

**VETERANS VILLAGE SEIR  
Responses to Comments**

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**AGENCY COMMENTS**

**SoCalGas (letter dated October 24, 2018)**

**Comment #1** – “SoCalGas has a 4-inch diameter distribution pipeline that transverses the following parcels 61269-002-008 and 6169-002-905.”

**Response** – Narrative has been added to the SEIR (Utilities and Service Systems Chapter, page 3) that reflects this Comment.

**Comment #2** – “SoCalGas recommends that the project proponent call Underground Service Alert at 811 or 1-800-422-4133 at least two business days prior to performing any excavation work for the proposed project. Underground Service Alert will coordinate with SoCalGas and other Utility owners in the area to mark the locations of buried utility-owned lines.”

**Response** – Comment Noted. This recommendation will be added to the Project as a Condition of Approval to the discretionary permit.

**Comment #3** – “Should it be determined that the proposed project may require SoCalGas to abandon and/or relocate or otherwise modify any portion of its existing natural gas lines, SoCalGas respectfully requests that the City and/or the project proponent coordinate with us by emailing [NorthwestDistributionUtilityRequest@semprautilities.com](mailto:NorthwestDistributionUtilityRequest@semprautilities.com).”

**Response** – Comment Noted. This recommendation will be added to the Project as a Condition of Approval to the discretionary permit.

**Comment #4** – “Should it be determined that the proposed project may require SoCalGas to extend new natural gas service, SoCalGas respectfully requests that project proponent coordinate with us by calling (800) 427-2000 to follow-up on this matter or submit a ‘Non-Residential Request for New Gas Services’ Application.”

**Response** – Comment Noted. This recommendation will be added to the Project as a Condition of Approval to the discretionary permit.

**State of California Public Utilities Commission (letter dated October 17, 2018)**

**Comment** – “Any development adjacent to or near the railroad or light rail transit right-of-way (ROW) should be planned with the safety of the rail corridor in mind. New developments may increase pedestrian or vehicular traffic volumes not only on streets and at intersections, but also at nearby rail crossings. Traffic impact studies should analyze rail crossing safety and potential mitigation measures. Safety improvement measures may include the planning for grade separations or improvements to existing at-grade crossings. Examples of improvements may include, but are not limited to: addition or upgrade of crossing warning devices, detectable warning surfaces and edge lines on sidewalks, and pedestrian channelization. Pedestrian and bicycle routes should be designed to clearly prohibit and discourage unauthorized access (trespassing) onto the tracks, except at authorized crossings. In addition, construction or modification of public crossings requires authorization from the Commission. . . . Please continue to keep RCEB [Rail Crossings Engineering Branch] informed of the project’s development.”

**Response** – The City of Lynwood staff will inform RCEB about the progress of future development of the Veterans Village Project, as requested. Infrastructure Engineers, which prepared the Traffic Impact Analysis for the Project, responds as follows: “The traffic study prepared for inclusion in the SEIR was prepared to determine if certain land use changes were substituted with those included in the approved Specific Plan would have a significant impact to the surrounding roadway system. This study area is still a Specific Plan area and no precise development plans have been submitted. It is anticipated when the City receives an application for development traffic impact studies will be required. At that time impacts to rail crossing safety will be included and RCEB contacted for coordination and comment.”

### **Native American Heritage Commission (letter dated October 12, 2018)**

**Comment** – The Native American Heritage Commission recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the Project “as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.” This consultation would be completed in compliance with California Assembly Bill 52 requirements.

**Response** – Consulting staff to the City met with representatives of the Gabrieleno Band of Mission Indians – Kizh Nation on September 11, 2018. The Kizh Nation provided several Mitigation Measures that would address any potential Project impacts to Tribal Cultural Resources. Those Mitigation Measures (eight in total) are contained in the SEIR in the Tribal Cultural Resources Section (Section 5.14, pp. 4.3.120-4.3.122).

## **County Sanitation Districts of Los Angeles County (letter dated October 10, 2018)**

**Comment #1** – The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts’ Joint Outfall G Unit 8 Trunk Sewer, located in State Street at Fernwood Avenue. The Districts’ 22.92-inch diameter lined trunk sewer has a capacity of 6.3 million gallons per day (mgd) and conveyed a peak flow of 3.1 mgd when last measured in 2013.

**Response** – Comment noted. Text has been added to the Utilities and Service Systems Section of the SEIR (Section 4.15, page 4.3-130). No development on the Project site will proceed until Will Serve letters pertaining to wastewater conveyance are secured, which will be a Condition of Approval on any discretionary permit. The County Sanitation District has issued an email that serves as a “Will Serve” letter for the Project (reference SEIR Appendices).

**Comment #2** – The wastewater generated by the proposed project will be treated at the Joint Water Pollution Control Plant located in the City of Carson, which has a capacity of 400 mgd and currently produces an average water flow of 254.7 mgd.

**Response** – Comment noted. Text added to SEIR (Section 15 – Utilities and Service Systems, page 2). No development on the Project site will proceed until Will Serve letters pertaining to wastewater conveyance are secured, which will be a Condition of Approval on any discretionary permit.–The County Sanitation District has issued an email that serves as a “Will Serve” letter for the Project (reference SEIR Appendices).

**Comment #3** – The expected increase in average wastewater flow from the project, described in the notice as 12 residential townhomes, 520 residential apartments, and 25,000 square feet of retail structures is 108,894 gallons per day, after all structures on the project site are demolished. For a copy of the Districts’ average wastewater generation factors, go to [www.lacsd.org](http://www.lacsd.org). Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1. Loadings for Each Class of Land Use link.

**Response** – Comment noted. Text added to SEIR (Section 15 – Utilities and Service Systems, page 7). No development on the Project site will proceed until Will Serve letters pertaining to wastewater conveyance are secured, which will be a Condition of Approval on any discretionary permit. The County Sanitation District has issued an email that serves as a “Will Serve” letter for the Project (reference SEIR Appendices).

**Comment #4** – The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts’ Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to [www.lacsd.org](http://www.lacsd.org). - [Wastewater](#) & Sewer Systems, click on Will Serve Program, and search for the appropriate link. In determining the impact to the Sewerage System and applicable connection fees, the Districts’ Chief Engineer and General Manager will determine the user category (e.g. Condominium, Single Family

home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908.4288, extension 2727.

**Response** – Comment noted. No development on the Project site will proceed until Will Serve letters pertaining to wastewater conveyance are secured, which will be a Condition of Approval on any discretionary permit. The County Sanitation District has issued an email that serves as a “Will Serve” letter for the Project (reference SEIR Appendices).

**Comment #5** – In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts’ wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts’ facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts’ treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts’ facilities.

**Response** – Comment noted. No development on the Project site will proceed until Will Serve letters pertaining to wastewater conveyance are secured, which will be a Condition of Approval on any discretionary permit. The County Sanitation District has issued an email that serves as a “Will Serve” letter for the Project (reference SEIR Appendices).

## **Gabrieleno Band of Mission Indians – Kizh Nation**

**Comment** – “. . . It is recommended that the project applicant retain a qualified professional tribal monitor/consultant from the Gabrieleno Band of Mission Indians Kizh Nation. The Kizh Nation possesses Tribal archives including documented historical information as well as multiple members who possess unique knowledge derived from oral tradition passed down through generations of the Tribe in order to provide the expertise needed to identify whether a project is located within a culturally sensitive area given its proximity to village areas, commerce areas, recreation areas, ceremonial areas, and burial locations.”

**Response** – Section 5.14 (Tribal Cultural Resources, pp. 4.3.120-4.3.122) contains eight Mitigation Measures that pertain to the concerns of the Gabrieleno Band of Mission Indians – Kizh Nation and that comply with California State requirements under Assembly Bill 52 and Senate Bill 18.

**State of California – Department of Transportation (Caltrans) – Letter dated December 10, 2018**

**Comment #1** – “To avoid traduce conflicts such as inadequate weaving distances and queues spilling back onto the freeway, the project should evaluate the adequacy of freeway segment operations in the project vicinity. Caltrans would like to request a Traffic Impact Study, Trip generation and Q analysis of the on-ramp/off-ramp at Imperial Highway and Interstate 105 and all of the on-ramps/off-ramps of Long Beach Blvd and Interstate 105 for the above project. Please include/mention the Plaza Mexico Residences project information and studies in the analysis.”

**Response** – Infrastructure Engineers, which conducted the Traffic Impact Analysis for the Project, responds as follows: “The traffic study prepared for inclusion in the SEIR was prepared to determine if certain land use changes were substituted with those included in the approved Specific Plan stage and no precise development plans have been submitted. It is anticipated when the City receives an application for development traffic impact studies will be required. At that time the City will request the study include freeway segment and ramp Queuing analyses on I-105 at Imperial Highway and Long Beach Boulevard.”

**Comment #2** – “...storm water runoff is a sensitive issue for Los Angeles and Ventura counties. The project needs to be designed to discharge clean run-off water. The completed project should incorporate green design elements that can capture storm water. Incorporating measures such as permeable pavement, landscaping, and trees to reduce urban water run-off should be considered.”

**Response** – A Condition of Approval requiring green design elements that capture storm water will be placed on the site-specific Veterans Village Project discretionary application.

## **State of California Department of Toxic Substances Control**

**Comment #1** – The draft EIR needs to identify and determine whether current or historic uses at the project site have resulted in any release of hazardous wastes/substances at the project area.

**Response** – The requested information has been added to the SEIR (reference Section 5.6 – Hazards and Hazardous Materials, pages 1, 2, 3 and 6).

**Comment #2** – The draft EIR needs to identify any known or potentially contaminated site within the proposed project area. For all identified sites, the draft EIR needs to evaluate whether conditions at the site pose a threat to human health or the environment.

**Response** – The requested information has been added to the SEIR (reference Section 5.6 – Hazards and Hazardous Materials, pages 3,6,7 and 8).

**Comment #3** – The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight.

**Response** – The following text will be added to the SEIR – “The Project Applicant/Developer will be responsible for conducting further investigations of soil, soil vapor and groundwater contamination on the Project site and will be responsible for remediation of any site that may require remediation. The California State Department of Toxic Substances Control will be responsible for providing regulatory oversight.” (reference Section 5.6 – Hazards and Hazardous Materials, page 9)

**Comment #4** – If during construction of the project, soil contamination is suspected, construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil exists, the draft EIR should identify how any required investigation or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

**Response** – Comment noted. Please refer to Response to Comment #3 above.



## **Plains All American Pipeline, L.P.**

**Comment #1** – “As a general observation, it would be helpful to have one or two figures that clearly identifies the location of the various project components... and to have each component outlined/described in Chapter 3 of the SEIR . . . Hence PAALP recommends updating the page numbers . . .”

**Response** – Comment noted.

**Comment #2** – “. . . the zoning designation for Lynwood Station is “M” (Manufacturing). The use of the term ‘land use’ in this context is therefore confusing as the map provided is the same as the Lynwood Zoning Map.”

**Response** – The terms “land use” refer both to the existing use on a particular site as well as to any proposed “use.” A zoning designation allows several land “uses.” Therefore, “M” zoning can allow various land uses.

**Comment #3** – “. . . it is unfortunate that the Land Use designation for the Lynwood Station Parcel apparently was changed to Residential back in 2006 during the development of the Long Beach Boulevard Specific Plan. The Lynwood Station is no different that the Manufacturing activities that are designated immediately south across Fernwood Avenue along Alameda Street that are discussed in the SEIR’s existing setting. The land use designations therein remained industrial and the zoning as Manufacturing. If we had been aware of the proposal at the time the land use designation was changed, we would have pointed out that the change to Residential Land Use from Manufacturing was inconsistent with the zoning and activities that occur at our facility.”

**Response** – The City of Lynwood was required to provide all affected property owners of any proposed change of zone in 2006. The land use currently on your property will be considered as “legal non-conforming” by the City so that the current business uses of your property will continue without interference.

**Comment #4** – “. . . PAALP recommends that the SEIR, in order to avoid confusion, only use the intended term – either “zoning” or “land use” when discussing specific changes in land use and/or zoning designations.

**Response** – Comment Noted. Please refer to Response to Comment #2 above. We believe the distinction between “land use” and “zoning” is clear.

**Comment #5** – “. . . it is our understanding that the proposed changes as evaluated in the SEIR, is a change in existing *land uses (not zoning)* from Industrial, Commercial, Residential and Open Space to Residential and Mixed use within the Town Center District and the West Town Center Neighborhood. Please verify that this is the correct interpretation.

**Response** – The proposed Lynwood Transit Area Specific Plan Amendment 2018-03 (LTASP Amendment) is a revision of the Lynwood Transit Area Specific Plan (LTASP) to change the land use designation of approximately 15 acres (the Veterans Village component of the Project) to West Town Center. No changes to existing land uses are proposed. Existing land uses will be able to remain.

**Comment #6** – “. . . as defined in the LTASP EIR, ‘*Industrial (I)*. *The intent of this land use district is to provide an urban form that can accommodate a very diverse range of industrial uses, including heavy and light industrial uses, and live-work. This zone would generally apply to the parcels located along Alameda Street. Up to 750,000 square feet of industrial uses are permitted in this land use designation.*’ Also, pursuant to the Lynwood General Plan – 2020 “*Being the most intensive industrial land use category, the M (Industrial) designation should not adjoin a residential area unless separated by a major natural or physical feature and to the extent possible be well screened*’ (Lynwood General Plan, Page 4-16). Given this PAALP is concerned about any future residential development in close proximity to their facility, or that any such development would impact or limit their continued operation of the Line 2000 and Lynwood Station facility. Although, the Residential-High Density (R-3) land use designation “. . . *is designed to serve as a transition from single-family to commercial and industrial land uses. Locations should be on major arterials and near bus routes and within close proximity to shopping and employment.*” (Lynwood General Plan 2020, Page 4-15/16), the location of townhomes directly adjacent to existing industrial facilities seems contrary to the Location Criteria established for the Industrial land use category.”

**Response** – Oftentimes, the policies in general plan elements seem in conflict although all general plan elements are mandated to be internally consistent. In this particular case, addition of 632 multi-family units with a substantial “affordable” component will assist in complying with Lynwood General Plan Housing Element Goals, Policies and Implementation Programs. Little additional undeveloped land is available in the City on which needed additional housing opportunities can be developed. In addition, the City currently is in the process of reassessing the existing General Plan (which was certified in 2006) and will be pursuing a comprehensive update imminently. Furthermore, any discretionary application for property within the West Town Center District will have Conditions of Approval required to ensure potential conflicts with adjacent non-residential uses will be mitigated.

**Comment #7** – “. . .PAALP wants to confirm that the proposed Project will not affect or in any way change the intended use and/or purpose of APN 6169-002-001 where the Line 2000 and Lynwood Station is located or in any way affect PAALP’s continued use and operation of this facility.”

**Response** – The land use currently on your property will be considered as “legal non-conforming” by the City so that the current business uses of your property will continue without interference. That is, the proposed Veterans Village component of the Project will not affect PAALP’s continued use and operation of Line 2000 and Lynwood Station is located.

**Comment #8** – “The SEIR notes on page 3-2 (Project Description) that ‘*The opportunity to vacate Alameda between Fernwood Ave. and Imperial Hwy will also be explored.*’ A similar statement is made on page 3-10 (PDF page 3-10 under Project Summary) . . . Given the location of Line 2000 and Lynwood Station (refer to Figures 1 and 2), PAALP reserves the right to comment on any future evaluation regarding the possibility of vacating a segment of Alameda Street between Fernwood Avenue and Imperial Highway. . . PAALP will need to have continued access to their site and the closure of the above

described road segment would remove the main point of access to their facility. Specifically, access is needed on both sides of the facility to allow for staging vehicles, testing equipment, and vacuuming trucks to conduct testing and maintenance. Access off of South Alameda Street is required to provide a secondary access point to provide for safety and for emergency responder access into or out of the facility should an emergency occur. Therefore, the potential removal of access location of South Alameda Street that is contemplated in the SEIR would complicate operations as well as degrade the safety of operations at the Lynwood Station by eliminating a necessary second point of access for entry and exit from the facility. Two exits are typically required for emergency access in residential and commercial developments for the same reason. The same is true of the Lynwood Station.”

**Response** – Comment noted. Vacation of a portion of Alameda Street is not specifically proposed as part of the Project. If the City would proceed with such a Public Hearing an appropriate notice would be required.

**Comment #9** – “. . . PAALP wishes to stress that we need to maintain the current use of our Line 2000 and Lynwood Station and not have inconsistent development encroach next to our facility that could impede our operations or result in degraded safety conditions for either our facility or the adjacent development. The zoning of our parcel remains Manufacturing which allows uses such as our facility despite an inconsistent Land Use overlay designation that may have occurred in the past due to an inadvertent oversight at the boundary of the Specific Plan Area. We also wish to reiterate our support in the SEIR’s commitment that no changes to the intended uses or purposes within the existing land uses or purposes within the existing land use districts are proposed as part of the 2018 Veterans Village Project.”

**Response** – Comment noted. The land use currently on your property will be considered as “legal non-conforming” by the City so that the current business uses of your property will continue without interference.

**Wittwer Parkin LLP, on behalf of the Southwest Regional Council of Carpenters (Southwest Carpenters)**

**Comment #1-A (Faulty Notice, Insufficient Time to Consider Comments)** – “The City’s notice regarding its December 11, 2018 consideration of the Project is faulty.”

**Response** – The original notice contained an error, which was pointed out by the Carpenter's Union in their comment letter. While the notice on the City's website was corrected, the version printed in the paper was not. The item needs to be re-noticed to ensure there is no confusion on the City's intent, as well as to prevent any potential legal challenges (regardless if there is merit). The item will be re-noticed for a January 15, 2019 City Council Public Hearing.

**Comment #1-B (Faulty Notice, Insufficient Time to Consider Comments)** – “...pursuant to CEQA, prior to certification of the SEIR, the City is required to consider comments submitted by members of the public in the form of a Final Supplemental Environmental Impact Report. It is highly unlikely the City will be able to adequately consider comments submitted in response to the Draft SEIR in the three-business-day timeframe between the date comments are due (December 6, 2018) and the date the Planning Commission will consider the Project (December 11, 2018). If it is the intention of the City to certify the Final SEIR at its December 11, 2018 meeting, it is also clear the City does not intend to provide adequate time to circulate the Final SEIR...”

**Response** – The item will be re-noticed for a January 15, 2019 City Council Public Hearing.

**Comment #1-C – (Faulty Notice, Insufficient Time to Consider Comments)** – “. . . Southwest Carpenters believes that the December 11, 2018 hearing on Project should be postponed, to provide the public adequate notice and to provide the City adequate time to respond to comments and circulate a Final SEIR.”

**Response** – The item will be re-noticed for a January 15, 2019 City Council Public Hearing.

**Comment #2-A – (Project Description and Overall Analysis of Project Impacts)** – “. . . the Project . . . should include, at minimum, the LTASP Amendment, as well as any environmental impacts that flow from this action, including the permitted construction of the Veterans Village development . . . Instead of analyzing the Project as such, the City erroneously, and confusingly, splits the Project into the ‘LTASP Amendment’ and the ‘Veterans Village,’ in a manner that minimizes and masks the impacts of the Project and fails the informational purposes of CEQA . . . throughout most of the SEIR, the City separately analyzes impacts from the LTASP Amendment and the Veterans Village development, often claiming the LTASP Amendment would have significant impacts under some thresholds while the Veterans Village component of the Project would not, and vice versa. Likewise, the City would sometimes propose mitigation for the LTASP Amendment but not the Veterans Village, and vice versa. . . It was incorrect of the City to separate the impacts of the Project.”

**Response** – Characterizing the “Project” as having two components was meant to clearly distinguish the proposed change in land use designations (LTASP Amendment) from

what could be an eventual site specific development (Veterans Village) with parameters of 632 multi-family residential units and 25,000 square feet of commercial/veterans service space. This was indicated in the Project Description and follows the format of the previously certified SEIR for the 2018 LTASP Amendment/Plaza Mexico Residences SEIR.

**Comment #2-B – (Project Description and Overall Analysis of Project Impacts) – “**. . . the City sometimes also references mitigation measures that it applied to the LTASP Amendment 2018-01, which permitted construction of the Plaza Mexico shopping center. The Plaza Mexico project was approved mere months prior to the City’s first mention of the Project and arguably should not have been approved prior to the certification of this SEIR. To address this, the City simply states ‘the scale of the Veterans Village component was not known’ at the time the City considered and approved the Plaza Mexico project (SEIR, p. 3-7.). This is not a valid reason to piecemeal environmental review. Regardless, as Amendment 2018-01 only applied to land use within the Plaza Mexico development, it is unclear and confusing to include reference to the environmental analysis and mitigation measures proposed for this development, as the City does not consistently clarify whether these impacts and mitigation measures apply to the Project, as well. . . Please revise the SEIR to ensure it provides a stable, finite Project description that fully and correctly analyzes Project impacts.”

**Response –** The LTASP Amendment/Veterans Village SEIR is not an attempt to “piecemeal” environmental analyses of projects within, and including, the LTASP. The 2018-01 SEIR analyses pertain to the LTASP Amendment component of the current 2018-03 Project, particularly in respect to the 2018-01 narrative pertaining to Air Quality, Noise and Traffic. The 2018-03 SEIR (Section 3.2) distinguishes the LTASP Amendment component of the Project from the Veterans Village component of the Project and distinguishes analyses within each sub-section of Section 5 of the SEIR according to the two components of the 2018-03 Project.

**Comment #3-A (Cumulative Impacts) –** “The SEIR unduly narrows the scope of the cumulative impacts analysis, identifying only three Projects: a warehouse, Northgate Market, and the Plaza Mexico Residences (See, e.g., SEIR, p. 4.3-17). throughout the SEIR, the City lists several other development projects, which it for some reason does not list or consider in any of its cumulative impacts analysis. . . The City identifies other projects that have occurred since 2016, including a drive-through fast-food restaurant (El Gavilan), a retail store (WSS), and a 201,207 square-foot logistics warehouse (Duke Realty). (SEIR, p. 4.2-4.3) Further, as the City repeatedly states, ‘Full buildout of the Specific Plan is envisioned to occur within a 25-year period and would allow 3,500 multi-family residential units, 1.2 million square feet of new commercial development, 750,000 square feet of industrial development, and 350 hotel rooms.’ (See, e.g., SEIR, p. 4.3-3). The City fails to explain why any of these past, present, and reasonably foreseeable future development projects are not included throughout the City’s SEIR in any of its cumulative impacts analysis.”

**Response –** The City approved the three projects to be used in the cumulative impacts analyses, in large part, because these are the most relevant geographically to the Veterans Village Project.

**Comment #3-B (Cumulative Impacts)** – “. . . the City does not identify cumulative impacts arising from projects that fall outside of City limits. This is true despite the fact that the Project is located at the edge of the City and will cause and contribute to impacts outside of City limits. The City must universally revise its cumulative impacts analysis to ensure it provides an adequate discussion of impacts arising from past, present, and reasonably foreseeable future projects.”

**Response** – Comment noted. As stated previously, the City approved the three projects to be used in the cumulative impacts analyses, in large part because these are the most relevant geographically to the Veterans Village Project.

**Comment 4-A (Air Quality)** – “The City’s analysis of air quality impacts is contradictory and uninformative.” The SEIR indicates that under the California Building Industry Association v. Bay Area Air Quality Management District (2015, 62 Cal. 4<sup>th</sup> 369, Case No. S213478) environmental impacts to future project-related land uses are not considered CEQA impacts (SEIR, p. 4.3-15). “This misstates and misapplies the holding of *CBIA*, an EIR need not consider *most* impacts of the environment on the Project and should, instead, focus on the Project’s impacts on the environment. As no City action results in an immediate environmental impact, all impacts that flow from the Project are, by default, future impacts caused by the Project on the environment. Further, ‘air quality impacts related to construction activities’ would never remain on-site and, thus, would certainly result in Project impacts to the environment. To the extent the City relied on this faulty analysis of environmental impacts, its air quality analysis is flawed and must be revised.”

**Comment 4-B (Air Quality)** – Narrative on page 4.3-15 pertaining to short-term/long-term impacts identified in 2018 LTASP/Plaza Mexico SEIR is confusing

**Response to Comments 4-A and 4-B** – The 2018-03 Project SEIR narrative has been revised as follows:

Project development and operation of short-term and long-term air quality impacts would violate would exceed South Coast Air Quality Management District regional significance thresholds and that this impact would remain significant and unavoidable due to the South Coast Air Quality Management District significant thresholds pertaining to various criteria air pollutants that may be exceeded. Specifically, development of that project would result in a long-term cumulatively considerable net increase of Ozone and Particulate Matter 2.5.

**Comment 4-C (Air Quality)** – “The City confusingly states air quality impacts arising from the LTASP Amendment would be significant and unavoidable, whereas the same impacts arising from the Veterans Village would be less than significant (SEIR, pp. 4.320-4.3-21) ...it is misleading and uninformative to split the evaluation of Project impacts in this manner.”

**Comment 4-D (Air Quality)** – The SEIR references and appears to apply mitigation measures from the Plaza Mexico Residences SEIR to the Project. Confusingly, the City only analyzes impacts reductions from MM-AQ-1 to address the significant and unavoidable impacts from the ‘LTASP Amendment,’ which impacts remain significant and unavoidable, according to the City (SEIR, p. 4.3-20-4.3-21). There appears no reason

for the City to have done this. Further, the City states that implementation of Mitigation Measures MM-AQ-5 and MM-AQ-6 would render Veterans Village impacts less than significant (SEIR, p. 4.3-21). However, these mitigation measures are primarily directed at reducing PM emissions and do little to nothing to reduce what the SEIR otherwise identifies as significant and unavoidable NO<sub>x</sub> impacts (See SEIR, p. 4.3-20

**Comment 4-E (Air Quality)** – “. . . the City fails to adequately analyze Project-related cumulative air quality impacts. Please revise the SEIR to provide an adequate air quality impacts analysis.”

**Response to Comments #4-C, #4-D, and #4-E** – A typical memorandum was prepared by the technical consultant and was incorporated into the SEIR that included an analysis of the residential component of the larger LTASP Amendment project component. The analysis considered the following: the short-term construction related impacts and the long-term operational related impacts. The analysis relied on the CalEEMod 2016 v.3.2 computerized noise model to estimate the short-term and the long-term emissions. Table 1 in the Technical Memorandum (reference SEIR Appendices) were included in the SEIR. The Technical Memorandum also identified certain standard conditions that are requirements of the South Coast Air Quality Management District as a means to reduce fugitive dust emissions. Adherence to these requirements would further reduce potential construction-related fugitive dust emissions. The same computer model was used to estimate long-term operational emissions. The modeling results are indicated in Table 2 of the Technical Memorandum. As indicated in Table 2, the operational emissions would also be well below the South Coast Air Quality Management District’s daily emissions thresholds.

**Comment #5-A (Cultural Resources)** – The City claims no new impacts to cultural resources would occur because ‘existing conditions have not changed, and the overall size and location of the LTASP has not changed. (See, e.g., SEIR, p. 4.3-25) this reasoning does not resolve the potential of the Project to cause new, significant impacts. . . . Because this land use designation will change to residential and commercial, it is possible the Project site will cause impacts not previously considered or evaluated in the 2016 LTASP EIR. The City should have appropriately evaluated this potential in the SEIR.”

**Response** – There are no historical resources on the Project site. The likelihood of archaeological or paleontological resources being found was not considered to be a potentially significant impact. In any event, Standard Conditions pertaining to disposition of any such resources that may be found during Project development activities will be placed on any related discretionary project applications. Tribal cultural resources are addressed in the SEIR (Section 5.14).

**Comment #5-B (Cultural Resources)** – “The City’s summary of Project impacts is confusing. The SEIR states, ‘No new significant impacts related to Cultural Resources have been identified for the Project . . . . Therefore, additional mitigation measures are required.’ (SEIR, p. 4.3-29.) The SEIR further states, ‘Project development operation will not result in new or more severe impacts to Cultural Resources. However, there is a proposed Mitigation Measure pertaining to Tribal Cultural Resources . . . . Therefore, no new Mitigation Measures are required.’ (SEIR, p. 4.3-29.) Based on this contradictory

language, it is unclear what the City's conclusions are as to impacts to cultural resources. Please revise the City's discussion to ensure the public understands whether these impacts are significant and what mitigation is proposed."

**Response** – Comment noted. The sentence referenced is revised to read "Therefore, additional mitigation measures are not required."

**Comment #6-A (Geology and Soils)** – "The City, again, erroneously divides its impacts analysis of the Project between the LTASP Amendment and the Veterans Village. Regarding the LTASP Amendment, the City reasoned 'The proposed amendments to the LTASP would involve only changing land use designations . . . to facilitate development of 632 multi-family residential units' (SEIR, p. 4.3-32). The City goes on to state, "Therefore, because the existing conditions have not changed, and the overall size and location of the LTASP has not changed, the LTASP Amendment would not change this finding.' (SEIR, p. 4.3-32). This is incorrect. The Project would permit greatly increased development on the Project site when compared to the LTASP land use designations currently in effect, which permitting nearly 600 more residential units to be constructed that would have been previously allowed under the current LTASP. This represents a substantial change in existing conditions, which, under the City's own reasoning, must be addressed."

**Response** – P.A. & Associates, Inc. responds that "from a Geotechnical/geological standpoint existing conditions are not impacted adversely by the LTASP Amendment and Veterans Village Project."

**Comment #6-B (Geology and Soils)** – "The City provides a flawed discussion of impact threshold GS-3 in reference to the Veterans Village. The City states, 'the site is located within an area identified as having a potential for liquefaction,' yet determines impacts would be less than significant prior to mitigation (SEIR, p. 4.3-33). The City states this is so 'particularly with implementation of the 'Recommendations' stipulated in the Preliminary Geotechnical Investigation prepared for the Project' (SEIR, p. 4.3-33). Again, under this significance threshold, Project impacts are significant where, as here, the Project site is 'located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site . . . liquefaction or collapse' (SEIR, p. 4.3-31). The City admits the Project site is prone to liquefaction, thus triggering this significance threshold. The City's conclusion regarding threshold CR-3 is not supported by evidence in the record. Also, the City's reliance on 'Recommendations' that are not binding on the Project is unfounded. Unless the City adopts these 'recommendations' as mitigation measures, these recommendations cannot be relied on to reduce Project impacts to less than significant. As shown in the SEIR, these recommendations are substantial, and must be made mitigation measures to ensure they will be adhered to . . ."

**Response** – P.A. & Associates, Inc. responds as follows – "We encountered no groundwater in our borings on the site to maximum depth of 57 feet, and the highest regional groundwater depth recorded by LCDPW was 67 years ago, measuring 76 feet below the surface; therefore, the potential for liquefaction has been nil over that time span, and tie liquefaction potential is less than significant. Our analysis of potential seismic induced settlement for the subject property indicate a potential less than significant 2.52



inches of total settlement due to earthquakes with reported historically high groundwater (8 ft. below ground surface). This is a worst case scenario, and the settlement is less significant for proposed improved soil. The mitigation measures recommended for the development considering a worst case scenario, shallow groundwater, would improve the soil stability of the site. The project will not have adverse impacts, liquefaction or collapse, either on the site or off-site.” Furthermore, P.A. & Associates, Inc. states that “our recommendations for mitigation of potential damage to proposed structures due to a worst case, liquefaction scenario, should be adopted by the City of Lynwood.”

**Comment #7-A (Greenhouse Gas)** – “The City’s analysis of greenhouse gas impacts is severely deficient and its conclusion that Project impacts will be less than significant is not supported by evidence in the record. The City admits it has not adopted significance thresholds for greenhouse gas impacts and elects to employ the 3,000 metric tons of carbon-dioxide equivalent (MTCO<sub>2e</sub>) per year threshold first advanced by SCAQMD in its Interim CEQA Greenhouse Gas (GHG) Significance Threshold Draft Guidance Document. The City determined the Project would greatly exceed this significance threshold, emitting 7,764.33 MTCO<sub>2e</sub> annually (SEIR 4.3-40). The City confusingly determined that, whereas the LTASP Amendment would have significant and unavoidable impacts implementation of mitigation measure MM-GG-1 would reduce Veterans Village greenhouse gas impacts to less than significant. The City presents no evidence to support the conclusion that incorporation of MM-GG-1 would reduce Project greenhouse gas emissions to below the significance threshold of 3,000 MTCO<sub>2e</sub> per year.”

**Comment #7-B (Greenhouse Gas)** – “The City’s analysis of the second impact threshold (consistency with plans, policies, and regulations *adopted* for the purpose of reducing the emissions of greenhouse gases) is also deficient. . . the Air Quality and Noise Study provided no evaluation of the consistency of the Project with plans, policies, and regulations, and instead simply reiterates the reasoning in the SEIR. ‘It is important to note that the project is an ‘infill development’ and is seen as an important strategy in reducing regional GHG emissions. As a result, the impacts related to conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases are considered to be less than significant.’

**Comment #7-C (Greenhouse Gas)** – “Southwest Carpenters is aware of no ‘infill development’ exemption from any of the dozens of plans, policies, or regulations it has reviewed, and the City in its analysis cites to none. . . the City cites no plan, policy, or regulation *at all*, nor does it evaluate whether the Project is consistent with specific policies designed to reduce greenhouse gas emissions. The Air Quality and Noise Study provides no additional analysis to support the conclusory statement in the SEIR. . . The SEIR does not evaluate the consistency of the Project to any plan, policy, or regulation designed to reduce greenhouse gas impacts and, as disclosed by the City, the Project will serve to increase, rather than reduce, greenhouse gas impacts. The City’s reasoning is especially improper where, as here, the Project will create a severe jobs-to-housing deficit (See SEIR, pp. 4.3-74, 4.3-80). Infill development that places more housing away from job centers does not serve to reduce greenhouse gas emissions. Absent some evidence and related analysis displaying that the Project will be consistent with the

contents of specific, defined plans, policies, and regulations, the SEIR does not support the City's conclusion regarding this significance threshold."

**Comment #7-D (Greenhouse Gas)** – "The City confusingly determines greenhouse gas impacts from the LTASP Amendment would be significant and unavoidable, but, somehow, impacts from the Veterans Village would be less than significant (SEIR, p. 4.3-42). The City reasons this is so, in part, because 'The Veterans Village component of the Project is a small fraction of the total anticipated LTASP build out.' (SEIR, p. 4.3-42). This detail is irrelevant, as the City has determined Project emissions would exceed significance thresholds. . . the LTASP Amendment and the Veterans Village are the 'project' pursuant to CEQA, and it does not serve the informational purposes of CEQA to divide the City's analysis of the Project in the SEIR."

**Response to Comments #7-A, #7-B, #7-C, and #7-D** – Table 3 of the Air Quality and Noise Study summarizes annual greenhouse gas emissions from build-out of the Project. The CO<sub>2</sub>E total for the Project is 7,737 MTCO<sub>2</sub>E annually. The Project construction emissions are expected to be 817.78 tons per year. When amortized over a 30-year period, the Project's annual construction emissions will be 27.25 tons per year. The Project's amortized construction emissions were added to the Project's annual operational emissions to determine the Project's true emissions. The Project's total GHG emissions are anticipated to be 7,764.33 MTCO<sub>2</sub>E per year, which is above the threshold of 3,000 tons per year for mixed-use projects. Since the Project emissions will exceed South Coast Air Quality Management District draft thresholds of significance, the following standard conditions are required.

- The Applicant must install ENERGY STAR appliances wherever appliances are installed
- The Applicant must install light colored "cool" roofs
- The Applicant must install "cool" (lighter colored) pavement throughout exterior parking areas
- All landscape planted on site must be watered by water dispensed through drip irrigation
- The building contractors shall install bicycle racks consistent with the City Municipal Code adjacent to each building
- The building contractors shall install electric vehicle charging stations in the parking areas. Preferential parking spaces for electric vehicles must be provided
- Discount transit passes must be made available for tenants residing in the affordable units
- A shuttle service providing transport for residents to the I-105/Long Beach Boulevard transit station must be provided

The analysis of greenhouse gas emissions correctly states that the residential component is an infill development that will be effective in shortening vehicle miles traveled (VMT). In addition, the Project is considered transit oriented development, which will further reduce VMT.

**Comment #8-A (Hazards and Hazardous Materials)** – "The City disclosed that Project soils are contaminated. (SEIR, p. 4.3-47) The City determined that adherence to MM-HH-1 and MM-HH-2 would reduce Project impacts to a less than significant level. (SEIR, p.

4.3-48) However, neither mitigation measure is designed to *reduce* project impacts, as would be required to support a less-than-significant finding. Both mitigation measures are aimed at further studying Project soils, which will do nothing to prevent releasing or otherwise exposing the public, future residents, or workers to these contaminants. . . MM-HH-1 and MM-HH-2 are not appropriate mitigation measures. Rather, these are studies the City must conduct to fully disclose baseline Project conditions, and to evaluate in order to better formulate mitigation measures aimed at reducing Project-related impacts. Currently, no evidence supports the City’s conclusion that Project impacts will be reduced to less than significant, and its discussion of baseline Project conditions remains deficient.”

**Response** – Narrative has been added to Section 5.6 (Hazards and Hazardous Materials) based on analyses, findings and conclusions contained in the following technical studies: Gannett Fleming, “Draft Remedial Action Plan – Alameda Triangle & State/Imperial Project Areas, Lynwood, California” (May 30, 2013) and Genesis Engineering & Redevelopment, “Revised VOC and TPH Investigation Report” (March 30, 2018). These documents indicated that contamination of soil, soil vapor and groundwater exist on the Project site and in the vicinity of the Veterans Village Project site. As a result of the information in these two studies, Mitigation Measure MM-HH-3 has been included in the SEIR. This Mitigation Measure states as follows -- Prior to submittal of an application for development on the Veterans Village Project site, the Applicant/Developer shall submit a detailed Remedial Action Plan for approval by the Director of Public Works and the Director of Community Development. Said Remedial Action Plan shall contain the following as a minimum. The Applicant/Developer shall submit the Remedial Action Plan to the California State Department of Toxic Substances Control for review and as a precursor to monitoring by said State Department.

- A determination of whether current or historic uses on the Veterans Village Project site have resulted in any release of hazardous wastes or substances
- Updated identification of any known or potentially contaminated areas within the Veterans Village Project site and an evaluation of whether conditions at the Veterans Village Project site pose a threat to human health or to the environment
- Identification of the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight
- Provisions for stopping construction in any area suspected of having soil contamination and for implementing appropriate health and safety procedures
- Identification of how any required investigation or remediation will be conducted if contaminated soil exists and identification of which government agency will provide appropriate regulatory oversight

**Comment #8-B (Hazards and Hazardous Materials)** – “. . . the City states, ‘The Veterans Village component of the Project *may contribute to cumulative Hazards and Hazardous Materials Impacts* and therefore *development impacts would not be cumulatively considerable*. (SEIR, p. 4.3-47) This sentence is internally inconsistent. Please clarify whether the City has determined Project impacts will be cumulatively significant. Further, please ensure the City evaluates cumulative impacts from the whole of the City’s action, not just the ‘Veterans Village component of the Project.’”

**Response** – The sentence is revised to read “The Veterans Village component of the Project may contribute to cumulative Hazards and Hazardous Materials impacts and therefore development impacts could be cumulatively considerable.”

**Comment #9-A (Hydrology and Water Quality)** – “The City’s discussion of hydrology and water quality impacts is also flawed.” The SEIR has suggested in the Project Description (Section 3) that there will be an amendment to the LTASP to consistently zone all parcels within the Veterans Village component area from Industrial, Open Space, and Residential to West Town Center to create a zone that allows for various uses with the purpose of adding housing units and commercial/retail services to serve the community. The LTASP currently in effect “never considered the conversion of the portion of the Project site that is currently open space to high-density residential uses.”

**Response** –The LTASP Amendment component will not result in potentially significant impacts related to Hydrology/Water Quality. The Veterans Village component of the Project will result in Potentially Significant Impacts, which will be mitigated to a less than significant level as indicated below and in the revised Hydrology and Water Quality Section of the SEIR (Section 5.7). The hydrology/water quality technical consultant indicates (reference attachment) that “the proposed LTASP amendment would allow for the development of approximately 632 units of housing consisting of market rate townhomes, affordable and market rate apartments, and approximately 25,000 square feet of commercial and/or retail space. Therefore, the amendment to the LTASP shall render impacts to be less than significant.” In addition, the narrative of the Hydrology and Water Quality Section of the SEIR has been supplemented as a response to the Comment.

**Comment #9-B and #9-C (Hydrology and Water Quality)** – Contrary to the SEIR assertion that no Mitigation Measures are required because the Hydrology Study Report does not indicate the scope of impacts would be significant, the Study also indicated there would be an impact from the proposed development on the downstream storm drain infrastructure (Hydrology Study Report, p. 9) and indicated the significance threshold is that “any proposed discharge at the offsite must be at or below the predevelopment peak discharge rate for the design storm (Hydrology Study Report, p. 10). The comment proceeds to read “The Report found that Project flows would surpass this threshold and then proposed a series of mitigation measures to reduce flows to below the level of significance (Hydrology Study Report, p. 10). In its SEIR, the City fails to analyze Project impacts in reference to the significance threshold discussed in the Hydrology Study Report. Thus, the City’s analysis in the SEIR is contradicted, rather than supported by evidence in the record.” The comment further states “. . . the City again fails to provide adequate mitigation for Project impacts. . . the City cannot rely on ‘recommendations’ to determine impacts will be reduced, as recommendations are not binding on the Project applicant, cannot be enforced, and are, thus, illusory. The City has failed to adopt all mitigation measures needed to ensure discharge remains ‘at or below the development peak discharge rate for the design storm’ (Hydrology Study Report, p. 10).”

**Response** – In summary, the Hydrology Report prepared for the Project indicated that based on the Hydrology calculations the site currently in its predeveloped conditions generates 22.31 cfs peak flow for both the Alameda Triangle and remainder of the Project

site combined based on a 50-year Design Storm Frequency. After applying developed site conditions, the net result of the peak flow became 27.88 cfs for both the Alameda Triangle and remainder of the Project site combined based on a 50-year Design Storm Frequency. That is, the overall peak flow rate will increase due to an increase in total impervious area. Therefore, there would be an impact on the downstream storm drain infrastructure from the proposed Veterans Village portion of the Project. Therefore, the design engineer of the Veterans Village multi-family residences must propose a drainage facility that will attenuate the difference between the post-development peak flow and the pre-development peak flow because any proposed discharge at the offsite must be at or below the pre-development peak discharge rate for the design storm. Infrastructure Engineers indicates in response that “the developer of the site, their engineer and the City’s plan checker will be required to come to an agreement for the mitigation measures, their sizes and locations that will attenuate the difference between the post-development peak flow and the pre-development peak flow because any proposed discharge at the offsite must be at or below the predevelopment peak discharge rate for the design storm.” As part of the site design, the designer shall incorporate NPDES/SUSMP regulations including water quality requirements as part of mandated requirements to prohibit storm water discharges leaving the Project site and also to minimize discharge of pollutants. In addition, Infrastructure Engineers indicates “to ensure mitigation measures are applied, the resolution to the development shall include language legally binding the applicant to propose a drainage facility that will attenuate the difference between the post-development peak flow and the pre-development peak flow.” The resultant level of impact is Potentially Significant and will require Mitigation Measures to reduce the level of impact to less than significant. The SEIR narrative in the Hydrology and Water Quality Section has been modified as a Response to this Comment.

**Comment #10-A (Land Use)** – “The SEIR states: ‘Although the GPA and LTASP were adopted by the Lynwood City Council in 2016, the current (2003) Lynwood General Plan elements and land use map do not reflect these amendments. The adopted General Plan land use designation for the LTASP area is ‘Specific Plan Area.’ (SEIR, p. 4-4) . . . Please elaborate on this. Specifically, please clarify whether the 2003 General Plan and Land Use Map are outdated, and, if so, why they have not been updated to reflect the 2016 General Plan Amendment and LTASP.”

**Response** – The City of Lynwood is in the process of updating its General Plan and Land Use Map to reflect the 2016 and 2018 approvals of the LTASP and the LTASP Amendment/Plaza Mexico Residences SEIR. The update will be reflected in the printed iteration of the General Plan and Land Use Map.

**Comment #10-B (Land Use)** – “The City fails to establish or apply a consistent baseline. The City states, ‘Because existing conditions have not changed, and the overall size and location of the LTASP has not changed, the LTASP Amendment would not change this finding, no new impacts would occur’. (SEIR, p. 4.3-62) The City, again separating out impacts arising from the Veterans Village, provides almost no analysis regarding impact threshold LU-2 as to this portion of the Project. (SEIR, pp. 4.3-63-4.3-64)”

**Response** – Comment noted. The City followed the format of analysis as that certified in the LTASP Amendment/Plaza Mexico Residences SEIR. The Veterans Village

component of the Project would conflict with the City General Plan if no proposed LTASP Amendment were proposed. As with any discretionary application, an applicant has the right to propose a change to existing regulations, which is the case with this Project. The Applicant is the City of Lynwood.

**Comment #10-C (Land Use)** – “The existing land use setting primarily consists of lands designated as open space and industrial, with a narrow band of land designated as medium-density residential (maximum 20 dwelling units per acre). Whereas the current setting would permit a maximum of approximately 50 dwelling units, *total*, the Project proposes the construction of over 600 units, in addition to 25,000 square feet of commercial uses. Thus, all evidence shows the Project would drastically change existing conditions. This is self-evident. Absent the LTASP Amendment, the Project could never be constructed. Thus, the Project clearly conflicts with the current zoning designation in a manner that, if approved, will serve to greatly intensify land uses and related environmental impacts. This is a significant impact that was never considered in the 20-16 LTASP EIR.”

**Response** – Comment noted. The Veterans Village component of the Project would conflict with the City General Plan if no proposed LTASP Amendment were proposed. As with any discretionary application, an applicant has the right to propose a change to existing regulations, which is the case with this Project. The Applicant is the City of Lynwood.

**Comment #11-A (Noise)** – “The City’s evaluation of noise impacts is contradictory and confusing.” Portions of the narrative (SEIR, pp. 4.3-69-4.3-70 are contradictory. “Please revise this to ensure consistency.”

**Response** – The narrative has been revised per the comment and now reflects a consistency.

**Comment #11-B (Noise)** – “Regarding cumulative impacts, the City states operational noise would be cumulatively significant and unavoidable. However, the City concludes cumulative impacts during the construction phase of the Project would be less than significant (SEIR, p. 4.3-71). The reasoning is as follows. “Construction noise and vibration impacts are confined to a localized area of impact. Cumulative impacts would occur only if other projects were being constructed in the Project vicinity simultaneously as the Veterans Village component of the Project (SEIRA, p. 4.3-71). This reasoning is insufficient to conclude Project-related noise impacts during the construction phase of the Project would be less than significant, as this reasoning irrationally excludes all non-construction noise impacts from the City’s consideration of cumulative noise. There is no justification for doing this and provides for an incomplete, flawed analysis of cumulative noise impacts.”

**Comment #11-C (Noise)** – “The City, again, arrives at opposite significance determinations in regard to the LTASP Amendment and Veterans Village, determining noise impacts would be significant and unavoidable for the LTASP Amendment, yet that noise impacts would be less than significant for the Veterans Village. This determination is illogical and should be revised.

**Response to #11-B and #11-C** – The ambient noise environment is relatively high due to the proximity of freeways and major arterial roadways in the area. The following standard conditions are required to further reduce potential temporary impacts and are noted in the SEIR.

- The Applicant shall ensure that all construction activities take place through Friday during the week between 7:00 AM and 6:00 PM and on Saturdays between 9:00 AM and 5:00 PM. Work on legal holidays will not be permitted.
- The Applicant shall ensure contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.
- Any equipment used for grading shall not be operated so as to cause noise in excess of a one-hour sound level limit of 75 Db at any time when measured at or within the property lines of any property which is developed and used in whole or in part for residential purposes.
- The Applicant shall place signage on the site's main access gate notifying local residents as to the times and duration of construction activities. In addition, the sign must clearly identify a contact person (and the phone number) that local residents may call to complain about noise or construction related issues.
- To ensure that noise from equipment and vehicles are kept to a minimum, the project Contractors shall ensure that all diesel trucks and equipment are not left to idle for longer than five minutes.

**Comment #12 (Public Services)** – “The City fails to adequately evaluate the cumulative impacts of the Project on public services . . . save for in relation to three development projects that fall within City boundaries. Because dozens of incorporated and unincorporated areas rely on these County [fire and law enforcement], the City should have evaluated the incremental impacts of the Project on these services in relation to these other past, present, and reasonably foreseeable future demands on these services.”

**Response** – Comment noted. The City approved the three projects to be used in the cumulative impacts analyses, in large part because these are the most relevant geographically to the Veterans Village Project.

**Comment #13 (Recreation)** – “The City has created severe parks-per-person deficit. (SEIR, p. 4.3-90. The City recognizes the Project will worsen this deficit by developing residential uses on land currently designated as open space. (SEIR, p. 4.3-94) Despite this massive deficit and the recognition that the Project will significantly reduce the amount of open space within the City, the City nonetheless finds Project impacts will be less than significant (SEIR, pp. 4.3-96-4.3-99). However, the City presents no evidence to support a conclusion that the Project will in any way ameliorate the unacceptably low parks-per-resident ratio within the City. The City's determination that Project impacts are not directly, indirectly, or cumulatively significant is not supported by substantial evidence.”

**Response** – Comment noted. The commenter is correct in that the City of Lynwood, like many other south Los Angeles County cities, has a deficit in parks-per-person. There are 46.1 acres of park facilities and 52 acres of school playgrounds (available to City residents

during off-school hours) in the City of Lynwood. The City General Plan recommends a combined standard for neighborhood parks, community parks and sports complexes acreage-to-population ratio of three acres per 1,000 persons. This would equate to the City having 210 acres of parks, which indicates that the City has a 112-acre deficit of park land in Lynwood when combining existing park and school facility acreage. When considering the potential development of 632 multi-family residential units and 25,000 square feet of commercial/veterans services space, the added recommended park requirement would be 8.57 acres, which contributes to the severe parks deficit within the City. Therefore, the level of impact in the SEIR (Section 5.12) has been downgraded to Potentially Significant, the level of cumulative impacts has been revised to Potentially Significant and the Level of Significance After Mitigation has been revised to “Significant and Unavoidable.” Section 6 of the SEIR will be revised accordingly.

**Comment #14 (Traffic and Transportation)** – “The SEIR determines LTASP Amendment traffic impacts would be significant and unavoidable, but that Veterans Village impacts would not be (SEIR, pp. 4.3-113-4.3-115). These conclusions are contradictory and must be revised.”

**Response** – Infrastructure Engineers, which prepared the Traffic Impact Analysis for the Project, responds as follows: “The traffic study determined land use changes proposed by Veterans Village did not result in a significant increase of project generated traffic over that forecast by the LTASP. Traffic impacts remain relatively unchanged from those identified in the LTASP and all mitigation measures proposed by the LTASP should still be recommended. This study is still the Specific Plan stage and no precise development plans have been submitted. It is anticipated when the City receives an application for development, traffic impact studies will be required. At that time the City will provide the City will provide the developer with the list of mitigation measures identified in the LTASP for inclusion with the precise traffic impact study prepared at that time.”

**Comment #15 (Utilities)** – The City’s analysis of impacts to public utilities does not support a finding of a less than significant impact. The City states, ‘individual projects . . . would be required to mitigate wastewater collection and conveyance system capacity impacts if existing facilities become insufficient.’ (SEIR, p. 4.3-131). This statement is not supported by evidence in the record, as the mitigation exists to reduce these impacts to less than significant. Further, the issue is not one of capacity, along, but also of the potential for the Project to cause or contribute to the need to construct new facilities, which construction may have a significant impact on the environment. The SEIR presents no analysis of this issue. . . The City cannot rely on its statement that ‘No future development would be approved until availability of sufficient water supply is confirmed’ because this is not a legally binding mitigation measure. Further, the City cannot rely on MM-US-1 to reduce impacts, as this mitigation measure is infeasible. This mitigation measure would require the Project to reduce water usage by 20% when compared to baseline conditions. However, most of the Project is undeveloped open space or low-intensity industrial use. . . Crucially, the City failed to establish baseline water use for the Project and failed to disclose projected Project-related water demand, and, thus, has provided insufficient evidence and analysis with which to determine Project impacts would be reduced to less than significant.”



**Response** – Comment noted. The City of Lynwood will provide water service to the Project site.

**Comment #16-A (Alternatives Analysis)** – “The City’s alternative’s analysis is deficient and must be revised. The City proposes no new discussion of alternatives, reasoning: ‘Because the Specific Plan has not significantly changed, the alternatives to the project have not changed; therefore, there is no supplemental analysis required. . . The Veterans Village component of the Project is a development considered under the Specific Plan Amendment . . . The development would not have significant unavoidable impacts on a project level. Therefore, no additional alternatives to the proposed project are required as part of this SEIR (SEIR, P. 8-1). This is incorrect. The Project would permit conversion of land zoned as Open Space to land zoned for high-density residential and commercial development, in a manner not previously considered in the 2016 EIR. . . . the SEIR identifies dozens of new impacts when compared to the 2016 EIR, including new significant and unavoidable impacts. (See, e. g., SEIR, p. 4.3-42) It fails to serve the substantive, procedural, and informational purposes of CEQA for the City to refuse to evaluate a reasonable range of alternatives that may serve to avoid or lessen the impacts of the Project.”

**Response** – To date, the City has approved the selection of Alternatives in the SEIR. The Alternatives are considered to be reasonable.

**Comment #16-B (Alternatives Analysis)** – “Alternatives that would serve to reduce the significant impacts of the Project include a ‘no-LTASP Amendment 2018-03’ alternative, retaining the current zoning designations of the Project site and, thus, only allowing a narrow strip of residential use. Without the LTASP Amendment, only approximately 50 dwelling units would be permitted on the Project site. Such an alternative would further serve to preserve the Open Space designation of nearly one-half of the Project site and reduce use intensity of the remainder of the site. Another alternative the City could have considered is a Residential-Commercial ‘reduced intensity’ alternative, permitting a fraction of the total number of dwelling units allowed by the Project. The City’s failure to consider a reasonable range of alternatives violates CEQA, especially in light of the significant changes and new environmental impacts brought about by the Project.”

**Response** – To date, the City has approved the selection of Alternatives in the SEIR. The Alternatives are considered to be reasonable.

**Comment #17 (Affordable Housing)** – “Throughout the SEIR, the City refers to between 100 and 120 of the proposed dwelling units as ‘affordable,’ but nowhere states these units will be deed restricted or otherwise legally required to provide this housing to moderate, lower, very lot, or extremely low income individuals. In the Final SEIR, please clarify whether these units will be legally restricted to be provided to any of the above categories of income classes and, if so, please specify which categories. Conversely, if there will be no legal restrictions on the sale or lease of these properties at market-rate, please disclose, as well.”

**Response** – Restriction of the units to affordable categories is not a CEQA topical issue and therefore is not analyzed in the SEIR.

**Comment #18 (Conclusion)** – “Southwest Carpenters request notification of all CEQA actions and notices of any public hearings concerning this Project, including any action taken pursuant to California Planning and Zoning Law. In addition, pursuant to Public Resources Code section 21167(f), please provide a copy of each Notice of Determination issued by the City in connection with this Project and please add Southwest Carpenters to the list of interested parties in connection with this Project and direct all notices to my attention. Please send all notices by email, or if email is unavailable, by U.S. Mail to: Nicholas Whipps, Ashley McCarroll, Wittwer Parkin LLP, 147 S. River St., Ste. 221, Santa Cruz, CA, 95060, [mwhipps@wittwerparkin.com](mailto:mwhipps@wittwerparkin.com); [amccarroll@wittwerparkin.com](mailto:amccarroll@wittwerparkin.com).  
**Response – Comment noted.**

## **PUBLIC COMMENTS MADE AT THE PUBLIC SCOPING MEETING**

### **Cindy Donis**

**Comment** – “Choose better dates for public hearings, too close to holidays when people leave and travel. Do more outreach – door knock, flyers at schools, local restaurants, Lynwood social media.”

**Response** – Comment noted. This comment does not pertain directly to an environmental issue or a CEQA-required topic of analysis.

### **Ary Lazaro**

**Comment** – “Small business owners displacement. Lynwood water infrastructure current state will not handle development. Area next to 105 should stay open space. Remediation of soil – who will cover cost? Heavy burden on school system.”

**Response** – Comment regarding open space noted, but the Applicant (City) has decided provision of housing, with an affordable component, is an important need in the City. There is little undeveloped land in the City for residential development. Area next to I-105 is slated for change from Open Space to Town Center land uses, which would accommodate residential and commercial uses. Comment re: soil remediation noted: The Project developer will be responsible for site clean-up/soil remediation. Comment on school system noted. State law permits payment of in lieu fees to Lynwood Unified School District, which serves as proper mitigation for added student generation impacts to area schools.

### **Erika Reyes**

**Comment** – “Loss of open space; increased traffic in an area that is already heavily used.”

**Response** – Comment noted. Any future development proposed for the Project site will be assessed Local Park fees according to City of Lynwood requirements. In addition, future residential development will be required to provide recreational amenities as part of the project design and operation. Furthermore, any precise plan for development within the Town Center District will be conditioned to conduct a transportation/traffic safety assessment. No design that endangers traffic, pedestrian, or bicyclist safety will be approved.

### **Richard Solis**

**Comment** – “Safety and parking citations.”

**Response** – Comment noted. Although parking is not a mandated CEQA topic for analysis, any precise plan for development within the Town Center District will be conditioned to conduct a transportation/traffic safety assessment. No design that endangers traffic, pedestrian, or bicyclist safety will be approved.

## **Nanette Coleman**

**Comment** – “Air; traffic; housing/population.”

**Response** – Project development and operation short-term and long-term air quality impacts would exceed South Coast Air Quality Management District regional significance thresholds and this impact would remain significant and unavoidable due to the South Coast Air Quality Management District significant thresholds pertaining to various criteria air pollutants that may be exceeded. Specifically, Project development would result in a long-term cumulatively considerable net increase of Ozone and Particulate Matter 2.5.

The South Coast Air Basin is a non-attainment area for Federal standards for Ozone, Particulate Matter 2.5 and Lead, and is non-attainment for State standards for Ozone, Particulate Matter 2.5, Particulate Matter 10, Nitrogen Oxides and Lead. Thereby, any growth in the Los Angeles metropolitan area would contribute to existing exceedances of ambient air quality standards when considered as a whole with existing development in the Project vicinity. Cumulative development of the entire LTASP (through 2040) would result in a population growth greater than Southern California Association of Governments growth projections for Lynwood. Therefore, LTASP build out would conflict with, but not potentially obstruct implementation of the 2016 Air Quality Management Plan due to the transit-oriented design of the LTASP. However, Project Air Quality impacts would be considerable but less than significant.

The Lynwood Transit Area Specific Plan Amendment would result in potentially significant short-term air quality impacts related to construction activities that would require substantial demolition or site preparation, including soil export. A review of the Project area indicates there are sensitive receptors (a school and residential neighborhood) within one-fourth mile of the Project site. As such, impact is anticipated. A school is located approximately 700 feet from the Project site. Single-family and multi-family residences are located directly across Fernwood Avenue from the Project site. Students and residents could be exposed to short-term dust generated from grading and construction activities. Because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed South Coast Air Quality Management District local significance thresholds pertaining to criteria air pollutants and health risk. This impact would remain significant and unavoidable.

The Southern California region currently is “non-attainment” in respect to several criteria, as noted in the “Air Quality” section of the SEIR. The Air Quality Assessment conducted for the Veterans Village component of the Project indicates with implementation of two additional Mitigation Measures (MM-AQ-5 and MM-AQ-6) to the four other Mitigation Measures certified in previous environmental documents for the LTASP project site the potential Air Quality-related impacts of the Veterans Village component of the Project would be less than significant. However, it is recognized that overall LTASP build out would expose existing sensitive receptors near Project-related construction activities to be exposed to excessive South Coast Air Quality Management District criteria air pollutants. Any precise plan for development on the Project site will be required to

implement various measures to lessen exposure of residents to excessive levels of air quality criteria pollutants (Ozone; Carbon Monoxide; Nitrogen Oxides; Sulfur Dioxide; and, Particulate Matter). As noted in the “Significant Unavoidable Adverse Impacts” section of this SEIR, Air Quality – exposure of residents to potentially high levels of air contaminants will remain unavoidable but will be mitigated to the greatest extent possible.

In addition, any precise plan for development within the Town Center District will be conditioned to conduct a transportation/traffic safety assessment. No design that endangers traffic, pedestrian, or bicyclist safety will be approved.

Development of the Veterans Village component of the Project will add 632 multi-family residential units to the already-sanctioned maximum of 3,500 residential units within the LTASP planning area. Veterans Village will be required to contain significant numbers of housing opportunities for veterans and their families, which is a sorely needed component of housing in Southern California.

### **Carla De Paz**

**Comment** – “We are in a housing crisis. Housing development should be majority affordable housing 30-60% [of area median income]. There is a need to do more community engagement that is community driven. Charette/design workshops, assessment of . . . [Average Median Incomes] in area, event mapping, etc.”

**Response** – Comment noted. Community engagement processes do not specifically pertain to CEQA topics for analysis. The Veterans Village component of the Project will be required to contain a significant number of multi-family dwelling units affordable to various levels of family incomes. This will assist the City of Lynwood to comply with State requirements and with its certified Housing Element.

### **Gatty Sandoval**

**Comment #1** – “Why so close to a freeway? Research has shown the negative impacts on health (cancer, asthma, heart disease, etc.) when living so close to a freeway/highway/etc. Why would you willingly build homes and expose people?”

**Response** – Project development and operation short-term and long-term air quality impacts would exceed South Coast Air Quality Management District regional significance thresholds and this impact would remain significant and unavoidable due to the South Coast Air Quality Management District significant thresholds pertaining to various criteria air pollutants that may be exceeded. Specifically, Project development would result in a long-term cumulatively considerable net increase of Ozone and Particulate Matter 2.5.

The South Coast Air Basin is a non-attainment area for Federal standards for Ozone, Particulate Matter 2.5 and Lead, and is non-attainment for State standards for Ozone, Particulate Matter 2.5, Particulate Matter 10, Nitrogen Oxides and Lead. Thereby, any growth in the Los Angeles metropolitan area would contribute to existing exceedances of ambient air quality standards when considered as a whole with existing development in the Project vicinity. Cumulative development of the entire LTASP (through 2040) would

result in a population growth greater than Southern California Association of Governments growth projections for Lynwood. Therefore, LTASP build out would conflict with, but not potentially obstruct implementation of the 2016 Air Quality Management Plan due to the transit-oriented design of the LTASP. However, Project Air Quality impacts would be considerable but less than significant.

The Lynwood Transit Area Specific Plan Amendment would result in potentially significant short-term air quality impacts related to construction activities that would require substantial demolition or site preparation, including soil export. A review of the Project area indicates there are sensitive receptors (a school and residential neighborhood) within one-fourth mile of the Project site. As such, impact is anticipated. A school is located approximately 700 feet from the Project site. Single-family and multi-family residences are located directly across Fernwood Avenue from the Project site. Students and residents could be exposed to short-term dust generated from grading and construction activities. Because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed South Coast Air Quality Management District local significance thresholds pertaining to criteria air pollutants and health risk. This impact would remain significant and unavoidable.

The Southern California region currently is “non-attainment” in respect to several criteria, as noted in the “Air Quality” section of the SEIR. The Air Quality Assessment conducted for the Veterans Village component of the Project indicates with implementation of two additional Mitigation Measures (MM-AQ-5 and MM-AQ-6) to the four other Mitigation Measures certified in previous environmental documents for the LTASP project site the potential Air Quality-related impacts of the Veterans Village component of the Project would be less than significant. However, it is recognized that overall LTASP build out would expose existing sensitive receptors near Project-related construction activities to be exposed to excessive South Coast Air Quality Management District criteria air pollutants. Any precise plan for development on the Project site will be required to implement various measures to lessen exposure of residents to excessive levels of air quality criteria pollutants (Ozone; Carbon Monoxide; Nitrogen Oxides; Sulfur Dioxide; and, Particulate Matter). As noted below, Air Quality – exposure of residents to potentially high levels of air contaminants will remain unavoidable but will be mitigated to the greatest extent possible.

LTASP build-out construction activities may warrant substantial building demolition or grading that has the potential to generate criteria air pollutant emissions that exceed South Coast Air Quality Management District regional significance thresholds. The 2018 LTASP/Plaza Mexico Residences Supplemental EIR provides a Mitigation Measure (AQ-1) that would require individual development projects within the LTASP to prepare an air quality evaluation and identify Mitigation Measures to achieve SCAQMD regional significance thresholds. Build-out of the LTASP would occur over a long period and there could be the potential for multiple developments to be constructed concurrently, resulting in significant construction-related emissions. That SEIR found that “despite adherence

to Mitigation Measure AQ-1, project level and cumulative impacts short-term air quality impacts would be **significant and unavoidable**.

**LTASP Long-Term Air Quality Impacts** – LTASP build-out would generate additional vehicle trips and are sources of criteria air pollutant emissions that exceed South Coast Air Quality Management District regional significance thresholds and would contribute to non-attainment designations of the Southern California Air Resources Board and known health effects from poor air quality – including worsening of bronchitis, asthma and emphysema; a decrease in lung function; premature death of people with heart or lung disease; non-fatal heart attacks; irregular heartbeat; and, increased respiratory symptoms. That SEIR found that although Mitigation Measures identified in the LTASP would reduce regional air quality impacts . . . “long-term air quality impacts remain **significant and unavoidable** due to the magnitude of land use development associated with the [approved LTASP/Plaza Mexico Residences] . . .”

**LTASP Construction Impacts** – Implementation of Mitigation Measure MM-AQ-1 would reduce the LTASP component of the Project regional construction emissions and thereby reduce the Project localized construction-related criteria air pollutant and daily Particulate Matter emissions to the extent feasible. Construction emissions generated by individual development projects have the potential to exceed South Coast Air Quality Management District criteria air pollutants and health risk and thereby impact existing sensitive receptors that may be close to construction activities. The 2018 STASP/Plaza Mexico Residences SEIR provides a Mitigation Measure (AQ-2) that requires preparation of a construction air quality analysis for discretionary projects subject to CEQA if those projects are within 25 meters (82 feet) of a sensitive use and indicates that because it is not possible to determine whether the scale and phasing of individual development projects would result in exceedance of localized emissions and health risk thresholds and contribute to known health effects that “project-level and cumulative impacts would be **significant and unavoidable**.”

**Comment #2** – “Schools – The elementary in the area is already crowded, and pick up/drop off is already frustrating. Adding more students will make it worse.”

**Response** – The Veterans Village component of the Project will add 632 multi-family dwelling units to the already-sanctioned LTASP allowable dwelling unit count of 3,500. The added dwelling units will result in added student population. Any future development will be required to remit appropriate school fees to the Lynwood Unified School District, which will be sufficient mitigation for added student population.

**Comment #3** – “Traffic – It takes 10-15 minutes already to get from Alameda/Imperial to Long Beach/Imperial during Rush hour. The addition of 600+ units will only aggregate daily commutes.”

**Response** – Comment noted. Although the SEIR contains several Mitigation Measures that will reduce traffic-related impacts associated with LTASP and Veterans Village build out, impacts would be **significant and unavoidable**, even with mitigation. The LTASP/Veterans Village Project would not change this finding. Reconfigured Long Beach Boulevard/Park and Ride Access intersection would remain in excess of Level of Service

D City threshold. Impacts would **remain significant and unavoidable**. Even with implementation of specified Mitigation Measures MM-T-1(a) through MM-T-1(f) and Mitigation Measure MM-T-2 Long Beach Boulevard north of Norton Avenue and Long Beach Boulevard south of Josephine Street still would exceed the current City of Lynwood Level of Service D threshold. Thereby, impacts would be **significant and unavoidable**.

Furthermore, four roadway segments would exceed the Congestion Management Plan threshold of 2 percent. The roadway segments are Long Beach Boulevard north of Norton Avenue, Long Beach Boulevard south of Josephine Street, Alameda Street south of Fernwood Avenue, and Imperial Highway east of California Avenue. Even with implementation of Mitigation Measures MM-T-1(a) through (f) and MM-T-2, Long Beach Boulevard north of Norton Avenue and Long Beach Boulevard south of Josephine Street will exceed current City of Lynwood Level of Service D threshold. Thereby, these impacts would remain **significant and unavoidable**.

California State highway facilities within the Project area are not within the City of Lynwood jurisdiction. Improvements to I-105 are planned, funded and constructed by the State of California through a legislative and political process involving the California State Legislature, the California Transportation Commission (CTC), the California Business, Transportation and Housing Agency, the California Department of Transportation (Caltrans), and the Transportation Authority. Recent funding opportunities designated by Metro's Measure M provide the vehicle for designated improvements on freeway facilities within the Project area.

Previous environmental documents have evaluated potential impacts to freeway mainline segments and ramps. Although Caltrans has recognized private development has a role to play in funding fair share improvements to impacts on the I-105, neither Caltrans nor the State has adopted a program that can ensure locally-contributed impact fees will be tied to improvements to freeway mainlines and only Caltrans has jurisdiction over mainline improvements. Thereby, Caltrans is responsible for ensuring developer fair share contributions to mainline improvements actually are part of a program tied to implementation mitigation. However, a number of programs are in place in Los Angeles County to improve and upgrade the regional transportation system. These programs include the following: the State Transportation Improvement Program (STIP); Caltrans Traffic Operations Strategies (TOPS); State Highway Operation and Protection Program (SHOPP); and, Metro's Measure M program. State and federal fuel taxes generate most of the funds used to pay for the improvements. Funds expected to be available for transportation improvements are identified through a Fund Estimate prepared by Caltrans and adopted by the CEC. These funds, together with other fund sources, are deposited in the State Highway Account to be programmed and allocated to specific project improvements in both the STIP and SHOPP by the CTC. However, if these programs are not implemented by the agencies with the responsibility to do so, the Project's freeway ramp and mainline impacts would remain **significant and unavoidable**.

**Comment #4** – “Parking – Where will you accommodate parking for 600+ units? One spot per residence will not be enough!! Let's be realistic, units require 2+ parking spots.



**Response** – Comment noted. Although parking is not a mandated CEQA topic for analysis, any precise plan for development within the Town Center District will be conditioned to conduct a transportation/traffic safety assessment. No design that endangers traffic, pedestrian, or bicyclist safety will be approved.

**Comment #5** – “Safety – How will residents feel safer with 1,000+ people moving into such a small area. Crime has been increasing.”

**Response** – Law enforcement service is the responsibility of the Los Angeles County Sheriff’s Office, which has a substation near the Project site. The Sheriff’s office has communicated to City staff that it has sufficient personnel and facilities to serve the Project site adequately.

**Comment #6** – “Utilities Demand – We’ve had so many water line breaks due to old piping. Can these old lines handle supplying water to 600+ residences?”

**Response** – No development on the Project site will proceed until Will Serve letters pertaining to water (and wastewater) conveyance are secured, which will be a Condition of Approval on any discretionary permit.

**Comment #7** – “Affordable? – Lynwood has built other ‘low income/affordable, but a few years later they [the affordable units] become unaffordable.”

**Response** – Comment noted. Housing affordability is not a CEQA topic for analysis. However affordable units that will comprise a significant portion of the Veterans Village development will be subject to a requirement to be maintained for a long-term.