STATE OF CALIFORNIA, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (JUNE 15, 2005)

S-1-1
The comment is introductory and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

S-1-2
The comment states that the EIR needs to identify and determine whether current or historic uses at the project site have result in the any release of hazardous waste/substances. As discussed in DEIR 2005 and the Recirculated Draft EIR, past releases of petroleum hydrocarbons and arsenic in the soils is documented. Asbestos, lead-based paint, and PCBs are presumed to be present within existing structures. The Recirculated Draft EIR provides mitigation measures to assess the degree of contamination as well as to remove, treat, or otherwise dispose of contaminated soils and groundwater and obtain site closure status from the Department of Toxic Substances Control (DTSC), Long Beach Certified Uniform Program Agency (CUPA) and/or the Regional Water Quality Control Board, as appropriate, prior to construction.

S-1-3
The comment states that the EIR needs to identify any known or potentially contaminated sites and evaluate whether such sites pose a threat to human health or the environment. A Phase I Environmental Site Assessment (Appendix F of DEIR 2005) was prepared for the project. Potentially contaminated sites within the project area were identified in this report and in DEIR 2005. In addition, the hazards and hazardous materials analysis presented in DEIR 2005 was revised and recirculated for public review. Mitigation measures have been provided requiring compliance with hazardous waste regulations to protect human health and the environment. Please refer to the Recirculated Draft EIR for additional information.

S-1-4
The comment states that the EIR should identify the mechanism to initiate any required investigations and/or remediation for any sites that may be contaminated and the government agency to provide appropriate regulatory oversight. Refer to Response to Comment S-1-2. Investigation and remediation procedures have been provided in the mitigation measures. Regulatory oversight has been identified. Further studies are required in the mitigation measures. Based on previous soil and groundwater sampling, and air monitoring and methane sampling conducted for DEIR and the Recirculated Draft EIR, no immediate threat to public health or the environment was noted.

S-1-5
The comment states that a Workplan, approved and overseen by a regulatory agency with jurisdiction to oversee hazardous waste cleanup, should be developed to coordinate environmental investigations, sampling and/or remediation. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Refer to Response to Comment S-1-2. Mitigation Measure 4.6.6 of the Recirculated Draft EIR requires preparation of a RCRA Facility Investigation (RFI) to be overseen and approved by DTSC. As described in Section 4.6 of the Recirculated Draft EIR, DTSC will have

jurisdiction over remediation at the site and will oversee all remediation operations with CUPA and Regional Water Quality Control Board (RWQCB) involvement as necessary. . Please refer to the Recirculated Draft EIR for additional information.

S-1-6
The comment states that investigation, sampling, and remedial actions, if necessary, should be conducted prior to project construction. Refer to Responses to Comments S-1-2 and and S-1-5. Proper investigation, sampling, and remedial actions would be overseen and approved by the CUPA/DTSC and the RWQCB, as applicable, prior to new development or construction as required in the mitigation measures in Section 4.6 of the Recirculated Draft EIR.

S-1-7
The comment states that the project site may be located within a "Border Zone" if it is located adjacent to a contaminated site. The Phase I Environmental Site Assessment (Appendix F of DEIR 2005) conducted a government database search to determine if there were any Border Zone designated properties in the area. These properties are listed on the CalSites list and no CalSites were found within a mile of the site. As discussed in the Phase I Environmental Site Assessment (Appendix F, Section 4.6 of DEIR 2005), and in the hazards analysis presented in the Recirculated Draft EIR, the Generating Station is listed on the State Toxic Pit Cleanup Act Sites database for the Chemical Cleansing Basins that had been used by SCE without a permit. SCE was ordered by DTSC to cease discharge to these pits on February 26, 1995; however, DTSC has not granted closure status for these pits. It is acknowledged in the Phase I and the Recirculated Draft EIR that these pits are an environmental concern for the site in that they may have contaminated groundwater. Please refer to the Recirculated Draft EIR for additional information.

S-1-8
The comment indicates that an investigation should be conducted for the presence of lead-based paints or products, mercury, and ACMs during demolition. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Surveys, sampling, and proper disposal of asbestos containing materials, lead-based paint, and PCBs is required under Mitigation Measure 4.6.4 of the Recirculated Draft EIR. This measure is clarified in the Final EIR Errata to include testing for and proper disposal of mercury-containing building materials. Please refer to the Recirculated Draft EIR for additional information.

S-1-9
The comment states that sampling is required prior to disposal of excavated soil. As discussed on page 4.2-26 of DEIR 2005, approximately 40,460 cubic yards of earth would be excavated from the site. Approximately 18,490 cubic yards of excavated material would be utilized for construction of on-site embankments. Approximately 21,970 cubic yards of earth would be exported off site. No import of fill would be required. As required by mitigation measures in DEIR 2005 and the Recirculated Draft EIR, any soil contamination will require clean up with proper treatment or disposal of the soil prior to construction. Please refer to the Recirculated Draft EIR for additional information.

S-1-10
The comment states that human health and the environment of sensitive receptors should be protected during construction and demolition activities. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Refer to Response to Comments S-1-4, S-1-5, and S-1-6. Mitigation Measure 4.6.6 requires a Soil and Air Monitoring Program as well as a Health and Safety Plan to protect human health and the environment during grading activities. The mitigation measures in the Recirculated Draft EIR require DTSC oversight for site investigation and remediation. Please refer to the Recirculated Draft EIR for additional information.

S-1-11
The comment states that any hazardous waste generated by the proposed project must be managed in accordance with applicable laws and regulations. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Refer to Responses to Comments S-1-2, S-1-5, and S-1-6. The mitigation measures in the Recirculated Draft EIR require compliance with applicable laws and regulations with respect to hazardous materials management. Please refer to the Recirculated Draft EIR for additional information.

S-1-12
The comment states that a permit may be required if any hazardous wastes is proposed to be stored or disposed of onsite. The proposed project would not store hazardous wastes on site for more than 90 days, and the proposed project does not include treatment of hazardous waste on site. Please refer to the Recirculated Draft EIR, for a discussion of local, State and federal regulations with respect to hazardous waste management.

S-1-13
The comment stated that a US EPA ID number may be required if hazardous wastes are going to be generated by project operations. Refer to Response to Comment S-1-12. The proposed project will utilize, store and sell typical household hazardous materials. Mitigation Measure 4.6.9 of the Recirculated Draft EIR requires preparation of a Business Plan for submittal to the CUPA for review and approval. The project site will be subject to regular inspections by the CUPA under the State Hazardous Waste Control Law, through which the CUPA will monitor hazardous waste generation by the project site. Please refer to the Recirculated Draft EIR, for a discussion of local, State and federal regulations with respect to hazardous waste management.

S-1-14
The comment states that certain hazardous waste treatment processes may require authorization from the local CUPA. Refer to Response to Comment S-1-12 and S-1-13. The proposed project will not treat hazardous waste onsite. Please refer to the Recirculated Draft EIR for additional information.

S-1-15
The comment states that a wastewater discharge permit may be required if the project includes discharging water to storm drains. Mitigation Measure 4.7.3 requires compliance with a RWQCB permit for any groundwater dewatering during construction. For operation of the proposed project, direct discharging of wastewater to a storm drain will not be required. As discussed in Section 4.7.5, the proposed project is subject to the City of Long Beach requirements under the Los Angeles County municipal wastewater discharge permit.

S-1-16
The comment states that construction/demolition should cease if soil and/or groundwater contamination is suspected, allowing for site investigations and/or appropriate health and safety measures. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Refer to Response to Comment S-1-10. Mitigation Measure 4.6.6 requires monitoring and notification requirements during grading activities. Please refer to the Recirculated Draft EIR for additional information.

S-1-17
The comment states that any hazardous wastes/materials encountered during construction should be remediated in accordance with local, state, and federal regulations. The information, analysis, and mitigation measures in the Final EIR are consistent with this comment. Refer to Section 4.6 of the Recirculated Draft EIR and Responses to Comments S-1-2, S-1-5, and S-1-6. Please refer to the Recirculated Draft EIR for additional information.

S-1-18
The comment states that methane in the shallow soils of the project area and other known and unknown contamination exists on the property, which constitutes a potential health risk. DTSC recommends further investigation to fully characterize the extent of contamination. Please see responses to Comments S-1-2, S-1-3, S-1-5, S-1-7, O-1-18 and O-1-21.

S-1-19
The comment states that PCBs in on-site transformers and toxic pits are considered a potential environmental concern. DTSC recommends further investigation of these potential contaminants. Refer to Responses to Comments S-1-2, S-1-7, and S-1-8. As discussed the revised hazards and hazardous materials analysis in the Recirculated Draft EIR, mitigation is required to address potential impacts related to PCBs and the surface impoundments (toxic pits) potential to have contaminated groundwater. Further investigation, and regulatory oversight is required as part of mitigation. Because regulatory oversight is required as part of mitigation in DEIR 2005 and the Recirculated Draft EIR, a health risk assessment would be prepared if required by DTSC in order to obtain site closure. Please refer to the Recirculated Draft EIR for additional information.

S-1-20

This comment concludes the comment letter and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

STATE OF CALIFORNIA, DEPARTMENT OF FISH AND GAME

S-2-1
The comment consists of an introduction and summary of the proposed project and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

S-2-2
The comment states that the project must comply with the Migratory Bird Treaty Act (MBTA) and that the site should be surveyed using protocol established by the California Burrowing Owl Consortium.

As stated in DEIR 2005, a burrowing owl was observed on the project site during the reconnaissance-level survey of the project site on February 20, 2004. As a result, four focused breeding owl surveys of the study area were conducted from March 24 to March 29, 2004. The visits, which included one dawn and three dusk surveys, followed the recommended Burrowing Owl Survey Protocol. Burrowing owl habitat is identified by either a burrowing owl at a burrow entrance or finding molted feathers, cast pellets, prey remains, or excrement at or near the burrow entrance. While several potential burrows were located, no evidence of burrowing owls or burrowing owl habitation was identified. All burrows were therefore believed to be occupied by mammals such as Beechey ground squirrels *(Spermophilus beecheyi)* or Audubon cottontail *(Sylvilagus audubonii)*. The burrowing owl observed on the site may have been using the area as a migration stop or brief dispersal refuge. Therefore, occupied burrowing owl habitat is considered lacking on the site. Pursuant to State CEQA Guidelines Section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

The City, as required by law, will comply with the requirements of the MBTA and U.S. Fish and Game Code 3503.5. To ensure compliance with the MBTA and the U.S. Fish and Game Code, the City conditions project applicants to retain a qualified biologist to survey project areas for nesting migratory birds where vegetation removal is to occur between January 1 and August 15. The biologist is required to survey the area no more than 30 days prior to the beginning of construction and to monitor the area for active nests during the initial clearing and grubbing procedures. In the event of discovery of active nests in an area to be cleared, protective measures are taken to avoid any impacts to the nests until the young have fledged and nesting activity is completed. Since a burrowing owl was previously observed on the site, the City will require preconstruction surveys according to protocol established by the California Burrowing Owl Consortium. Since these measures are already required by law and enforced by the California Department of Fish and Game (CDFG) and/or the City, no mitigation is required.

S-2-3
The comment states that one sensitive plant survey is not sufficient. LSA biologists performed a reconnaissance-level survey of the project site on February 20, 2004. Four burrowing owl breeding season surveys were conducted by an LSA biologist between March 24 and March 29, 2004. In addition, a routine jurisdictional delineation was conducted on a small portion of the Los Cerritos Channel immediately north of the Loynes Street Bridge on July 2, 2004. As stated on page 4.3-9 of DEIR 2005, no sensitive plant species were observed during any of the surveys and are not expected

to occur on the project site because of lack of suitable habitat. The project site has been heavily disturbed and contains sparse ruderal vegetation. Therefore, additional surveys are not required.

S-2-4

This comment states that the proposed project would not be *de minimus* in its effects on fish and wildlife per Section 711.4 of the California Fish and Game Code. The City does not anticipate filing a Certificate of Fee Exemption or a *De Minimus* Impact Finding for the proposed project. This comment concludes the comment letter and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION

S-3-1

The comment is introductory. It states that Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR) has reviewed DEIR 2005 for issues within their purview. The comment does not contain any new substantive statements or questions about the Draft EIR and, no further response is necessary.

S-3-2

The comment states that DOGGR must be notified if a previously unrecorded well is discovered during grading. DOGGR will be notified if any plugged, abandoned or unrecorded oil wells are uncovered during excavation or grading. The City will comply with the DOGGR's requirements regarding reabandoning oil wells, if necessary, during the construction phase of this project.

S-3-3

This comment concludes the comment letter and does not contain any new substantive statements or questions about the Draft EIR and, no further response is necessary. The City appreciates the information provided and assistance offered by DOGGR.

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION

(JUNE 15, 2005)

S-4-1
The comment is introductory and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary. The City of Long Beach looks forward to working with the California Department of Transportation to develop transportation improvement strategies for the proposed project.

S-4-2
The comment states that DEIR 2005 should mention that SR-22 is a four-to-six lane arterial located north of the project site and that it transitions from a conventional highway to a freeway at the San Gabriel River Bridge. On page 4.11-3 of DEIR 2005, the description for 7th Street indicates that it is a six-lane arterial northwest of the project site and that it transitions into SR-22 at PCH. The information contained in DEIR 2005 is consistent with the comment. The comment does not raise any new environmental issues and does not change DEIR 2005 findings or mitigation measures.

S-4-3
The comment states that project design features (PDFs) 4,5,6,7, and 9 would need to be reviewed and details worked out between Caltrans and the City of Long Beach. DEIR 2005 acknowledges that PDFs 4,5,6,7 and 9 would require work "in conjunction with and upon approval by Caltrans and the City Public Works Director. . ." In the Recirculated EIR, PDFs 4,5,6,7 are incorporated as Mitigation Measures 4.11.4, 4.11.5, 4.11.6, 4.11.7. These mitigation measures require coordination "in conjunction with and upon approval by Caltrans and the City Public Works Director…". PDF-9 from DEIR 2005 is no longer required as part of the project.

S-4-4
The comment recommends consideration of restriping at the westbound SR-22 on-ramp from Studebaker Road, to provide a separate left-turn lane approaching College Park Drive. The comment is noted. The City Traffic Engineer has made a similar request to the Caltrans Operations Branch to make this modification. Caltrans is the public agency with the authority to make this improvement and the City Traffic Engineer agrees with this commentor's request but Caltrans, and not the City of Long Beach, is responsible for this type of improvement.

S-4-5
The comment states that there is a conflict between northbound Studebaker Road motorists making right turns into the yield-controlled right turning lane to the eastbound on-ramp vs. southbound Studebaker Road traffic making left turns under the protected phase. This is an existing operational condition; however, the City Traffic Engineer recognizes this concern. DEIR 2005 found that the proposed project would not significantly impact Studebaker Road/SR-22 eastbound ramps, therefore no mitigation was required. The Recirculated EIR found that the addition of the Seaport Marina project to the cumulative 2006 analysis would result in a significant impact to this intersection in the weekday p.m. peak-hour. However, the City recognizes that changes to this intersection involve work

within State right-of-way, which would require Caltrans involvement and approval. Caltrans has no plans to improve this intersection. In addition, as stated in Section 6.0 of the Recirculated EIR, improvements to this intersection would require potential encroachment into the Los Cerritos Channel. Therefore, the impact to this intersection would be significant and unavoidable.

S-4-6
This comment states that operation of the Studebaker Road/SR-22 westbound ramps intersection could be improved by replacing the traffic signal with a mast-arm signal, upgrading the signal and removing the median on Studebaker Road. Mitigation Measure 4.11.8 was added to the Recirculated EIR and requires that the applicant replace the traffic signals at this intersection to current design standards, subject to the approval of the City Traffic Engineer and Caltrans.

S-4-7
This comment states that mitigation is needed due to the recurrent conflict between northbound Studebaker Road motorists making right turns into the eastbound SR-22 on-ramp who fail to yield to southbound Studebaker Road motorists making left turns into the on-ramp. The comment anticipates that traffic generated by the proposed project would contribute to the operational conflicts at this intersection. Refer to Response to Comment S-4-5.

S-4-8
This comment recommends making improvements to the PCH/7th Street intersection. The comments states that the northbound PCH curb lane could be more fully utilized if street parking was restricted and the lane was extended farther north. DEIR 2005 identified a significant impact at this intersection during the weekend peak-hour. DEIR 2005 also determined that due to right-of-way constraints, no feasible improvements at this location would mitigate the project's impact. The City acknowledges that the suggested improvement may improve operations at this intersection but has determined that new signal coordination timing along PCH would be an acceptable improvement. Mitigation Measure 4.11.7 of the Recirculated EIR requires new signal coordination timing along PCH between Studebaker Road and 7th Street in conjunction with Caltrans and subject to Caltrans approval.

S-4-9
This comment recommends that the project's impact at PCH/2nd Street be mitigated by extending the dual left turn lanes from 2nd Street to PCH by removing the raised median. DEIR 2005 identified a significant impact at this intersection during the weekend peak-hour. DEIR 2005 also determined that due to right-of-way constraints, there were no feasible improvements at this location that would mitigate the project's impact. The City acknowledges that the suggested improvement may improve operations at this intersection but has determined that new signal coordination timing along 2nd Street between Marina Drive and Studebaker Road should reduce delay at this intersection and is an acceptable improvement. Mitigation Measure 4.11.6 of the Recirculated EIR requires new signal coordination timing along along 2nd Street between Marina Drive and Studebaker Road using the existing interconnect.

S-4-10
The comment requests the traffic analysis for the 7th Street/Bellflower Boulevard intersection if it is available. The study area and methodology for the traffic analysis was determined by City of Long Beach Traffic and Transportation Bureau staff. The 7th Street/Bellflower Boulevard intersection was not included in the study area. No traffic analysis is available for the 7th Street and Bellflower Boulevard intersection.

S-4-11
The comment requests the back-up calculations for Table A "Intersection Level of Service Summary" from the Traffic Impact Analysis in Volume II of DEIR 2005. These calculations have since been provided to Caltrans staff at a meeting in June 2005.

S-4-12
This comment recommends that the City coordinate with Caltrans regarding mitigation measures along PCH and any other State highways. The mitigation measures included in the Recirculated Draft EIR are consistent with this comment. Refer to Responses to Comments S-4-3, S-4-6 and S-4-8. Improvements to State highways would be subject to Caltrans approval.

S-4-13
This comment states that any work within State right-of-way will need a Caltrans Encroachment Permit and that a Transportation Management Plan will be needed for any lane closures, detours, parking restrictions, etc. The comment also recommends that construction related truck trips on State highways be limited to off-peak commute periods and that transport of over-size or over-weight vehicles on State highways will need a Caltrans Transportation Permit. The City acknowledges this comment and all appropriate encroachment permits will be obtained for any work in the public ROW. A Construction Traffic Management Plan will be implemented in accordance with Mitigation Measure 4.11.1 and the City Traffic Engineer will include limitations on the hours of project construction truck trips as part of this mitigation measure.

S-4-14
This comment concludes the comment letter and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION (AUGUST 1, 2005)

S-5-1
This comment states that it amends the comment letter dated June 15, 2005. The comment states that the City of Long Beach should disregard previous comments S-4-6 and S-4-8.

S-5-2
This comment states that it is understood that comment S-4-6 would address existing conditions and that comment S-4-8 would affect the City's parking requirements. No response is necessary.

S-5-3
This comment states that Caltrans would like to revise the affected text in comment S-4-6 to read "Install bicycle push buttons at Route 1 and Loynes Drive when a bicycle lane is installed on Loynes Drive." Please note that the bicycle lane on Loynes Drive (PDF-9 in DEIR 2005) is no longer part of the project.

S-5-4
This comment concludes the letter and provides contact information. No response is necessary.

STATE OF CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL (SEPTEMBER 15, 2005)

S-6-1
This comment is introductory in nature and indicates that the letter's intent is to clarify previous comments on DEIR 2005 made on June 15, 2005. No response is necessary.

S-6-2
This comment states that DTSC has jurisdiction over corrective action activities at the project site because it was previously part and parcel of AGS, which is subject to the requirements of the Resource Conservation and Recovery Act (RCRA) for closure and corrective action. The comment also states that the City of Long Beach can designate the property for a specific land use but that the approved health risk assessment must support that land use. The comment is noted. The hazardous materials analysis in DEIR 2005 has been revised consistent with DTSC requirements and recirculated for public review. Please refer to the Recirculated Draft EIR for additional information.

S-6-3
This comment requests an active supporting role as a Responsible Agency under CEQA. The comment is noted. The hazardous materials analysis in DEIR 2005 has been revised consistent with DTSC requirements and recirculated for public review. Mitigation measures provided in Section 4.6 of the Recirculated EIR were approved by DTSC prior to public circulation of the document. DTSC will oversee the site remediation requirements pursuant to RCRA. Please refer to the Recirculated Draft EIR for additional information.

S-6-4
This comment provides contact information for any questions regarding the comments. No response is necessary.

S-6-5
This comment states that a land survey of structures is required prior to demolition. The comment is noted. Refer to Response to Comment S-6-3.

S-6-6
This comment states that grading plans and the Health and Safety Plan should be submitted to DTSC prior to approval. The comment is noted. Refer to Response to Comment S-6-3.

S-6-7
This comment states that site investigation activities should be performed prior to soil disturbance. The comment is noted. Refer to Response to Comment S-6-3.

S-6-8
This comment states that work should be performed in accordance with an approved work plan, Quality Control/Quality Assurance Plan, and a Sampling and Analysis Plan, Health and Safety Plan. The comment is noted. Refer to Response to Comment S-6-3.

S-6-9
This comment states that air quality impacts from transportation of excavated soil off-site needs to be addressed. DEIR 2005 states that hazardous materials handling shall be conducted in accordance with applicable regulations and mitigation measures have been provided to enforce those regulations. However, DEIR 2005 did not list every applicable requirement. For example, all potentially contaminated soil would be stored in air-tight containers subject to laboratory analysis. Contaminated soil would be transported offsite in sealed containers such that there would not be adverse air quality impacts.

The comment also states that subsurface vapor analysis should be performed consistent with DTSC's standards and that health impacts from indoor air quality should be addressed in the risk assessment. The comment is noted. Refer to Response to Comment S-6-3.

S-6-10
This comment states that dust suppression measures listed in Mitigation Measure 4.2.3 needs to continue even if work has stopped due to high winds. Consistent with the requirements of SCAQMD Rules 402 and 403, as provided in Mitigation Measure 4.2.2, dust suppression activities would be implemented throughout soil disturbance activities.

S-6-11
This comment states that truck rinse water should be collected and analyzed for hazardous pollutants for appropriate handling. As discussed the Recirculated Draft EIR and enumerated in the mitigation measures, no construction activities would commence until DTSC has granted closure status for the site. In addition, standard construction best management practices (discussed in Section 4.7 of DEIR 2005) would be implemented to prevent construction-related pollutants from being transported offsite.

S-6-12
This comment states that the CDFG Natural Diversity Database was not used as a resource for Section 4.3 of DEIR 2005. This database was used. Section 4.3 of DEIR refers to CDFG's RareFind 3, Version 3.0.3; however this sentence should read "CDFG's Natural Diversity Database RareFind 3, Version 3.0.3." This statement will be corrected in the Final EIR.

S-6-13
This comment states that mitigation measures in Section 4.5, Geology and Soils should list covering of soil stockpiles and inspections. Section 4.7 of DEIR 2005 standard construction best management practices that would be implemented to prevent construction-related pollutants from being transported

offsite. This required under the State General Construction Activity NPDES permit. Refer to the requirements of Mitigation Measures 4.7.1 and 4.7.2.

S-6-14
This comment states that soil matrix and soil gas sampling and analysis needs to be performed before grading activities commence. The comment is noted. Refer to Response to Comment S-6-3.

S-6-15
This comment states that the ASTs and pipelines areas need to be investigated prior to soil disturbance. The comment is noted. Refer to Response to Comment S-6-3.

S-6-16
This comment states that soil sampling for asbestos, lead and PCBs is needed in the areas where structures that contained these materials are located. The comment is noted. Refer to Response to Comment S-6-3.

S-6-17
The comment states that sampling and analysis is needed prior to removal of ASTs, pipelines, sump and hazardous materials shed and that a groundwater monitoring program may be needed. The comment is noted. Refer to Response to Comment S-6-3.

S-6-18
This comment states that soil vapor monitoring needs to be performed prior to grading. The comment is noted. Refer to Response to Comment S-6-3.

S-6-19
This comment states that demolition activities need to be included in the Health and Safety Plan. The comment is noted. Refer to Response to Comment S-6-3.

S-6-20
This comment states that a monitor is needed during sampling and demolition activities. The comment is noted. Refer to Response to Comment S-6-3.

S-6-21
This comment states that the distance to groundwater production wells needs to be listed. This comment does not raise any environmental issues related to the project and the comment does not explain why this information is necessary. As reported in DEIR 2005, there are no domestic water supply wells in the vicinity of or hydrologically down-gradient from the site.

S-6-22
This comment states that beneficial groundwater uses should be listed. There are no beneficial uses for groundwater below the project site since it is not within a groundwater basin.

S-6-23
This comment states that groundwater is moving towards the project site. DEIR 2005 and the Recirculated Draft EIR acknowledge that groundwater at the site may have been impacted by past operations. Mitigation measures have been provided to address potentially impacted groundwater. Refer to Response to Comment S-6-3.

S-6-24
This comment states that runoff from the site needs to be collected to prevent offsite impacts. The comment is noted. Refer to Response to Comment S-6-3. No construction activity will commence until closure status has been obtained from DTSC.

S-6-25
This comment states that BMP facilities need to be inspected even during days when no activity occurs on the site. As discussed in DEIR 2005, construction activity is subject to the requirements of the State General Permit. The construction site is also subject to City and RWQCB inspections; these agencies have the authority to enforce additional requirements for the site as needed.

S-6-26
This comment states that RCRA requirements should be included in Mitigation Measure 4.7.2. As discussed in the Recirculated Draft EIR, DTSC will oversee the site remediation requirements pursuant to RCRA. Refer to Response to Comment S-6-3. Please also refer to the Recirculated Draft EIR for additional information.

S-6-27
The comment states that groundwater at the site has been impacted by contaminants from generating station operations and requires precautions regarding groundwater removal and handling. As discussed in the Recirculated Draft EIR, DTSC will oversee the site remediation requirements pursuant to RCRA. Refer to Response to Comment S-6-3. Please also refer to the Recirculated Draft EIR for additional information.

S-6-28
This comment refers back to comment S-6-19. Refer to Response to Comment S-6-19.

S-6-29
This comment states that DEIR 2005 needs to include impacts to groundwater. Please note that the impacts for water quality address both surface water and groundwater quality. Because mitigation measures are required to prevent adverse impacts to receiving waters, the project would not result in adverse impacts to groundwater quality.

S-6-30
This comment states that the City needs to consult with CDFG and RWQCB regarding requirements for water quality, storm water, and modifications to water courses. Both of these agencies received copies of the NOP, DEIR 2005 and the Recirculated Draft EIR. Please Refer to Section 4.3, Biological Resources, regarding jurisdiction over water courses. No modifications to water courses would occur as part of the project.

S-6-31
This comment states that Section 4.6 of DEIR 2005 should contain more information regarding the above-ground storage tanks, leaks, piping, the hose house, and the hazardous materials storage area. Additional detail regarding history of the tanks and pipelines is provided in Chapter 3.0. Additional detail regarding the tanks, leaks, piping, the hose house, and the hazardous materials storage area is provided in the Phase I Environmental Site Assessment (Appendix F of DEIR 2005). This comment does not raise any environmental issues and no further response is necessary.

S-6-32
This comment states that the project site was once part of AGS and that DTSC will be meeting with the current property owners regarding corrective action. Refer to Response to Comment S-6-3.

S-6-33
This comment states that transportation of hazardous waste off-site requires a transportation and contingency plan and refers to DTSC's website. The mitigation measures in DEIR 2005 required compliance with local, State and federal regulations with respect to hazardous waste handling. Refer to Response to Comment S-6-3.

S-6-34
This comment states that a methane investigation is needed prior to grading. DEIR 2005 includes mitigation measures to ensure site remediation and worker protection. Refer to Response to Comment S-6-3.

S-6-35
This comment states that the health and safety plan needs to include notification to workers. It is the intent of the mitigation measure describing the health and safety plan that implementation of the plan would be consistent with State requirements. Refer to Response to Comment S-6-3.

S-6-36
This comment states that sampling needs to occur along the fenced area that contains Tank No. 5 and the piping. The sampling plan will be reviewed and approved by DTSC. Refer to Response to Comment S-6-3.

S-6-37
This comment states that fill materials need to be analyzed for contaminant levels. DEIR 2005 requires site remediation which would include onsite soils used for fill prior to grading. Refer to Response to Comment S-6-3.

S-6-38
This comment states that the indoor air quality for the future buildings needs to be assessed. DEIR 2005 acknowledges that methane mitigation design for the buildings may be required. Refer to Response to Comment S-6-3.

S-6-39
This comment states that soil matrix and soil gas sampling and analysis needs to be performed prior to grading. The comment also refers to comment S-6-33. DEIR 2005 requires site remediation prior to grading. Refer to Response to Comments S-6-3 and S-6-33.

S-6-40
This comment states that soil sampling needs to include areas where asbestos, lead-based paint, and PCBs were located. Refer to Response to Comment S-6-16.

S-6-41
This comment states that Tank No. 5 may need to be upgraded. Please note that Tank No. 5 and its associated equipment is not part of the project site and that the project site owner has no control over this site. Changes to Tank No. 5, its supporting equipment and facilities would be the responsibility of the owner, Pacific Energy.

S-6-42
This comment indicates that a soil investigation needs to be performed prior to removal of onsite facilities. The comment provides detail regarding the methodology for the sampling. Refer to Response to Comment S-6-3.

S-6-43
This comment states that methane soil gas investigation needs to be performed prior to grading. Refer to Responses to Comments S-6-14 and S-6-18.

STATE OF CALIFORNIA, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (MAY 12, 2006)

S-7-1

This comment states that DTSC has reviewed Section 4.6 of the Recirculated Draft EIR and agrees that the mitigation measures adequately discuss the RCRA corrective action requirements as requested by DTSC. The comment also clarifies that corrective action investigation and/or remediation may be completed as part of the EIR. The comment states that DTSC approval to recirculate the Draft EIR is contingent upon the anticipated signing of a corrective action consent agreement with DTSC for corrective action. Finally, the comment states that DTSC may submit additional comments on the Recirculated Draft EIR but that these comments should not result in significant changes to the EIR nor further circulation of the EIR for public review.

The comment is noted. Mitigation Measure 4.6.1 of the Recirculated Draft EIR requires a signed consent agreement for corrective action with DTSC prior to project approval. Therefore, the City of Long Beach will not approve the project until this agreement is signed by responsible parties and DTSC.