysis in response to comments and requests by CDFW. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

The commenter further notes that BIO MM-1b "is unclear whether seeds or plant materials" will be used for the restoration program. We refer the commenter to the detailed analysis and final version of MM BIO-1b set forth above, which clarifies that "tarplant seeds obtained from a seed distributor or collected from a nearby population" will be used for the restoration program.

The commenter notes that CDFW objected to the translocation of plants in its comments on the MND. That point is irrelevant to the current analysis. In response to its review of the Draft EIR and following communications with FCS, CDFW has explicitly confirmed that seeding the on-site southern tarplant restoration area as described in MM BIO-1b is acceptable mitigation. (Appendix E-3)

The commenter notes the age of the propagules, their prior transfer in 2021, and questions their viability. These comments are no longer relevant because propagules collected in 2020 will not be utilized for the restoration program. No further response is required.

Response 60-19

The commenter states that the Draft EIR lacks support to show a 1:1 ratio of restoration will adequately mitigate Project impacts. CDFW has approved the 1:1 ratio set forth in MM BIO-1b. FCS and CDFW have engaged in a collaborative discussion regarding the biological mitigation for the Project, including appropriate mitigation for impacts to southern tarplant and any other rare plants, should additional rare species be discovered on the Project Site. (Appendix E-3) CDFW has agreed that the mitigation ratio set forth in MM BIO-1b, which reflects a 1:1 ratio for previously removed southern tarplants, is appropriate. (Id.) The City is entitled to rely on CDFW and FCS as the biological experts in this matter. Nevertheless, CDFW subsequently requested the addition of MM BIO-1c, requiring that any additional southern tarplant detected during the rare plant surveys be replaced at a 2:1 ratio. (Appendix E-3) Applicant has agreed to incorporate this additional mitigation measure. (Appendix E-3)

The addition of MM BIO-1c does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the DEIR, Biological Resources, identified a potentially significant impact to southern tarplant, so no new or substantially increased impact has been identified. MM BIO-1c clarifies and amplifies the Draft EIR's analysis. (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

The comment further states that in order to be effective mitigation, a higher mitigation ratio such as 2:1 is necessary to account for the likelihood that some seeds will not be successful. In accordance with MM BIO-1b, the applicant has purchased an amount of seeds that, if successfully germinated in the on-site mitigation area, will contribute to a replacement ratio that far exceeds 2:1. Specifically, InSite has purchased 5 pounds of southern tarplant seeds, and the supplier (S&S Seeds) has indicated there are approximately 100,000 seeds per pound. Therefore, the southern tarplant restoration effort would involve seeding the on-site area with approximately 500,000 southern tarplant seeds. Successful germination of 0.3% of these seeds would exceed the 1,287 southern tarplants needed to achieve the CDFW-approved mitigation ratios. Based on FCS's experience, FCS anticipates that the germination rate will be much higher than 0.3% which would far exceed the 2:1 mitigation ratio required by MM BIO-1b. (Appendix E-3)

Response 60-20

The commenter states that the DEIR should have found a significant impact to biological resources. Mitigation measures, including on-site restoration of southern tarplant, will reduce impacts to a less than significant level. (Appendix E-2; Appendix E-3) Therefore, and as explained in DEIR Section 4.3, Biological Resources, potentially significant biological resource impacts have been fully mitigated and no significant effect will remain.

Response 60-21

Additional comments made by Dr. Travis Longcore in Exhibit 7 and incorporated by reference in Comment 60-21, are addressed below.

Response 60-22

The comment states that the Draft EIR overly relies on the DTSC process regarding the Response Plan to address the Project's impacts, and states further that lead agencies are not permitted to defer environmental analysis to a separate regulatory scheme. The comment also states that the Response Plan appears only to address remediation and control of the existing contamination on-site and does not evaluate Project's introduction of new contaminants, such as the on-site dump station, which could release toxic sewer gases. This is not correct. The Draft EIR does not defer its hazards and hazardous materials analysis to DTSC nor limit its discussion to the existing historical contamination. In the first instance, the Draft EIR, Section 4.8, Hazards and Hazardous Materials provides a long list of primary sources that the City reviewed and considered in conducting its own independent evaluation of the Project's potential impacts with regard to hazardous materials. The City coordinated and consulted with DTSC during its review of the Project Site's historic condition and Response Plan because DTSC (along with the State Water Resources Control Board) is the only agency with regulatory jurisdiction over the remediation of the Project Site under CLRRRA and because DTSC is a Responsible Agency, which gives DTSC critical and extensive expertise in the area. (Pub. Res. Code, § 21080.4(a); Health & Saf. Code, § 25395.97.) However, coordination with the Responsible Agency that oversees a portion of the Project does not equate to overly relying on that agency for the Draft EIR's conclusions or deferring analysis to a separate regulatory scheme. See Response 60-14 for why the analysis of the Project Site's remediation is properly analyzed in the Draft EIR and was not deferred to separate regulatory scheme.

Second, the Draft EIR analyzes the impacts of the onsite dump station where appropriate in the impacts analysis, and supplements that analysis by including in these Responses to Comments a discussion of the issue of toxic sewer gases from the dump station raised by the commenter. (See Draft EIR, Section 4.2 Air Quality; Response 60-15.)

The Draft EIR, Section 4.8, Hazards and Hazardous Materials also addresses materials that could be introduced onsite during construction and during operation. For example, Section 4.8, Hazards and Hazardous Materials of the Draft EIR discusses that the proposed storage uses would restrict storage and transport of hazardous materials with the exception of common materials associated with vehicles and vehicle maintenance (i.e., fuel and oil). Further, all onsite workers would be trained on containment and cleanup of small spills of hazardous materials that might be encountered in the operation of a self-storage and RV storage site, such as gasoline or oil from vehicles, pursuant to State guidelines contained in the Cal/OSHA Title 8 regulations. (*Ibid.*) Section 4.8 of the Draft EIR also discusses the impacts from the proposed building on the Project Site's underground utilities and infrastructure, including storm drain lines, oil pipelines, and oil wells.

Additionally, the proposed engineered cap to be implemented through the Revised RP as part of the long term operations would provide a physical barrier to known hazardous materials historically existing on the Project Site. Per the long-term OM&M Plan that will be prepared and submitted to DTSC for review and approval as part of the implementation of the Revised RP, this cap would be inspected on a routine basis, including after any major seismic activity, to ensure that it has maintained its integrity and to repair any damages that may have occurred.

Response 60-23

The commenter states that the Draft EIR relies heavily on studies prepared prior to the Project application. As stated in Appendix F, Addendum No. 4 to Geotechnical Exploration Report, the geological and geologic aspects of the Project site remain unchanged since 2021 and the recommendation in the Project's Geotechnical Exploration Report (Appendix G-1 of the Draft EIR) remain applicable to the current version of the proposed Project. (Appendix F)

The proposed development has had only minor changes since 2021 (a slight increase in building square footage and one additional story, but no change in building footprint; a slight increase in the number of storage units; a slight decrease in the number of RV parking stalls), none of which affect the response actions that were proposed in the original Response Plan and approved by DTSC in 2021 after being revised by Roux based on public comments and DTSC technical review of the draft Response Plan. In addition, other than the creation of the Surcharge Pile and the relocation of two of the AECs prior to grading associated with the Surcharge Activities, as described in Section 3.0, Project Description, of the Draft EIR, the environmental conditions at the Property have not changed since 2021. For those reasons, the proposed response actions in the new draft Response Plan submitted to DTSC dated March 12, 2024 are the same as those proposed in the original Response Plan. Like the original Response Plan, the current draft Response Plan has undergone the same rigorous review process with DTSC – which includes a conceptual Site model (CSM), a Screening Risk Evaluation, identification of remedial action objectives, a comprehensive evaluation of different remedial alternatives to select the proposed response actions specific to the development Project, and a public comment period to receive public input.

Based on DTSC's review of the draft Response Plan, DTSC found it adequate for public review (Appendix K). The public comment period commenced on August 28, 2024 and ended on September 27, 2024. DTSC sent a Community Update to the established mailing lists to announce the availability of the draft Response Plan, published a Public Notice in the local newspapers, and hosted an online meeting on September 3, 2024 to provide an overview of the

draft Response Plan. (Appendix L) DTSC is currently reviewing the draft Response Plan and public comments prior to making a decision on the draft plan.

Response 60-24

The commenter states that the Applicant performed pre-development grading activities, including the constriction of the surcharge pile; the commenter claims that these activities occurred outside of the environmental review process.

The Surcharge Activities undertaken in late 2020 through early 2021 were to determine the type of building foundation that would be most suitable for the proposed development at the Property. Surcharging is a geotechnical study to test the site soil conditions for suitability and stability to support improvements. In this case, the Surcharge Pile was designed to determine whether pile-supported foundations would be required or could be eliminated altogether in lieu of alternative, less intrusive foundation designs. The Surcharge Activities, which were developed by the Project's geotechnical and civil engineers, included moving existing, pre-characterized, clean soil from the northern portion of the Property to the area of the Project's proposed self-storage building and consolidating it to create the Surcharge Pile.

As explained in Draft EIR Section 3.0, Project Description, several governmental agencies were involved in reviewing and overseeing the Surcharge Activities. Given the site's environmental history, the Applicant coordinated with DTSC during the planning and implementation of the Surcharge Activities. The Applicant prepared and submitted a SMP, AAMP, and HASP to DTSC to reduce the potential risks from exposure to site contaminants. Prior to commencing the Surcharge Activities, the Applicant notified the SCAQMD about upcoming earthmoving activities. The Applicant also prepared a Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP) in accordance with the California Construction General Permit, which were submitted to and approved by the Los Angeles Regional Water Quality Control (LARWQCB) and are available online in the LARWQCB's Storm Water Multiple Application & Reporting System (SMARTS) system (Waste Discharge Identification [WDID] number 4 19C391158). In August 2020, DTSC informed the surrounding community of the upcoming Surcharge Activities through community mailers and a Work Notice, copies of which are available to the public on DTSC's online repository, EnviroStor. The community mailers and Work Notice informed the community that the Surcharge Pile would be approximately 15 feet high and was intended to simulate the weight of a 50,000 square foot building. Per the AAMP, the Applicant performed baseline air monitoring in August 2020 and began mobilizing for the earth-moving activities.

All earth-moving activities associated with the Surcharge Activities were conducted in accordance with the SMP, AAMP, HASP, SWPPP, and SCAQMD requirements.

Response 60-25

The commenter states that they are concerned that DTSC's Response Plan relies on studies that were performed in 2019 and 2020, prior to the Applicant's surcharging activities on the Project site; the commenter adds that they are concerned that the Response Plan does not provide detailed updated studies since those activities took place. The commenter also asks if any follow-up testing has been performed to ensure the on-site AECs were remediated and whether excavation at these sites impacted any other areas of concern or generated new areas of concern.

As explained in the Draft EIR Section 4.8, Hazards and Hazardous Materials, the Applicant's environmental consultant, Roux, conducted a comprehensive investigation in 2019, under DTSC's oversight, to characterize the cover soil (upper 5 to 17 feet below ground surface) to inform grading related to the proposed development Project. Roux collected and analyzed 142 soil samples from 41 borings across the Project site at depths ranging from 0 to 17 feet below

ground surface (bgs) and 27 soil vapor samples from 15 locations at depths from 3 to 10 feet bgs. Based on the results of that investigation and previous on-Site investigations, as described in Draft EIR Section 4.8, Hazards and Hazardous Materials, Roux identified the twelve AECs within the cover soil and determined that the remainder of the cover soil is environmentally suitable for grading. As part of the Surcharge Activities, two of the previously identified AECs (SB-8 and SB-2) that lay within the areas graded were excavated and reconsolidated on-site in accordance with the procedures in the SMP, AAMP, and HASP. (See Appendix I-15 of the Draft EIR, Figure 7) Because the cover soil had already been characterized and its thickness determined, the depth of cut and extent of grading for the Surcharge Activities, as well as the number and location of AECs that would need to be relocated were known. Furthermore, no new AECs were created by the Surcharge Activities because the locations of the AECs were known based on the prior investigation described above. Additionally, based on the cover soil thickness demonstrated by Roux's investigation, sump materials were not encountered during construction of the Surcharge Pile. As described in the draft Response Plan, DTSC will require the Applicant to collect new surface soil samples post-grading to demonstrate that the AECs have been handled adequately, and a post-grading risk evaluation will be performed to ensure that the Property conditions are protective of human health and the environment. (See Section 5.5 of the Draft Response Plan Appendix I-15 of the Draft EIR).

Response 60-26

The commenter states that the Draft Response Plan “minimizes and dismisses potential impacts to groundwater, claiming that groundwater at the site is not used for drinking water and is already poor quality”. The commenter states that these statements do not eliminate the Applicant's obligation to avoid worsening or exacerbating groundwater conditions at the site.

The Property's groundwater condition has been extensively evaluated and obligations will be imposed on the Applicant to ensure that the groundwater condition is not worsened or exacerbated by development of the Property. Based on the extensive environmental investigation conducted to date, the Project is not anticipated to worsen or exacerbate groundwater conditions at the Property, and the draft Response Plan includes long-term actions to ensure the continuing validity of those conclusions. As detailed in Draft EIR Section 4.8, Hazards and Hazardous Materials, and in more detail in the Final Site Assessment Plan attached to the Draft EIR as Appendix I-4, groundwater monitoring has been conducted on-site and in the site vicinity intermittently between 1996 and 2019 and, based thereon, the condition of the groundwater evaluated. LFR, the previous owners' consultant, did a comprehensive evaluation of the groundwater quality in 2008 and concluded that site groundwater conditions did not appear to differ significantly from the regional groundwater quality. The regional water quality is poor due to saltwater intrusion and industrial waste disposal in areas of the site. The historic oil and gas production in the area and on-site contributed to poor water quality. On this basis, LFR further concluded that groundwater in the area is degraded from numerous and complex interactions of nature as well as historical activities; and that the site was likely part of these interactions but did not appear to be the sole or even primary cause of groundwater degradation on- or off-site. In 2019, Artesia's environmental consultant, Roux, drilled three borings to obtain groundwater samples between 60-62 feet bgs and collected groundwater samples from the existing monitoring well MW-7, the bottom of which is measured at 60.5 feet bgs. Monitoring of the groundwater will be required to occur as part of the Response Plan implementation to ensure that the development does not negatively impact the current groundwater quality, as described in Draft EIR Section 4.8, Hazards and Hazardous Materials. The proposed groundwater monitoring wells will allow monitoring of the groundwater to ensure that its quality does not degrade due to the proposed development, as described in Draft EIR Section 4.8, Hazards and Hazardous Materials.

The frequency and period of monitoring will be dictated by the data that are generated during the initial monitoring events. DTSC will require additional monitoring and, if necessary, potential remedial action if the groundwater monitoring indicates increasing trends of contaminants in groundwater.

Response 60-27

The commenter states that they are concerned with the lack of study regarding the Response Actions' impacts on underlying storm drain and oil infrastructure. As stated in Appendix F, Addendum No. 4 to Geotechnical Exploration report, there is one 30-inch-diameter reinforced concrete storm drain line traversing the Project Site, which extends partway under the Surcharge Pile (refer to Draft EIR Appendix G-4, Addendum No. 3 to the Geotechnical Exploration Report). As stated in Appendix G-4 of the Draft EIR,, the subject storm drain will be completely backfilled with cement/sand slurry as part of the proposed development prior to construction of the engineered cap and self-storage/RV storage facilities. Once it is backfilled, it will no longer have any potential for its integrity to be impacted. Therefore, the Response Actions and the Project will not have any impact on the storm drain. (Appendix F)

With respect to the current integrity of the storm drain, a video inspection of the entire approximately 560-foot-long span of the subject storm drain across the Project Site was performed by CUES, Inc. in August 2021 and repeated by Nor-Cal Pipeline Services on November 19, 2024. Visual review of the video inspections indicated that the integrity of the storm drain remained intact, which is consistent with the stable ground surface over the storm drain observed from 2019 to the present. Damaged, leaky storm drains cause sink holes and localized depressions at the ground surface due to soil loss via seepage through cracks and open joints. The fact that the ground surface over the storm drain has remained stable since 2019 is also indicative that the integrity of the storm drain remains intact. (Appendix F)

As discussed in Appendix G-4 of the Draft EIR, the integrity of the existing oil pipeline and abandoned oil wells was not impacted by the surcharge program onsite and will not be impacted by the proposed development. Calculations provided in Appendix G-4 of the Draft EIR indicate that the abandoned oil wells will not be subject to damage due to increased earth pressures from the surcharge stockpile or settlement of surrounding soil. (Appendix F)

The existing oil pipeline, which is located outside compressible sump materials, is maintained and monitored by Crimson Midstream, LLC, the pipeline owner. The pipeline appears to remain in proper operating condition. There have been no repairs performed on the pipeline since at least 2019. No evidence of pipeline damage (oil seeps or spills) was observed at the ground surface. (Appendix F)

Response 60-28

The commenter states that the geotechnical study prepared for the Project site identified the presence of soils that are corrosive to severely corrosive to metals, and deleterious concrete and steel reinforcing in concrete. The commenter states that the Draft EIR does not indicate how these materials will impact the existing subsurface structures and proposed structures.

As discussed in Appendix F, the corrosion potential at the site is derived from the presence of sump materials. All proposed improvements, including the engineered cap and monitoring probes and wells, will be designed to accommodate the corrosion potential. As stated in Appendix G-4 of the Draft EIR, the existing concrete storm drain is not in contact with sump materials and video inspection of the storm drain in August 2021 and November 2024 indicated no distress or damage to the storm drain. See Response 60-27 for why the storm drain's integrity continues to remain intact. Further, as stated in Appendix G-4 of the Draft EIR, the subject storm drain will be

completely backfilled with cement/sand slurry as part of the proposed development. The existing oil wells and pipelines are designed to transport oil products (sump materials are a byproduct of oil production) and are therefore designed to accommodate the corrosion potential of sump materials. (Appendix F)

Response 60-29

The commenter contends that the Draft EIR proposes several response actions that are improperly deferred, lack specific performance criteria, or require clarity. The commenter specifically identified the proposed installation of an engineered cap, and the preparation of a long term operations, maintenance and monitoring plan. MM HAZ-1 does not improperly defer mitigation. CEQA provides that the specific details of a mitigation measure may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. (Cal. Code Regs., tit. 14, § 15126.4(a)(1)(B).) Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards. (Ibid.) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. (Cal. Code Regs., tit. 14, § 15126.4(a)(2).)

In the Draft EIR, MM HAZ-1 requires that, prior to issuance of building permits for the Project, the applicant must receive approval from DTSC of, and implement, a Response Plan in accordance with CLRRRA. This mitigation measure meets CEQA's requirements for appropriate mitigation. The City has committed to this mitigation and it is fully enforceable both because all mitigation measures in the Draft EIR will be imposed as conditions of approval on the Project and because the Applicant entered into a binding agreement with DTSC to remediate the Project Site in accordance with CLRRRA. (See Draft EIR, Appendix I-1.) In this case, compliance with a regulatory permit or other similar process is appropriate because of the ongoing, long-term nature of the Project Site remediation. The Response Plan and CLRRRA statute together provide long- and short-term performance standards, benchmarks, and a roadmap for how the Project will be constructed and operated, and the Project Site used, safely into the future. CLRRRA's overarching standard requires that, when implemented, the plan will place the Project Site in a condition that allows it to be used for its reasonably anticipated future land use without unreasonable risk to human health and safety and the environment. (Health & Saf. Code, § 25395.96(b)(2).)

This standard is measured in a variety of ways depending on the material and proposed use of the material, as set forth in the Response Plan. For instance, during construction and soil movement onsite, the Response Plan requires that the SMP, EMP, and AAMP be implemented, all of which are attached as exhibits to the Draft Response Plan. (Appendix I-15 of the Draft EIR) These plans include, for instance, soil screening criteria that must be met in order for the reuse of onsite soils during construction and specific air quality levels that must be maintained during construction. These plans also identify specific actions that must be taken to achieve these standards, including soil handling protocols, installing of monitoring probes, and contingency actions that must be taken if there are exceedances. Long-term, the Response Plan identifies the engineered cap and methane building protection system that will ensure human health and safety and the environment is protected, as well as soil vapor probes, groundwater monitoring, and other actions that will be taken to ensure the continuing efficacy of the remedy. (Appendix I-15 of the Draft EIR) Precise construction drawings of the engineered cap have not yet been prepared, but this level of detail is not required by CEQA. The Response Plan, however, provides a narrative

setting out required performance standards for the cap, as well as a conceptual design in Figure 9 showing the materials and minimum required thicknesses for the cap where relevant, which provides sufficient information to show how the performance standards will feasibly be met. (*Ibid.*) The Response Plan also requires preparation of an Operations, Maintenance and Monitoring Plan (OM&M), which will define long term controls at the site, including monitoring schedules and protocols. In sum, MM HAZ-1 provides sufficient commitment, performance standards, and potential methods of achieving those performance standards.

It is not the appropriate time to prepare the RDIP and OM&M, and it is not improper deferral of mitigation to prepare these plans later in the remediation process. The RDIP will contain the precise engineering and design details for the remedial systems, including the construction specifications and drawings for the engineered cap and methane building protection system. The RDIP is analogous to building and construction drawings, which also are not prepared until after a local agency has completed its CEQA process and approved a project's entitlements. The information in the RDIP does not change the performance standards required by the Response Plan or CLRRRA; rather, it merely contains the specific details for how to implement the Response Plan requirements. Similarly, the OM&M Plan will define procedures to maintain long-term controls at the Project Site including, and not limited to monitoring of groundwater and perimeter soil vapor probes, inspection of the engineered cap and alternative cap, operation and maintenance of the soil venting systems, and monitoring the building protection systems. DTSC requires that an OM&M Plan be prepared and submitted to DTSC following implementation of the response actions in the Response Plan, and the OM&M Plan can only be prepared at this later date, so that it can incorporate and accurately reflect the response action components installed in the field. For example, Section 5.5 of the Response Plan states that the post-grading risk evaluation data (soil and soil vapor sampling done after Project grading) will be used to establish baseline conditions for the OM&M Plan. The Response Plan in fact states in Section 9.7 that the OM&M is submitted to DTSC following completion of construction activities. The OM&M also does not change the performance standards of the Response Plan and CLRRRA.

Response 60-30

The commenter notes that the Draft RP proposes that groundwater monitoring wells and soil vapor probes will be installed to monitor the site for a minimum period of time; the commenter claims that the Draft RP provides no clarity on what the response or obligations of DTSC or the Applicant will be if such monitoring reveals elevated contaminants. The commenter adds that they believe the Draft EIR's mitigation measures must specify such obligations to ensure that the public is actually protected by these Response Actions and that MM HAZ-1 should require monitoring for longer periods of time, throughout Project operation

The draft Response Plan addresses contingencies in the event that monitoring reveals elevated contaminants. The monitoring frequency will be defined in a site-specific OM&M Plan, which is mandated by the draft Response Plan, as described in, Appendix I-15 of the Draft EIR (Section 9.7), that will be reviewed and approved by DTSC prior to building occupancy. As explained in the draft Response Plan at Section 9.7, the OM&M Plan must define procedures to maintain controls at the Property including, but not limited to, monitoring of groundwater and perimeter soil vapor probes, inspection of the engineered cap and any alternative cap(s), operation and maintenance of the soil venting systems, and monitoring the BPS. A Five-Year Review will be conducted five years following initiation of the proposed response actions and every 5 years thereafter so long as site conditions warrant, to ensure that the response actions are functioning as designed, are maintained appropriately, and remain protective of human health and the environment. (Appendix I-15 of the Draft EIR) The frequency and duration of monitoring and decision-making flowchart to address potential issues related to the response actions will be presented in the OM&M Plan.

If monitoring reveals elevated concentrations or deviation in trends, DTSC will require the Applicant to evaluate and implement additional remedial actions depending on the nature and extent of the identified impact.

Response 60-31

The comment states that the Draft EIR conflicts with numerous land use plans and policies calling for the development of parks at the Project Site. The comment further elaborates stating that the longstanding consensus of numerous land use plans is that the Project Site should be preserved as a large park or area of public greenspace, entitled “Wrigley Heights River Park”, and that the Project would foreclose the possibility of developing Wrigley Heights River Park and public greenspace at this site. The comment further states that the following plans designate the Project site as parkland: the RiverLink Plan, PRM Strategic Plan, West Long Beach Livability Implementation Plan, West Long Beach I-710 Community Livability Plan, Los Angeles River Master Plan, and the Lower Los Angeles River Revitalization Plan. The comment further states that the EIR must analyze the Project’s conflicts with these plans as significant impacts for which mitigation is required. This comment serves as an introduction to and summary of the more detailed Comments 60-32 through 60-38. See Responses 60-32 through 60-38.

Response 60-32

The commenter states that the City’s 2002 Open Space and Recreation Element formally established a goal of eight acres of recreational open space per 1,000 residents.

The commenter is correct that the City’s 2002 Open Space and Recreation Element includes a “target of eight acres [of recreation open space] per 1,000 residents.” (General Plan, Open Space Element, pp. 7-8.) The first sentence in this comment (i.e. that “Due to historical development trends that favored industry with high levels of pollution, western Long Beach has a severe need for more parks and open space”) is not present in the Open Space and Recreation Element.

The General Plan Land Use Element subsequently adopted in 2019 acknowledges this “ambitious goal of providing eight acres of open space for each 1,000 residents” and states that “the Land Use Element supports this goal, and the Open Space PlaceType delineates areas where such new open space might be created.” (General Plan, Land Use Element) As a general matter, the City notes that this is a City-wide goal that is not specific to the western area of the City, as the comment seems to suggest.

As noted in the Land Use Element, the Open Space Element delineates three specific strategies for meeting this goal City-wide: (1) making the recreational areas of the City’s 49 school recreation grounds available to the community (these include several school in western Long Beach and the immediate vicinity of the Property); (2) reviewing the City’s park impact fees for possible adjustments; and (3) establishment of a dedicated source of funds for park infrastructure maintenance and capital improvement programs, to established “dedicated annual funding” for park projects. (General Plan, Open Space Element) None of these implementation strategies identify the Project Site, which is not a school site nor a site identified by the City as a target for acquisition or development of parkland with City funds reserved for such projects. Nor does the Open Space Element’s implementation strategy call for the City to meet this goal by acquiring industrially-zoned private property for conversion to parkland.

As such, substantial evidence supports the City’s determination that the development of the Project on this property is consistent with the General Plan, including the Open Space Element thereof. It is well-established that “the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity.” (*San Franciscans Upholding the Downtown Plan v. City and County of*

San Francisco (2002) 102 Cal.App.4th 656, 677–678.) “Because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan’s policies when applying them, and it has broad discretion to construe its policies in light of the plan’s purposes.” (*Id.*)

The commenter also states that the Project Site is identified as “Wrigley Heights-North” in the RiverLink plan, which proposes keeping a recreational use at the site. The commenter further states that RiverLink designates the Project Site as public greenspace and that developing the Project Site as anything else would be a significant impact on achieving the greenspace designation.

The RiverLink plan is not a zoning ordinance nor an element of the City’s General Plan. Therefore, the RiverLink plan does not provide zoning or land use designations that designate the permitted uses at any property. The City has never designated the Project Site as a park or for open space, and the City does not currently own, nor has it in the past ever owned, the Project Site. The Project Site is and always has been private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City’s General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site’s prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. The Draft EIR, Section 4.10, Land Use and Planning, discusses the RiverLink plan at length, its nature, and the Project Site’s relation to it, and ultimately concludes that the Project is not inconsistent with the RiverLink plan. The City directs the commenter to that portion of the Draft EIR for why the Project would not cause a significant impact related to land use and planning with regard to the RiverLink.

Response 60-33

The comment asserts that the Project conflicts with the goals and policies contained in the Long Beach Department of Parks, Recreation, and Marine (PRM) Strategic Plan intending to reduce impacts related to lack of park access in western Long Beach. The comment further cites the PRM Strategic Plan’s Goal 1, to “Provide safe, accessible public spaces”, which states the PRM’s aim to address limited access to public parks, as well as Outcome 1 and associated actions 1-1-A through 1-1-G related to providing walkable and bikeable access to a neighborhood park. The comment states that by developing the Project in one of the last areas in western Long Beach for parkland, the Project conflicts with the goals in the PRM Strategic Plan.

Draft EIR Section 4.10, Land Use and Planning discusses the PRM Strategic Plan at length and the Project Site’s relation to it. As stated in the Draft EIR Section 4.10, Land Use and Planning, the Project would continue to support the goals and policies set forth in the PRM Strategic Plan through provision of an accessible pedestrian path located along the north side of the proposed entrance driveway, and would also set aside an easement to provide future pedestrian access along the southern boundary of the site to the LA River, should a trail/trailhead be developed. As such, the Project would not conflict with the PRM Strategic Plan as it would support pedestrian access and connectivity to public spaces. The Draft EIR’s analysis of the PRM Strategic Plan applies to the Goals listed by the commenter and therefore no changes to the Draft EIR’s analysis are needed.

Response 60-34

The comment states that the Project would conflict with the West Long Beach Livability Implementation Plan’s objectives to develop a cleaner environment at the Project Site, which is identified within the Plan as the Del Mar Park, and that the City should honor commitments under this plan to preserve the Site as open space.

The Draft EIR Section 4.10, Land Use and Planning, discusses the West Long Beach Livability Implementation Plan at length and the Project Site's relation to it. As stated in the Draft EIR Section 4.10, Land Use and Planning, the Plan itself states that it does not generate new project concepts. The Plan identifies the Project Site as falling within the Los Cerritos Neighborhood, and identifies a project *near* the Project Site as "Del Mar Park", which is defined in the Plan as "development of a new park per RiverLink plan". The Plan also identifies a project south of the Project Site over the I-405 that is described as "Expansion of Wrigley Heights Park south of 405 as part of River Link; Potential City agreement with LA County to acquire land along the LA River." It is not clear from the "Del Mar Park" label what RiverLink opportunity it is referencing, but the only RiverLink opportunity that identifies the Project Site is Destination 6: Wrigley Heights – North, as discussed in Response 60-32. As the Plan only reiterates opportunities identified in the RiverLink, which the Project is consistent with as detailed above in Response 60-32, the Project does not conflict with the West Long Beach Livability Implementation Plan.

Additionally, as stated in the Draft EIR Section 4.10, Land Use and Planning, the West Long Beach Livability Implementation Plan identifies livability criteria for (1) Community, Safety and Access, and (2) Economy, with which the Project would be consistent.

The Draft EIR identifies that the Project would be not conflict with the Community, Safety and Access livability criteria ([i] Safe Neighborhoods, [ii] Improve Pedestrian Bicycle and Mobility Access, and [iii] Increase Availability/Access to Community Parks, Schools, and Open Spaces) for the following reasons: (1) the Project would provide two crosswalks to ensure pedestrian safety that would connect the parking lot to the self-storage building, and an accessible pedestrian path of travel would be located along the north side of the proposed entrance driveway; (2) the Project would set aside an easement to provide future public access along the southern boundary of the site to the LA River, should a trail/trailhead be developed; and (3) the Project would increase bicycle infrastructure through provision of 15 bicycle storage spaces.

The Draft EIR further identifies that the Project would not conflict with the Economy livability criteria ([i] Beautify Neighborhoods, [ii] Increase Availability and Access to Jobs, and [iii] Promote Economic Development) for the following reasons: (1) the Project would provide approximately 10 permanent jobs related to the operation of the proposed self-storage facility and short-term jobs during Project construction, which would increase development and jobs within the City; (2) remediation of the Project Site and construction of the Project would promote economic development by putting a long underutilized and environmentally impacted site to beneficial economic use that will create jobs, neighborhood services, and public infrastructure; (3) the Project would provide pedestrian access, bicycle storage, and connectivity to public spaces, which would increase access to jobs, goods, and services within the City; and (4) the Project would beautify spaces by including landscaped planters throughout the site, and replace a vacant site previously used for illegal driving of off-road vehicles.

Response 60-35

The comment states that the West Long Beach I-710 Community Livability Plan designates the Project Site as Wrigley Heights Park – North and that the City must uphold its longstanding efforts to address environmental impacts along the I-710 corridor through the preservation of open space.

The Draft EIR Section 4.10, Land Use and Planning, discusses the West Long Beach Livability Implementation Plan at length and the Project Site's relation to it. As stated in the Draft EIR Section 4.10, Land Use and Planning, the I-710 Community Livability Plan identifies Corridor Recommendations within Chapter 4, Community Livability Plan. The Plan's only recommendation applicable to the Project is Recommendation Four, RiverLink Open Spaces, which states the following: implementation of multiple parks, open space connectors and gateways to improve

access to the LA River. The Plan also notes the area surrounding the Project Site, including the Project Site, as a RiverLink project by incorporating the Green Vision Map. As noted above, because the Plan merely reiterates opportunities identified in the RiverLink, the Project is not inconsistent or in conflict with the Plan for the same reasons it is not in conflict with the RiverLink identified in Response 60-32.

Response 60-36

The comment states that the Los Angeles River Master Plan (LARMP), updated June 2022, designates the Project Site as the Wrigley Heights River Park and a “Planned Major Project”, and emphasizes its importance due to high water supply needs and its location within a “Major Project Zone”. The comment asserts that the Draft EIR inadequately addresses the LARMP’s evaluation and fails to incorporate its Design Guidelines. Additionally, the comment claims that the Project also conflicts with the 1996 LARMP, which also planned for park use and connectivity at the site. The comment states that the Draft EIR must provide a more thorough analysis and integration of these Plans to ensure the Project’s alignment with the LARMP’s goals and guidelines. Please refer to Response A.4-3 and A.6-3 as well as the Section 4.10, Land Use and Planning), of the Draft EIR which provides a full analysis of the Project’s consistency with the LARMP, and concludes the Project would not conflict with the LARMP.

Response 60-37

The comment states that the Lower Los Angeles River Revitalization Plan (LLARRP) identifies the Project Site as a key site for revitalization, highlighting its potential for groundwater recharge and its high opportunity score. The comment claims that the Draft EIR inadequately addresses the Site’s potential due to its private ownership and funding challenges. The comment asserts that the Draft EIR must fully analyze and address inconsistencies with applicable land use plans, regardless of ownership issues. The comment criticizes the Draft EIR’s reliance on PDF-4 to set aside an easement for future pedestrian and bicycle access, claiming that this does not sufficiently mitigate the Project’s impacts or ensure enforcement. The commenter is referred to Section 4.10, Land Use and Planning of the Draft EIR which provides a comprehensive analysis of applicable land use plans, including the LLARRP, and concludes the Project will not be inconsistent with the LLARRP. The Draft EIR’s analysis of and conclusions regarding the LLARRP do not rely solely on issues of ownership. Further, PDF-4 will be fully enforceable because setting aside the easement will be a condition of approval imposed by the City on the Project. The easement width is to be negotiated with the City, but it will be required to be located onsite per the conditions of approval and of sufficient width to permit adequate public trail access from Pacific Place to the LACFCD parcel.

Response 60-38

The comment states that the Project is inconsistent with the General Plan’s Neo-Industrial land use designation, which is intended for restricted light industrial activities and serves as a buffer for nearby residential developments. The comment claims that the proposed self-storage facility and RV park does not align with the Neo-Industrial PlaceType, which promotes low-intensity uses adjacent to low-density residential areas. The comment states that because the Project seeks a General Plan Amendment to change the designation to Community Commercial Centers and Corridors to allow up to five stories, the Draft EIR must disclose this inconsistency as a significant impact requiring mitigation. The Draft EIR does not need to analyze the Project’s consistency with the Neo-Industrial PlaceType because the Project is seeking to amend the Project Site’s PlaceType from Neo-Industrial to Community Commercial Centers and Corridors and amend the General Plan height map to allow up to five stories at the Project Site. The Project’s consistency with the proposed Community Commercial Centers and Corridors PlaceType and height map change is discussed in Draft EIR Section 4.10, Land Use and Planning. A General Plan

amendment in and of itself is not a significant impact. Rather, CEQA inquires whether the Project would conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Draft EIR Section 4.10, Land Use and Planning, explains that the Project will not conflict with its proposed General Plan Placetype and height map if the General Plan amendment is approved. The Draft EIR's analysis of and conclusions regarding the LARMP do not rely solely on issues of ownership. Further, PDF-4 will be fully enforceable because setting aside the easement will be a condition of approval imposed by the City on the Project.

Response 60-39

The commenter states that the Draft EIR fails to analyze the Project's conflicts with the following General Plan policies from the Open Space and Recreation Element: LU-M-86, LU-M-53, LU-M-54, LU-M-84, LU-M-85, and LU-M-95. The comment also states that Government Code Section 65562 and Section 65561(d) require that open space land and policies contained in the General Plan Open Space Element are intended to mitigate adverse environmental impacts associated with the development of open space-designated land.

As noted in Section 4.10, Land Use and Planning, of the Draft EIR, the Project Site does not contain open-space designated land.

In the first instance, the Draft EIR does extensively analyze LU-M-86, LU-M-53, LU-M-54, and LU-M-85, and the Draft EIR concludes that the Project is consistent with these General Plan implementation strategies. The City directs the commenter to the Draft EIR, Section 4.10, Land Use and Planning, Table 4.10-2 for this analysis.

Regarding LU-M-84 and LU-M-95, no single project can satisfy every policy stated in a General Plan and state law does not impose such a requirement. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.) "A general plan must try to accommodate a wide range of competing interests—including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services—and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected city officials to examine the specifics of a proposed project to determine whether it would be "in harmony" with the policies stated in the plan." (*Ibid.*) The Draft EIR, Table 4.10-2 in Section 4.10, Land Use and Planning, analyzes the Project's consistency with 129 policies, actions, goals, and strategies, from the General Plan, from the Air Quality Element, Conservation Element, Historic Preservation Element, Housing Element, Land Use Element, Local Coastal Program, Mobility Element, Noise Element, Open Space and Recreation Element, Public Safety Element, Seismic Safety Element, and Urban Design Element. Given the Project's consistency with all of these policies, actions, goals, and strategies from the General Plan, the Draft EIR concludes that the Project is consistent and in harmony with the General Plan.

LU-M-84 is a Citywide Implementation Strategy in the City's General Plan Land Use Element. It states: "Increase parks and open space areas to meet the City standard of eight acres of park land for every 1,000 Long Beach residents, particularly in neighborhoods where there is a deficiency in park space."

As stated in Response 60-32, the Open Space Element's implementation strategy for meeting this goal does not include the Project Site or City acquisition of industrially-zoned private property for conversion to parkland. It clearly identifies alternate means and sites for meeting this goal and the Project is not inconsistent with any of these stated strategies. The Land Use Element strategy cited in this comment is consistent with the Open Space Element and with the prior response regarding the same, which is incorporated herein by reference.

As a general matter, general plans ordinarily do not state specific mandates or prohibitions. Rather, they state “policies,” and set forth “goals.” The Land Use Element “City-wide implementation strategy” identified by commenter is no exception. The Land Use Element of the City’s General Plan sets City-wide goals, strategies for achieving each goal, and policies to support each strategy. Introductory statements in the plan stress the flexibility of the policies described and the ability of planning officials to balance competing policies when necessary. Thus, plan states that its goals are meant to “guide City officials, commissions and committees, staff and the public in the overall effort to put into practice the Land Use Element goals, strategies and policies.” (City of Long Beach 2019).

Further, this comment reproduces a LU-M-84 of the Land Use Element, which is identified a “long-term” implementation strategy for Goal 8 supported by Strategy Nos. 18 & 19 for increasing open space and park facilities. The strategies identified to support LU-M-8 establish priority targets for additional open space to meet this “ambitious goal” of an 8 acre/1,000 resident ratio for recreational facilities including but not limited to: inclusion of “small green areas, native and drought-tolerant landscaping” within new projects (which the Project’s planting plan includes); “small-scale agriculture on public and private properties” (not feasible due to the contaminated nature of the site); utilizing “existing public lands such as flood control channels, utility easements and Water Department properties to provide for such recreational needs as hiking and biking” (the Project serves this goal by providing an easement to support a planned recreational trail to connect the public to adjacent County property); and “creat[ion] of mini-parks and parklets within urbanized and growth areas of the City.” (City of Long Beach 2019)

Again, none of the Land Use Element’s policies for creation of open space call for the City to meet its goal by acquiring industrially-zoned private property for conversion to parkland. Further, as noted above, the Project has been designed to further certain of these stated goals.

The General Plan Land Use Element also notes that “[p]rogress has been made in acquiring and improving significant open space acreage for parks and wetlands along the Los Angeles River” [i.e. in the Project’s general area]. Likewise, a conservancy organization is acquiring the degraded (but restorable) Los Cerritos Wetlands at the mouth of the San Gabriel River for purposes of protection and restoration. The recent emergence of new mini parks, community gardens and dog parks has greatly increased access to open space for many in the community.” (City of Long Beach 2019).

As such, substantial evidence supports the City’s determination that the development of the Project on this property is consistent with the General Plan, including the Open Space Element thereof. It is well-established that “the body which adopted the general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity.” (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 677–678.) “Because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan’s policies when applying them, and it has broad discretion to construe its policies in light of the plan’s purposes.” (*Id.*)

LU-M-95 is also a Citywide Implementation Strategy in the City’s General Plan Land Use Element. It states: “Reuse vacant properties as community amenities such as gardens, parks or temporary green spaces to reduce blight and safety issues, increase residents’ access to needed parks and open spaces, and spur additional investment in neighborhoods.” As explained above, no single project can promote every policy in the General Plan. LU-M-95 is a Citywide goal and does not apply to any specific property. Further, while the Project Site is currently vacant, it is private property and the owner has proposed the Project rather than a park, and, as explained in the Draft EIR, Section 4.10, Land Use and Planning no public agency at this time has identified, secured or issued funding, nor made an offer, to acquire and remediate the Project Site and

develop it as a park. See Response 65-12 regarding conversations with the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy about a willing seller letter, but no funding was issued nor was an offer made to acquire the Project site. Accordingly, LU-M-95 is inapplicable to the Project Site at this time. In any event, the Project is not inconsistent with this strategy. The Project would reduce blight and safety issues by remediating historic contamination on, developing, and beautifying a currently vacant, underutilized property. The Project would include site security, which would reduce historic vagrancy and trespassing in the area, thereby further reducing blight and safety issues. The Project would also include native landscaping around the Project perimeter and dedication of a public trail easement which would, once the adjacent LACFCD property is developed for public open space, improve City residents' access to the LA River, the LACFCD property, and existing bike path along the LA River.

Regarding Government Code Section 65562 and Section 65561(d), these statutes provide general statewide policies that require local agencies to recognize that open space is a limited and valued resource that must be conserved and to adopt and implement open space plans accordingly. Contrary to the commenter's statement, the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the current Land Use Element designates the Project Site as Neo-Industrial. Further, these statutes are not directly applicable to the Project. As required by these statutes, the City has adopted an Open Space Element as part of its General Plan, but as explained in the Draft EIR, Section 4.10, Land Use and Planning in Table 4.10-2 and above, the Project would not conflict with the relevant policies in the Open Space Element. Accordingly, the City has not acted inconsistently with Government Code Section 65562 and Section 65561(d).

Response 60-40

The comment states that the City may not subordinate the Open Space Plan to other land use plans or elements, and that the goals and policies that the commenter lists from the Open Space Element in this comment clearly demonstrate that the City must be responsive to the community's vision and needs for open space.

The City has not subordinated the Open Space Element or other open space policy planning documents to any other land use plan or element. The Draft EIR, Section 4.10, Land Use and Planning, analyzes at length the Project's relation to the Open Space Element and many regional and local open space planning documents that reference the Project Site. No single project can satisfy every policy stated in a General Plan and state law does not impose such a requirement. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.) "A general plan must try to accommodate a wide range of competing interests—including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services—and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected city officials to examine the specifics of a proposed project to determine whether it would be "in harmony" with the policies stated in the plan." (*Ibid.*) The Draft EIR, Table 4.10-2 in Section 4.10, Land Use and Planning, analyzes the Project's consistency with 129 policies, actions, goals, and strategies, from the General Plan, from the Air Quality Element, Conservation Element, Historic Preservation Element, Housing Element, Land Use Element, Local Coastal Program, Mobility Element, Noise Element, Open Space and Recreation Element, Public Safety Element, Seismic Safety Element, and Urban Design Element. Given the Project's consistency with all of these policies, actions,

goals, and strategies from the General Plan, the Project is consistent and in harmony with the General Plan and for that reason the Draft EIR concludes that the Project is not in conflict with it.

Notwithstanding that, the City responds to the specific goals and policies listed in the comment. The comment lists the following specific goals and policies from the General Plan Open Space Element:

- Goal 4.2: Achieve a ratio of 8.0 acres of publicly owned recreation open space per 1,000 residents. The Open Space and Recreation Element adopts Policy 4.1 and Program 4.2 to effectuate this goal. The commenter states that the Project forecloses a park use on one of the last remaining parcels of undeveloped space in western Long Beach, which will make it impossible to achieve the stated ratio and rectify the lack of park space in western Long Beach. As detailed in Responses 60-32 and 60-38, which are incorporated by this reference, this comment misrepresents the stated ratio, which is a City-wide goal not specific to the western area of Long Beach. More importantly, the Property is not identified by the City as a target for meeting this goal, and the Project would not conflict with the City's delineated strategies for meeting this ratio.
- Goal 4.3: Add recreation open space and recreation facilities in the areas of the City that are most underserved.
- Goal 4.4: Provide the recreational resources the public wants.
- Goal 4.6: Increase recreation resources and supplement publicly owned recreation resources with privately owned recreation resources.
- Goal 4.9: Connect recreation open spaces with greenway linkages.
- Goal 4.10: Provide access to recreation resources for all individuals in the community.
- Policy 4.1: Create additional recreation open space and pursue all appropriate available funding to enhance recreation opportunities.
- Policy 4.6: With the help of the community, plan and maintain park facilities at a level acceptable to the constituencies they serve.
- Policy 4.7: Continue to solicit citizen participation in the creation of new park space and recreation facilities.
- Policy 4.8: In creating additional recreational opportunities, priority shall be given to areas of the City that are most underserved.
- Policy 4.9: Encourage the provision of non City-owned recreation resources to supplement what the City is able to provide.
- Policy 4.10: Require all new developments to provide usable open space tailored to the recreational demands they would otherwise place on public resources.
- Policy 4.11: Identify and increase the use of all underutilized potential public recreation resources to best serve the community; and work with the Long Beach Unified School District to enhance community recreational opportunities at Long Beach schools.

With regard to all of the goals and policies listed above, the Draft EIR, Section 4.10, Land Use and Planning, explains at length why it is not proposed at this time that the entire Project Site be dedicated to open space and recreation facilities. (See, e.g., Section 4.10) The Project would nonetheless support and would not conflict with this goal. As explained in the Draft EIR, Section 4.10, the Project would include native landscaping around the Project perimeter and dedication of a public trail easement which would, once the adjacent LACFCD property is developed for public open space, improve City residents' access to the LA River, the LACFCD property, and

existing bike path along the LA River. With regard specifically to Policy 4.11 above, the Project Site is privately owned and is not, nor has it ever been, a public recreation resource. Policy 4.11, therefore does not apply to the Project Site.

Response 60-41

This comment states that the Draft EIR's hydrology and water quality analysis is inadequate to support a determination that the Project's impacts will be less than significant. The comment does not specify how the Draft EIR's analysis is inadequate and therefore the City cannot respond with specificity. The Draft EIR contains a full and complete analysis of hydrology and water quality issues specific to the questions identified in the CEQA Guidelines Environmental Checklist. Draft EIR Section 4.9, Hydrology and Water Quality, was prepared based on technical plans and specifications prepared for the Project and included as Appendices J-1, J-2, and J-3 to the Draft EIR. Because no specific criticism of the Draft EIR was provided, this comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 60-42

The comment states that the Draft EIR does not identify a clear environmental baseline for hydrology and water quality impacts. Section 2.0 of the Draft EIR details the baseline conditions pursuant to CEQA requirements as well as the specific Project history, including actions that occurred on-site prior to the City's approval of the MND in 2021. As discussed in Section 2.2.1 of the Draft EIR, in order to ensure that all Project-related actions (including the Surcharge activities) are fully addressed in this Draft EIR, the environmental baseline is described as site conditions at the time the previous development application was filed on or about January 13, 2020, and the City initiated preparation of the MND. This baseline condition was reiterated in Section 4.9.2 of the Draft EIR. The analysis contained in Section 4.9.3 evaluates the Project's impacts based on conditions prior to the placement of the Surcharge Pile and details the BMPs that were implemented as part of the Surcharge Activities. However, because the Surcharge Pile is in place today and is an existing condition, the analysis does also address actions that were taken prior to and as part of the Surcharge Activities, as appropriate, noting that regulatory requirements were followed and BMPs were implemented while also noting that the same requirements and BMPs would continue to be followed and implemented with future Project actions. The impact findings, however, are related to the defined baseline and other information is provided as context.

Response 60-43

The comment states that the Draft EIR contains no analysis of the amount and specific pollutants present in the stormwater runoff prior to the surcharge construction in 2020, thus making it impossible for the public to know the degree stormwater pollution impacts from the Project will change. The Draft EIR provides a full analysis of both short and long term water quality impacts related to Project implementation as detailed in the discussion under Threshold 4.9a of the Draft EIR. Section 4.9 of Draft EIR addresses impacts related to short-term construction-related water quality impacts, including the anticipated pollutants to be encountered during construction activities, by detailing the Project specific SWPPP and specific BMPs designed to address those pollutants. The analysis also summarizes the Project Site's known historical contamination, the methods for capping the contaminated area and preventing infiltration into impacted sump materials, and the LID features to be implemented during Project operation (all of which are also detailed in the Response Plan included as Appendix I-10 of the Draft EIR and in Section 4.8 of the Draft EIR). Specifically, the Project is designed to capture and treat runoff prior to directing it toward the municipal stormwater system. Additionally, as detailed in Section 4.9 of the Draft EIR, the Project was designed to meet water quality standards as defined by the Los Angeles RWQCB. Both the SWPPP and the LID were prepared specifically to address Project specific conditions,

including anticipated stormwater pollutants. The analysis of the impacts from both the short-term and long-term activities consider the Project Site's condition before the Surcharge Activities.

Response 60-44

The comment states that the environmental baseline assessment in the Draft EIR is based on the Surcharge Pile being in place, which the Draft EIR later relies upon as mitigation. The comment further states that the Draft EIR needs to identify the hydrology and water quality related impacts before applying mitigation measures.

Contrary to the comment, none of the impacts analysis related to hydrology and water quality in Section 4.9, including the measures to be implemented during construction and operations, are based or rely upon the Surcharge Pile being in place. The Draft EIR, in Section 2.0 Introduction, makes clear that the environmental baseline for the Project is the Project Site in January 2020 prior to the City's preparation of the prior MND and prior to the Surcharge Activities, and the Draft EIR, in Section 3.0 Project Description makes clear that the Surcharge Activities are part of the Project, not part of the site's baseline. There are times in the Draft EIR where the Surcharge Pile is discussed as an existing current condition of the site, but that is to ensure that the Project's impact's analysis appropriately includes any impacts that the Surcharge Pile may have had and continue to have on the site.

In addition, contrary to the comment, none of the construction and operations measures summarized above or in Section 4.9 of the Draft EIR are mitigation. Rather, they are in the nature of project design features and regulatory compliance and are integral to the Project design. Because the Project incorporates these project design features and regulatory compliance, the Draft EIR concludes that the Project would have a less than significant impact with regard to hydrology and water quality and thus no mitigation is needed. Because there is no need for a discussion of mitigation measures in Section 4.9, that section does not conflate the impacts and mitigation analyses.

Response 60-45

The comment states that the Draft EIR improperly defers to compliance with water quality regulatory schemes, including the National Pollutant Discharge Elimination System (NPDES) permits governing stormwater runoff from the Project Site, without sufficiently analyzing the significant environmental impacts that may result from stormwater pollution. The comment further states that the Draft EIR's hydrology and water quality analysis must first identify the impacts caused by stormwater runoff and then apply compliance with the NPDES permits as mitigation.

In the first instance, the Draft EIR, Section 4.9 does identify potential hydrology and water quality-related impacts that could occur from the Project – for example, the Draft EIR Section 4.9 discusses pollutants that could exceed discharge limits and water quality standards set by the applicable NPDES permit and Water Quality Control Plan: Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan); the creation of more stormwater runoff than the environmental baseline; impacts to groundwater recharge; and impacts related to changes in the existing drainage pattern of the site, Section 4.9's impact analysis then discusses how compliance with the Construction General Permit, SMP, and MS4 permit, including a detailed technical discussion of how these plans and permits are complied with, would ensure that the Project's impacts would not rise to the level of significance.

Contrary to the comment, the Draft EIR is not required to separate the discussion of the Construction General Permit, SMP, and MS4 permit into a separate mitigation section because, as explained in Response 60-44, these measures are not mitigation. Rather, they are in the nature of project design features and regulatory compliance and are integral to the Project design.

Because the Project incorporates these project design features and regulatory compliance, the Draft EIR concludes that the Project would have a less than significant impact with regard to hydrology and water quality and thus no mitigation is needed. The lead agency may “rely on generally applicable regulations to conclude an environmental impact will not be significant and therefore does not require mitigation.” (*San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012, 1033; *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 932–934.) Because there is no need for a discussion of mitigation measures in Section 4.9, the impact analysis does not need to distinctly discuss the state of water quality and hydrology on the site in the absence of the regulatory schemes designed to protect against impacts.

Response 60-46

The comment states that the Draft EIR does not fully assess the potential water quality impacts of the Project’s impermeable footprint and then separately discuss how the NPDES permit would mitigate those impacts. See Response 60-45.

Response 60-47

The comment states that the Draft EIR fails to analyze the pollutants expected to be exposed to stormwater following completion of the Project. The comment further states that the Draft EIR fails to acknowledge that heavy metals (including but not limited to zinc and copper), oil, grease, trash, and other contaminants typical of urban runoff will inevitably be generated in the normal operation of the Project.

Section 4.9 of the Draft EIR provides an abbreviated list of typical pollutants that are expected to occur under construction activities and daily operations and a comprehensive list of potential pollutants is included as Appendix F of the SWPPP (Appendix J-3 of the Draft EIR). As detailed in Appendix F of the SWPPP, the pollutants are determined based on the anticipated activity and would include the following: metals (including lead, tin, and zinc chloride); oil and grease; synthetic organics; gross pollutants including litter, trash, debris and vegetation; nutrients. The Draft EIR acknowledges that the anticipated pollutants during Project operation would be the same categories of pollutants that would occur during Project construction. As discussed in Section 4.9 of the Draft EIR, the structural and non-structural BMPs identified in the SWPPP were developed to control erosion and sedimentation as well as the potential construction-related pollutants. As discussed in Section 4.9 of the Draft EIR, the Project’s LID Plan includes biofiltration BMPs to capture contaminated stormwater and remove pollutants before the water is discharged offsite.

The City’s LID Ordinance, with which the Project will comply, was developed to ensure compliance with the applicable MS4 permit during Project operations; the MS4 permit applicable to the Project, Los Angeles RWQCB issued Order No. R4-2021-0105, Waste Discharge Requirements and NPDES Permit for MS4 Discharges Within the Coastal Watersheds of Los Angeles and Ventura Counties (Regional Phase I MS4 NPDES Permit) (NPDES No. CAS004004), includes regulation of metals, oil/grease spills/leaks, and trash or debris. Accordingly, these constituents would be covered by the Project’s proposed LID system.

Response 60-48

The comment states that, due to the history of industrial activity at the site and the well-documented soil contamination subject to remedial action by DTSC, runoff from the site surcharging and cleanup operations will also likely contain contaminants which are not discussed in the Draft EIR.

The Draft EIR does not fail to discuss how DTSC’s Response Plan may leave significant contaminated soil in place during Project construction, nor does it fail to explore the protections

that would be implemented during construction or the type of cleanup needed for the contaminated soil in the future. The Draft EIR Section 4.8, Hazards and Hazardous Materials discusses what constituents could be encountered during construction. Section 4.8 of the Draft EIR describes in detail how the Project would not involve any soil export and that the existing soil would largely remain in place except for some movement of some AECs to reconsolidation areas onsite, which will then be buried and contained under the engineered cap to be installed. These soil movement activities will be governed by the SMP, EMP, and AAMP, as detailed in Draft EIR Section 4.8 and the Draft Response Plan (Appendix I-15 of the Draft EIR). Section 4.8 also extensively discusses the type of cleanup needed for contaminated soil at the site, which will be governed by the Draft Response Plan. In terms of stormwater during construction, the Draft EIR explains that the SMP directs that the SWPPP would be implemented during construction.

The Draft EIR clearly identifies the actions taken prior to and during the Surcharge Activities, including in Section 4.9 of the Draft EIR, which discusses specific BMPs that were constructed onsite to prevent stormwater from carrying sediment offsite, eroding onsite materials, or flowing offsite. As detailed in Section 4.9 of the Draft EIR, the SMP was submitted and approved by DTSC prior to Surcharge Activities, and as directed by the SMP, the SWPPP was prepared and BMPs constructed. The BMPs that were previously constructed remain in place and operational today and would continue to be in place during future construction activities, as appropriate. Non-structural BMPs, as discussed in section 4.9 of the Draft EIR, and detailed in the SWPPP (Appendix J-3 of the Draft EIR) were implemented and would continue through future construction activities.

Response 60-49

The comment states that the Draft EIR fails to consider runoff pollution from the proposed car wash. See Response A.4-5 and Response 9-9.

Response 60-50

The comment states that the Draft EIR lacks discussion about the volume of stormwater that would flow off the Project under baseline conditions and post-construction conditions. The Draft EIR provides a full discussion of plans and programs related to water quality, including the SWPPP and the LID Plan that were developed specifically to address the Project, anticipated runoff volumes, and anticipated pollutants. With regard to baseline conditions, the Draft EIR discusses in Section 4.9 that the Project Site is currently completely permeable and there is not a stormwater management system onsite, and therefore it cannot be known the amount of stormwater that flows off the Project Site under baseline conditions (versus infiltrating the soil). Exhibit 4.9-1 in the Draft EIR, however, illustrates the existing hydrology of the site and a narrative is provided in Section 4.9 of the Draft EIR. Regarding post-construction conditions, as discussed in Section 4.9 of the Draft EIR, the Project's permanent stormwater management system (the LID system) would have a combined capacity for 33,499 cubic feet per second (cfs) and 15,988 cfs, which would be greater than the required volume of 32,500 cfs and 15,528 cfs by the City of Long Beach and MS4 permit. The Draft EIR states that the LID Plan was developed to account for the proposed impermeable geoengineered cap which was a primary reason for selection of biofiltration as the BMP for managing and capturing stormwater runoff. As detailed in Appendix J-1, the anticipated runoff volume under this post-construction condition is detailed in the BMP Summary Table as well as the capacity of each BMP which demonstrates that all runoff would be captured on-site.

Response 60-51

The comment states that the design of the LID system does not account for future increases in stormwater due to climate change. As discussed in Section 4.9 of the Draft EIR, the City of Long

Beach adopted the LID Ordinance to ensure compliance with and implementation of the Regional Phase I MS4 NPDES Permit, of which the City is a co-permittee. The Project-specific LID was prepared to meet this requirement and, therefore, is in compliance with the City's LID Ordinance. As discussed in Section 4.9 of the Draft EIR, the Project's permanent stormwater management system would have a combined capacity for 33,499 cubic feet per second (cfs) and 15,988 cfs, which would be greater than the required volume of 32,500 cfs and 15,528 cfs by the City of Long Beach and MS4 permit. Currently, there is no requirement or metric to design stormwater collection systems that exceed the design criteria set forth by the LID Ordinance; therefore, the impacts are evaluated based on the available criteria and, as described in Section 4.9 of the Draft EIR, with implementation of the BMPs detailed in the Draft EIR, impacts related to stormwater runoff and localized flooding would be less than significant. Currently, there is no requirement or metric to design stormwater collection systems that exceed the design criteria set forth by the LID Ordinance based on unknown volume increases that may occur in the future.

Response 60-52

The comment states that there is the potential for stormwater run-on from offsite areas and that any run-on would carry additional pollutants originating in off-site locations. The Draft EIR, Section 4.9, details plans to construct two catch basins and a new offsite storm drain line to collected offsite storm flows. In addition to the discussion in the Draft EIR, Appendix J-2 of the Draft EIR provides detailed plans for these off-site improvements. The anticipated pollutants in the off-site storm flows would be consistent with existing conditions that are currently being collected via the Caltrans owned and maintained storm drain line or flowing to the LA River.

Response 60-53

The comment states that, without analysis of the expected stormwater volume flowing off the site after completion of the Project, there is no way to know whether the capacity of the proposed modular wetlands and detention system is sufficient. The comment also states that the commenters are concerned about localized flooding at the southwest corner of the Project site both before and after Project completion due to the increasing prevalence of large storms. As discussed in Section 4.9 of the Draft EIR, the City of Long Beach adopted the LID Ordinance to ensure compliance with and implement the Regional Phase I MS4 NPDES Permit, of which the City is a co-permittee. The Project-specific LID was prepared to meet this requirement and, therefore, is in compliance with the City's LID Ordinance. As discussed in Section 4.9 of the Draft EIR, the Project's permanent stormwater management system would have a combined capacity for 33,499 cubic feet per second (cfs) and 15,988 cfs, which would be greater than the required volume of 32,500 cfs and 15,528 cfs by the City of Long Beach and MS4 permit. As detailed in Appendix J-1, the anticipated runoff volume under this post-construction condition is detailed in the BMP Summary Table as well as the capacity of each BMP which demonstrates that all runoff would be captured on-site. Currently, there is no requirement or metric to design stormwater collection systems that exceed the design criteria set forth by the LID Ordinance based on unknown volume increases that may occur in the future; therefore, the impacts are evaluated based on the available criteria and historically documented volumes, and, as described in Section 4.9, with implementation of the BMPs detailed in the Draft EIR, impacts related to stormwater runoff and localized flooding would be less than significant.

Section 4.9 of the Draft EIR provides an abbreviated list of typical pollutants that are expected to occur under construction activities and daily operations and a comprehensive list of potential pollutants is included as Appendix F of the SWPPP (Appendix J-3 of the Draft EIR). As detailed in Appendix F of the SWPPP, the pollutants are determined based on the anticipated activity and would include the following: metals (including lead, tin, and zinc chloride); oil and grease; synthetic organics; gross pollutants including litter, trash, debris and vegetation; nutrients. Section 4.9 of the Draft EIR acknowledges that the anticipated pollutants during Project operation would be the

same categories of pollutants that would occur during Project construction. As discussed in Section 4.9 of the Draft EIR, the structural and non-structural BMPs identified in the SWPPP were developed to control erosion and sedimentation as well as the potential construction-related pollutants. As discussed on in Section 4.9 of the Draft EIR, the Project's LID Plan includes biofiltration BMPs to capture contaminated stormwater and remove pollutants before the water is discharged offsite.

Response 60-54

The comment states that stormwater flowing off the southwest corner of the Project Site would likely enter the adjacent equestrian trail along the Los Angeles River, exposing both community members and horses to potential pollutants. Please refer to Response 60-53. The Project's stormwater system is designed to accommodate anticipated stormwater flows and capture all onsite runoff and both the SWPPP and LID are designed to accommodate anticipated pollutants loads in the stormwater. Moreover, there is no trail, nor is the LA River, adjacent to the Project Site. The LACFCD property is between the Project Site and the trails along the LA River, providing nearly 200' of separation between them. Accordingly, there is no evidence to support that the Project would cause stormwater to flow off the southwest corner of the Project Site after construction and cause impacts to offsite areas.

Response 60-55

The comment states that there will most likely be short-term stormwater pollution impacts from the Project that were not addressed the Draft EIR because the existing BMPs in the SWPPP have not been fully implemented. The commenter states as support that "[c]ommunity members have reported fugitive dust escaping from the site." The comment does not provide any dates or details regarding the community members reporting fugitive dust, and therefore the City cannot respond with specificity to the comment. However, please refer to Response 60-48. Although no specific complaint records were presented by the commenter, under standard procedures if a complaint is made or if dust is visible from a construction site, all activity in the immediate area is stopped until such time that the inclement weather has subsided or the proper BMP is implemented (i.e., wind erosion control).

Response 60-56

The comment states that the Draft EIR fails to discuss how DTSC's Response Plan may leave significant contaminated soil in place during Project construction and fails to explore the degree and type of cleanup needed for the contaminated soil in the future. The comment further states that the current SWPPP is outdated and applies only to the Prior Project that was withdrawn.

The Draft EIR does not fail to discuss how DTSC's Response Plan may leave significant contaminated soil in place during Project construction, nor does it fail to explore the protections that would be implemented during construction or the type of cleanup needed for the contaminated soil in the future. The Draft EIR Section 4.8, Hazards and Hazardous Materials discusses what constituents could be encountered during construction. Section 4.8 of the Draft EIR describes in detail how the Project would not involve any soil export and that the existing soil would largely remain in place except for some movement of some AECs to reconsolidation areas onsite, which will then be buried and contained under the engineered cap to be installed. These soil movement activities will be governed by the SMP, EMP, and AAMP, as detailed in Draft EIR Section 4.8 and the Draft Response Plan (Appendix I-15 of the Draft EIR). Section 4.8 also extensively discusses the type of cleanup needed for contaminated soil at the site, which will be governed by the Draft Response Plan.

The minor variations between the Prior Project and the Project would not change the scope of the SWPPP; notwithstanding that, given the age of the prior SWPPP, a new SWPPP was prepared and submitted to the LARWQCB (see the SWPPP, prepared by Incompli, Inc. dated January 3, 2024 (WDID No. 4 19C402990), included in Appendix J-3 to the Draft EIR.

Response 60-57

The comment states that the Draft EIR impermissibly defers mitigation of water quality and hydrology impacts without adequate discussion of standards of performance. The Draft EIR provides a full analysis of both short and long term water quality and hydrology impacts related to Project implementation as detailed in the discussion under Thresholds 4.9a through 4.9e in Section 4.9 of the Draft EIR. The Draft EIR addresses impacts by detailing the Project specific SWPPP and specific BMPs designed to address the anticipated pollutants during construction activities. The analysis also summarizes the Project Site's known historical contamination, the methods for capping the contaminated area and preventing infiltration into impacted sump materials, and the LID features to be implemented during Project operation. Specifically, the Project is designed to capture and treat runoff prior to directing it toward the municipal stormwater system. The LID and SWPPP measures are in the nature of project design features and regulatory compliance and are integral to the Project design. Because the Project incorporates these project design features and regulatory compliance, the Draft EIR concludes that the Project would have a less than significant impact with regard to hydrology and water quality and thus no mitigation is needed. The lead agency may "rely on generally applicable regulations to conclude an environmental impact will not be significant and therefore does not require mitigation." (*San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012, 1033; *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 932–934.) As detailed in Section 4.9, Hydrology and Water Quality, the Draft EIR did not identify any mitigation measures. Because the LID and SWPPP measures are not mitigation, they do not need to satisfy the CEQA-specific criteria for mitigation measures.

Response 60-58

The comment states that the lack of clarity regarding the pollutants or volume of stormwater flowing offsite supports Comment 60-57's statement that the measures described in Section 4.9 do not satisfy CEQA's criteria for mitigation measures. As explained in Responses 60-44 and 60-57, the measures discussed in Section 4.9 are not mitigation measures and therefore do not need to meet the CEQA-specific criteria for mitigation measures. Notwithstanding that, the Draft EIR provides sufficient information regarding the pollutants and volume of stormwater flowing offsite after Project completion. Please refer to Responses A.4-5, 60-47, and 60-50.

Response 60-59

The comment states that the threshold in Draft EIR Section 4.9 related to groundwater lacks specificity to meet CEQA's criteria for mitigation measures and therefore supports Comment 60-57's statement that the measures described in Section 4.9 do not satisfy CEQA's criteria for mitigation measures. In the first instance, the quote in the comment from Section 4.9 of the Draft EIR is Threshold 4.9b, which is mandated by Appendix G of the State CEQA Guidelines and therefore cannot be revised by the lead agency. Further, as explained in Response 60-57, the measures discussed in Section 4.9 are not mitigation measures and therefore do not need to meet the CEQA-specific criteria for mitigation measures. Notwithstanding that, the Draft EIR provides a full analysis related to groundwater supplies, availability, and sustainability. As discussed in Section 4.9 of the Draft EIR, the Project would not impact groundwater supplies or availability because no groundwater wells would be constructed, nor would the Project result in notable increases in demands for water as detailed in Section 4.17, Utilities and Service Systems.

Response 60-60

The comment states that the stormwater BMPs in Section 4.9 of the Draft EIR which are “educational in nature or correspond to minor housekeeping improvements” lack specific performance criteria and therefore support Comment 60-57’s statement that the measures described in Section 4.9 do not satisfy CEQA’s criteria for mitigation measures. As explained in Response 60-57, the measures discussed in Section 4.9 are not mitigation measures and therefore do not need to meet the CEQA-specific criteria for mitigation measures. Notwithstanding that, the City notes that the nonstructural and structural source control BMPs referenced by the comment are only part of the LID system that will address stormwater post-construction. The LID system also most importantly includes the biofiltration BMPs, which consist of the modular wetlands and stormwater detention system.

Response 60-61

The comment states that there are no specific performance standards for deferred mitigation related to stormwater BMPs during construction and operation. As detailed in Response 60-57, the LID and SWPPP measures (BMPs) are in the nature of project design features and regulatory compliance and are integral to the Project design. Because the Project incorporates these project design features and regulatory compliance, the Draft EIR concludes that the Project would have a less than significant impact with regard to hydrology and water quality and thus no mitigation is needed. As detailed in Section 4.9, Hydrology and Water Quality, the Draft EIR did not identify any mitigation measures. Because the LID and SWPPP measures are not mitigation, they do not need to satisfy the CEQA-specific criteria for mitigation measures and are not considered to be deferred mitigation.

Response 60-62

The commenter states that they do not believe the alternatives analysis included in the Draft EIR sufficiently captures a range of Alternatives that would reduce, mitigate, or eliminate potential significant impacts to hydrology and water quality. The commenter also states that they believe the No Project Alternative would have the least impacts to water quality and hydrology. As detailed in Section 4.9, Hydrology and Water Quality, of the Draft EIR and as discussed in Response 60-57, the Draft EIR concludes that the Project would have a less than significant impact on hydrology and water quality without the need for mitigation and therefore did not identify any mitigation measures; rather impacts would be less than significant based on implementation of the LID and SWPPP measures, both of which would be requirements associated with new development on the Project site. See Responses A.4-5, A.4-6, 9-9, and 60-50 through 60-57 that explain why impacts related to the car wash, pollutants present onsite, and the volume of stormwater flowing offsite would be less than significant. Accordingly, Project alternatives are not needed to address these concerns. Additionally, contrary to the commenter’s statement, the No Project Alternative would likely not implement measures identified in the LID and SWPPP for the reasons explained in Response 60-79; therefore, the Project Site under the No Project Alternative would continue to operate under existing conditions and any water quality and hydrology benefits associated with the LID and the SWPPP and related to redirecting flows to prevent flooding and treatment of runoff to remove pollutants would not occur.

Response 60-63¹³

The commenter states that the Project is located in an area with existing traffic hazards. The noted congestion and hazard concern at the Metro crossing at Wardlow Road is an existing

¹³ Responses 60-63 through 60-69 are based on the attached Supplemental Transportation Memorandum prepared by Psomas (Appendix D).

condition. Although the Project will add traffic to the Pacific Place/Wardlow Road intersection and likely to the southbound left turn movement in question, the additional traffic is expected to be minimal (35 total Project trips in the PM peak hour compared to 2,841 existing vehicles at the intersection in the PM peak hour, and 5 southbound left turns compared to 142 existing [refer to Figures 4 and 9 on pages 9 and 18, respectively, of Appendix M, Traffic Impact Analysis, to the Draft EIR]). Further, as shown in Table 4 of the Project's Traffic Impact Analysis (TIA), the Project is expected to contribute five outbound trips in the PM peak hour specifically related to the RV parking portion of the site (which may or may not be RVs). Of those five peak hour trips, the TIA estimated (using trip generation rates in the Institute of Transportation Engineers [ITE] *Trip Generation Manual* [refer to Table 4 of the TIA]) that one or two trips may make a southbound left turn onto Wardlow Road. Therefore, the Project is not expected to contribute to a substantial safety hazard related to the existing condition at the intersection or Metro crossing and no further action is needed.

Response 60-64

Comments are noted. While some of the trips from the site, including RV trips, are expected to travel south on Pacific Place towards Wardlow Road, others are likely to use the freeway on-ramps. Further, as explained in the Project's TIA, which was prepared by a Professional Traffic Engineer, although the Project will add traffic to the network, the additional traffic will be relatively minimal (approximately 40 trips in the peak hour or 1% of the existing volume at the Pacific Place/Wardlow Road intersection). ((Refer to Traffic Impact Analysis, prepared July 2024 by Psomas for the Project and included as Appendix M to the Draft EIR). Refer to Response 60-65 for additional information regarding the Metro crossing. Lay or inexpert opinion testimony, such as that cited by the commenter, is not substantial evidence of a transportation impact resulting from the proposed Project. While a lead agency has discretion to consider lay testimony, the City is likewise entitled to weigh that testimony against and to ultimately rely upon its technical experts on technical issues. (*Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391.) In the event of conflicting technical evidence, like the traffic reports provided by the City's experts and summarized at Response 60-65, lay opinion does not carry the day and is not substantial evidence of a transportation impact. (*Newton Preservation Society v. County of El Dorado* (2021) 65 Cal.App.5th 771, 929 ["A lay person's opinion based on technical information that requires expertise does not qualify as substantial evidence."].)

Response 60-65

Metro was included in both the Notice of Preparation and Draft EIR distribution. As detailed in the TIA, Project traffic is not expected to result in a different or worsened condition due to the minimal amount of traffic volume from the Project that will be added to the area, and in particular, the Metro crossing. Specifically, as shown on Figures 4 and 9 of the TIA (traffic is expected to generate approximately 1% of the existing volume at the Pacific Place/Wardlow Road intersection. Therefore, no further action is required.

Response 60-66

The TIA (Appendix M to the Draft EIR), evaluated the cumulative impacts of development projects within the vicinity. Construction traffic may have an impact on traffic operations, but any potential impact is temporary. In addition, RVs will be stored at the site once the Project is constructed; however, the long-term day-to-day operations are only expected to see a nominal number of RVs enter or exit the site during the peak periods based on trip generation for similar sites in the ITE Trip Generation Manual. Therefore, no further action is required.

Response 60-67

Caltrans District 7 was included in both the Notice of Preparation and Draft EIR distribution and provided a comment letter on the Draft EIR (refer to Comment Letter A.7). The project is not expected to result in any modification of Caltrans facilities. Therefore, no further action is required.

Response 60-68

As explained in the TIA (refer to Appendix M of the Draft EIR), a cumulative VMT impact analysis was not required because the City's guidelines screen the Project out of that analysis due to its low trip generation. Only if a project does not meet any of the screening criteria, the VMT generated by a project is required to be analyzed for future VMT conditions for the region (which would include VMT changes due to other projects). No further action is needed.

Response 60-69

The comment is noted. The recommendations in Exhibit 17 are addressed in the comment responses for said exhibit (refer to Responses 60-E17-1 through 60-E17-10).

Response 60-70

The commenter states that the Draft EIR fails to adequately analyze and mitigate impacts to tribal cultural resources. The commenter references Exhibits 18 and 19. Please refer to responses 60-E18-1 through 60-E18-10 and 60-E19-1 through 60-E19-9 below, for detailed responses pertaining to these comments.

Response 60-71

The comment quotes from various judicial opinions, the CEQA statute, and CEQA Guidelines about CEQA's alternatives analysis. This comment does not provide a critique about the Draft EIR's analysis or conclusions, and therefore no further response is warranted.

Response 60-72

The comment first states that the City must not uncritically accept the Applicant's Project objectives and that the use of unduly narrow project objectives violates CEQA. The comment further states that the Draft EIR includes a number of overly narrow Project objectives that essentially eliminate any project other than the Project exactly as proposed.

The Project objectives were developed by the City in consultation with the Applicant, based upon the Project documents. Because a private party is proposing a private development project on private property, it is necessary that the City consult with the Applicant in framing the Project objectives because the Applicant can assist in providing information about what alternatives are feasible. Consulting with the Applicant in developing the objectives does not mean that the City uncritically accepted the Applicant's objectives. The City's broad discretion and ultimate control over the Project objectives is consistent with CEQA and CEQA case law.

Project objectives should describe the underlying purpose of the project and may discuss the project's benefits. (Cal. Code Regs., tit. 14, § 15124(b).) Generally, a lead agency has broad, unrestricted discretion to formulate project objectives and can do so with a particular project proposal in mind. (*California Oak Found. v Regents of Univ. of Cal.* (2010) 188 Cal.App.4th 227, 276-277 ("CEQA does not restrict an agency's discretion to identify and pursue a particular project designed to meet a particular set of objectives").) While the lead agency "may not give a project's purpose an artificially narrow definition, a lead agency may structure its EIR alternative analysis

around a reasonable definition of underlying purpose...” (*Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1013.)

Project objectives may only not be so narrow that they preclude any alternative other than the project exactly as proposed, such as defining the purpose of a project to be recommencing use and operation of a closed facility as soon as possible at the full production capacity of the existing facility. (*We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 692.) For specific development proposals, it can be appropriate for the underlying purpose of the project and objectives to target a specific use. (See, e.g., *Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1014 [project purpose and several objectives targeting 40 affordable units not impermissibly narrow where objectives overall still permitted range of alternative proposals]; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 561 [inland locations need not be considered in the alternatives where basic objective of the project is for an oceanfront hotel].)

Here, because the Project is a specific development project proposed by a property owner on their private property, it is natural that at least some of the objectives developed by the City would in part be based on the applicant’s proposal in their entitlements application, including the project uses. Neither CEQA nor the judicial opinions cited by the comment require otherwise. That does not mean, however, and it is not the case here, that the Draft EIR’s Project objectives are impermissibly narrow or that the City “uncritically accepted the Applicant’s objectives” and did not use its independent judgment in preparing them. The opposite is true.

First, the underlying purpose of the Project is a specific use (self-storage and RV storage), that purpose and the Project objectives that follow are not impermissibly narrow. Neither the Project purpose nor objectives specify a specific intensity or density of development or the address of the Project Site. Further, only three of the eight Project objectives reference self-storage or RV storage; the other five Project objectives provide benefits unrelated to storage, including employment and tax opportunities for the City, remediating the Project Site’s environmental contamination, and developing the Project Site in an environmentally sensitive manner. The alternatives analyzed in the Draft EIR Section 5.0, Alternatives, make clear that the Project objectives were sufficiently broad since the alternatives include a wholly different use (light industrial) and reduced intensity/density. Section 5.0 also considered an alternative location, though this was rejected for full consideration since, in part, the Project would not cause any significant and unavoidable impacts.

Second, the majority of the Project objectives provide direct benefit to the City. These Project objectives include having the Project Site, which was historically used in an environmentally damaging way, developed now in an environmentally sensitive manner through remediation of historic contaminants under DTSC supervision, and installation of energy and water efficient systems (Objectives 2 and 3); creation of jobs and tax revenue (Objective 7); reduction of traffic through residential neighborhoods (Objective 5); and development of an economically feasible use (Objective 8), which will help ensure the Project Site does not again become a location for blight and illegal activities as it has been in the past.

The comment next critiques Objectives 1, 3, 4, 5, and 6, stating that they are overly narrow because they make it clear that the only way to fulfill the Project purpose is through the Project as proposed. In the first instance, the Project definition consists of the Project purpose and all the Project objectives read together as a whole rather than each in isolation; and here, when read together, they are not impermissibly narrow for the reasons described above. Nonetheless, the City responds to each of the critiques in turn.

- **OBJ-1: Provide a state of the art, secure storage solution that would meet the increased demand in the Long Beach area, especially for secure, RV storage.** The comment states

that this objective is too narrow because it identifies a specific use (RV storage) and also that there is insufficient evidence to support the statement about demand for RV storage.

City Response: As discussed above, CEQA project objectives may contain a particular project proposal and use. Further, unlike the judicial opinions cited by the comment, this objective does not require a specific intensity or density of development. Moreover, there are six other project objectives that do not include RV storage. Notwithstanding the above, this comment incorporates a letter, attached to these responses as Appendix M, from the Applicant summarizing the market research performed when selecting the Project Site, with updates as to current market conditions, demonstrating demand for storage solutions.

- *OBJ-3: Develop the Project Site in a manner that improves existing site conditions through the implementation of a Response Plan, under the California Land Reuse and Revitalization Act of 2004 (CLRRRA), to address historical site contamination from metals, total petroleum hydrocarbons, and volatile organic compounds, which includes the preparation of a Soil Management Plan and construction of an engineered surface cap to prevent future exposure to hazardous materials, installation of building protection systems under the Project's buildings and installation of subsurface venting systems (passive with the capability of making active) beneath the Project's buildings and parking areas to mitigate potential exposure to methane and soil vapor, and installation of groundwater monitoring wells and perimeter soil vapor probes to monitor subsurface conditions.* The comment states that this objective is overly narrow because it forecloses consideration of other alternative strategies for remediating the Project Site.

City Response: The Project objectives are used as the basis for developing and considering Project alternatives, and the EIR need not analyze alternatives which are infeasible. (Cal. Code Regs., tit. 14, § 15126.6(a).) The Draft Response Plan, included as Appendix I-15 of the Draft EIR, evaluates in detail the alternatives to the engineered cap and other measures included in Objective 3. As detailed in the Draft Response Plan, the alternative remedial actions to the engineered cap are (1) no action, and (2) excavation and off-site disposal of the Project Site's impacted materials. The "no action" alternative (not removing the impacted soil and not capping it) was disfavored compared to the other remedial options in terms of protection of human health and the environment because it could allow for soil vapor to migrate to the surface unmitigated and surface water to infiltrate through the impacted material, which could further degrade groundwater quality. Further, the "no action" alternative is unlikely to be accepted by DTSC given the potential impact to future receptors in the absence of an engineered remedial system or complete soil removal. The "excavation and off-site disposal" alternative is anticipated to require removal of all soil to a depth of at least 30 feet belowground, which would require removal of approximately 390,000-490,000 cubic yards of soil and 50,000 roundtrip truck trips through populated areas to dispose of the material at an authorized facility. This removal process carries an increased potential for exposure of remediation workers and off-site receptors to sump materials, vapors, and methane, impacts to groundwater and stormwater, and explosions from methane releases due to such significant disturbance and exposure to the atmosphere of the impacted materials. Because of the risks associated with the removal, this alternative was not anticipated to protect human health and the environment to the same degree as the engineered cap. Moreover, the removal alternative is anticipated to cost \$67 million compared to the anticipated \$1-\$2 million for the engineered cap. Overall, given the analysis in the Draft Response Plan, the alternative remedial actions are infeasible compared to the remedial system described in Objective 3 and therefore are appropriately excluded from the Draft EIR's Project objectives and alternatives.

- *OBJ-4: Construct and operate a self-storage building and self-storage units in order to adequately serve the increased demand in the Long Beach area.* The comment states

that this objective is too narrow because it identifies a specific use (self-storage) and also that there is insufficient evidence to support the statement about demand for self-storage.

City Response: As discussed above, CEQA project objectives may contain a particular project proposal and use. Further, unlike the judicial opinions cited by the comment, this objective does not require a specific intensity or density of development. Moreover, there are six other Project objectives that do not include self-storage. Notwithstanding the above, this comment incorporates a letter, attached to these responses as Appendix M from the Applicant summarizing the market research performed when selecting the Project Site, with updates as to current market conditions, demonstrating demand for storage solutions.

- *OBJ-5: Locate the Project near the I-405 freeway in order to provide adequate vehicular access to the Project Site and to reduce vehicular travel through residential neighborhoods or heavily trafficked City roadways.* The comment states that this objective is too narrow because it constrains the potential locations for the Project Site. The comment also states that this objective constrains the Project to a location disproportionately impacted by air pollution.

City Response: The vicinity of the I-405 freeway is a very large geographic area. CEQA does not require that project objectives or alternatives allow for unlimited other locations. Unlike the judicial opinions cited by the comment, this objective does not restrict the Project to a specific intensity or density of development, use, or specific address. Further, as discussed in the Draft EIR Section 4.2, Air Quality, the Project would result in less than significant impacts related to air quality with implementation of applicable mitigation measures.

- *OBJ-6: Provide sufficient parking to accommodate long-term RV storage stalls and an onsite private car wash for the recreational vehicles and other customer vehicles. The comment states that this objective is too narrow because it identifies a specific use (RV parking and a car wash).*

City Response: As discussed above, CEQA project objectives may contain a particular project proposal and use. Further, unlike the judicial opinions cited by the comment, this objective does not require a specific intensity or density of development. Moreover, there are six other Project objectives that do not include RV storage and seven that do not include a car wash.

Response 60-73

The comment quotes from various judicial opinions, the CEQA statute, and CEQA Guidelines about CEQA's alternatives analysis. The comment also summarizes the commenters conclusions in Comments 60-74 to 60-81. With regard to the portion of the comment quoting judicial opinions and CEQA, the comment does not provide a critique about the Draft EIR's analysis or conclusions, and therefore no further response is warranted. With regard to the summary of conclusions in Comments 60-74 to 60-81, the City responds to each of those in turn in Responses 60-74 to 60-81.

CEQA requires that a project provide a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. (Cal. Code Regs., tit. 14, § 15126.6(a).) An EIR need not consider every conceivable alternative to a project, but rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. (*Ibid.*)

Response 60-74

The comment states that the Draft EIR must be revised pursuant to Comments 60-1 through 60-73 in order to allow for an accurate comparison of the Project and alternatives. See Responses 60-1 through 60-73.

Response 60-75

The comment states that commenters have been advocating for years for a park/recreation use at the Project Site, and that such a use would help ameliorate western Long Beach's longstanding park disparity and would realize the long-plan vision for the Wrigley Heights River Park embodied in the planning documents referenced elsewhere in the comments.

The Draft EIR, Section 4.14, Recreation, discusses the Project's impact related to recreation and Section 4.10, Land Use and Planning, discusses the Project's consistency with applicable plans, policies, and regulations, including those pertaining to park and recreation uses, within the purview of CEQA. The Draft EIR concludes that the Project would have less than significant impacts with respect to these topics. The balance of the comment raises concerns outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Response 60-76

The comment states that the Draft EIR failed to analyze a park alternative because the Draft EIR concluded that such an alternative was infeasible based on the 2021 Feasibility Report, attached as Appendix K to the Draft EIR. The comment further states that the Draft EIR must provide a detailed comparative analysis, including grant funding opportunities for land acquisition and park development, to show that a park alternative would be economically infeasible, citing *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 599.

The Project is a proposal by a private party to develop private property with a private project. The Project Site is zoned by the General Plan as Neo-Industrial and zoned Light Industrial. The Project Site has not been listed for sale by the Applicant. As explained in the Draft EIR Section 5.0, Alternatives, no public agency has identified, secured, or issued funding to acquire, remediate, and develop the Project Site as a park or open space, and no public agency has made an offer to acquire it. See Response 65-12 regarding conversations with the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy about a willing seller letter, but no funding was issued nor was an offer made to acquire the Project site. At present, the City is not currently allocating staff for, or investing any money, time or public resources towards, the potential acquisition, remediation, and development of a public park on the Project site. The contents of the 2021 Feasibility Report remain accurate. It has never been zoned, designated or earmarked for park or open space or public acquisition by the City or any other public agency. An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the current Land Use Element formally designates the Project Site as Neo-Industrial. Further, as explained in Draft EIR Section 4.10, Land Use and Planning, the Project is not inconsistent with the various regional and local vision and opportunity plans and studies that identify the Project Site, in addition to many other areas along the LA River in many jurisdictions, as part of an area that could be desirable, if public funding becomes available or resources are allocated, for acquisition by public agencies for park and open space. *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587 does not require that the Draft EIR provide evidence of why a park is economically infeasible. *Uphold Our Heritage* presented the context where the alternatives analyzed in the CEQA document were all variations of the same main project studied, which all consisted of private projects that would be carried out by the same private developer on their private property. (*Id.*, at p. 493.) *Uphold Our Heritage* found that, in that

context a CEQA document cannot reject alternatives based on economic infeasibility by merely stating the cost of the alternative but rather has the burden to provide evidence that the additional cost of the alternative *as compared to* the main project cost are sufficiently severe. (*Id.*, at pp. 598-599.)

Here, the commenters propose something entirely different from the context in *Uphold Our Heritage*. They propose that, instead of the Applicant's proposed private development on private property, the Lead Agency should become the Project proponent, change its current purchasing activity, set aside resources and staff to research and obtain funding it does not currently have, and purchase private property and develop it for a public use. Such a demand is outside the scope of CEQA and not required by the Lead Agency.

In any event, economic infeasibility in the context of CEQA (i.e., the additional cost of the alternative as compared to the Project cost) is not the reason stated in the Draft EIR for not including a park as a full alternative. Rather, the Draft EIR Section 5.0 explains that no public agency, including the City, has identified, secured, or issued funding to acquire, remediate, and develop the Project Site as a public park, and no public agency has made an offer to acquire the Project Site to do so. See Response 65-12 regarding conversations with the San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy about a willing seller letter, but no funding was issued nor was an offer made to acquire the Project site. The City, nor any other public agency, does not have an obligation under CEQA to take over as project proponent and develop a different project in order to mitigate impacts. (See, e.g., *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1458.) The City of Long Beach Acquisition Feasibility Report discussed in the Draft EIR and attached to the Draft EIR as Appendix K (Feasibility Report) contains some of the reasoning why the City has not prioritized this site at this time – “location in terms of access, contamination and surrounding land uses (freeways, the river, Metro light rail tracks) renders it an auto-oriented property that prevents pedestrian compatibility by default” (City of Long Beach 2021). Purchasing and developing property by a public agency involves weighing many competing factors, and the Feasibility Report also indicates some of these reasons why the adjacent County site has been prioritized instead of the Project Site – current use, ownership (already publicly owned), direct adjacency to the LA River, and the owner's (County) interest. Lastly, as further explained in Section 5.0, a park would not support six of the eight Project objectives, and a park is inconsistent with the underlying Project purpose as stated in Section 3.0 of the Draft EIR. Accordingly, the Draft EIR sets forth several different supported reasons for rejecting a park alternative.

Based on the above, the Draft EIR does not need to include further evidence to support economic infeasibility as a ground for rejecting a park alternative. The commenters' desire for the City to purchase the site and develop it as a park will be forwarded to the decisionmakers for consideration.

Response 60-77

The comment states that the Feasibility Report is outdated because it was prepared in 2021 and does not paint a full picture of grant and funding feasibility. The comment further provides Exhibit 20, which is a list compiled by the commenter of potential public funding sources from various state and federal propositions, grants, and programs for which the City could apply to use towards acquiring, remediating, and developing the Project site for a park. The comment further states that the Draft EIR cannot reject the park alternative as infeasible without conducting an updated investigation into park feasibility and reviewing the funding opportunities provided by the commenter.

Like Comment 60-76, this comment implies that, instead of the Applicant's proposed private development on private property, the Lead Agency should become the Project proponent, change

its current purchasing activity, set aside resources and staff to research and obtain funding it does not currently have, purchase private property and develop it for a public use. See Response 60-76 for why this is outside the scope of CEQA and why the Draft EIR is not required to provide a more detailed analysis regarding the economic feasibility of a park alternative. At present, the City is not currently allocating staff for, or investing any money, time or public resources towards, the potential acquisition, remediation, and development of a public park on the Project site. The contents of the 2021 Feasibility Report remain accurate. The City also notes that Exhibit 20 is older than the City's Park Acquisition Feasibility Report, which the commenter claims is outdated. The information provided in the comment, including Exhibit 20 to the commenters' comment letter, will be forwarded to the decisionmakers for review and consideration.

Response 60-78

The comment states that the Draft EIR should have but failed to consider an alternative project location and further states that the Draft EIR did not do so because of a claim that the Applicant does not own or control any other sites that could be developed. The comment also states that the Draft EIR does not support its conclusion that an alternative location was unnecessary because there are no significant and unavoidable impacts, since the commenters' letter reveals a variety of such impacts. Lastly, the comment reiterates that the Project objectives are too narrow and therefore not a basis for rejecting an alternative location.

First, CEQA does not require a discussion on alternative locations for a project. An EIR must include a reasonable range of alternatives to the project or to the location of the project. (Cal. Code Regs., tit. 14, § 15126.6(a), emphasis added.) Second, the Draft EIR Section 5.0, Alternatives presents several reasons why an alternative location was rejected for consideration as a full alternative, and, when taken together, these reasons justify not carrying the alternative location forward. The key question and first step in the alternatives analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Though the commenters disagree about whether the Project would cause significant environmental effects, see Responses 60-1 through 60-77 for why the commenters do not present new information showing significant impacts not already addressed in the Draft EIR. Accordingly, the Draft EIR remains accurate that an alternative location is unnecessary since the Project would not cause any significant and unavoidable impacts.

Lastly, see Response 60-72 for why the Project objectives are not too narrow. As set forth in the Draft EIR, developing the Project at the Project Site has numerous public benefits given the Project Site's long history of environmental contamination, as well as the numerous development constraints, some of which are described in the Feasibility Report, including limited site access, contamination, and constraining surrounding land uses (freeways, the river, Metro light rail tracks), all of which "renders it an auto-oriented property that prevents pedestrian compatibility by default." The site limitations make it particularly beneficial that the Project Site has an opportunity to be developed in an environmentally sensitive manner, remediated, and put to economically feasible use, which is why these benefits appropriately are reflected in the Project objectives. These factors also weigh against including an alternative location as a full alternative in the Draft EIR.

Response 60-79

The comment states that the Draft EIR's "No Project" alternative discussion lacks support for its assumption that the Surcharge Pile would remain in place, that the site would be remediated, and that the site would not be acquired and developed as a park.

The "No Project" alternative, in the case of a specific development proposal as here, should compare the environmental effects of the property "remaining in its existing state" against

environmental effects which would occur if the project is approved. (Cal. Code Regs., tit. 14, § 15126.6(e)(3)(B).) If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, that should also be discussed. (*Ibid.*) After this initial discussion, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. (*Id.*, § 15126.6(e)(3)(C).) It is appropriate for the “No Project” alternative to discuss the benefits to the environment of the proposed project as compared to the state of the site were the project not to be developed. (See *Mira Mar Mobile Community v City of Oceanside* (2004) 119 Cal.App.4th 477, 489.)

The Draft EIR Section 5.0 reasonably assumes that the Surcharge Pile would remain in place and remediation would not occur for some time. The Project Site has been vacant since 2016 when the prior golf facility ceased operations. Despite a partial cleanup/treatment of the Project Site that was attempted in the 1970s and several environmental investigations beginning in 1983, the Project Site has not undergone remediation even though the oil brine treatment facility stopped operations in the mid-1950s. As described in the Feasibility Report, the Project Site has numerous development constraints, including “location in terms of access, contamination and surrounding land uses (freeways, the river, Metro light rail tracks) [which] renders it an auto-oriented property that prevents pedestrian compatibility by default.” The Project Site also is not currently served by any utilities, and therefore development of the site would require installation of domestic, fire, and irrigation water lines, electricity lines, and stormwater and wastewater pipelines. Lastly, no local or state agency has ordered the owner to remove the Surcharge Pile and removal of the Surcharge Pile would likely be undertaken as part of development of the Project Site and therefore be delayed until a new development other than the Project is proposed. For these reasons, the Draft EIR’s assumptions are supported that the Project Site could remain in its current state for some time in the “No Project” scenario.

If another development were proposed in lieu of the Project, it would most likely be a light industrial development, which is why Alternative 1 is included in the Draft EIR. The Property is designated by the General Plan as Neo-Industrial and zoned Light Industrial. This designation and zoning allows for a wide variety of light industrial and manufacturing uses, including research and development, flex space (e.g., combined office/sales, warehouse/production), warehousing, small-scale incubator industries, and assembly operations. The Light Industrial zoning and Neo-Industrial designation for this site allow for lot coverage of up to 55%, 40’ in height, and Floor Area Ratio up to 1.00. (Long Beach Municipal Code, Table 33-3; General Plan, Land Use Element, Table LU-3 & Map LU-8.) Aside from the allowed height in the Light Industrial zoning, which is very similar to the Project, the Project is significantly less intense than the maximum standards permitted by the Light Industrial zoning and Neo-Industrial designation in that the Project has a lot coverage of 8.2% and an approximate Floor Area Ratio of .33. Like the Project, any development proposal including the Project would need to remediate the site and overcome the site’s development constraints, including installation of all utility lines. For the reasons above, an alternative proposal at the Project Site would most likely be consistent with its current zoning and therefore, as discussed in section 5.0, Alternatives, would have similar impacts to the Project and could have greater impacts because the zoning standards allow for a more dense development than the Project; as such, if the “No Project” alternative includes these assumptions, it would have been ultimately not determined to be environmentally superior in the Draft EIR over the Project.

See Response 60-76 and Draft EIR Section 4.10 why development of a park is unlikely based on present circumstances and therefore too speculative to assume as part of the “No Project” alternative.

Response 60-80

The comment states that Alternative 1 is vague and poorly defined because it does not specify a particular type of use. The comment also states that Alternative 2 is too similar to the Project. The comment also states that Alternative 1 and Alternative 2 do not reduce impacts of the Project sufficiently to satisfy CEQA's standards for alternatives.

Alternative 1 is described in adequate detail such that a comparative analysis can be made. As stated in Draft EIR Section 5.0, Alternatives, Alternative 1 proposes a feasible alternative that could take advantage of nearly the full scope of General Plan and Zoning allowances under the current General Plan Neo-Industrial land use designation and Light Industrial zoning. While it does not select only one use, it selects a range of light industrial uses that are permitted under the existing General Plan designation and zoning, all of which generate similar impacts for purposes of CEQA analysis. Further, Alternative 1 states with specificity numerous project details, including building square footage, building height, lot coverage, and parking spaces. Further, while Alternative 2 is similar to the Project in that it is a reduced intensity version of the Project, CEQA does not restrict alternatives from being similar to the main project studied by the EIR. See Response 60-73 for legal requirements of an alternative.

Contrary to the comment, Alternative 1 and Alternative 2 do reduce the potential impacts caused by the Project. Alternative 1 would reduce potential land use and planning impacts (Section 4-10 of the Draft EIR) because it maintains the Project Site's current General Plan designation and zoning, unlike the Project which seeks a variety of amendments to the Project Site's existing designations, including a General Plan amendment, zone change, and height overlay. Though the Draft EIR found that land use and planning impacts for the Project will be less than significant, Alternative 1 would be less likely than the Project to create a conflict with any land use plan, policy or regulation because, unlike with the Project, Alternative 1's potential land use and planning impacts are not contingent on City approval of the applicant's requested changes to the Project Site General Plan designations and zoning. With regard to Alternative 2, as stated in the Draft EIR, Section 5.0, Alternatives (page 5-23), Alternative 2 would result in less impacts related to air quality, energy, GHG, noise, transportation, and utilities when compared with the Project.

To provide clarity on the reduction in potential impacts as between the Project and Alternative 1, the Draft EIR is revised. The revisions contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for ease of reference.

To provide clarity on the reduction in potential impacts as between the Project and Alternative 1, the Draft EIR is being revised as follows:

Section 5.0, Alternatives, Comparison of the Effects of Alternative 1, Pages 5.15 and 5-16

Land Use and Planning

Alternative 1 would be constructed in the same location as the Project, which is surrounded by undeveloped land and industrial land uses; other uses in the vicinity include residential, park, and an elementary school. The Project Site does not serve as an access route between residential uses or other communities; therefore, no impacts related to this physical division of an established community would result from Alternative 1. Also, Alternative 1 would be consistent with the Project Site's PlaceType, **height designation**, and zoning, and no new potential

conflicts with any applicable land use plans or policies would result from Alternative 1, and no General Plan amendment or Zone Change would be needed as with the Project. The Project was found to have less than significant impacts related to consistency with land use plans and policies. Similarly to the Project, Alternative 1 would provide an easement for future pedestrian use, consistent with that proposed by the Project. As such, consistent with the Project, Alternative 2 would not conflict with the City of Long Beach General Plan, City of Long Beach Zoning Code, 2021-2029 Housing Element Update, Connect SoCal, Lower LA River Revitalization Plan, Los Angeles River Revitalization Master Plan (2007), LA River Master Plan (1996), LA River Master Plan (2022), Los Angeles County 2016 Parks Need Assessment, Los Angeles County 2022 Parks Needs Assessment Plus, Parks, Recreation and Marine Strategic Plan (2003), Parks, Recreation and Marine Strategic Plan (2022-2032), Riverlink, I-710 Corridor Community Livability Plan, The West Beach Livability Implementation Plan, City of Long Beach Open Space Acquisition Study, Bicycle Master Plan, and CX3 Pedestrian Plan. While the Project and Alternative 1 would result in less than significant impacts related to this threshold, ~~Alternative 1 would not require the same approvals as detailed in Section 3.0, Project Description, when compared to the Project. Alternative 1 would be less likely than the Project to create a conflict with any land use plan, policy or regulation because, unlike with the Project, Alternative 1's potential land use and planning impacts are not contingent on City approval of the applicant's requested changes to the Project Site General Plan designations and zoning. however, this is not considered to be a significant impact of the Project; therefore, impacts would be similar when compared to the Project.~~

Section 5.0, Alternatives, Comparison of the Effects of Alternative 1, Page 5.17

Conclusions

Avoid or Substantially Lessen the Significant Impacts of the Project

Alternative 1, **when compared to the Project, would reduce potential land use and planning impacts because it maintains the Project Site's current General Plan designation and zoning, unlike the Project which seeks a variety of amendments to the Project Site's existing designations, including a General Plan amendment, zone change, and height overlay. Alternative 1 is therefore less likely than the Project to cause a potential conflict with a land use plan, policy, or regulation.** Alternative 1, when compared to the Project, would not result in reduced impacts related to **the other** ~~any of the~~ resources categories. Alternative 1, when compared to the Project, would result in increased impacts related to air quality, energy, GHG, operational noise, population and housing, public services, recreation, transportation, and utilities.

Section 5.0, Alternatives, Page 5-24

**TABLE 5-1
COMPARISON OF ALTERNATIVES**

Impact Area	Project	No Project Alternative	Alternative 1	Alternative 2
Aesthetics	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Air Quality	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Biological Resources	Less Than Significant Impact With Mitigation	Increased Impact	Similar Impact	Similar Impact
Cultural Resources	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Energy	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Geology and Soils	Less Than Significant Impact With Mitigation	Reduced Impact	Similar Impact	Similar Impact
Greenhouse Gas Emissions	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Hazards and Hazardous Materials	Less Than Significant Impact	Increased Impact	Similar Impact	Similar Impact
Hydrology and Water Quality	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Land Use and Planning	Less Than Significant Impact	Increased Impact	~~Reduced~~ Similar Impact	Similar Impact
Noise	Less Than Significant Impact	Reduced Impact	Similar Impact	Reduced Impact
Population and Housing	Less Than Significant Impact	Similar Impact	Increased Impact	Similar Impact
Public Services	Less Than Significant Impact	Reduced Impact	Increased Impact	Similar Impact
Recreation	Less Than Significant Impact	Increased Impact	Increased Impact	Similar Impact
Transportation	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Tribal Cultural Resources	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Utilities and Service Systems	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact

This revision does not constitute “significant new information”, and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Response 60-81

This comment quotes from the CEQA statute and Guidelines, as well as several judicial opinions, regarding the lead agency’s obligation to mitigate impacts. The Draft EIR concludes that all of the Project’s impacts are less than significant or less than significant with mitigation. This comment does not otherwise present any critiques of the Draft EIR’s analyses or conclusions and therefore no further response is warranted.

Response 60-82

This comment states that the commenters have identified numerous significant adverse impacts from the Project that the Draft EIR fails to disclose. See Responses 60-1 through 60-83 why the commenters have not presented evidence of new or more severe impacts not already adequately addressed by the Draft EIR, as supplemented by the information provided in Responses 60-1 through 60-83.

Response 60-83

The commenter provides a conclusion to their letter and does not provide any further substantive comment.

Comment Letter 60 - Exhibit 7**Response 60-E7-1**

The commenter provides opening remarks on the proposed project. No response is required.

Response 60-E7-2

The commenter expresses concern about the southern tarplant mitigation area being “edge” habitat. “Edge” habitats, or ecotones, are generally described as boundaries between two different habitats or vegetation communities, for example, a grassland adjacent to a forest). If this is what is referenced in the comment, there is no edge habitat or an ecotone on or adjacent to the Project Site. The Southern Tarplant Mitigation Area on the Project Site was selected to provide a connection to the off-site area to the west, where a population of approximately 2000 southern tarplants occurs. CDFW has expressed that they prefer the on-site restoration area be positioned along the western boundary of the project site to provide a connection to the existing tarplant population west of the project, as reflected in the September 26, 2024 Comment Letter from CDFW: “CDFW had the opportunity to scope MM BIO-1b and concurs with the Project proponent that creating a southern tarplant population in the northern and western portions of the Project site would be most appropriate compensatory mitigation strategy.” (Attachment H to SBRA) MM BIO-1b provides for the placement of the Southern Tarplant Mitigation Area “along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the property owned by the County of Los Angeles west of the Project Site.” (2024 BRA, p. 54, MM BIO-1b.)

The commenter further notes that the connection to the adjacent tarplant population on the County property will be “tough when they are grading the whole site.” However, as stated in MM BIO-1b, the adjacent tarplant population will be protected via the installation of construction fencing along the western boundary of the Project site. This fencing will prevent trampling/crushing of southern

tarplants on the County property west of the Project site. The commentor's comment is not related to adequacy of the DEIR, and no further response is required. Nonetheless, the comment will be considered by the decision makers.

Response 60-E7-3

The commenter expresses concern over the soil conditions of the southern tarplant restoration area. As detailed in the SBRA, the on-site area that would receive the southern tarplant restoration program appears to be a suitable area for growing southern tarplants, as soils conditions in the on-site restoration area appear very similar to soil conditions on the adjacent off-site area west of the project site, where a large population of southern tarplant occurs. The Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) mapped one soil type (Urban land-Hueneme, drained-San Emigdio complex, 0 to 2 percent slopes) in the area encompassing the proposed on-site restoration area and the adjacent lands supporting the southern tarplant population. The Hueneme series soils are grayish brown, moderately alkaline, loamy fine sand and light sandy loam and are suitable for the growth and life cycle of the southern tarplant. The topography in the on-site southern tarplant restoration area would be contoured to meet the topography of the adjacent property and care would be taken to ensure soils are not compacted to a density that would reduce germination rates of the southern tarplant seeds. These efforts will be detailed in the Southern Tarplant Mitigation and Monitoring Plan, together with the other required plan elements specified in MM BIO-1b. (2025 SBRA.)

The commenter further notes that it will be problematic for the Applicant to develop the Southern Tarplant Mitigation and Monitoring Plan after site grading has been "set in stone." At the request of CDFW, this mitigation measure has been revised to require submittal of the plan to CDFW and the City "prior to any Project ground-disturbing activities" rather than within 6 months following issuance of a grading permit. (Attachment L to 2025 SBRA [1-31-25 CDFW Email].) The commenter is referred to Response to 60-18 and the Supplemental BRA for the complete version of MM BIO-1b with this revision incorporated.

Response 60-E7-4

The commenter states that if a self-sustaining population of tarplant cannot be established on-site, then off-site mitigation shall be employed. However, given the Applicant's extensive and unsuccessful attempts to find appropriate off-site mitigation for southern tarplant, coupled with the fact that during the December 15, 2023 virtual meeting between FCS, CDFW and the City, CDFW expressed concern that an off-site mitigation measure for southern tarplant was not realistically feasible by the Project proponent nor enforceable by the City, it has become apparent that off-site mitigation is not feasible for the Project. In fact, at that meeting, CDFW strongly advocated for on-site restoration as the most appropriate compensatory mitigation strategy. The September 26, 2024 comment letter from CDFW reinforces this position, stating that "CDFW had the opportunity to scope MM BIO-1b and concurs with the Project proponent that creating a southern tarplant population in the northern and western portions of the Project site would be most appropriate compensatory mitigation strategy." (Attachment H to SBRA)

Response 60-E7-5

The commenter states that the site is poorly surveyed with only the September 2023 general biological survey. However, numerous site surveys have been completed, including general, rare plant, and Crotch's bumble bee surveys by LSA in 2019 and 2020, a general survey by FCS in October 2023, four nonbreeding season burrowing owl surveys completed by FCS between November 2023 and January 2024, four breeding season burrowing owl surveys completed by FCS between April and July 2024, three rare plant and Crotch's bumble bee surveys completed

by FCS between July and August 2024, and a bat habitat assessment survey and an arboricultural survey completed by FCS in October 2024.

Response 60-E7-6

The commenter states that the surveys do not capture the seasonal use by birds of the grasslands and pools following rains. As previously stated, LSA and FCS Biologists have conducted numerous surveys of the project site and have characterized use of the site by birds and other wildlife species. Due to the disturbed nature of the project site and its situation within an urbanized area, use of the project site by birds is limited. There are no grasslands or pools on-site, and vegetation on the project site is sparse, ruderal, and weedy in nature. As detailed in the 2024 BRA, the Project Site is surrounded by urban development and has a history of disturbance, including historical uses associated with oil production, partial cleanup and treatment efforts, and a golf driving range (the Long Beach Golf Learning Center). Aerial photographs obtained from Google Earth provided numerous views of the project site between 1994 and 2023. The imagery shows a pattern of surface disturbances at the site over the past 30 years, which is described in the Draft EIR at Sections 4.3 (Biological Resources) and 4.8 (Hazardous Materials). (2024 BRA, Section 4.1.3.) Therefore, the site provides poor habitat for native and migratory bird species.

Response 60-E7-7

The commenter expresses concern about bats that may use the site, and that the project mitigation does not include acoustic surveys.

The September 26, 2024 Comment Letter from CDFW requested the addition of three mitigation measures to address potential impacts to bat species, including the western yellow bat. (Attachment H to SBRA) The applicant has agreed to incorporate these three mitigation measures into the Project MMRP as MM BIO-6a, MM BIO-6b and MM BIO-6c (2025 SBRA). MM BIO-6a specifically provides for acoustic surveys (2025 SBRA).

In accordance with MM BIO-6a, a bat habitat assessment was performed on October 10, 2024 (Attachment E to 2025 SBRA [Bat Habitat Assessment for the North Pacific Place Self Storage Facility Project]). The assessment determined that there is no suitable bat roosting habitat on-site, but identified trees in and directly adjacent to the project off-site improvement areas that could potentially provide roosting habitat for bats. (Id.) To ensure this potential impact remains less than significant, focused surveys will be implemented prior to initiation of ground-disturbing or vegetation removing activities. Daytime and nighttime visual and acoustic surveys for bats will be conducted throughout the Project area (plus a 100-foot buffer as access allows) in accordance with the mitigation requested by CDFW and incorporated as MM BIO-6a (2025 SBRA).

The addition of MM BIO-6a, MM BIO-6b and MM BIO-6c to address potential impacts to bat species, including the western yellow bat, does not identify a new significant biological resources impact or a substantial increase in the severity of a biological resources impact. (CEQA Guidelines Section 15088.5(a).) Section 4.3 of the DEIR, Biological Resources, identified a potentially significant impact to bat species, specifically the western yellow bat, which was assessed in the 2020 BRA (LSA) and 2024 BRA (FCS) as having low or no potential for occurrence on the Project Site; therefore, no specific mitigation was proposed. As detailed above, additional mitigation specific to bats, including the western yellow bat, was requested in the September 26, 2024 Comment Letter from CDFW. (Attachment H to SBRA) The Applicant agreed to incorporate these mitigation measures, which were added to clarify and amplify the Draft EIR's analysis (CEQA Guidelines Section 15088.5(b).) Accordingly, recirculation is not required.

Response 60-E7-8

The commenter expresses concern about the effects of lighting on biological resources and that the Project does not include “design features that will reduce light pollution impacts.” In addition, the commentor claims that light from the project will impact the shorebird habitat, given that the Los Angeles River is identified as an “Important Bird Area by Audubon California.” It is important to note that the project site is surrounded by urban development and the area is already subject to light pollution. (2025 SBRA.) Lighting for the project will follow City standards (Section 4.1 [Aesthetics] of the DEIR).

Moreover, CDFW conducted a detailed review of proposed mitigation measures for the Project and only made one request with respect to lighting impacts in its comment letter: “Lighting. The Project proposes to install exterior security lighting that would be directed at the storage building and RV stalls. CDFW recommends exterior lighting is directed away from the on-site southern tarplant mitigation site within the Project site.” (Attachment H to SBRA) Applicant agreed to implement security lighting as part of the Project. (Attachment K to SBRA, [December 30, 2024 Response Memo].) No additional lighting BMPs are needed, and no additional response is required.

Response 60-E7-9

The comment claims that the Project’s lighting will attract birds at night and lead to bird collisions with windows during the day. The comment is entirely speculative and does not provide any details about the studies or evidence on which they rely for this claim. Accordingly, the commenter has not provided substantial evidence (or any evidence) of a potential impact, and no further response is required.

Response 60-E7-10

The commenter again offers speculative claims that “self-storage almost always has rat poison deployed” and raises concern about rodent control and its potential impact to local wildlife unless properly mitigated. The comment is again entirely speculative and does not provide any details about the studies or evidence on which they rely. Accordingly, the commenter has not provided substantial evidence (or any evidence) of a potential impact. Further, as “rodent control” is not an issue required to be analyzed under CEQA, this comment is not related to adequacy of the DEIR. Thus, no further response is required.

Comment Letter 60 – Exhibit 17**Response 60-E17-1**

The comment is noted, and no further response is necessary.

Response 60-E17-2

Project traffic will have to pass through the intersection of Pacific Place and the I-710 and I-405 Freeway on-ramps, however, there is no public documentation nor submitted documentation by the commenter that supports the claim of the intersection having “poor collision history”. As noted in the TIA and in this exhibit, there has only been one reported collision near the intersection in a three-year period (Case ID 9040699 in Appendix C of the TIA), which does not constitute poor collision history. The Project is not changing the existing intersection geometry or traffic control. While any increase in traffic volume may potentially increase the chance of a collision, the volumes added by the Project would be minimal and would not substantially contribute to the

existing safety concerns mentioned in the study area. No safety improvements are recommended because the existing conditions would not be substantially worsened by the Project.

Response 60-E17-3

The commenter asserts that the Project would result in a significant increase in traffic requiring mitigation. The comment is noted. Although not an environmental impact pursuant to CEQA, a Traffic Impact Analysis was prepared for the Project, which was provided as Appendix M to the Draft EIR. The Traffic Impact Analysis described existing and future traffic conditions, and it determined that the vehicular level of service at the intersections near the Project Site would all continue to operate at levels that are acceptable pursuant to the City of Long Beach Traffic Impact Analysis guidelines (Appendix M to the Draft EIR). As such, impacts pursuant to CEQA would be less than significant and no mitigation would be required.

Response 60-E17-4

The comment references the TIA, which identified five collisions in the study area (Pacific Place between the I-710 and I-405 on-ramps and Wardlow Road) in the three-year period from 2020-2022. However, only one of the five reported collisions was near the intersection of Pacific Place and I-710 and I-405 on-ramps in the three-year period, the intersection is not classified as a location with a “poor collision history” as stated in the comment.

The commenter claims that there have been several similar solo collisions in recent years but fails to provide any specific documentation of any other incidents. The TIA is only able to make use of readily available public data on collisions. The comment states that the alleged collisions are “likely to have occurred as a direct result of the poorly delineated conditions...”; therefore, it is clear from the comment that the noted safety concern is an existing condition. However, the City has also recently refreshed the curb paint and added striping and signage at the intersection, all of which are expected to improve visibility for existing drivers. In any event, because drivers traveling to the site would be continuing northbound through the intersection instead of making a left turn as nearly all drivers do today, the site visitors are not likely to be affected by the noted delineation concerns.

Response 60-E17-5

The commenter identifies multiple existing transportation concerns within the Project area. This comment is not addressing potential Project impacts. The offsite stop sign, yield sign, and associated pavement markings for southbound traffic were missing at the time the July 2024 TIA was prepared, however, these have since been reinstalled by the City at the intersection of Pacific Place and the I-405/I-710 on-ramps, independent of the Project.

Response 60-E17-6

The City has determined that a park alternative is not a viable option for the Project site (refer to Section 5.4.1 of the Draft EIR). Nevertheless, the trip generation estimates included in the comment for a potential park appear to be quite low based on regional data and ITE recommended practice. The numbers presented in the comment are consistent with the average trip generation rate for ITE Trip Generation Manual Land Use code 411 – Public Park. However, that category has very few data points and is generally based on very large parks as the average size of a park used to develop the ITE weekday trip generation rate is 612 acres. Further, if the trip generation equation for Land Use 411 from the ITE Trip Generation Manual were used instead of the average rate (as is recommended in the ITE Trip Generation Handbook), the park would generate 97 trips per day on a weekday.

Regional data from the SANDAG (*Not So*) *Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region* is more comparable to a speculative park alternative on the Project site. A 14-acre neighborhood park would generate 70 trips per day on weekdays, and a 14-acre regional park would generate 280 trips per day on weekdays. The neighborhood park trip generation estimate is consistent with the estimate based on the ITE trip generation equation, which supports the idea that the numbers presented in the comment are too low.

Response 60-E17-7

The commenter states that the proposed easement is not depicted on the Project's site plan. The commenter also notes that they do not believe there is room for the proposed easement. Regarding the width of the proposed easement, please see response 60-67. Additionally, the site plan has been updated to call out the easement, as discussed below:

The revisions contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for ease of reference.

Section 3.0, Project Description, Exhibit 3-1 Conceptual Site Plan

The site plan will be updated to include the easement as identified. Exhibit 3-1 is revised as follows (Appendix G):

- A call out identifying the Project's dump station and trail easement were added to the Site Plan.

This revision does not constitute "significant new information", and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft EIR.

Response 60-E17-8

The commenter correctly identifies that Section 4.15, Transportation, of the Draft EIR incorrectly described refers to "biological resources". The revisions contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for ease of reference.

Section 4.15, Transportation, A. Thresholds of Significance, Page 4.15-5

In accordance with Appendix G of the State CEQA Guidelines, a project would result in a significant ~~biological resources~~ **transportation** impact if it would:...

This revision does not constitute "significant new information", and none of the conditions set forth in Section 15088.5 of the State CEQA Guidelines have been met that would require recirculation of the Draft Subsequent EIR.

Response 60-E17-9

The commenter recommends that safety improvements be made to the local intersections due to existing safety concerns. See Response 60-63. The commenter adds that further study and

evaluation is needed to address increased collisions associated with the Project's daily trips. See Response 60-E17-2.

Response 60-E17-10

The comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment Letter 60 - Exhibit 18

Response 60-E18-1

The commenter asserts that the Project Site has cultural and historical significance for tribal peoples and Project impacts associated with tribal cultural resources are not adequately described. Additionally, the commenter contends that due to the Project site's location it is eligible for Traditional Tribal Landscape status. A comprehensive analysis of the Project's impacts related to Tribal Cultural Resources was provided in Section 4.16, Tribal Cultural Resources, of the Draft EIR. While the comment is noted, as discussed in Section 4.16, Tribal Cultural Resources, of the Draft EIR Tribal Cultural Resource (TCR) consultations were conducted as part of the government-to-government consultations between the City and tribal governments requesting to consult on the Project as required by Assembly Bill (AB) 52 and SB 18.

On April 14, 2020, the Gabrieleno Band of Mission Indians—Kizh Nation requested consultation with the City regarding the Project. Consultation was conducted via phone on June 19, 2020, with Matthew Teutimez on behalf of the Gabrieleno Band of Mission Indians—Kizh Nation. Based on consultation between the City of Long Beach and the tribal representative, no TCRs were identified on the Project Site; however, it was stated that excavation and grading at the Project Site has the potential to disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources. Based on consultation, mitigation measures were developed (MM TRIB CUL-1 through MM TRIB CUL-5).

Those contacted on July 28, 2023 include the Gabrieleno Band of Mission Indians – Kizh Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, Gabrieleno/Tongva Nation, Gabrieleno Tongva Indians of California Tribal Council, Gabrieleno-Tongva Tribe, Juaneno Band of Mission Indians Acjachemen Nation – Belardes, Juaneno Band of Mission Indians Acjachemen Nation 84A, Santa Rosa Band of Cahuilla Indians, and Soboba Band of Luiseno Indians. On August 3, 2023, the Gabrieleno Tongva Indians of California Tribal Council identified the Project Site as being located within an area known for tribal cultural resources and requested that the Gabrieleno Tongva Indians of California Tribal Council be present for Native American monitoring for all ground disturbing activities. On April 15, 2024, Christina Conley from the Gabrieleno Tongva Indians of California Tribal Council sent preferred Mitigation Measures to the City to be incorporated into the Mitigation Monitoring and Reporting Program (MM TRIB CUL-6 through MM TRIB CUL-11).

As a result of the consultations, the City and the tribal representatives/governments met and determined the Project would not have a significant impact on a tribal cultural resource; however, both tribal representatives/groups and the archaeological study prepared by LSA did note the possibility for intact precontact archaeological and tribal cultural resources below the surface, and because of this possibility, the City and the tribal representatives working together developed mitigation measures to protect significant archaeological and tribal cultural resources during construction. These mitigation measures and the record of consultation between the tribal representatives/governments are included in the Draft EIR.

Moreover, based on the results from the NAHC SLF database there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts.

Similarly, none of the aforementioned records searches nor the AB 52 and SB 18 Tribal Consultations presented evidence or revealed that the Project Site is a Traditional Tribal Landscape. As such, the Project Site in and of itself is not considered to be a tribal cultural, cultural, or historical resource. The commenter asserts that cumulative impacts related to tribal cultural resources were not analyzed in the Draft EIR and should be assessed. Please refer to Response 60-E18-7, below.

The commenter claims that the Draft EIR shows preference to specific tribal groups. This statement is inaccurate. As discussed above and documented in the Tribal Cultural Resources section of the Draft EIR, the City sent letters by certified mail that included a project description, the project's location, lead agency contacts information, and timeline and notice to request consultation (30 days for AB 52 and 90 days for SB 18) to all the tribal representatives/governments on both the Native American Heritage Commission (NAHC) contact list and the City's Assembly Bill (AB) 52 contact list.

Response 60-E18-2

The commenter asserts the names used to identify the descendants of the local Native American community are no longer acceptable. Based on information provided by the Native American Heritage Commission (NAHC), these names are still used as 'descriptors'; however, the City recognizes these names are dated and offensive to members of the Native American community and looks to participation from the local Native American community during AB 52 and SB 18 consultation to educate the City and non-Native American members of the community on the use of indigenous names.

Response 60-E18-3

The commenter asserts that the Project Site has cultural and historical significance. Please reference Response 60-E18-1, above.

The commenter also adds that LSA acknowledged that the absence of information in the SLF database does not indicate the absence of cultural resources. This conclusion is consistent with the following statement with the analysis provided in Section 4.16 of the Draft EIR:

"Based on information available through the record searches at the SCCIC (March 13, 2020 and September 11, 2023 and the NAHC, the 2020 pedestrian field survey conducted by LSA, the long-term past use of the Project Site, and the oversight by Tribal Monitors during the Surcharge Activities (discussed below), there is no information available that indicates there are significant tribal resources within the Project Site that would be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 (SCCIC 2020, SCCIC 2023, LSA 2020). However, excavation and grading at the Project Site may disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources."

Response 60-E18-4

The commenter asserts the Draft EIR uses a Eurocentric model and does not include accurate precontact and ethnographic settings. As discussed above and documented in the Tribal Cultural

Resources section of the Draft EIR, the City sent letters by certified mail that included a project description, the project's location, lead agency contacts information, and timeline and notice to request consultation (30 days for AB 52 and 90 days for SB 18) to all the tribal representatives/governments on both the Native American Heritage Commission (NAHC) contact list and the City's Assembly Bill (AB) 52 contact list. Consultation was conducted with tribal representatives who responded to the request for consultation.

Additionally, the commenter also states that the Draft EIR lacks descriptions of highly significant tribal cultural resources such as "cogstones" that "have been unearthed nearby." . As discussed above and documented in the Tribal Cultural Resources section of the Draft EIR, the City sent letters by certified mail that included a project description, the project's location, lead agency contacts information, and timeline and notice to request consultation (30 days for AB 52 and 90 days for SB 18) to all the tribal representatives/governments on both the Native American Heritage Commission (NAHC) contact list and the City's Assembly Bill (AB) 52 contact list. Consultation was conducted with tribal representatives who responded to the request for consultation. Additionally, based on information available through the record searches at the SCCIC (March 13, 2020 and September 11, 2023 and the NAHC, the 2020 pedestrian field survey conducted by LSA, the long-term past use of the Project Site, and the oversight by Tribal Monitors during the Surcharge Activities (discussed below), there is no information available that indicates there are significant tribal resources within the Project Site that would be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 (SCCIC 2020, SCCIC 2023, LSA 2020). However, excavation and grading at the Project Site may disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources." (Page 4.16-10) As such, and in consultation with tribal representatives responding to the City's request for AB 52 and SB 18 consultation, MM TRIB CUL-1 through MM TRIB CUL-11 would be implemented to reduce impacts to potential unidentified cultural and tribal cultural resources to less than significant.

Response 60-E18-5

The commenter asserts that the Draft EIR does not mention life of the local Native American community after colonization or document the lifeways and location of precontact village sites near the Project Site. The commenter also states that the Draft EIR does not take into account the location of the villages of Tevaazx'anga and Tibahanga, the original boundaries of Rancho Los Cerritos, or the Rancho Los Cerritos buildings when discussing historically relevant locations near the Project site. As stated above, and as explained in the Draft EIR, Section 4.16, based on the SCCIC literature review and records searches from 2020 and 2023 and on the results from the NAHC SLF database there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts. In addition to the literature and database searches, tribal consultation was conducted in accordance with AB 52 and SB 18 and a field survey conducted onsite in 2020. Neither the records searches nor consultation indicated the presence of these resources. For a discussion of the Rancho Los Cerritos buildings cited by the commenter, see Response A.5-2. Moreover, the City believes the local Native American community is the best source for information on past and current lifeways of the indigenous Californians and requested consultation through the AB 52 and SB 19 process, as discussed above, to learn more about the lifeways and customs of the local Native American community.

Response 60-E18-6

The commenter states that they disagree with the following statement: “No further archaeological studies recommended.” The commenter asserts that this is not an appropriate conclusion but one that indicates how little deference is paid to the Tongva as being a living culture, not an artifact. The commenter states their opinion that further archaeological studies should be done prior to excavation activities. The commenter adds that given the depth of proposed excavations, further archaeological studies would be needed prior to project approval in order that tribal cultural materials and human remains are treated with respect. Further studies are not needed because mitigations measures require both an archaeologist and tribal representative to be onsite during ground disturbance and in the event of an inadvertent discovery, the measures will stop all construction in the immediate area of the discovery until after the archaeologist and tribal representative have evaluated the findings with dignity and respect.

The commenter states that they disagree with the following statement: “The results of the SCCIC records search confirms there are no cultural resources located within the Project Site.” The commenter adds that records searches may indicate the presence of cultural resources, but cannot confirm that what has not yet been recorded does not exist.

While the comment is noted, this statement does not appear in the Draft EIR. The referenced statement does appear in the 2020 Cultural and Paleontological Resources Analysis for the 3701 Pacific Place Project, Long Beach, Los Angeles County, California, prepared by LSA. As indicated in the methodology discussions of Section 4.4, Cultural Resources, and 4.16, Tribal Cultural Resources, this report was not utilized for the analysis of cultural or tribal cultural resources in the Draft EIR. Rather, as referenced in the methodology discussion of Section 4.6, Geology and Soils, this report was utilized for the assessment of paleontological resources.

Furthermore, as discussed in section 4.16, Tribal Cultural Resources, of the Draft EIR, an updated SCCIC literature review and record search as conducted by Psomas in 2023 and provided as Appendix E-1 of the Draft EIR. Moreover, Section 4.16, Tribal Cultural Resources, of the Draft EIR contains the following statement, acknowledging that records search results cannot confirm that what has not yet been recorded does not exist.

“Based on information available through the record searches at the SCCIC (March 13, 2020 and September 11, 2023 and the NAHC, the 2020 pedestrian field survey conducted by LSA, the long-term past use of the Project Site, and the oversight by Tribal Monitors during the Surcharge Activities (discussed below), there is no information available that indicates there are significant tribal resources within the Project Site that would be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 (SCCIC 2020, SCCIC 2023, LSA 2020). However, excavation and grading at the Project Site may disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources.” (Page 4.16-10) As such, and in consultation with tribal representatives responding to the City’s request for AB 52 and SB 18 consultation, MM TRIB CUL-1 through MM TRIB CUL-11 would be implemented to reduce impacts to potential unidentified cultural and tribal cultural resources to less than significant.

The commenter states that they disagree with the following statement: “with implementation of MM TRIB CUL-1 through MM TRIB CUL-11, impacts related to unidentified TCRs would be reduced to a less than significant level.”

While the comment is noted, these mitigation measures were developed in consultation with tribal representatives attending AB 52 and SB19 consultation. The tribal representatives/governments attending the consultation shared information with the City, including confidential information not shared with the public. As a result of the consultations, the City and the tribal representatives/governments met and determined the Pproject would not have a significant

impact on a tribal cultural resource; however, both tribal representatives/groups and the archaeological study prepared by LSA did note the possibility for intact precontact archaeological and tribal cultural resources below the surface, and because of this possibility, the City and the tribal representatives working together developed mitigation measures to protect significant archaeological and tribal cultural resources during construction. These mitigation measures and the record of consultation between the tribal representatives/governments are included in the Draft EIR. Consultation for both AB 52 and SB18 has concluded.

The commenter states that they disagree with the following statement: “the Project would not have a cumulatively considerable contribution to a significant cumulative impact related to tribal cultural resources.” Please refer to Response 60-E18-7, below. The commenter claims that the Draft EIR fails to fully identify, mitigate, and/or monitor tribal cultural resources. The commenter provides input regarding potential tribal resources at the Project Site; while the comment is noted, as discussed previously AB 52 and SB18 consultation occurred in accordance with state law. The tribal representatives/governments attending the consultation shared information with the City, including confidential information not shared with the public. As a result of the consultations, the City and the tribal representatives/governments met and determined the project would not have a significant impact on a tribal cultural resource; however, both tribal representatives/groups and the archaeological study prepared by LSA did note the possibility for intact precontact archaeological and tribal cultural resources below the surface, and because of this possibility, the City and the tribal representatives working together developed mitigation measures to protect significant archaeological and tribal cultural resources during construction. These mitigation measures and the record of consultation between the tribal representatives/governments are included in the Draft EIR. Consultation for both AB 52 and SB18 has concluded.

The commenter claims that only “specific groups” were invited to define the scope of tribal involvement and determine the structure of the Draft EIR; this statement is inaccurate. As discussed above and documented in the Tribal Cultural Resources section of the Draft EIR, the City sent letters by certified mail that included a project description, the project’s location, lead agency contacts information, and timeline and notice to request consultation (30 days for AB 52 and 90 days for SB 18) to all the tribal representatives/governments on both the Native American Heritage Commission (NAHC) contact list and the City’s Assembly Bill (AB) 52 contact list.

Response 60-E18-7

The commenter claims that cumulative impacts on tribal cultural resources were not acknowledged in the Draft EIR. This statement is inaccurate. Specifically, the commenter states that the issue that must be explored in a cumulative analysis is the cumulative loss of tribal cultural resources; the commenter adds that if avoidance or dedication of open space to preserve tribal cultural resources is infeasible, those impacts must be considered in combination with tribal cultural resources that would be impacted for other projects. A cumulative impacts discussion related to tribal cultural resources was prepared pursuant to CEQA Guidelines Section 15130, and provided in Section 4.16, Tribal Cultural Resources, of the Draft EIR. Additionally, while the comment is noted, as discussed previously AB 52 and SB 18 consultation occurred in accordance with state law. The tribal representatives/governments attending the consultation shared information with the City, including confidential information not shared with the public. As a result of the consultations, the City and the tribal representatives/governments met and determined the Project would not have a significant impact on an identified tribal cultural resource; however, both tribal representatives/groups and the archaeological study prepared by LSA did note the possibility for intact precontact archaeological and tribal cultural resources below the surface, and because of this possibility, the City and the tribal representatives working together developed mitigation measures to protect significant archaeological and tribal cultural resources during construction. These mitigation measures and the record of consultation between the tribal

representatives/governments are included in the Draft EIR. Consultation for both AB 52 and SB 18 has concluded.

Response 60-E18-8

The commenter raises policy issues that do not pertain to the environmental analysis within the Draft EIR. As such, no further response is necessary.

Response 60-E18-9

The commenter raises policy issues that do not pertain to the environmental analysis within the Draft EIR. As such, no further response is necessary.

Response 60-E18-10

The commenter raises policy issues that do not pertain to the environmental analysis within the Draft EIR. As such, no further response is necessary.

Comment Letter 60 - Exhibit 19**Response 60-E19-1**

The commenter provides a summary of mission records for San Gabriel and San Juan Capistrano. The commenter asserts that portions of the Los Cerritos Tibajabit settlement may be within the Project vicinity. While the comment is noted, based on the results from the NAHC SLF database there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts.

Moreover, as discussed in Section 4.16, Tribal Cultural Resources, of the Draft EIR Tribal Cultural Resource (TCR) consultations were conducted as part of the government-to-government consultations between the City and tribal governments requesting to consult on the Project as required by Assembly Bill (AB) 52 and SB 18.

On April 14, 2020, the Gabrieleno Band of Mission Indians—Kizh Nation requested consultation with the City regarding the Project. Consultation was conducted via phone on June 19, 2020, with Matthew Teutimez on behalf of the Gabrieleno Band of Mission Indians—Kizh Nation. Based on consultation between the City of Long Beach and the tribal representative, no TCRs were identified on the Project Site; however, it was stated that excavation and grading at the Project Site has the potential to disturb native sediments and, therefore, could have the potential to impact unidentified tribal cultural resources. Based on consultation, mitigation measures were developed (MM TRIB CUL-1 through MM TRIB CUL-5).

Those contacted on July 28, 2023 include the Gabrieleno Band of Mission Indians – Kizh Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, Gabrieleno/Tongva Nation, Gabrieleno Tongva Indians of California Tribal Council, Gabrieleno- Tongva Tribe, Juaneno Band of Mission Indians Acjachemen Nation – Belardes, Juaneno Band of Mission Indians Acjachemen Nation 84A, Santa Rosa Band of Cahuilla Indians, and Soboba Band of Luiseno Indians. On August 3, 2023, the Gabrieleno Tongva Indians of California Tribal Council identified the Project Site as being located within an area known for tribal cultural resources and requested that the Gabrieleno Tongva Indians of California Tribal Council be present for Native American monitoring for all ground disturbing activities. On April 15, 2024, Christina Conley from the Gabrieleno Tongva

Indians of California Tribal Council sent preferred Mitigation Measures to the City to be incorporated into the Mitigation Monitoring and Reporting Program (MM TRIB CUL-6 through MM TRIB CUL-11).

As a result of the consultations, the City and the tribal representatives/governments met and determined the Project would not have a significant impact on a tribal cultural resource; however, both tribal representatives/groups and the archaeological study prepared by LSA did note the possibility for intact precontact archaeological and tribal cultural resources below the surface, and because of this possibility, the City and the tribal representatives working together developed mitigation measures to protect significant archaeological and tribal cultural resources during construction. These mitigation measures and the record of consultation between the tribal representatives/governments are included in the Draft EIR.

Moreover, based on the results from the NAHC SLF database there are no resources on the Project Site that are currently listed on the CRHR as sacred to the local Native American community. The Project Site is not listed as a historic resource in the CRHR, the NRHP, California Historical Landmarks, or California Points of Historical Interests lists. Additionally, the Project Site is not included in a Local Register of Historical Resources; on a map of Historical Resources; or on a map of Historic Districts.

Response 60-E19-2

The commenter claims that surface surveys of areas covered with over two feet of fill placed over intact soils cannot observe evidence of archaeological sites and provides a summary of the Draft EIR's conclusion that "there is a potential for undiscovered archaeological resources to be uncovered during grading activities which would result in a potentially significant impact." This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines.

Response 60-E19-3

This comment makes a statement that CEQA limits the amount of money a developer has to pay for archaeological mitigation studies. This is inaccurate. CEQA does not set a limit on how much money a developer has to pay for archaeological studies.

Response 60-E19-4

The commenter cites the following statement from Section 4.4, Cultural Resources, of the Draft EIR: "With adherence to State law, SR CUL-1, in the event human remains are encountered, construction would stop as necessary and any potential human remains would be handled appropriately by the County Coroner and the MLD, if appropriate; as such, potential impacts on human remains if present would be less than significant." This statement is within the Draft EIR's analysis of impacts related to the disturbance of human remains. The commenter asserts that following laws does not necessarily mitigate losses and states that existing laws are not always in line with the desires of tribes.

While the comment is noted, as described above in comment 60-E19-1, tribal consultation has occurred and concluded in accordance with AB 52 and SB 18. Information provided and mitigation measures recommended during consultation were considered and incorporated into the Draft EIR as appropriate.

Response 60-E19-5

The commenter raises a policy issue that does not pertain the environmental analysis within the Draft EIR. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 60-E19-6

The commenter provides their opinion on the cultural significance of the Project Site and potential resources within the Project Site. While the comment is noted, as described above in comment 60-E19-1, tribal consultation has occurred and concluded in accordance with AB 52 and SB 18. Information provided and mitigation measures recommended during consultation were considered and incorporated into the Draft EIR as appropriate.

Response 60-E19-7

The commenter provides a summary of previous communications between them and the Project applicant. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 60-E19-8

The commenter reiterates their opinion, and provides a concurring opinion from a separate commenter whom they state is a Tongva person, regarding the cultural significance of the Project Site. While the comment is noted, as described above in comment 60-E19-1, tribal consultation has occurred and concluded in accordance with AB 52 and SB 18. Information provided and mitigation measures recommended during consultation were considered and incorporated into the Draft EIR as appropriate.

Response 60-E19-9

The commenter recommends additional studies to determine cultural significance of the Project Site. While the comment is noted, as described above in comment 60-E19-1, tribal consultation has occurred and concluded in accordance with AB 52 and SB 18. Information provided and mitigation measures recommended during consultation were considered and incorporated into the Draft EIR as appropriate.

Comment Letter 60 - Exhibit 25**Response 60-E25-1**

The comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 60-E25-2

The commenter cites to the following statement in the Court Ruling: “The court found substantial evidence supports a fair argument the Project may have a significant impact on transportation safety”. The commenter then notes that the Draft EIR does not require mitigation “to mitigation that [transportation safety] impact.”

As detailed in Section 4.15, Transportation, of the Draft EIR and Response 60-E17-3, the TIA that was prepared for the Project determined that impacts associated with transportation safety would be less than significant such that no mitigation is required.

Regarding the alleged “dangerous geometry of the road(s) just a little south of the project,” as detailed in Responses 60-E17-2, 60-E17-4 and 60-E17-5, the collision history of the area contradicts that the intersection’s geometry is “dangerous.” Collision data was obtained from Transportation Injury Mapping Systems (TIMS) and, over a three-year period, TIMS reported that within the study area there have been five total collisions on Pacific Place between Wardlow Road and the I-710/I-405 on-ramps, including only one collision (Case ID 9040699 in Appendix C of the TIA) at the Pacific Place/I-405/I-710 on-ramps intersection referenced in the comment. (Section 4.15, Transportation, of the Draft EIR; TIA [Draft EIR, Appendix M].) The Project is not changing the existing intersection geometry or traffic control.

Response 60-E25-3

The comment notes that as of 9/29/2024, the listed improvements were in place. The comment is noted and the commenter is referred to response 60-17-5.

Response 60-E25-4

The commenter states that there is an existing hill on approach to the northbound I-710 entrance. The commenter asserts that RVs would be slow climbing, resulting in impacts to transportation safety. The TIA shows that all movements would operate with acceptable delays at the ramp intersection, including Project traffic. Therefore, it is not expected that southbound traffic exiting the Project Site would encounter a high enough or consistent volume of on-coming traffic that would influence drivers exiting the site to make unsafe movements such as cutting in front of traffic turning onto the ramps. Additionally, there is adequate visual line of sight for both southbound and northbound traffic to see approaching vehicles with enough time to react and slow or stop to avoid on-coming traffic. Further, the right-turn lane for southbound traffic exiting the Project Site and entering the I-710 and I-405 on-ramps is wide enough to allow RV, trailer, and passenger vehicle access without requiring additional maneuvering and potentially impeding vehicle movement.

There are expected to be five outbound trips from the RV portion of the site (not all of which will necessarily be RVs) in the peak hour, and 49 outbound trips per day. Therefore, any potential conflicts would be minimal. Moreover, vehicles having to accelerate onto the freeway from a stop condition is not substantially different than other existing on-ramp conditions in the region. No information has been provided to document that this intersection is uniquely hazardous.

Response 60-E25-5

The commenter notes that when travelling south from the Project Site to Pacific Place, there may be cars traveling in the opposite direction. The commenter states that dark cars traveling in the opposite direction are difficult to see. The comment is noted; however, the comment does not address the Project’s potential environmental impact and no further response is needed.

Response 60-E25-6

The commenter states that vehicles are often seen accelerating rapidly on Pacific Place under existing conditions. See Response 60-63 and 60-64.

Moreover, the commenter adds that limited visibility exists on Pacific Place due to the existing vertical curve. The vertical curve on Pacific Place is an existing condition that is not being altered

with the Project. Further, it is every drivers' responsibility to follow posted speed limits and heed other warning and informational signs. Moreover, it will be the responsibility of southbound drivers to wait for a break in traffic to enter and clear the intersection; northbound drivers traveling at the speed limit will also have several seconds to slow down if a southbound vehicle is in the intersection impeding their movement. See Response 60-E17-1 through E-17-5.

Response 60-E25-7

The commenter states that vehicles heading south from the Project Site to Wardlow Road have to merge with generally fast-moving traffic from the I-405/I-710 freeways. The merge of southbound vehicles on Pacific Place and the I-405 and I-710 southbound off-ramps is an existing condition. Drivers exiting the Project site to travel south would have over 1,100 feet to accelerate up to the posted speed limit. Drivers exiting I-405 are responsible for slowing down from freeway speeds to the posted speed limit on Pacific Place. More importantly, drivers exiting I-405 have a dedicated lane to merge onto Pacific Place since the southbound approach only includes a single lane north of the merge.

Response to Comment Letter 61

Kai Craig
September 30, 2024

Response 61-1

The comment states that the City would benefit from creation of an additional park and open space, and that the Project would impact the LA River and Long Beach coastline. The Draft EIR, Section 4.10, Land Use, and Section 4.14, Recreation, analyze the Project's potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project's impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, the concerns are outside the scope of CEQA and this comment will be forwarded to the decision makers for consideration.

Further, as explained in Sections 4.3, Biological Resources, 4.8, Hazards and Hazardous Materials, and 4.9, Hydrology and Water Quality, the Project would not result in significant impacts affecting biological resources, including the LA River and coastline with implementation of applicable mitigation measures.

Response to Comment Letter 62

Cecilia Burns
September 30, 2024

Response 62-1

The comment states opposition to the Project, asserting that it does not address climate change and the need to increase green space, the disturbance of toxic soil in proximity to schools, increased traffic and pollution, potential damage to storm drain infrastructure, exceptions to the building height limitations, inadequate mitigation for biological resources, and that it would attract homeless people.

Please see Responses 7-2 through 7-5.

Response to Comment Letter 63

Joe Weinstein
September 30, 2024

Response 63-1

The comment provides introductory remarks. This comment does not address the content or adequacy of the Draft EIR under CEQA or the State CEQA Guidelines; however, the comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 63-2

The commenter states that the Project objectives should distinguish between areas of concern to the property owners vs others of concern to the broader public, including neighboring communities, other City residents, and local agencies, and the list of alternatives should consider reflecting these range of concerns. Please see Responses 60-72, 60-73, 60-76, and 60-79.

Response 63-3

The commenter states that acquisition and use of the site as parkland was left out of serious consideration, and that the site could provide an excellent pedestrian experience. Please see Response 60-76.

Response 63-4

The commenter states that the EIR fails to note that the land uses were different many years ago, and the parkland alternative requires its own EIR analysis. Regarding the portion of the comment stating that the Project Site previously was designated differently, the City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City's General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site's prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. Regarding the parkland alternative, as explained in the Draft EIR, Section 5.0, Alternatives, the Parkland Alternative was considered but rejected. Accordingly, CEQA does not require the EIR to evaluate iterations of a Parkland alternative because they would be rejected for the same reasons as the Parkland Alternative.

Response 63-5

The commenter claims that the EIR erroneously restricts available mitigation activities to conform with a declared City policy. The Draft EIR provides mitigation measures throughout and where necessary to reduce a significant impact. The commenter's example is inaccurate; as stated in Section 4.3 of the Draft EIR, the Project would comply with applicable ordinances, including Chapter 14.28 of the City of Long Beach Municipal Code. However, as stated in Section 4.3 of the Draft EIR, the ordinance would not apply because removed trees are not located along City streets nor are they located on City property. The ordinance as referenced would only apply in the situations defined; therefore, it does not apply to the Project.

Response to Comment Letter 64

Serena Steers
September 30, 2024

Response 64-1

The comment states that the Project would increase traffic and result in safety hazards to pedestrians, bicyclists, and motorists due to the Project Site's location and proximity to major freeways. The comment additionally requests that a thorough review of the Project Site entrance is done. Please see Response 60-E25-2 related to transportation and public safety. As explained in Section 4.15, Transportation, of the Draft EIR the Project would not result in significant impacts related to traffic. Additionally, a Traffic Impact Analysis (Appendix M of the Draft EIR) was conducted in July of 2024 for the Project. The comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Response 64-2

The comment states that the dump station would cause environmental and public health concerns, and that there needs to be mitigation measures to ensure no impacts occur. Additionally, the comment asks why the dump station is not included in the project description or addressed within the discussion of hazardous materials Draft EIR. See Responses A.4-5 and 60-15 for responses related to the dump station.

Response 64-3

The comment states that the Project would result in toxic pollution which must be offset. As explained in Draft EIR Section 4.8, Hazardous Materials, the Project would have less than significant impacts related to the use and release of hazardous materials with implementation of applicable mitigation measures.

Response to Comment Letter 65

**Anna Christensen and Ann Cantrell, Sierra Club Los Cerritos Wetlands Task Force
September 30, 2024**

Response 65-1

The commenter provides an introduction to their letter and states that the Project site is a toxic hazard to air and groundwater quality. The commenter is referred to responses 66-2 through 66-6.

Response 65-2

The commenter states that there is no mitigation for decumbent goldenbush in the event it is found on site. The commenter is referred to Section 4.3 of the DEIR and the Project BRA, which included MM BIO-1a requiring rare plant surveys to confirm the presence or absence of additional rare plants such as decumbent goldenbush (Appendix E-2). As documented in the 2024 Rare Plant Survey Report, rare plant surveys were conducted on the Project Site by FCS between July 31, 2024, and August 28, 2024. “No sightings of decumbent goldenbush were made during the surveys” (Appendix E-3).

The commenter further states that the mitigation for the southern tarplant is inadequate because the size of the mitigation area needs to be enlarged and the mitigation should be to a 2:1 ratio to allow for die-off and underestimation of the original population. The commenter is referred to Response to Comment 60-19, which details that CDFW has approved the ratios set forth in MM BIO-1b and MM BIO-1c, and the City is entitled to rely on that, and on the concurrence of its experts.

As to the size of the tarplant mitigation area, FCS has confirmed that the 0.5-acre on-site mitigation area would provide more than sufficient space for achieving the mitigation ratios needed for the southern tarplant restoration program and all other biological mitigation measures outlined above. Therefore, the Project as designed will support all biological mitigation measures including those additional measures requested by CDFW (Appendix E-3). CDFW has approved this mitigation measure. (Appendix E-3) No additional mitigation is required.

Response 65-3

The commenter questions the consistency between the statement that monarch butterflies could occupy off-site trees adjacent to the Project site, and the statement that “no trees are present on-site that would allow bat roosting.” These are not inconsistent statements – the former refers to off-site trees adjacent to the project site, while the latter references on-site trees.

The commenter then states that monarch butterfly and bat surveys should be conducted for the project site. As to bat surveys, the commenter is referred to Response 60-E7-7, which details the addition of MM BIO-6a, MM BIO-6b and MM BIO-6c, at the request of CDFW. These focused surveys will be implemented prior to initiation of project activities.

As to the monarch butterfly surveys, MM BIO-2a requires focused surveys for monarch butterflies and MM BIO-2b requires avoidance of monarch butterfly roosts to ensure less than significant impacts. CDFW requested that the applicant 1) broaden the scope of MM BIO-2a to require a minimum of three focused surveys for roosting monarch butterflies within and adjacent to the Project Site prior to the start of ground-disturbing activities and 2) broaden the scope of MM BIO-2b to require preparation and approval of a Monarch Butterfly Overwintering Habitat Management Plan if monarch butterfly roosts are detected during surveys. (Appendix E-3) The Applicant agreed to these revisions to MM BIO-2a and MM BIO-2b, and will implement these

updated measures. (Appendix E-3) With these revisions to MM BIO-2a and MM BIO-2b, including some additional administrative clarifications requested by CDFW and accepted by the Applicant, CDFW had no further comments on monarch butterfly mitigation for the Project (Appendix E-3). As the revisions to MM BIO-2a and MM BIO-2b clarify and amplify the Draft EIR analysis, recirculation is not required. (CEQA Guidelines Section 15088.5(b).) The focused surveys for monarch butterflies required by MM BIO-2a and MM BIO-2b were conducted by FCS in 2023 and 2024, and no monarch butterflies were observed during the surveys conducted on the Project Site. (Appendix E-3)

Response 65-4

The commenter expresses concern that an Incidental Take Permit is not adequate mitigation if Crotch's bumble bee is found on site. As detailed in Section 4.3 of the DEIR, MM BIO-3, requires multiple Crotch's bumble bee surveys during the peak flight season (March through September). With implementation of MM BIO-3, impacts related to the Crotch's bumble bee would be less than significant (Appendix E-2). CDFW accepted and did not provide comments on MM BIO-3. (Appendix E-3) Moreover, focused surveys were performed on August 12 and 17, 2020 within the Project Site and a single male Crotch's bumble bee was observed foraging on-site (Appendix D-3 to the DEIR). In accordance with MM BIO-3, additional Crotch's bumble bee surveys were conducted by FCS on July 31, 2024, August 14, 2024, and August 28, 2024 with negative results (Appendix E-3). Because the species was determined to be absent from the Project Site during the 2024 focused surveys, an Incidental Take Permit will not be needed. (Id.)

Response 65-5

The commenter inquires about the passive relocation of burrowing owls. The commenter is referred to Section 4.3 of the DEIR, Biological Resources, which includes a detailed analysis of potential impacts to the burrowing owl and proposes four mitigation measures (MM BIO-4a through MM BIO-4d) to address a potential impact. CDFW approved these mitigation measures and did not offer any comments on or revisions to the same. (Appendix E-3)

In accordance with MM BIO-4a, focused breeding season surveys for burrowing owl were conducted by FCS in accordance with CDFW 2012 guidelines between April 10, 2024 and July 15, 2024 with negative result (Appendix E-3). Additionally, nonbreeding season surveys were conducted in accordance with CDFW 2012 guidelines between November 8, 2023, and January 31, 2024 (Appendix E-3). No burrowing owls or signs were observed, but suitable burrows are present and there is potential for dispersing or transient burrowing owls to occur on site.) Therefore, in accordance with MM BIO-4c, preconstruction surveys will be implemented prior to the start of Project activities. If the survey is negative, then no further action, including relocation, will be necessary. If the survey is positive for burrowing owls, the Project applicant will implement MM BIO-4d.

Response 65-6

The commenter states that the Project site contains toxic soils and that the plan to contain these toxins is to cover the site with an engineered cap. The commenter notes that the DTSC Response Plan states that there is no design plan for this cap until after the Final EIR, and that the Draft EIR says that the Project site is on a number of earthquake faults, including the Newport/Inglewood; however, there is no mention or mitigations for the effects on air quality or groundwater in event the cap ruptures during a large earthquake. The commenter contends that before the Draft EIR is complete, it must contain information on the construction of the cap and what might happen during an earthquake. Mitigations are necessary for any environmental problems.

DTSC has a clearly defined process for developing a Brownfield site under CLRRRA. Per that process, DTSC only reviews an RDIP following approval of the Response Plan. The RDIP will include the detailed engineering design of the cap. However, there is a conceptual design plan for the cap included in the Response Plan as Figure 9, which sets forth the materials and composition of the cap, as illustrated in Appendix I-10 of the Draft EIR (Figure 9).

Further design considerations are made for earthquakes for all remedial components on-site. The same way that site structures are designed for earthquake loads per standard building codes the remedial components of the Response Plan are designed with the Maximum Credible Earthquake loads in consideration at the site. Furthermore, the site will be inspected after earthquake events as determined in the OM&M Plan and EMP, which will be submitted to and reviewed by DTSC after implementation of the Response Plan, in addition to, at minimum, yearly inspections and Five-Year Reviews. Likewise, the alternative cap types and methane BPS have been installed at multiple sites with many variations for at least 30 years. Proper design, construction, operation, maintenance, and inspection of these remedial components protect against potential seepage, damage, and/or explosions related to the presence of methane.

See Response 60-29 for why the OM&M Plan is developed post-construction.

Response 65-7

Please refer to Response 60-E19-1, A.5-5, and A.5-8.

Response 65-8

Please refer to Response 60-E19-1.

Response 65-9

The commenter asserts that cumulative impacts related to tribal cultural resources were not analyzed in the Draft EIR and should be assessed. A cumulative impacts discussion related to tribal cultural resources was provided in Section 4.16, Tribal Cultural Resources, of the Draft EIR. No further detail is provided by the commenter that states how the Draft EIR's cumulative impacts analysis for tribal cultural resources is defective. Accordingly, the City cannot provide a more detailed response and directs the commenter to the above-referenced section of the Draft EIR.

Response 65-10

Please refer to Response 60-E19-1.

Response 65-11

Please refer to Response 60-E19-1, which details that tribal consultation has occurred and concluded in accordance with AB 52 and SB18. Information provided and mitigation measures recommended during consultation were considered and incorporated into the Draft EIR as appropriate.

Response 65-12

The commenter notes that they would prefer that the Project site be remediated and be park/open space, as envisioned in a number of "LA River plans". Please refer to response 1-8.

The commenter then notes that "[t]he Rivers and Mountains Conservancy is interested in acquiring both this and the MacDonald site [sic] as parkland; however, Insite is not a willing seller."

This comment appears to reference February 2024 communications between InSite Property Group two representatives of the RiverPark Coalition (and Juan Ovalle and Renee Lawler). (Refer to Appendix I, Willing Seller Exhibit). These representatives asked InSite to “provide a willing seller letter” indicating that it “is willing to enter into negotiations for the sale of the real property for a purchase price at or below fair market value.” (Refer to Appendix I, Willing Seller Exhibit As reflected in InSite’s response to this request: “[I]t would consider responding to a Letter of Intent (“LOI”) to purchase any of our properties we own since we have a fiduciary duty to our investors (which includes Pension Funds with millions of public employees). An LOI would include critical terms such as purchase price, due diligence time frame, proof of funds and track record. To move this forward, we would need an LOI with the critical items I described above. Until then, we will not be able to provide any further information or access to the property.” Had RiverPark or the Rivers and Mountains Conservancy complied and submitted a LOI and/or an offer for the fair market value of the property and demonstrated that it had the ability to fund such a purchase within a commercially reasonable time, Insite could then be a “willing seller.” InSite has not received any of the requested documents, nor has it received a commercially reasonable offer from RiverPark or any other entity. As such, there is no “alternative project” for development of a park by RiverPark and/or the Rivers and Mountains Conservancy that merits consideration in the Draft EIR. Neither entity owns or has made an actual offer to purchase the site, and no one has submitted a planning application for such a project to the City.

With regard to the funding, the January 20, 2024 letter from the Rivers and Mountains Conservancy does *not* offer to provide funding for RiverPark’s purchase of the property. Instead, the letter states only a generalized offer to “provide technical assistance to assist with due diligence . . . , including evaluating available funding sources” Obviously, this falls far short of a funding commitment from a specific source in a specific amount; indeed, it is not any kind of firm commitment upon which InSite could reasonably be expected to rely. Moreover, another year has passed since these communications with the Conservancy - no appraisal has been prepared, no actual funding has been identified, and no offer has been made. The lack of activity confirms that a park alternative is mere speculation.

The commenter then notes that this would appear to be a good use for eminent domain, given that “[t]hose who live in this area have greater need for recreation space than recreational vehicle parking.” The City has not elected to exercise eminent domain funds to acquire the Project site for parkland purposes. The power of eminent domain is a constitutionally limited power; therefore, before the City could exercise that power it would have to have a CEQA-cleared “project” necessitating the exercise of its eminent-domain power. Even then, the City still could not pre-commit to exercise its power of eminent domain until it had gone through the appraisal and offer process and had independently determined that a taking would result in the greatest public good and the least private injury. As the City has done none of this, eminent domain is not available or appropriate.

Finally, the commenter suggests the development of “a smaller facility, with more land left for native plants and planting of trees around the perimeter.” While the comment is noted, as discussed in Section 4.3, Biological Resources, with implementation of MM BIO-1a through MM BIO-6c the Project would result in less than significant impacts associated with biological resources and the Project’s landscaping plan has been designed in accordance with all applicable state and local regulations. (See Appendix E-3) Additionally, a smaller facility would not meet the Project objectives to the same degree as the proposed Project.

Response 65-13

The commenter states that the current height limit of 2 stories should not be changed to 45 feet. The developer has applied for a General Plan Amendment to allow building height of up to five stories, a Zone Change to add a height overlay of 50 feet, and a Zoning Text Amendment to allow

height overlays in the proposed CS zoning district. The decision by the City Council whether or not to approve General Plan and zoning amendments are outside the scope of CEQA. They are discretionary determinations that will be reviewed and made by the City Council pursuant to the standards set by the City's Municipal Code following completion of the CEQA process. These determinations have not yet been made; and they will be subject to public notice and hearings at which the public may provide input. This comment will be forwarded to the decision makers for consideration when making those determinations.

Response to Comment Letter 66

Corliss Lee
September 30, 2024

Response 66-1

The comment states that the commenter requested a meeting with DTSC but was discouraged by their response and turned to Envirostor instead. The comment is not related to the Draft EIR prepared for the Project under CEQA and State CEQA Guidelines; however, the comment is noted for the record.

Response 66-2

The commenter states that they are concerned whether adequate soils testing of the Project site has occurred. The commenter raises concerns regarding, among other things, arsenic, benzene, and methane. The Site Assessment Plan and Report of Findings (SAP/ROF) prepared by Roux dated March 13, 2020, which is attached to the Draft EIR as Appendix I-4 provides a summary of environmental investigations conducted at the site beginning in 1983, including a Remedial Investigation report completed by LFR, Inc. in 2009. Previous investigations adequately characterized the existing sump materials including soil, soil vapor and groundwater, but did not fully characterize the cover soil (quality or thickness) overlying the sump materials. LFR's investigation included soil sampling to a depth of 50 feet below ground surface (bgs). (See e.g., Draft EIR, Appendix I-4) Investigation activities conducted by Roux beginning in 2019 included soil, soil vapor, and groundwater samples that provided further characterization of cover soils, and confirmed that soil vapor and groundwater conditions remained consistent with the results of previous investigations. (Appendix I-4 of the Draft EIR)

Together, the historical data and sample results generated by Roux, and described in more detail in the SAP/ROF, provide a robust and comprehensive dataset that adequately characterizes the distribution and magnitude of environmental contaminants, including both the sump materials, the cover soil, soil vapor, and groundwater, that will be potentially disturbed or impacted by the development, both during and after construction. DTSC reviewed and accepted the SAP/ROF conclusions that the site's soils, soil vapor, and cover soils had been adequately delineated and characterized, and that the groundwater conditions have not significantly changed since the prior historical investigations.

Response 66-3

The commenter asks if DTSC evaluated other plans to remove contaminants. Several remedial alternatives were evaluated in the draft Response Plan including excavation and offsite disposal of the sump materials. The cap alternative was selected based on a comprehensive evaluation of different alternatives using the nine criteria specified in the USEPA guidance (October 1988) and 40 Code of Federal Regulations §300.430. Construction of an engineered cap satisfies the remedial action objections presented in the draft Response Plan to be protective to human health and the environment, as described in Appendix I-10 of the Draft EIR (Section 8).

Response 66-4

The comment states that the Project does not propose to plant trees and the Project will increase pollution with additional traffic. As stated in Draft EIR Section 3.0, Project Description, the Project would incorporate drought-tolerant and native trees and plants around the perimeter of the Project Site. In addition, the commenter is referred to Section 4.2, Air Quality, of the Draft EIR that evaluates the Project's air quality impacts and determines that the Project would result in less

than significant impacts related to air quality with implementation of applicable mitigation measures.

Response 66-5

The comment questions if there was a traffic study prepared for the Project. The Draft EIR presents a full analysis pursuant to the requirements set forth by CEQA and addresses the Project's impacts related to Transportation. The commenter is referred to Section 4.15, Transportation, that provides a full analysis of the Project's potential transportation impacts related to Vehicle Miles Traveled, which is the required metric for analysis pursuant to CEQA and Senate Bill (SB) 743. As part of the Draft EIR, a Health Risk Assessment was prepared to evaluate the Project's potential impacts related to exposure to toxic air contaminants, and a Carbon Monoxide hotspot screening. The analysis and findings are detailed in Section 4.2, Air Quality, along with mitigation measure MM AIR-1 (which requires the use of a minimum of Tier 3 or equivalent off-road engine emission standards for construction activities that have already occurred related to Surcharge Activities and Tier 4 off-road engine emissions standards for construction equipment used in all future construction activities).

Response 66-6

The commenter asks how the developer will protect the public from contaminants released during surcharge test soil removal, grading, and building, as well as thereafter contain that which is being produced from beneath the building.

As described in Draft EIR Section 4.8, Hazards and Hazardous Materials (pages 4.8-9 and 4.8-26), the Surcharge Pile is comprised of on-site cover soils (documented to be clean by soil sampling conducted by Roux) and import fill soils that were sampled by Roux prior to import pursuant to DTSC Information Advisory, Clean Imported Fill Material.¹ Accordingly, movement of the Surcharge Pile soil does not pose a health and safety risk to potential receptors due to a potential release of hazardous materials. The Surcharge Pile soil will not be removed from the Project Site as part of the development; instead it will be graded out onsite and the development will be constructed on top following completion of the grading.

Prior to commencing the Surcharge Activities, the Applicant notified SCAQMD about upcoming earthmoving activities. The Applicant also prepared a Notice of Intent and SWPPP in accordance with the California Construction General Permit, which were submitted to and approved by the LARWQCB and are available online in the LARWQCB's SMARTS system (WDID number 4 19C391158). In August 2020, DTSC informed the surrounding community of the upcoming Surcharge Activities through community mailers and a work notice, copies of which are available to the public on DTSC's online repository, Envirostor.

All soil moving activities, including the creation of the Surcharge Pile, were conducted under a DTSC-approved SMP and AAMP. Per the AAMP, the Applicant's consultants conducted real time monitoring of volatile organic compound (VOC) emissions from soil (per SCAQMD Rule 1166), fugitive dust (Per SCAQMD Rules 401, 402, 403, and 1466), and air (per the site's AAMP), and conducted discrete air sampling for metals and VOCs (per the site's AAMP) during the earthmoving activities. Generally, SCAQMD Rule 403 prohibits net PM₁₀ (dust) levels from exceeding 50 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) between the upwind and downwind areas of the site. As requested by DTSC, a more stringent threshold of 25 $\mu\text{g}/\text{m}^3$ was adhered to during the Surcharge Activities. Air monitoring was conducted using three monitoring stations along the Property perimeter. Two of the monitoring stations were located along the northern and eastern boundaries between the work activities and the residences and elementary school across the railway tracks. The Applicant also coordinated with SCAQMD throughout the earthwork activities, and dust suppression measures were implemented pursuant to SCAQMD requirements and the site-

specific AAMP and SMP. The same procedures will be followed during the future grading activities associated with the proposed development.

All contaminated soil, which consists of the sump materials and AECs, will be contained underneath the proposed engineered cap so that site users and surface water do not come into contact with it. As explained in the draft Response Plan at Section 9.7, the OM&M Plan must define procedures to maintain long-term controls at the Property including, and not limited to, monitoring of groundwater and perimeter soil vapor probes, inspection of the engineered cap and any alternative cap(s), operation and maintenance of the soil venting systems, and monitoring the BPS. As required by the draft Response Plan, the proposed perimeter soil vapor probes will be monitored to ensure that contaminated soil vapor does not migrate offsite and proposed groundwater wells will be monitored to ensure that the proposed development does not worsen the existing groundwater quality.

Response 66-7

The commenter asks which protections will be afforded the public in the event the contaminants are a potential source of health issues in the future; the commenter adds that several illnesses are associated with the contaminants that have been identified at this site and they may not emerge for several years

The response actions presented in the draft Response Plan have been selected to be protective to human health and the environment. The draft Response Plan includes a screening level human health risk evaluation to evaluate risk to future receptors. The Screening Risk Evaluation found that cumulative risk to a future industrial worker or current construction worker is within the acceptable cancer target range.

As explained in Section 4.8 of the Draft EIR and in the draft Response Plan attached to the Draft EIR as Appendix I-15 (Appendix I-15 of the Draft EIR), a post-grading risk evaluation will be performed after the Property has been graded, AEC soils have been managed and capped, and perimeter soil vapor probes have been installed. The post grading risk evaluation will be used to confirm that remedial measures implemented are protective of human health. Results of the post-grading risk evaluation will be used in the site-specific long-term OM&M Plan to develop fence-line screening concentrations for soil vapor to be protective of onsite and offsite receptors. The post-grading risk evaluation also will establish baseline conditions to which future trends will be compared.

DTSC, as part of the OM&M Plan, will require the Applicant to conduct long-term monitoring of the site to ensure that there is no offsite migration of potential contaminants in the future. These will include monitoring and maintaining the proposed perimeter soil vapor probes, groundwater monitoring wells and the integrity of the cap and building protection systems. Based on that evaluation, specific remedial actions and long-term monitoring obligations will be imposed by DTSC on the Applicant to address potential health risks associated with operation of the site.

Response 66-8

The commenter questions if DTSC considered alternative uses, such as a public park, during the CEQA investigation with trees to mitigate air quality problems, and that a park would be a better land use. Land use is the exclusive jurisdiction of the City of Long Beach and is outside of DTSC's purview. DTSC is not a planning or zoning agency and does not make land use decisions. DTSC is the government agency responsible for ensuring that all appropriate laws and regulations are followed to address environmental contamination and that the site will be safe for the use and development proposed by a project applicant. The City refers the commenter to the Draft EIR, Section 5.0, Alternatives, which explains that the Parkland Alternative was considered but

rejected. Additional parkland alternatives to mitigate air pollution are not required by CEQA because, as explained in the Draft EIR, Section 4.2, Air Quality, the Project will already have less than significant impacts related to air quality with implementation of identified mitigation.

The commenter then notes that the Rivers and Mountains Conservancy has advised that with a “willing seller letter” they can proceed with obtaining an appraisal of the property and “putting together an offer.” As detailed in Response 65-12, no offer to acquire the property for parkland purposes has been made by the Rivers and Mountains Conservancy or any other entity or individual. As such, there is no “alternative project” for development of a park by RiverPark and/or the Rivers and Mountains Conservancy that merits consideration in the Draft EIR. Neither entity owns or has made an actual offer to purchase the site, and no one has submitted a planning application for such a project to the City.

The commenter then notes that “the land use plan for this property was a park/open space for the last decade or more.” The City has never designated the Project Site as a park or for open space. The Project Site is private property, and it is designated by the General Plan Land Use Element as Neo-Industrial and zoned Light Industrial (IL). An early draft of the City’s General Plan Land Use Element, prior to its update in 2019, indicated the Project Site was private open space to reflect the Project Site’s prior use as a privately owned driving range, but the adopted Land Use Element designated the Project Site as Neo-Industrial. See Draft EIR, Section 4.10, Land Use and Planning, which analyzes how the Project is not in conflict with applicable land use plans.

Response 66-9

The commenter asks if DTSC considered social justice and environmental justice in their recommendations. The commenter adds that the City of Long Beach has identified that east Long Beach enjoys 17 acres of parkland/open space per thousand residents while the westside has 1 acre per thousand residents.

The comment questions if DTSC considered social and environmental justice in their recommendations, referring to a lack of parkland in the area. The Draft EIR, Section 4.10, Land Use and Planning, and Section 4.14, Recreation, analyze the Project’s potential impact related to recreational resources and plans, policies, and regulations pertaining to recreation and open space, within the purview of CEQA. Both sections conclude that the Project’s impacts related to these topics would be less than significant. To the extent this comment raises concerns outside of those discussed in Sections 4.10 and 4.14, such as social and environmental justice reasons for why the Project Site is not being proposed to be developed as a park at this time, the concerns are outside the scope of CEQA, but this comment will be forwarded to the decision makers for consideration.

Response 66-10

The commenter asks if there is a need to do core samples all the way down to the 50 foot level across the site to understand what the potential dangers are.

The SAP/ROF, attached to the Draft EIR as Appendix I-4, provides a summary of environmental investigations conducted at the site beginning in 1983, including a Remedial Investigation report completed by LFR, Inc. in 2009. Previous investigations adequately characterized the existing sump materials including soil, soil vapor and groundwater samples, but did not fully characterize the cover soil (quality or thickness) overlying the sump materials. LFR’s investigation included soil sampling to a depth of 50 feet below ground surface (bgs). (See, e.g., Draft EIR, Appendix I-4) As further set forth in the SAP/ROF, investigation activities conducted by Roux beginning in 2019 included soil, soil vapor, and groundwater samples that provided further characterization of cover

soils, and confirmed that soil vapor and groundwater conditions remained consistent with the results of previous investigations.

Together, the historical data and sample results generated by Roux provide a robust and comprehensive dataset that adequately characterizes the distribution and magnitude environmental contaminants that will be disturbed or impacted by the development, both during and after construction. DTSC reviewed and accepted the SAP/ROF conclusions that the site's soils, soil vapor, and cover soils had been adequately delineated and characterized.

Response 66-11

The commenters states that methane, arsenic, lead, and benzene were found at the Project site and provides definitions for each. The four contaminants listed in Comment 66-11 (arsenic and lead in cover soils, benzene and methane in soil vapor) were identified at the site during Roux's site characterization investigation. The seven response actions selected and presented in the draft Response Plan collectively meet the remedial action objectives and address potential risk of exposure to on-and off-Site receptors and result in a development project that is protective of human health and the environment during and after construction. The response actions are as follows:

- Management of soils in areas of elevated concentrations (AECs) under a SMP;
- Construction of an engineered cap across the Site;
- Methane and soil gas mitigation measures under buildings and all hardscape areas;
- Installation and monitoring of a groundwater well network;
- Installation and monitoring of perimeter soil vapor probes;
- Institutional controls including a Land Use Covenant to maintain all remedial components; and,
- Preparation of a Site-specific long-term Operations, Maintenance, and Monitoring Plan.

Excavation and reconsolidation of the AECs and construction of an engineered cap over the impacted soils would eliminate the risk of exposure from arsenic, lead and TPH. The proposed methane and soil gas mitigation measures under the paved areas and buildings will mitigate the potential risk from methane and soil gas. DTSC will require the Applicant to conduct long-term monitoring of the site to ensure that there is no off-Site migration of potential contaminants in the future. These will include monitoring and maintaining the proposed perimeter soil vapor probes, groundwater monitoring wells and the integrity of the cap and building protection systems.

SECTION 3.0 CORRECTIONS, CLARIFICATIONS, AND ADDITIONS TO THE DRAFT EIR

Any corrections, clarifications and additions to the Draft EIR text, tables, and figures generated either from responses to comments or independently by the City, are stated in this section. Various corrections regarding figure/table numbers and names, grammatical, punctuation, spelling and typographical errors in the Draft EIR are not called out separately in this document; however, any substantive changes are individually addressed.

These Draft EIR corrections, clarifications and additions are provided to clarify and amplify the Draft EIR. Changes may be corrections or clarifications to the text and tables of the Draft EIR. Other changes to the Draft EIR clarify the analysis in based upon the information and concerns raised by comments during the public review period. None of the information contained in these Draft EIR revisions constitutes significant new information or changes to the analysis or conclusions of the Draft EIR. The changes to the Draft EIR included in this section do not constitute “significant” new information. Therefore, recirculation of the Draft EIR is not required because the new information added to the Final EIR through these revisions only clarify or amplify information already provided or make insignificant modifications to the already adequate Draft EIR.

The revisions contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by bold underlining (**underline**) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for ease of reference.

Section 3.0, Project Description, Exhibit 3-1 Conceptual Site Plan

The site plan will be updated to include the easement as identified. Exhibit 3-1 is revised as follows (Appendix G):

- A call out identifying the Project’s dump station and trail easement were added to the Site Plan.

Section 3.5, Project Elements, Lighting, Page 3-6

Lighting elements would be installed throughout the site, including lighting standards throughout the RV storage area and exterior security lighting for the self-storage building and car wash. All lighting elements would be shielded to direct lighting onto the **developed portions of the** Project site and minimize light spillage onto **on-site vegetated areas and** off-site areas.

Section 4.2, Air Quality, (Page 4.2-27)

TABLE 4.2-5
ESTIMATED UNMITIGATED MAXIMUM DAILY CONSTRUCTION EMISSIONS
(LBS/DAY)

Year	VOC	NOx	CO	SOx	PM10	PM2.5
Unmitigated Emissions						
2020	10	112	77	<1	11	7
2021	9	102	72	<1	11	6
2024	7	68	60	<1	9	5
2025	7	70	72	<1	10	5
2026	~~5~~ 52	18	26	<1	2	1
Maximum	40 52	112	77	<1	11	7
SCAQMD Daily Thresholds (Table 4.2-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	Yes	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound(s); NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: inhalable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2023 (Thresholds). CalEEMod data in Appendix C-3.						

Section 4.2, Air Quality (Page 4.2-28)

TABLE 4.2-6
ESTIMATED MAXIMUM DAILY OPERATIONAL EMISSIONS

Source	Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Mobile sources	1	1	11	<1	3	1
Area sources	~~<1~~ 7	<1	<1	<1	<1	<1
Energy sources	<1	<1	<1	<1	<1	<1
Water sources	<1	<1	<1	<1	<1	<1
Waste sources	1	1	10	<1	3	1
Total Operational Emissions*	4 8	1	44 21¹⁴	<1	3	1
SCAQMD Significance Thresholds (Table 4.2-4)	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compounds; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur dioxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. * Some totals may not add due to rounding. Note: CalEEMod model data sheets are included in Appendix C-3.						

¹⁴ It should be noted that this edit was not made in response to the updated CalEEMod; rather, this is a correction made in response to a typo in the Draft EIR.

Section 4.2, Air Quality (Page 4.2-29)

TABLE 4.2-7
ESTIMATED MITIGATED MAXIMUM DAILY CONSTRUCTION EMISSIONS
(LBS/DAY)

Year	VOC	NOx	CO	SOx	PM10	PM2.5
Mitigated Emissions (with implementation of MM AIR-1, as Amended)						
2020	3	69	77	<1	9	5
2021	3	68	77	<1	9	5
2024	2	13	69	<1	6	3
2025	2	18	88	<1	7	3
2026	~~4~~ 51	8	31	<1	1	<1
Maximum	~~4~~ 51	69	88	<1	9	5
SCAQMD Daily Thresholds (Table 4.2-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound(s); NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: inhalable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2023 (Thresholds). CalEEMod data in Appendix C-3.						

Section 4.2, Air Quality (Page 4.2-31)

**TABLE 4.2-8
LOCALIZED CONSTRUCTION POLLUTANT EMISSIONS
(LBS/DAY)**

	NOx	CO	PM10	PM2.5
Surcharge (Site Preparation) [2020] Emissions	109	74	11	7
SCAQMD LSTs for Surcharge (Site Preparation)*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Surcharge (Site Preparation) [2021] Emissions	99	70	10	6
SCAQMD LSTs for Surcharge (Site Preparation)*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Grading (2024) Emissions	68	58	8	5
SCAQMD LSTs for Site Grading*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Grading (2025) Emissions	59	54	8	5
SCAQMD LSTs for Site Grading*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Building Construction (2025) Emissions	~~19~~ ¹⁵ 10	21	<1	<1
SCAQMD LSTs for Building Construction*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Building Construction (2026) Emissions	19	21	<1	<1
SCAQMD LSTs for Building Construction*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Paving (2026) Emissions	4	5	<1	<1
SCAQMD LSTs for Paving*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No
Architectural Coatings (2026) Emissions	3	4	<1	<1
SCAQMD LSTs for Architectural Coatings*	119	2,045	44	11
Exceeds SCAQMD Thresholds?	No	No	No	No

lbs/day: pounds per day; NOx: nitrogen oxides; CO: carbon monoxide; PM10: respirable particulate matter with a diameter of 10 microns or less; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District; LST: Localized Significance Threshold.

* Thresholds for Source Receptor Area 4, South Coast LA County, 5-acre site disturbance, 55-meter receptor distance for all construction phases. The 55-meter receptor distance was used to account for the distance between the closest point at which construction activities would occur and the nearest sensitive receptor.

Source: SCAQMD 2009.

¹⁵ It should be noted that this edit is not a result of the updated CalEEMod. This change was made in response to a typo in the Draft EIR.

Section 4.2, Air Quality (Page 4.2-32)

**TABLE 4.2-9
OPERATIONS PHASE
LOCALIZED SIGNIFICANCE THRESHOLD EMISSIONS**

Emissions and Thresholds	Emissions (lbs/day)			
	NOx	CO	PM10	PM2.5
Project maximum daily on-site emissions				
Area	<1	<1 <u>10</u>	<1	<1
Energy	<1	<1	<1	<1
Mobile ¹	<1	<1 <u>1</u> ¹⁶	<1	<1
Total	<1	4-10	<1	<1
Localized Significance Threshold	119	2,045	10	3
Exceed threshold?	No	No	No	No
lbs/day: pounds per day; NOx: nitrogen oxides; CO: carbon monoxide; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; ¹ Onsite mobile emissions are conservatively assumed to be 5% of the total on- and off-site emissions. Note: Data is for SCAQMD Source Receptor Area 4, South Los Angeles County Coastal Source: SCAQMD 2009 (thresholds); see Appendix C-3 for CalEEMod model outputs.				

Section 4.3, Biological Resources, Page 4.3-19

The following species were assessed in the 2020 BRA as having low potential to occur on the Project Site, but and their potential for occurrence on the site was assessed in the 2024 BRA as no or low potential for occurrence, including the burrowing owl; Yuma myotis; Mexican free-tailed bat; and western yellow bat. In the 2025 Supplemental BRA, a new assessment was prepared. Although the potential for burrowing owls to occur on-site is considered low, it may be possible that the site could be inhabited temporarily by dispersing or transient burrowing owls, and therefore is also discussed further below. As the other wildlife species are currently identified as having no potential to occur on site, no impacts would occur. (FCS 2024, 2025)

Section 4.3, Biological Resources, Page 4.3-21, (after Burrowing Owls)**Bats**

The project site, off-site improvement areas, and adjacent areas contain marginally suitable roosting habitat for bat species. FCS reviewed pertinent information about the proposed project and the bat species that could occur on the project site in existing literature, including species-occurrence database reviews prepared in support of the proposed project. Following this review, FCS conducted a survey of the project site on October 10, 2024, targeting trees and structures that could provide roosting habitat for special-status bats. No special-status or common bat species were observed during the field visit. There are no caves, crevices, buildings, structures, or other similar habitat that would provide roosting opportunities for Yuma myotis (*Myotis yumanensis*) or Mexican free-tailed bat (*Tadarida brasiliensis*), and these species are not expected to occur on-site. The

¹⁶ It should be noted that this edit is not a result of the updated CalEEMod. This change was made in response to a typo in the Draft EIR.

potential roosts in trees observed included fronds of Mexican fan palms (*Washingtonia robusta*) located in the adjoining off-site area that could potentially provide roosting opportunities for western yellow bat (*Lasiurus xanthinus*). Marginal roosting habitat in the form of cavities were found in three trees on-site and adjacent to the offsite improvement area. None of the observed tree cavities exhibited evidence of occupancy by bats; however, it may be possible that the cavities provide roosting habitat for common bat species, such as big brown bat (*Eptesicus fuscus*) and California myotis (*Myotis californicus*). Therefore, the Project has the potential to impact burrowing owls, resulting in a potentially significant impact. (FCS 2025)

Section 4.3, Biological Resources, Page 4.3-21, 4.3-27, and 4.3-28

MM BIO-1a Rare Plant Surveys. Prior to the initiation of construction on the Project Site, the Project Applicant shall retain a CDFW-approved qualified Biologist or Botanist to conduct focused rare plant surveys in accordance with the California Department of Fish and Wildlife (CDFW) (2018) protocols. The rare plant surveys shall be conducted at the proper time of year when the target rare species (southern tarplant, decumbent goldenbush) are “evident” and identifiable, i.e., during bloom periods. ~~If additional southern tarplant individuals or decumbent goldenbush individuals are found on the Project Site, the Project applicant shall consult with CDFW to determine appropriate off site mitigation. If no decumbent goldenbush individuals are found, then the proposed Project would not have any impacts to this species and no mitigation measures would be necessary.~~ The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and CDFW within 30 days of completion of the survey(s). At a minimum, the survey report shall include: a description and map of the survey area; field survey conditions; a complete list of plant species present; a map of the location of any rare plants; a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions of where each rare plant was found; and species-specific measures to mitigate impacts to rare plants.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1b On-site Restoration of Southern Tarplant Program.—The Project Applicant shall implement an on-site restoration of southern tarplant using southern tarplant seeds obtained from a seed distributor or collected from a nearby population propagules (seeds, topsoil) that were collected ~~on the Project Site in 2020.~~ The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the ~~property owned by the County of Los Angeles~~ County property west of the Project Site. The goal of the restoration program shall be replacement of ~~1,275~~ 1,287 southern tarplants in this area to achieve a 1:1 ratio of lost to replaced plants., including 1,275 previously removed southern tarplants that shall be mitigated at a 1:1 ratio of replaced to lost plants and six southern tarplants discovered in 2024 that would be mitigated at a 2:1 ratio of replaced to lost plants.

Prior to implementing the restoration effort, the **Project** applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or Restoration Ecologist. The **final** plan shall be submitted to CDFW **and the City of Long Beach** ~~within 6 months following issuance of a grading permit~~ **prior to any Project ground-disturbing activities**. The plan shall detail the identification of on-site areas for receiving southern tarplant propagules, methods for implementing site preparation ~~and~~ **habitat restoration techniques**, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a ~~five~~ **5-year** period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if success criteria are not met. The Project Applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy. **To prevent trampling/crushing of southern tarplants on the County property west of the project site, the Project Site boundary shall be delineated and orange construction fencing shall be installed along the western boundary of the Project Site. The fencing shall be installed prior to the initiation of ground-disturbing or vegetation-removing activities and shall be maintained throughout the duration of Project construction.**

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1c Additional Southern Tarplant Mitigation. If additional southern tarplant are detected during the rare plant surveys and will be impacted by Project activities, the Project proponent shall mitigate the loss of individual southern tarplant at a minimum of 2:1. The mitigation shall be included in the on-site restoration of southern tarplant program.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1d Rare Plant Compensatory Mitigation. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the project applicant shall mitigate the loss of individual rare plants at a minimum of a 2:1 ratio of replaced to lost plants. The mitigation area shall be approved by the California Department of Fish and Wildlife (CDFW) and shall provide equivalent or greater habitat value than that of the Project Site. The Project proponent shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill (AB) 1094. Recordation of the conservation easement shall occur prior to commencement of ground-disturbing or vegetation-removing Project activities. An appropriate endowment shall also be provided for the long-term monitoring and management

of mitigation lands in perpetuity. The endowment shall be provided to a CDFW-approved entity authorized to hold such funds.

Section 4.3, Biological Resources, Page 4.3-21 and 4.3-28

MM BIO-1e Habitat Management and Monitoring Plan. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the project Applicant shall retain a qualified Botanist to draft a Habitat Management and Monitoring Plan (HMMP) and submit it to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) for review and approval prior to issuance of the Project grading permit. The HMMP shall outline initial and long-term management and maintenance activities that would occur on mitigation lands. The HMMP shall provide measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Maintenance activities outlined in the HMMP shall include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities.

Section 4.3, Biological Resources, Page 4.3-21, 4.3-22 and 4.3-28

MM BIO-2a Monarch Butterfly **Focused** Pre-construction Surveys and Monitoring. ~~If construction activities are initiated during the migration season for monarch butterflies (typically October 15 through February 15), a~~ **A** ~~qualified Biologist shall conduct pre-construction~~ **a minimum of three focused surveys** ~~for roosting monarch butterflies within and adjacent to the construction area, including a 500-foot survey buffer, no more than 3 days prior to the start of construction activities in the construction area~~ **Project Site during the migration season (typically October 1 through March 1) prior to the start of ground-disturbing activities. The surveys shall be conducted on and adjacent to the Project Site, including a 500-foot survey buffer (as access allows). The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the surveys.**

During the construction phase of the proposed Project, a qualified Biologist shall monitor the Project Site for the presence of migrating and overwintering monarchs during the migration season (typically October 1 through March 1). Monitoring should be conducted biweekly during the overwintering season as well as immediately following storm events to capture changing distributions throughout the season.

MM BIO-2b **Avoidance of Monarch Butterfly Roosts.** ~~If a monarch butterfly roost is detected during~~ **focused surveys or during monitoring** ~~pre-construction surveys or at any point during the construction phase of the proposed Project,~~ **the qualified Biologist shall notify** the United States Fish and Wildlife Service (USFWS) ~~and/or, California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the roost. Furthermore, construction activities shall be restricted as~~

necessary to avoid disturbance of the roost until the monarch butterflies have dispersed from the roost or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around a monarch butterfly roost) or alteration of the construction schedule., and the City of Long Beach regarding the status of the roost. The Project Applicant and qualified Biologist shall consult with USFWS to prepare a long-term Monarch Butterfly Overwintering Habitat Management Plan (HMP). The HMP shall include a process for delineating and observing a no-disturbance buffer; a plan for protecting, managing, enhancing, and restoring monarch butterfly overwintering site(s) and surrounding habitat; a plan to protect monarchs and their habitats from pesticides, insecticides, fungicides, and herbicides; and a plan to prevent planting of milkweed at overwintering sites to facilitate maintenance of normal migration behaviors. The HMP shall be adaptive, with specific goals and objectives, continued monitoring, and refinement over time. The HMP shall include as an objective that the baseline population/individual occurrence numbers shall not decrease over 3 years due to project activities and shall include adaptive and contingent measures to ensure this objective is met.

Section 4.3, Biological Resources, Page 4.3-23

MM BIO-6a Bat Focused Surveys. The Project Applicant shall retain a qualified Bat Specialist to conduct daytime and nighttime bat surveys throughout the Project Site plus a 100-foot buffer (as access allows). These surveys shall be conducted during the maternity roosting season (March 1 through September 30) prior to the start of construction activities and shall identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. Acoustic monitoring stations shall be deployed for a minimum of 3 days and 3 nights. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s). If no bat species are detected, the proposed Project may proceed. If bat species are detected, no Project activities shall commence, and the Project proponent shall contact CDFW to coordinate on appropriate actions and compensatory mitigation. Actions may include but not be limited to avoidance of roost site(s), installing bat boxes on-site to offset the loss of roosts, and/or off-site mitigation, subject to CDFW oversight.

MM BIO-6b Tree Removal. If bats are not detected on the project site or in the 100-foot survey buffer area, but the qualified Bat Specialist determines that roosting bats may be present in trees on the project site or in the off-site improvements area, the trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to

become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a qualified Bat Specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24–48 hours, as determined by the qualified Bat Specialist, shall elapse prior to such operations to allow bats to escape.

MM BIO-6c Bat Maternity Roosts. If the Project Site supports an active bat maternity roost, work within 100 feet of the roost shall be scheduled to occur between October 1 and February 28, outside of the maternity roosting season, when young bats are present. If Project work cannot be implemented outside of the bat maternity roosting period, work shall not occur within 100 feet of, or directly under or adjacent to, an active roost. If the Project Site supports an active bat maternity roost, work over the entire Project Site shall not occur between 30 minutes before sunset and 30 minutes after sunrise. If tree removal activities occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by a qualified Bat Specialist. Inspections of each tree shall be implemented no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to support maternity roosts shall be left in place during the maternity season (March 1 to September 30) and removed outside of the maternity season (October 1 to February 28).

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-24

Southern Tarplant: The Southern tarplant seeds and topsoil collected in late 2020 were stored on-site and these materials obtained from a seed distributor or collected from a nearby population would be used to implement an on-site restoration program for southern tarplant, as detailed in **MM BIO-1b** that requires on-site restoration of southern tarplant. If additional southern tarplant are identified during rare plant surveys, impacted individuals would be replaced at a minimum 2:1 ratio as detailed in MM BIO-1c. Additionally, if additional rare plants are detected during rare plant surveys or construction and would be impacted, MM BIO-1d would require replacement at a minimum 2:1 ratio and the mitigation area would be subject to CDFW approval, provided in perpetuity under a conservation easement, and an endowment would be required to provide for long-term monitoring and management. Implementation of MM BIO-1e would also require development and implementation of a Habitat Management and Monitoring Plan (HMMP). Therefore, with implementation of **MM BIO-1b, MM BIO-1c, MM BIO-1d, and MM BIO-1e** impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

Yuma Myotis, Mexican Free-tailed Bat, and Western Yellow Bat: No impact would occur and therefore no mitigation is required. The Project would incorporate MM BIO-6a, MM BIO-6b, and MM BIO-6c which would require bat focused surveys, special treatment during tree removals, and avoidance of active bat maternity roosts. With implementation of MM BIO-6a, MM BIO-6b, and MM BIO-6c, impacts related to bats would be less than significant.

Monarch Butterfly: The Project would incorporate **MM BIO-2a**, which requires pre-construction focused surveys and monitoring and **MM BIO-2b**, which requires avoidance of monarch butterfly roosts during construction activities, to ensure less than

significant impacts. Therefore, with implementation of **MM BIO-2a** and **MM BIO-2b**, impacts related to the monarch butterflies would be less than significant. (FCS 2024) Crotch's Bumblebee: The Project would incorporate **MM BIO-3**, which requires multiple Crotch's bumble bee surveys during the peak flight season (March through September). With implementation of **MM BIO-3**, impacts related to the Crotch's bumble bee would be less than significant. (FCS 2024)

Section 4.3, Biological Resources, Page 4.3-25, 4.3-26 and 4.3-30

MM BIO-5a Nesting Bird Pre-construction Surveys. Project activities shall occur outside the nesting season for migratory birds and raptors (February 1 through September 15 and as early as January 1 for some raptors). If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 1 through September 15), a qualified Biologist shall conduct pre-construction surveys for ~~special status birds and other migratory birds~~ **and raptors** within the construction area, including a 300-foot survey buffer, on the Project Site and a 300-foot buffer around the Project Site (as access allows) no more than 3 days prior to the start of ground-disturbing activities in the construction area. If Project activities are delayed or suspended for more than 7 days during the nesting season, the nesting bird and raptor survey shall be repeated. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s).

Section 4.3, Biological Resources, Page 4.3-26 and 4.3-30

MM BIO-5b Avoidance of Active Avian Nests. If an active nest is located during preconstruction surveys or at any point during the construction phase of the Project, the species shall be identified, and a no-disturbance buffer shall be established around the active nest. If a nest of a special-status bird or raptor is detected, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. Furthermore, ~~construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at.~~ At a minimum, a no-disturbance buffer of 500 feet radius of 300 feet around an active raptor nest and a no-disturbance buffer of 100 feet shall be placed 50-foot radius around an active migratory bird nest) ~~or alteration of the construction schedule.~~ Personnel working on the Project, including all contractors working onsite, shall be instructed on the presence of nesting birds, restricted areas, and adherence to no-disturbance buffers. A qualified biologist shall periodically monitor any active bird nests on at least a weekly basis to determine if Project-related activities occurring outside the "no-disturbance" buffer disturbs the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, Project activities within the "no-disturbance" buffer may occur following an additional survey by the

qualified biologist to search for any new bird nests in the restricted area.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6a Bat Focused Surveys. The Project Applicant shall retain a qualified Bat Specialist to conduct daytime and nighttime bat surveys throughout the Project Site plus a 100-foot buffer (as access allows). These surveys shall be conducted during the maternity roosting season (March 1 through September 30) prior to the start of construction activities and shall identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. Acoustic monitoring stations shall be deployed for a minimum of 3 days and 3 nights. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s). If no bat species are detected, the proposed Project may proceed. If bat species are detected, no Project activities shall commence, and the Project proponent shall contact CDFW to coordinate on appropriate actions and compensatory mitigation. Actions may include but not be limited to avoidance of roost site(s), installing bat boxes on-site to offset the loss of roosts, and/or off-site mitigation, subject to CDFW oversight.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6b Tree Removal. If bats are not detected on the project site or in the 100-foot survey buffer area, but the qualified Bat Specialist determines that roosting bats may be present in trees on the project site or in the off-site improvements area, the trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a qualified Bat Specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24–48 hours, as determined by the qualified Bat Specialist, shall elapse prior to such operations to allow bats to escape.

Section 4.3, Biological Resources, Page 4.3-23 and 4.3-30

MM BIO-6c Bat Maternity Roosts. If the Project Site supports an active bat maternity roost, work within 100 feet of the roost shall be scheduled to occur between October 1 and February 28, outside of the maternity roosting season, when young bats are present. If Project work cannot be implemented outside of the bat maternity roosting period, work shall not occur within 100 feet of, or directly under or adjacent to, an active roost. If the Project Site supports an active bat maternity roost, work over the entire Project Site shall not occur between 30 minutes

before sunset and 30 minutes after sunrise. If tree removal activities occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by a qualified Bat Specialist. Inspections of each tree shall be implemented no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to support maternity roosts shall be left in place during the maternity season (March 1 to September 30) and removed outside of the maternity season (October 1 to February 28). Section 4.3, Biological Resources, Page 4.3-27, Cumulative Impacts

Project development has the potential to impact special status plant and wildlife species with potential to occur on-site, including the southern tarplant, monarch butterfly, crotch's bumble bee, ~~and burrowing owls,~~ **and bats** through removal of habitat, resulting in a potentially significant cumulative impact.

Section 4.7, Greenhouse Gas Emissions (Page 4.7-18)

The results of the calculations of operational annual GHG emissions at Project buildout (year 2026) are shown in Table 4.7-3, Estimated Annual Operational Greenhouse Gas Emissions. CalEEMod data sheets are included in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations of this EIR. The total operational GHG emissions at Project buildout is estimated at ~~649~~ **660** MTCO₂e per year.

**TABLE 4.7-3
ESTIMATED ANNUAL OPERATIONAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions MTCO ₂ e/year	Percent of Total
Area	~~<1.5~~	~~0.1~~ %
Energy	17	3%
Mobile	~~462~~ 469	71%
Solid Waste	168	26%
Water	1	0%
Annual GHG Emissions	649 660	100%
MTCO ₂ e/year: metric tons of carbon dioxide equivalent per year; GHG: greenhouse gas(es).		
Note: Totals may not balance due to rounding		
Source: CalEEMod outputs can be found in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations.		

Table 4.7-4, Estimated Annual Greenhouse Gas Emissions, shows that the sum of amortized construction emissions and annual operational emissions would be approximately ~~749~~ **654** MTCO₂e/year at buildout.

**TABLE 4.7-4
ESTIMATED ANNUAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions MTCO₂e/year
Construction (amortized) (from Table 4.7-2)	70
Operations (from Table 4.7-3)	649 <u>654</u>
Total Annual GHG Emissions	<u>719-724</u>
SCAQMD-recommended project-level screening threshold	3,000
Exceed threshold?	No
MTCO ₂ e/year: metric tons of carbon dioxide equivalent per year; GHG: greenhouse gas; SCAQMD: South Coast Air Quality Management District.	
Note: Totals may not balance due to rounding.	
Source: CalEEMod outputs can be found in Appendix C-3, Air Quality and Greenhouse Gas Emissions Calculations.	

Section 4.10, Land Use and Planning

Due to a pagination error in the Draft EIR, the full Section 4.10 is included as Appendix Nw with the modifications to the page numbers shown in ~~strikeout~~.

Section 4.15, Transportation, A. Thresholds of Significance, Page 4.15-5

In accordance with Appendix G of the State CEQA Guidelines, a project would result in a significant ~~biological resources~~ **transportation** impact if it would:

Section 4.17, Utilities and Service Systems, Page 4.17-3

Sewer

The LBWD operates and maintains over 700 miles of sanitary sewer lines, safely collecting and delivering over 40 million gallons of wastewater per day to the Sanitation Districts of Los Angeles County for treatment (LBWD 2023). Existing sewer infrastructure in the area includes a Los Angeles County Sanitation District (LACSD) 30-inch sewer main, which bisects the Project Site north to south (LACSD 2024). After being collected from the sewer main, wastewater would then be treated at either the Long Beach Water Reclamation Plant (LBWRP) managed by the LACSD or the ~~Joint Water Pollution Control Plant (JWPCP)~~ **A.K. Warren Water Resource Facility** managed by and located in the City of Carson (LBWD 2021). The LBWRP has a capacity of 25 million gallons of wastewater per day (mgd) and average effluent flows in 2022 were approximately 11.39 mgd (LACSD 2022). The ~~JWPCP~~ **A.K. Warren Water Resource Facility** has capacity of 400 mgd and average wastewater flows in 2022 ~~2024~~ were ~~237.03~~ **247.2** mgd. (LACSD 2022 ~~and 2024a~~).

Section 4.17, Utilities and Service Systems, Page 4.17-4 to -5

A majority of the City's solid waste is ~~was previously~~ sent to the Southeast Resource Recovery Facility (SERRF), ~~before it closed on January 31, 2024, a publicly owned solid waste management facility located at 120 Pier South Avenue in the City of Long Beach. This facility is owned by the SERRF Joint Powers Authority (JPA) and is operated by Covanta Long Beach Renewable Energy Corporation. The SERRF is a refuse-to-energy transformation facility that reduces the volume of solid waste it receives by approximately~~

~~80 percent using mass burn technology. Residential and commercial solid waste is combusted in high temperature boilers to produce steam, which in turn is used to run the turbine generator to produce electrical energy (Long Beach 2019).~~

~~The SERRF receives the greatest tonnage of solid waste of all disposal sites located within the City. Solid waste from the existing uses in the City is collected and trucked to the SERRF where it is processed. The SERRF performs “front end” and “back end” recycling by recovering items such as white goods (i.e., large appliances) prior to incineration and collection of metals removed from the boilers after incineration. Each month, an average of 825 tons (1,878,338 pounds) of metal are recycled rather than sent to a landfill. The Solid Waste Facility Permit for the SERRF identifies that the design capacity of this facility is 2,240 tons per day (4,480,000 pounds). As described above, the SERRF currently processes approximately 1,290 tons per day (2,580,000 pounds) (Long Beach 2019). The 2020 average waste quantities from the SERRF included 1,218 tpd of waste received (based on six days) and 1,217 tpd of waste processed (LACPW 2021).~~

Solid waste that is generated in the City but is not sent to the SERRF is taken to **LACSD facilities as well as** landfills in Orange, San Bernardino, and Riverside Counties. According to LACSD, since the closure of the Puente Hills Landfill in 2013, residents and commercial haulers are encouraged to use other nearby LACSD’s facilities for disposal and recycling (Long Beach 2019) including those shown in Table 4.17-1, Landfills Serving the City of Long Beach.

Section 4.17, Utilities and Service Systems, Page 4.17-17

Wastewater

Wastewater from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. **The average wastewater flow from the Project is approximately 33,339 gpd, or 0.033 mgd.** Wastewater would be collected onsite through a series of proposed 6-inch sewer lateral pipelines located along the eastern portion of the site (JCT 2022), and conveyed to the existing 30-inch LACSD sewer main, which bisects the Project Site. Ultimately, the wastewater would be conveyed offsite to the connecting City sewer system, which is operated and maintained by the LBWD. The wastewater collected from the Project Site would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility** wastewater treatment plants. The LBWRP has a daily capacity of 25 mgd and the JWPCP **A.K. Warren Water Resource Facility** has a daily capacity of 400 mgd.

Section 4.17, Utilities and Service Systems, Page 4.17-21

As stated above, the wastewater generated from the Project Site would be minimal, associated primarily with restrooms in the self-storage facility and the warehouse, as well as the dump station associated with the RV storage area. **The average wastewater flow from the Project is approximately 33,339 gpd or 0.033 mgd.** The LBWD operates and maintains the City’s sewers, and the wastewater would then be treated at either the LBWRP or the JWPCP **A.K. Warren Water Resource Facility**. As the LBWRP has a capacity of 25 million gallons of wastewater per day (mgd) and average effluent flows in 2022 were approximately 11.39 mgd, there is a remaining daily capacity of 13.61 mgd. In addition, as the JWPCP **A.K. Warren Water Resource Facility** has capacity of 400 mgd and average wastewater flows in 2022 ~~2024~~ were 237.03 ~~247.2~~ mgd, there is a remaining daily capacity of 162.97 **152.8** mgd. The nominal increases in wastewater flow ~~would be~~

well within represent less than one percent of the remaining daily capacity of both the LBWRP and the JWPCP A.K. Warren Water Resource Facility.

Section 4.17, Utilities and Service Systems, Page 4.17-22

~~As stated above, a majority of the City's solid waste is sent to the SERRF, and each month, an average of 825 tons of metal are recycled rather than sent to a landfill. The SERRF facility capacity is approximately 2,240 tons per day, and the SERRF currently processes approximately 1,290 tons per day. As such, there is an approximate additional capacity of 950 tpd at the SERRF. Solid waste that is generated in the City but is not sent to the SERRF is taken to~~ **LACSD facilities as well as** landfills in Orange, San Bernardino, and Riverside Counties, as shown in further detail in Table 4.17-3.

Section 4.17, Utilities and Service Systems, Page 4.17-23

As the operational solid waste generation would be approximately 1,976 pounds per day (or 0.99 tons per day), **this would only represent a small percentage of the remaining daily capacity of the landfills serving the City of Long Beach, as shown in Table 4.17-1.** ~~less than one percent of the remaining daily capacity at the SERRF, and would be served by the other landfills within the vicinity if needed. As such, the City and other landfills would have sufficient capacity for the Project and would not generate solid waste in excess of State or local standards. Therefore, Project impacts on solid waste disposal capacity would be less than significant.~~

Section 4.17, Utilities and Service Systems, Page 4.17-26

As described above, the Project would not result in significant adverse impacts related to solid waste infrastructure and service providers. Projects considered in the cumulative impact analysis consist of six projects within the City of Long Beach. These related projects are described in more detail in Table 4-1, Cumulative Projects List, which is provided in Section 4.0, Impact Analysis. Future development in the City is expected to increase solid waste generation within the City. Solid waste that would be generated by the cumulative projects as well as the proposed Project would not be cumulatively considerable given these projects would collectively generate a very small percentage of the daily capacity for the landfills that would receive these projects' waste. Also, the ~~City of Long Beach SERRF and additional LASAN landfill system~~ would have the capacity to provide the proposed Project with long-term solid waste disposal services, both on a project-specific and cumulative basis. Therefore, cumulative impacts related to the solid waste would be less than significant, and no mitigation is required.

Section 4.17, Utilities and Service Systems, Page 4.17-29

Los Angeles County Sanitation Districts (LACSD). 2024a (September 16). NOA Response to Pacific Place Project. Whittier, CA: LACSD.

~~Los Angeles County Sanitation Districts (LACSD).~~ _____. 2024 (July 23, access date). LACSD Underground Utilities. Whittier, CA: LACSD. <https://www.app.lacsd.org/ugutilities/>

_____. 2023 (December 7, access date). Wastewater Service Overview. Whittier, CA: LACSD. <https://lacsd.org/services/wastewater-sewage>.

_____. 2022. 2022 Pretreatment Program Annual Report.
<https://www.lacsd.org/home/showpublisheddocument/10575/638180122960570000>.

Section 5.0, Alternatives, Comparison of the Effects of Alternative 1, Pages 5.15 and 5-16

Land Use and Planning

Alternative 1 would be constructed in the same location as the Project, which is surrounded by undeveloped land and industrial land uses; other uses in the vicinity include residential, park, and an elementary school. The Project Site does not serve as an access route between residential uses or other communities; therefore, no impacts related to this physical division of an established community would result from Alternative 1. Also, Alternative 1 would be consistent with the Project Site's PlaceType, **height designation**, and zoning, and no new potential conflicts with any applicable land use plans or policies would result from Alternative 1, and no General Plan amendment or Zone Change would be needed as with the Project. The Project was found to have less than significant impacts related to consistency with land use plans and policies. Similarly to the Project, Alternative 1 would provide an easement for future pedestrian use, consistent with that proposed by the Project. As such, consistent with the Project, Alternative 2 would not conflict with the City of Long Beach General Plan, City of Long Beach Zoning Code, 2021-2029 Housing Element Update, Connect SoCal, Lower LA River Revitalization Plan, Los Angeles River Revitalization Master Plan (2007), LA River Master Plan (1996), LA River Master Plan (2022), Los Angeles County 2016 Parks Need Assessment, Los Angeles County 2022 Parks Needs Assessment Plus, Parks, Recreation and Marine Strategic Plan (2003), Parks, Recreation and Marine Strategic Plan (2022-2032), Riverlink, I-710 Corridor Community Livability Plan, The West Beach Livability Implementation Plan, City of Long Beach Open Space Acquisition Study, Bicycle Master Plan, and CX3 Pedestrian Plan. While the Project and Alternative 1 would result in less than significant impacts related to this threshold, ~~Alternative 1 would not require the same approvals as detailed in Section 3.0, Project Description, when compared to the Project.~~ **Alternative 1 would be less likely than the Project to create a conflict with any land use plan, policy or regulation because, unlike with the Project, Alternative 1's potential land use and planning impacts are not contingent on City approval of the applicant's requested changes to the Project Site General Plan designations and zoning.** ~~however, this is not considered to be a significant impact of the Project; therefore, impacts would be similar when compared to the Project.~~

Section 5.0, Alternatives, Comparison of the Effects of Alternative 1, Page 5.17

Conclusions

Avoid or Substantially Lessen the Significant Impacts of the Project

Alternative 1, **when compared to the Project, would reduce potential land use and planning impacts because it maintains the Project Site's current General Plan designation and zoning, unlike the Project which seeks a variety of amendments to the Project Site's existing designations, including a General Plan amendment, zone change, and height overlay. Alternative 1 is therefore less likely than the Project to cause a potential conflict with a land use plan,**

policy, or regulation. Alternative 1, when compared to the Project, would not result in reduced impacts related to ~~the other any of the~~ resources categories. Alternative 1, when compared to the Project, would result in increased impacts related to air quality, energy, GHG, operational noise, population and housing, public services, recreation, transportation, and utilities.

Section 5.0, Alternatives, Page 5-24

**TABLE 5-1
COMPARISON OF ALTERNATIVES**

Impact Area	Project	No Project Alternative	Alternative 1	Alternative 2
Aesthetics	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Air Quality	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Biological Resources	Less Than Significant Impact With Mitigation	Increased Impact	Similar Impact	Similar Impact
Cultural Resources	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Energy	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Geology and Soils	Less Than Significant Impact With Mitigation	Reduced Impact	Similar Impact	Similar Impact
Greenhouse Gas Emissions	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Hazards and Hazardous Materials	Less Than Significant Impact	Increased Impact	Similar Impact	Similar Impact
Hydrology and Water Quality	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Land Use and Planning	Less Than Significant Impact	Increased Impact	~~Reduced~~ Similar Impact	Similar Impact
Noise	Less Than Significant Impact	Reduced Impact	Similar Impact	Reduced Impact
Population and Housing	Less Than Significant Impact	Similar Impact	Increased Impact	Similar Impact
Public Services	Less Than Significant Impact	Reduced Impact	Increased Impact	Similar Impact
Recreation	Less Than Significant Impact	Increased Impact	Increased Impact	Similar Impact
Transportation	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact
Tribal Cultural Resources	Less Than Significant Impact	Reduced Impact	Similar Impact	Similar Impact
Utilities and Service Systems	Less Than Significant Impact	Reduced Impact	Increased Impact	Reduced Impact

SECTION 4.0 MITIGATION MONITORING AND REPORTING PLAN

4.1 INTRODUCTION

In accordance with the requirements of Section 21081.6 of the *California Public Resources Code*, and as part of its adoption of the Final Environmental Impact Report (EIR) for the Project, the City adopts this Mitigation Monitoring and Reporting Program (MMRP). The City adopts this MMRP in its capacity as the lead agency for the EIR in accordance with the provisions of the California Environmental Quality Act (CEQA) (*California Public Resources Code* Section 21000 et seq.) and the State CEQA Guidelines (*California Code of Regulations*, Title 14, Section 15000 et seq.).

The principal purpose of this MMRP is to ensure that the mitigation measures and regulatory requirements for the approved Project are reported and monitored to ensure compliance with their requirements. In general, the City of Long Beach Community Development Department is responsible for overseeing implementation and completion of the adopted measures. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the attached MMRP table.

4.2 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP is provided in tabular format to facilitate effective tracking and documentation of the status of mitigation measures. The attached MMRP table provides the following monitoring information:

- **Mitigation Measures.** The text of all adopted mitigation measures (MMs) from the Draft EIR has been provided in this MMRP. Regulatory requirements (RRs) that are applicable to the Project are also included in the MMRP, which include laws, rules, regulations, and ordinances that would avoid and/or minimize environmental impacts of the Project.
- **Responsible for Implementation.** This MMRP identifies the party that is responsible for implementing each of the MMs that are specified in the EIR.
- **Timing.** This MMRP includes information related to when each MM in the EIR will be implemented.
- **Responsibility for Monitoring.** This MMRP identifies the City Department(s) or other public agency(ies) that are responsible for overseeing the implementation and completion of each mitigation measure.
- **Completion Date.** The completion date column of this MMRP is used to record the date that each mitigation measure is completed. This column of the MMRP table will be filled in by the City in the future as the Project is implemented and the MMs are completed. Upon completion, the MMRP and associated documentation will be kept on file at the City of Long Beach Community Development Department

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
<i>Air Quality</i>				
MM AIR-1 For construction activities that have already occurred (Surcharge Activities) onsite equipment shall be required to meet a minimum of Tier 3 or equivalent off-road engine emissions standards. For all future construction activities, the Applicant shall provide construction plans and specifications demonstrating that onsite equipment used for construction of the Project shall be required to meet a minimum of Tier 4 off-road engine emissions standards.	Applicant Construction Contractor	Prior to the issuance of each grading permit	City of Long Beach Community Development Department	
<i>Biological Resources</i>				
MM BIO-1a Rare Plant Surveys. Prior to the initiation of construction on the Project Site, the Project Applicant shall retain a CDFW-approved Botanist to conduct focused rare plant surveys in accordance with the California Department of Fish and Wildlife (CDFW) (2018) protocols. The rare plant surveys shall be conducted at the proper time of year when the target rare species (southern tarplant, decumbent goldenbush) are “evident” and identifiable, i.e., during bloom periods. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and CDFW within 30 days of completion of the survey(s). At a minimum, the survey report shall include: a description and map of the survey area; field survey conditions; a complete list of plant species present; a map of the location of any rare plants; a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions of where each rare plant was found; and species-specific measures to mitigate impacts to rare plants.	Applicant Qualified Botanist	Prior to construction; during plant bloom periods	City of Long Beach Community Development Department	
MM BIO-1b On-site Restoration of Southern Tarplant. The Project Applicant shall implement an on-site restoration of southern tarplant using southern tarplant seeds obtained from a seed distributor or collected from a nearby population. The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the County property west of the Project Site. The goal of the restoration program shall be replacement of 1,287 tarplants, including 1,275 previously removed southern tarplants that shall be mitigated at a 1:1 ratio of replaced to lost plants and six southern tarplants discovered in 2024 that would be mitigated at a 2:1 ratio of replaced to lost plants. Prior to implementing the restoration effort, the Project applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or Restoration Ecologist. The final plan shall be submitted to CDFW and the City of Long Beach prior to any Project ground-disturbing activities. The plan shall detail the identification of on-site areas for receiving southern tarplant propagules, methods for implementing site preparation and, habitat restoration techniques, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a five 5-year period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if success criteria are not met. The Project Applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy. To prevent trampling/crushing of southern tarplants on the County property west of the Project Site, the Project Site boundary shall be delineated and orange construction fencing shall be installed along the western boundary of the Project Site. The fencing shall be installed prior to the initiation of ground-disturbing or vegetation-removing activities and shall be maintained throughout the duration of Project construction.	Applicant Qualified Botanist or Restoration Ecologist	Prior to any ground-disturbing activities Over a 5-year period following implementation of the restoration plan Prior to initiation of ground-disturbing or vegetation removal activities and maintained throughout Project construction	City of Long Beach Community Development Department	
MM BIO-1c Additional Southern Tarplant Mitigation. If additional southern tarplant are detected during the rare plant surveys and will be impacted by Project activities, the Project proponent shall mitigate the loss of individual southern tarplant at a minimum of 2:1. The mitigation shall be included in the on-site restoration of southern tarplant program.	Applicant	During rare plant surveys; prior to Project construction	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
MM BIO-1d Rare Plant Compensatory Mitigation. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the Project Applicant shall mitigate the loss of individual rare plants at a minimum of a 2:1 ratio of replaced to lost plants. The mitigation area shall be approved by the California Department of Fish and Wildlife (CDFW) and shall provide equivalent or greater habitat value than that of the Project Site. The Project proponent shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill (AB) 1094. Recordation of the conservation easement shall occur prior to commencement of ground-disturbing or vegetation-removing Project activities. An appropriate endowment shall also be provided for the long-term monitoring and management of mitigation lands in perpetuity. The endowment shall be provided to a CDFW-approved entity authorized to hold such funds.	Applicant	During rare plant surveys and/or during Project construction Prior to commencement of ground-disturbing or vegetation-removal activities	City of Long Beach Community Development Department	
MM BIO-1e Habitat Management and Monitoring Plan. If additional rare plants are detected during the rare plant surveys or during construction of the proposed Project and those plants would be impacted by Project activities, the project Applicant shall retain a qualified Botanist to draft a Habitat Management and Monitoring Plan (HMMP) and submit it to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) for review and approval prior to issuance of the Project grading permit. The HMMP shall outline initial and long-term management and maintenance activities that would occur on mitigation lands. The HMMP shall provide measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Maintenance activities outlined in the HMMP shall include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities.	Applicant Qualified Botanist	During rare plant surveys and/or during Project construction Prior to issuance of a grading permit	City of Long Beach Community Development Department	
MM BIO-2a Monarch Butterfly Focused Surveys and Monitoring. A qualified Biologist shall conduct pre-construction a minimum of three focused surveys for roosting monarch butterflies within and adjacent to the Project Site during the migration season (typically October 1 through March 1) prior to the start of ground-disturbing activities. The surveys shall be conducted on and adjacent to the Project Site, including a 500-foot survey buffer (as access allows). The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the surveys. During the construction phase of the proposed Project, a qualified Biologist shall monitor the Project Site for the presence of migrating and overwintering monarchs during the migration season (typically October 1 through March 1). Monitoring should be conducted biweekly during the overwintering season as well as immediately following storm events to capture changing distributions throughout the season.	Applicant Qualified Biologist	Prior to initiation of ground-disturbing activities Within 30 days of completion of surveys During Project construction	City of Long Beach Community Development Department	
MM BIO-2b Avoidance of Monarch Butterfly Roosts. If a monarch butterfly roost is detected during focused surveys or during monitoring or at any point during the construction phase of the proposed Project, the qualified Biologist shall notify the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the City of Long Beach regarding the status of the roost. The Project Applicant and qualified Biologist shall consult with USFWS to prepare a long-term Monarch Butterfly Overwintering Habitat Management Plan (HMP). The HMP shall include a process for delineating and observing a no-disturbance buffer; a plan for protecting, managing, enhancing, and restoring monarch butterfly overwintering site(s) and surrounding habitat; a plan to protect monarchs and their habitats from pesticides, insecticides, fungicides, and herbicides; and a plan to prevent planting of milkweed at overwintering sites to facilitate maintenance of normal migration behaviors. The HMP shall be adaptive, with specific goals and objectives, continued monitoring, and refinement over time. The HMP shall include as an objective that the baseline population/individual occurrence numbers shall not decrease over 3 years due to project activities and shall include adaptive and contingent measures to ensure this objective is met.	Applicant Qualified Biologist	During focused surveys or monitoring, or at any point during Project construction	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
MM BIO-3 Crotch’s Bumble Bee Surveys. Surveys for Crotch’s bumble bee shall be implemented by a qualified Biologist. The surveys shall be conducted according to California Department of Fish and Wildlife (CDFW) protocol as described in the 2023 Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. These protocols include reviewing database records for the species in the Project vicinity, conducting a habitat assessment on the Project Site, conducting a minimum of three site visits during the peak flight season for the species (March through September), photo documenting any observed Crotch’s bumble bees, and documenting species of flowers visited by bumble bees. The results of the survey shall be reported to the CDFW with a copy to the City’s Community Development Department. If Crotch’s bumble bee is documented during the surveys, the Project applicant shall consult with the CDFW to determine the need for obtaining an Incidental Take Permit (ITP).	Applicant Qualified Biologist	Prior to Project construction	City of Long Beach Community Development Department	
MM BIO-4a Burrowing Owl Breeding Season Surveys. Breeding season surveys shall be implemented by a qualified Biologist. Four breeding season survey visits shall be conducted: (1) at least one site visit between February 15 and April 15, and (2) a minimum of three survey visits, at least 3 weeks apart, between April 15 and July 15, with at least one visit after June 15. Each of the survey efforts will be conducted according to protocol defined by the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. The results of the breeding season surveys shall be reported to the CDFW with a copy to the City’s Community Development Department. If the breeding season surveys are positive for burrowing owl occurrence, the Project Applicant shall implement MM BIO-4b. If the breeding season surveys are negative for burrowing owls, the Project Applicant shall implement MM BIO-1c.	Qualified Biologist Applicant	Prior to construction; during breeding season	City of Long Beach Community Development Department	
MM BIO-4b Agency Consultation. If the breeding season surveys determine that burrowing owl occupies the Project Site, the Project applicant shall consult with the California Department of Fish and Wildlife (CDFW) to determine appropriate mitigation for the loss of burrowing owl habitat due to Project implementation. The outcome of the consultation shall determine the need for implementing a burrowing owl management and monitoring program, including the need for closing burrows, passively relocating owls, and/or constructing artificial burrows. The outcome of the consultation shall be included in a Burrowing Owl Mitigation Plan that shall be prepared by a qualified Biologist retained by the Project Applicant (see MM BIO 4d).	Applicant Qualified Biologist	Prior to construction; during breeding season	City of Long Beach Community Development Department	
MM BIO-4c Burrowing Owl Pre-construction Survey. The Project Applicant shall retain a qualified Biologist to perform a pre-construction burrowing owl survey to determine whether burrowing owl are present on-site within 30 days prior to construction activities, according to the California Department of Fish and Wildlife (CDFW) guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. The pre-construction survey shall be completed on the Project Site and areas within 500 feet from the Project boundary (where possible and appropriate based on habitat). All occupied burrows shall be mapped on an aerial photo. The Applicant shall provide a burrowing owl survey report and mapping to the City at least 15 days prior to the expected start of any Project -related ground disturbance activities or restart of activities. If the survey is positive for burrowing owls, the Project applicant shall implement MM BIO-4b and MM BIO-4d. If no burrowing owls are detected during the pre-construction survey, no further action is necessary.	Qualified Biologist Applicant	Within 30 days prior to construction At least 15 days prior to the start of ground disturbance activities or restart of activities	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
MM BIO-4d Burrowing Owl Mitigation Plan. If the breeding season surveys or the pre-construction survey is positive for burrowing owl, the Project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan. The Burrowing Owl Mitigation Plan shall contain the following elements (as outlined in the California Department of Fish and Wildlife [CDFW] 2012 guidelines) at a minimum: - Avoidance of burrowing owl during construction, including establishment of a 160-foot radius around occupied burrows during the non-breeding season (September 1 through February 14) or a 200 to 500-meter radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) non-breeding season owls have dispersed from the area; or (2) breeding season owls have fledged their juveniles from the occupied burrows and the juveniles are foraging independently and are capable of independent survival or have dispersed from the area. - A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).	Applicant/Developer Qualified Biologist	Prior to construction	City of Long Beach Community Development Department	
MM BIO-5a Nesting Bird Pre-construction Surveys. Project activities shall occur outside the nesting season for migratory birds and raptors (February 1 through September 15 and as early as January 1 for some raptors). If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds, a qualified Biologist shall conduct pre-construction surveys for migratory birds and raptors on the Project Site and a 300-foot buffer around the Project Site (as access allows) no more than 3 days prior to the start of ground-disturbing activities. If Project activities are delayed or suspended for more than 7 days during the nesting season, the nesting bird and raptor survey shall be repeated. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s).	Qualified Biologist	No more than 3 days prior to the start of ground disturbance activities Within 20 days of completion of surveys	City of Long Beach Community Development Department	
MM BIO-5b Avoidance of Active Avian Nests. If an active nest is located during pre-construction surveys or at any point during the construction phase of the Project, the species shall be identified, and a no-disturbance buffer shall be established around the active nest. If a nest of a special-status bird or raptor is detected, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. At a minimum, a no-disturbance buffer of 500 feet around an active raptor nest and a no-disturbance buffer of 100 feet shall be placed around an active migratory bird nest. Personnel working on the Project, including all contractors working onsite, shall be instructed on the presence of nesting birds, restricted areas, and adherence to no-disturbance buffers. A qualified biologist shall periodically monitor any active bird nests on at least a weekly basis to determine if Project-related activities occurring outside the “no-disturbance” buffer disturbs the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, Project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.	Qualified Biologist	Prior to and during construction	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
MM BIO-6a Bat Focused Surveys. The Project Applicant shall retain a qualified Bat Specialist to conduct daytime and nighttime bat surveys throughout the Project Site plus a 100-foot buffer (as access allows). These surveys shall be conducted during the maternity roosting season (March 1 through September 30) prior to the start of construction activities and shall identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. Acoustic monitoring stations shall be deployed for a minimum of 3 days and 3 nights. The Project Applicant shall submit a survey report, including negative findings, to the City of Long Beach and the California Department of Fish and Wildlife (CDFW) within 30 days of completion of the survey(s). If no bat species are detected, the proposed Project may proceed. If bat species are detected, no Project activities shall commence, and the Project proponent shall contact CDFW to coordinate on appropriate actions and compensatory mitigation. Actions may include but not be limited to avoidance of roost site(s), installing bat boxes on-site to offset the loss of roosts, and/or off-site mitigation, subject to CDFW oversight.	Applicant Qualified Bat Specialist	During maternity roosting season; prior to the start of Project construction activities Within 30 days of completion of surveys	City of Long Beach Community Development Department	
MM BIO-6b Tree Removal. If bats are not detected on the Project Site or in the 100-foot survey buffer area, but the qualified Bat Specialist determines that roosting bats may be present in trees on the Project Site or in the off-site improvements area, the trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a qualified Bat Specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24–48 hours, as determined by the qualified Bat Specialist, shall elapse prior to such operations to allow bats to escape.	Qualified Bat Specialist	After completion of bat focused surveys; prior to Project construction	City of Long Beach Community Development Department	
MM BIO-6c Bat Maternity Roosts. If the Project Site supports an active bat maternity roost, work within 100 feet of the roost shall be scheduled to occur between October 1 and February 28, outside of the maternity roosting season, when young bats are present. If Project work cannot be implemented outside of the bat maternity roosting period, work shall not occur within 100 feet of, or directly under or adjacent to, an active roost. If the Project Site supports an active bat maternity roost, work over the entire Project Site shall not occur between 30 minutes before sunset and 30 minutes after sunrise. If tree removal activities occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by a qualified Bat Specialist. Inspections of each tree shall be implemented no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to support maternity roosts shall be left in place during the maternity season (March 1 to September 30) and removed outside of the maternity season (October 1 to February 28).	Construction Contractor Qualified Bat Specialist	Prior to Project construction No more than 7 days prior to tree disturbance	City of Long Beach Community Development Department	
<i>Cultural Resources</i>				
MM CUL-1 In the event that cultural (archaeological) resources are inadvertently unearthed during excavation activities, the contractor shall immediately cease all earth disturbing activities within a 100-foot radius of the area of discovery. The Project Applicant/Developer shall retain a qualified professional archaeologist, subject to approval by the lead agency, to evaluate the significance of the find and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume. Upon completion of ground disturbance activities and evaluation, the archaeologist will prepare post-construction findings for the City.	Construction Contractor Applicant Qualified Archaeologist	During excavation activities Upon completion of ground disturbance activities and evaluation	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
<i>Geology and Soils</i>				
MM GEO-1 Prior to the issuance of any grading permit, the Project Applicant/Developer shall provide written evidence to the City of Long Beach that a qualified Paleontologist has been retained to observe grading activities and to salvage and catalog fossils as necessary. The Paleontologist shall be present at the pre-grade conference; shall establish procedures for paleontological resource surveillance; and shall establish, in cooperation with the Project Applicant/Developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the Paleontologist shall determine appropriate actions to ensure proper exploration and/or salvage. Upon completion of grading and excavation activities, the paleontologist shall submit a monitoring report to the City. The report shall include the period of inspection; a catalog and analysis of the fossils found; and the present repository of the fossils. The Project Applicant/Developer shall be responsible for making arrangements for the preparation of excavated material to the point of identification. In addition, the Project Applicant/Developer shall offer excavated finds for curatorial purposes to the City of Long Beach on a first refusal basis. The Project Applicant/Developer shall also be responsible for paying curatorial fees. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the City.	Applicant Qualified Paleontologist	Prior to issuance of any grading permit Upon completion of grading and excavation activities	City of Long Beach Community Development Department	
<i>Hazards and Hazardous Materials</i>				
MM HAZ-1 Prior to issuance of a building permit by the City of Long Beach, the applicant shall receive approval from DTSC of, and implement, a Response Plan (RP) prepared for the Project in accordance with CLRRRA, which outlines site remediation, engineering controls, future operation and monitoring (O&M) activities, and administrative controls to allow for commercial/industrial development of the site.	Applicant	Prior to issuance of a building permit	City of Long Beach Community Development Department	
<i>Noise</i>				
MM NOI-1 Prior to issuance of grading permits, the Project Applicant shall demonstrate that the contracts for the General Contractor and subcontractors, as appropriate, contain the following provisions: 1. Noise-generating construction activities shall be limited to the hours specified in the Long Beach Municipal Code, Section 8.80.202. 2. Equipment and material staging areas and vehicle maintenance areas shall be located on the western portion of the site as far as practicable from sensitive receptors. 3. All construction equipment shall be equipped with manufacturer's specified or better mufflers. 4. Stationary construction equipment, such as generators, welders, and compressors, shall be oriented so that the loudest noise is directed away from sensitive receptors. 5. Residents within 300 feet of the Project site and the Los Cerritos School shall be notified of the planned construction and construction schedule at least two weeks prior to the start of construction. The notice shall provide a contact for submitting complaints about any excessive construction noise	Applicant Construction Contractor	Prior to issuance of grading permits	City of Long Beach Community Development Department	
MM NOI-2 Prior to approval of plans through plan check for the self-storage building, the Applicant shall provide evidence that the HVAC units noise levels comply with the requirements of Section 8.80.200 of the Long Beach Municipal Code.	Applicant	Prior to plan approvals for the self-storage building	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
<i>Tribal Cultural Resources</i>				
TRIB CUL-1 The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both ancestrally affiliated with the Project Site and approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the Native American Heritage Commission's (NAHC) Tribal Contact list for the area of the project location. This list is provided by the NAHC. A Native American monitor shall be retained by the Lead Agency or owner of the Project to be on site to monitor all project-related, ground-disturbing construction activities (i.e., boring, grading, excavation, potholing, trenching, etc.). A monitor associated with one of the NAHC recognized Tribal governments which have commented on the Project shall provide the Native American monitor. The monitor/consultant will only be present onsite during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project Site. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.	Applicant Construction Contractor Tribal Monitor/Consultant – Kizh Nation	Prior to and during construction	City of Long Beach Community Development Department	
TRIB CUL-2 Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians—Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources.	Applicant Construction Contractor Qualified Archaeologist Tribal Monitor/Consultant – Kizh Nation	During construction upon discovery of any tribal or cultural resources	City of Long Beach Community Development Department	
TRIB CUL-3 Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.	Applicant Construction Contractor Qualified Archaeologist	Prior to issuance of a building permit	City of Long Beach Community Development Department	
TRIB CUL-4 Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.	Applicant Construction Contractor	Prior to issuance of a building permit	City of Long Beach Community Development Department	

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
TRIB CUL-5 Upon discovery of human remains, the tribal and/or archaeological monitor/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD). • If the Gabrieleno Band of Mission Indians—Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. • Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains. • Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. • Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.	Applicant/Property Owner Construction Contractor Qualified Archaeologist Tribal Monitor/Consultant – Kizh Nation	During construction upon discovery of human remains	City of Long Beach Community Development Department	

TABLE 4-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Responsible for Implementation	Timing	Responsibility for Monitoring	Completion Date (Signature Required)
TRIB CUL-6 The Project shall engage a qualified and certified indigenous tribal member of the Gabrielino Tongva Indians of California Tribal Council and a direct lineal descendant of the Project Site (Native American Graves Protection and Repatriation Act (NAGPRA) section 10.14) to provide professional Native American Monitoring for all ground disturbing activity that is part of the Project. Ground disturbing activity includes of asphalt/cement/slurry, trenching, boring, excavation, auguring, grubbing, tree removal, grading, and drilling. The tribal monitor will only be required on-site when these ground disturbing activities occur.	Applicant Construction Contractor Tribal Monitor – Gabrielino Tongva	During ground disturbing activities	City of Long Beach Community Development Department	
TRIB CUL-7 The Gabrielino Tongva Indians of California Tribal Council tribal monitor will observe all mechanical and hand labor excavation, including paddle scrapers, blade machines, front-end loaders, backhoes, boring and drill operations, and hydraulic and electric chisels. Monitoring also includes associated work using tools such as picks and other non-electric or gasoline tools not considered mechanical.	Applicant/Property Owner Construction Contractor Tribal Monitor – Gabrielino Tongva	During all mechanical and hand labor excavation	City of Long Beach Community Development Department	
TRIB CUL-8 Soils removed from the Project Site are considered culturally sensitive and are subject to inspection. Whether placed in a dump truck or spoil piles, these soils will be inspected. The tribal monitor will temporarily hold excavation until a determination is made on the soil's sensitivity. If the soils are sensitive, an archaeological monitor will verify the find and notify the site supervisor.	Applicant Construction Contractor Tribal Monitor – Gabrielino Tongva	After soil removal, prior to excavation	City of Long Beach Community Development Department	
TRIB CUL-9 The tribal monitor and archaeologist shall redirect construction activities 50 feet from any archaeological, paleontological, or cultural deposits discovered (including but not limited to artifacts of traditional cultural, religious, spiritual, or any other artifacts relating to the use of habitation sites). However, if grave-related artifacts are discovered, the site is treated as a cemetery, and the California State University (CSU) or University of California (UC) institution, which has repositories related to the findings, will be contacted.	Applicant Construction Contractor Qualified Archaeologist Tribal Monitor – Gabrielino Tongva	During construction	City of Long Beach Community Development Department	
TRIB CUL-10 Archaeological and Gabrielino Tongva Indians of California Tribal Council monitors will collaborate to determine the significance of the culturally sensitive find, guide ground disturbances to avoid, and direct an alternative route from this area.	Applicant Construction Contractor Qualified Archaeologist Tribal Monitor – Gabrielino Tongva	During construction	City of Long Beach Community Development Department	
TRIB CUL-11 Cultural resources within the Project Site that are not associated with burials are subject to data collection by the designated archaeologist for provenance and the creation of the NAHC site record. Data Collection will include GPS mapping and photography	Applicant Construction Contractor Qualified Archaeologist Tribal Monitor – Gabrielino Tongva	During construction	City of Long Beach Community Development Department	

Appendices to this document may be found on the City's website at:

<https://longbeach.gov/lbcd/planning/environmental/reports/>