

**M E M O R A N D U M**

**To:** Sergio Gutierrez, City of Long Beach  
Amy Harbin, AICP, City of Long Beach

**From:** Frances Yau, AICP  
Alan Ashimine

**Date:** January 25, 2022

**Subject:** **Response to Comments, Errata, and Mitigation Monitoring and Reporting Program for the Cal Water Well and Water Treatment Plant Public Review Draft Initial Study/Mitigated Negative Declaration**

The City of Long Beach (City) circulated a Notice of Intent (NOI) to Adopt the *Cal Water Well and Water Treatment Plant Public Review Draft Initial Study/Mitigated Negative Declaration* (Draft IS/MND), dated October 2021, for a 30-day public review period from October 8, 2021 through November 8, 2021. This memorandum provides a Response to Comments received on the Draft IS/MND and an Errata to provide minor clarifications to the information provided in the Draft IS/MND. The Mitigation Monitoring and Reporting Program (MMRP) is also included as an attachment.

**RESPONSE TO COMMENTS**

No comment letters were received during the 30-day public review period of the Draft IS/MND. However, one comment letter was received after the review period ended. Pursuant to the CEQA Guidelines, responses to comments are not required for Mitigated Negative Declarations. However, with the intent of conducting a comprehensive and meaningful evaluation of the proposed project, the City has elected to prepare a general response to the comment letter received.

Commenter	Date	Summary of Comments
Dan Pressburg	January 17, 2022	The commenter asks whether the project site has been sold to the Project Applicant and whether the proposed water treatment plant would be able to treat gray water at the nearby ARCO gas station. The commenter raises concerns regarding project impacts on the adjacent neighborhood but does not provide specific environmental concerns. The commenter also asks whether the project would generate traffic trips from trucks or large vehicles and if so, whether the truck traffic would affect circulation in the project area. The commenter questions why an environmental impact report was not prepared given that the site is located near two existing schools, within 300 feet of an existing neighborhood, and within 1,000 feet from a freeway entrance.

The comment letter does not identify a specific concern with the adequacy of the Draft IS/MND or raise an issue or comment specifically related to the Draft IS/MND's environmental analysis.

Therefore, no further response is warranted. Nevertheless, information is provided to respond to the commenters' general questions regarding the proposed project. The project site is currently owned by the Project Applicant (Cal Water). The proposed water treatment plant would treat groundwater pumped out of the proposed water well and thus, would not treat gray water generated at the nearby ARCO gas station. Additionally, as detailed in Draft IS/MND Section 2.5, *Project Characteristics*, a daily inspection of the plant would be conducted by one Cal Water plant inspector and no permanent employees would work on-site given that plant operations would be monitored remotely. Additionally, once the facility is constructed, no regular equipment repairs or maintenance would be required. Well pump equipment may require replacement approximately every ten years and well rehabilitation would occur every 10 to 15 years. Thus, no regular occurrence of traffic trips from trucks or large vehicles would occur during project operations aside from one trip per day from a plant inspector. Lastly, the project's location near existing schools, residences, and freeway entrances do not trigger the need to prepare an EIR under the California Environmental Quality Act (CEQA), as the project is not anticipated to result in any significant environmental effects.

## ERRATA

Per City staff request, an Errata is included to provide minor clarifications to the information provided in the Draft IS/MND. Changes to the Draft IS/MND text are noted below. A double-underline indicates additions to the text; ~~strikethrough~~ indicates deletions to the text. These revisions to the Draft IS/MND are considered minor clarifications and would not result in any new or substantially greater significant impacts as compared to those identified in the Draft IS/MND. Thus, such changes do not affect the overall environmental impact conclusions of the Draft IS/MND.

### **Draft IS/MND Section 2.6, *Phasing and Construction*** **Page 2-13**

#### Phase IIB

Concurrent with Phase IIA, Phase IIB involves construction of off-site water distribution and well collection mains to facilities influent and effluent to the treatment plant. Pipeline construction activities would require temporary lane closures and would include open cut trenching, pipe installation, backfill and compaction, and re-grading, where necessary. Pipelines would be installed underground within existing rights-of-way of Long Beach Boulevard, Victoria Street, and Barclay Street (approximately 2,520 linear feet) at depths varying from three to eight feet below grade based on vertical clearance requirements from other existing and proposed underground utility lines. Trenches are anticipated to be approximately ~~four to five feet in depth and approximately 24 to 36 inches in width.~~ Assuming a maximum width of 36 inches (or 3 feet), Phase IIB would involve disturbing approximately 7,560 square feet (0.17-acre).

If shallow groundwater is encountered during trenching activities, dewatering activities would be required and may involve pumping the groundwater into tank trucks and transporting to a disposal facility or discharging to a nearby storm drain permitted under Cal Water's current NPDES permit.

Approximately 1,400 cubic yards of soil would be excavated ~~Native material generated during trenching~~ and would be retained for backfill to the degree feasible. No import or export of soils would be required for the pipeline installations. ~~Excavated materials that cannot be utilized for backfill would be hauled off-site to an appropriate disposal facility, and a limited amount of~~

~~additional backfill material would be imported, if needed.~~ After installation of the proposed water mains, disturbed street surfaces would be restored to meet or exceed current City standards.

**Draft IS/MND Section 2.7, *Permits and Approvals***  
**Page 2-13**

The proposed project would require permits and approvals from the City of Long Beach and other agencies prior to construction. These permits and approvals are described below and may change as the project entitlement process proceeds.

City of Long Beach

- California Environmental Quality Act Clearance;
- Conditional Use Permit;
- Building Permit;
- Sewer Connection Permit;
- ~~Encroachment Permit;~~
- Permit from the Health Department for the 24 hour drilling as confirmed by Long Beach Building and Safety;
- Excavation Permit (to install storm drain connection across Long Beach Boulevard and, if needed, to subsequently abandon in place); and
- Franchise Facility Permit (for the existing and proposed conveyance pipelines).

**Draft IS/MND Section 4.3, *Air Quality***  
**Page 4.3-9**

Construction LST

The SCAQMD's guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely grade disturb per day to generate grading dust emissions. ~~Based on default information provided by CalEEMod, However, based on the construction equipment list modeled in CalEEMod, the project would not use any equipment that are determined by SCAQMD to generate grading dust emissions.~~ As the project site is 16,268-square foot (approximately 0.37-acre), it was assumed that the project is anticipated to grade disturb less than one acre during the grading phase. It is also acknowledged that trenching activities related to pipeline installations in existing rights-of-way would disturb approximately 7,560 square feet (0.17-acre). Therefore, the LST thresholds for one acre was utilized for the construction LST analysis. The closest sensitive receptors to the project site are single-family residences adjoining the project site to the north. These sensitive land uses may be potentially affected by air pollutant emissions generated during on-site construction activities. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. According to SCAQMD LST Methodology, projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters. Therefore, the LST values for 25 meters were utilized in the analysis.

**ATTACHMENTS**

Attachment A      Mitigation Monitoring and Reporting Program

**Attachment A**  
**Mitigation Monitoring and Reporting Program**



## MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, this Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Cal Water Well and Water Treatment Plant (the "project"). The MMRP is intended to provide verification that all mitigation measures identified in the Cal Water Well and Water Treatment Plant Public Review Draft Initial Study/Mitigated Negative Declaration prepared for the project are monitored and reported. Monitoring will include 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the project file.

This MMRP delineates responsibilities for monitoring the project, but also allows the City of Long Beach flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.



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## MITIGATION MONITORING AND REPORTING CHECKLIST

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
<b>AESTHETICS</b>							
AES-1	The Applicant and Construction Contractor shall use the minimum amount and intensity of lighting required for safety and construction purposes during nighttime well drilling activities. The light sources shall be shielded and directed towards the specific area of construction, and away from surrounding sensitive uses to the extent practicable.	Review of Project Plans and Specifications; Construction Inspection(s)	Prior to Issuance of a Grading Permit	City of Long Beach Development Services			
<b>BIOLOGICAL RESOURCES</b>							
BIO-1	<p>If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (generally from January 1 through August 31), a qualified biologist retained by the Applicant shall conduct a pre-construction clearance survey for nesting birds within three days prior to any ground disturbing activities.</p> <p>The biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the project site during the clearance survey with a brief letter report indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer shall be 500 feet. The biologist shall be present to delineate the</p>	Completion of Pre-Construction Nesting Birds Clearance Survey	Within 3 Days Prior to Initiation of Ground Disturbing Activities	City of Long Beach Development Services; Project Biologist			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
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	boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Results of the pre-construction survey and any subsequent monitoring shall be provided to the City of Long Beach Development Services Department, California Department of Fish and Wildlife, and other appropriate agency(ies).						
<b>CULTURAL RESOURCES</b>							
CUL-1	<p><u>Archaeological Resources Inadvertent Discovery.</u> In the event that any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall halt and the project Applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology to evaluate the findings and make appropriate recommendations. The archaeologist may evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2, to assess the significance of the find and identify avoidance or other measures as appropriate. If the discovery proves to be significant under the California Environmental Quality Act (CEQA), additional work such as data recovery excavation may be warranted to mitigate any significant impacts. In the event that an identified cultural resource is of Native American origin, the qualified archaeologist shall consult with the project Applicant and City of Long Beach Development Services to implement Native American consultation procedures. Construction shall not</p>	Archaeological Evaluation and/or Native American Monitoring	In the Event Any Subsurface Cultural Resources are Encountered	City of Long Beach Development Services; Project Archaeologist/Native American Monitor (if necessary)			



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	resume until the qualified archaeologist states in writing that the proposed construction activities would not significantly damage any archaeological resources.						
<b>GEOLOGY AND SOILS</b>							
GEO-1	Prior to the initiation of construction activities, the project Applicant shall retain a qualified geotechnical engineer to prepare a site-specific geotechnical/soils report. The geotechnical report shall identify existing geotechnical conditions (e.g., liquefaction, landslide, lateral spreading, subsidence, collapse, expansive soils) and evaluate such conditions on the proposed development. The report shall identify required seismic design parameters consistent with the City of Long Beach General Plan, Long Beach Municipal Code, and California Building Code to reduce potential geotechnical hazards and maximize structural stability and well operations. The City of Long Beach Building and Safety Bureau shall ensure that all required seismic design parameters detailed in the geotechnical report are included in the project design plans.	Review of Project Plans and Specifications	Prior to Initiation of Construction Activities	City of Long Beach Building and Safety Bureau; Project Geotechnical Engineer			
GEO-2	<u>Paleontological Resources Inadvertent Discovery.</u> In the event that paleontological resources are encountered during the course of ground-disturbing activities, all such activities shall halt immediately, at which time the Applicant shall notify the City of Long Beach Development Services and retain a qualified paleontologist to assess the significance of the find. The paleontological assessment shall be completed in accordance with the Society of Vertebrate Paleontology standards. If the find is	Paleontological Assessment and Recovery	In the Event Paleontological Resources are Encountered	City of Long Beach Development Services; Project Paleontologist			



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	identified as insignificant, no additional measures will be necessary. If the find is determined to be significant, appropriate avoidance measures recommended by the qualified paleontologist and approved by the City of Long Beach Development Services must be followed unless avoidance is determined infeasible. If avoidance is infeasible, other appropriate measures (e.g., data recovery, excavation, curation) as recommended by the qualified paleontologist shall be instituted. A qualified paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year full time professional experience, or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology.						
<b>HAZARDS AND HAZARDOUS MATERIALS</b>							
TRA-1	Refer to Mitigation Measure TRA-1 under 'Transportation.'						
<b>NOISE</b>							
PDF-1	In order to reduce construction noise, a minimum 16-foot high temporary noise barrier shall be installed along the project site perimeter to break the line of sight between anticipated construction equipment and adjacent residences surrounding the site. The temporary noise barrier shall have a	Review of Project Plans and Specifications; Construction Inspection(s)	During Construction	City of Long Beach City Engineer			



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	sound transmission class (STC) of 20 or greater in accordance with American Society for Testing and Materials Test Method E90, or at least 2 pounds per square foot to ensure adequate transmission loss characteristics. In order to achieve this, the barrier may consist of 3-inch steel tubular framing, welded joints, a layer of 18-ounce tarp, a 2-inch-thick fiberglass blanket, a half-inch-thick weatherwood asphalt sheathing, and 7/16-inch sturdy board siding with a heavy duct seal around the perimeter. The length, height, and location of the noise control barrier walls shall be adequate to assure proper acoustical performance. In addition, to avoid objectionable noise reflections, the source side of the noise barrier shall be lined with an acoustic absorption material meeting a noise reduction coefficient rating of 0.70 or greater in accordance with American Society for Testing and Materials Test Method C423. All noise control barrier walls shall be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes, and erosion.						
NOI-1	Prior to issuance of building permits, the City of Long Beach shall review the final site plan design of the water treatment systems to verify whether any proposed water treatment systems are capable of generating substantive noise levels. In the event substantive noise levels would occur that have not already been addressed within this Initial Study/Mitigated Negative Declaration, a Noise Assessment shall be prepared, to the satisfaction of the City of Long Beach Development Services	Review of Project Plans and Specifications/ Preparation of Noise Assessment	Prior to Issuance of Building Permits	City of Long Beach Development Services			



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	Department, which demonstrates the water treatment systems would not exceed the exterior noise thresholds identified in Long Beach Municipal Code Section 8.80.150.						
<b>TRANSPORTATION</b>							
TRA-1	Prior to project construction activities, the project Applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Long Beach Traffic Engineer. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flagperson to direct traffic during heavy equipment use. The TMP shall specify that one direction of travel in each direction must always be maintained along Victoria Street, Long Beach Boulevard, and Barclay Street throughout project construction. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into project specifications for verification prior to final plan approval.	Review of Project Plans and Specifications; Construction Inspection(s)	Prior to Construction Activities	City of Long Beach Traffic Engineer			
<b>TRIBAL CULTURAL RESOURCES</b>							
TCR-1	Prior to the commencement of any ground disturbing activity at the project site, the project Applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation (Tribe) and is listed under the Native American Heritage Commission's (NAHC) tribal contact list for the project area. A copy of the	Review of Project Plans and Specifications; Construction Inspection(s)	Prior to Any Ground Disturbing Activity; During Construction	City of Long Beach Development Services; Native American Monitor			



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	<p>executed contract shall be submitted to the City of Long Beach Planning Bureau prior to the issuance of any permit necessary to commence ground-disturbing activity. The Tribal monitor shall only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor shall complete daily monitoring logs that provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the project site are completed, or when the Tribal Monitor has indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting tribal cultural resources. Upon discovery of any tribal cultural resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All tribal cultural resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal Monitor. If the resources are Native American in origin, the Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural, and/or historic purposes.</p> <p>If human remains and/or grave goods are</p>						



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	<p>discovered or recognized at the project site, all ground disturbance shall immediately cease, and the County Coroner shall be notified per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code Section 5097.98(d)(1) and (2). Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American 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, shall be made available by the project Applicant. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Section 21083.2(b) for unique archaeological resources.</p> <p>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. 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, such as the Natural History</p>						



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	Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.						



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