

General Plan Update



CITY OF CUDAHY

General Plan Update Response to Comments Final Environmental Impact Report

SCH# 2017071071

Prepared By:



1500 Iowa Avenue, Suite 110 | Riverside, CA 92507

951-787-9222 | www.migcom.com

This page is intentionally blank.

TABLE OF CONTENTS

1 Introduction	1-1
2 Response to Comments.....	2-1
3 Errata.....	3-1
4 Public Circulation	4-1

List of Tables

Table 1-1 Projected Development Capacity (2017-2040), Cudahy General Plan Update Area.....	1-3
Table 2-1 DEIR Comments	2-1
Table 2-2 Response to Comments.....	2-7
Table 2-3 Response to Comments.....	2-13
Table 2-4 Response to Comments.....	2-16
Table 2-5 Response to Comments.....	2-19
Table 2-6 Response to Comments.....	2-26
Table 2-7 Response to Comments.....	2-33
Table 2-8 Response to Comments.....	2-43

FINAL ENVIRONMENTAL IMPACT REPORT

This document is designed for double-sided printing.

1.0 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared to comply with Sections 15089 and 15132 of the State California Environmental Quality Act (CEQA) Guidelines (Guidelines). As noted in Section 15089 (b) of the Guidelines, the focus of a FEIR should be on responses to comments on the Draft Environmental Impact Report (DEIR). The City has prepared the Final EIR pursuant to the CEQA Guidelines, including Sections 15086 (Consultation Concerning Draft EIR), 15088 (Evaluation of and Responses to Comments), and 15132 (Contents of Final Environmental Impact Report). In conformance with these guidelines, the Final EIR consists of the following volumes:

- (1) The **Draft EIR**, which circulated for a 45-day State agency and public review and comment period beginning on December 29, 2017 and ended on February 12, 2018.
- (2) This **Final EIR document**, which includes a list of all commenters on the Draft EIR during the Draft EIR public review period, the responses of the City to all environmental points raised through the written communications, and revisions to the Draft EIR (presented as errata pages) in response to comments. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in the Draft EIR.

Certification of this Final EIR by the Cudahy City Council must occur prior to approval of the Cudahy General Plan Update.

Availability of EIR Materials

All materials related to preparation of this EIR are available for public review on the City of Cudahy website and at the following locations:

City of Cudahy
City Hall
5220 Santa Ana Street
Cudahy, California 90201

City of Cudahy
Public Library
5218 Santa Ana Street
Cudahy, California 90201

Project Description

Refer to Chapter 3.0 Project Description of the Draft EIR for a complete project description.

The City of Cudahy encompasses 1.2 square miles in southeastern Los Angeles County. Cudahy does not have any incorporated Sphere of influence territory. The current City of Cudahy General Plan was last compressively updated and adopted in 2010, except for the Housing Element which was last updated in 2013. The combined policy and regulatory update process is known as the Cudahy 2040 General Plan. Cudahy consists predominantly of dense residential development, with retail, commercial, light industrial, and public uses found along main streets. The population of 24,000 is predominantly Latino. Eighty-three percent of residents rent their homes. Households tend to be larger than is average in the region, at 4.3 persons. Cudahy is almost completely built out with approximately 18 acres of vacant land. 16.4 acres are currently devoted to parks/open

FINAL ENVIRONMENTAL IMPACT REPORT

space. The territory in the four Cities that surround Cudahy are similar in terms of land use and level of urbanization. Cudahy contains over 1,600 parcels encompassing almost 670 acres (not including street right of way). The majority of the land uses in Cudahy are residential (412.2 acres), which accounts for almost 62% of the city's total land area. Industrial uses are concentrated in the southerly portion of Cudahy, while commercial development extends along Atlantic Avenue and at key intersections. The commercial and industrial land uses total 45.2 acres (6.8%) and 68.9 acres (10.3%), respectively. The average lot size in Cudahy is 0.41 acres (close to 18,000 square feet) but are larger for properties used for Public/Institutional (0.83 acres), Community Commercial (0.75 acres), and Industrial (0.69 acres) uses.

The City of Cudahy began a community-based process to update the General Plan in 2015. Early in this process a General Plan Advisory Committee (GPAC) was formed that included a diverse group of area residents and stakeholders whose purpose was to advise and make recommendations to City staff and decision makers. The GPAC met regularly throughout the process to provide input and review work product the team completed.

The City of Cudahy is proposing to adopt the Cudahy 2040 General Plan. The Cudahy 2040 General Plan represents the community's view of its future and expresses the community's development goals for the next 22 years (2014-2040). The purpose of the Cudahy 2040 General Plan is to: (1) identify land use, transportation, environmental, economic, and social goals and policies as they relate to land use and development; (2) provide a basis for a community's decision-making regarding land use; (3) provide citizens an opportunity to participate in the planning and decision-making process; and (4) inform citizens, developers, decision-makers, and others of the ground rules that guide development in the community.

The project objectives of the Cudahy 2040 General Plan are:

1. Preserve Cudahy's small town feel.

Despite its population density, Cudahy feels like a small town because of its tight-knit community where people know each other's names and share in each other's lives. Residents want to ensure and promote that intimate sense of community.

2. Foster Cudahy's family-oriented values and lifecycle.

Many who live in Cudahy are long-time residents. Young people who leave seeking higher education or work, return to Cudahy to raise their own families. The City strives to provide social, recreational, and economic opportunities to support this lifecycle, and sustain the community's family-oriented values.

3. Strengthen community collaboration.

Community building and public participation are cornerstones of a thriving city. The City aims to foster relationships and empower local residents, neighborhood organizations, boards, and commissions to address local issues while promoting transparency.

4. Recognize and celebrate Cudahy's rich culture.

Cudahy's cultural diversity is a point of pride and unity for its residents. The City celebrates this unique aspect by encouraging public art and education, attracting culturally relevant businesses, and supporting development that fits the community's highly valued social interaction and neighborly spirit.

5. Develop a distinctive character for Cudahy.

A walkable, cohesive, and enduring built environment provides the foundation for Cudahy to flourish. Enhanced streetscapes, pedestrian-oriented building form, and community gathering spaces help create a sense of place and community for residents and visitors to enjoy. Establishing a distinctive architectural form, beautifying entryways into town, and sensitively connecting to the broader community will help augment to the distinctive character of the community.

6. Spark and strengthen economic prosperity.

The City facilitates the creation of a sustainable and diverse economy by retaining and attracting industries and businesses both emerging and traditional, creating jobs, seizing business opportunities, supporting the local tax base, and expanding balanced, sensible housing opportunities.

7. Improve multimodal mobility and safety.

Cudahy will strive to improve the mobility of pedestrians, bicyclists, public transit riders, and vehicle passengers by designing seamless connections to local destinations and nearby communities. By connecting to future transit options and ensuring existing facilities are safe and efficient, Cudahy will evolve as a multimodal city.

8. Protect and enhance community health and the environment.

The efficient use of natural resources is important to the sustainability and health of the community. Cudahy encourages development that prioritizes water efficiency, green infrastructure, technological innovation, and provides uses and spaces that facilitate healthy activities. The City plays an active role in regional environmental efforts aiming to reduce greenhouse gases and improve environmental sustainability.

The proposed project would result in up to 1,448 additional dwelling units, an increase of roughly 1.8 million square feet of Commercial, 1.3 million square feet of Industrial and 0.7 million square feet of public/institutional uses. Table 1-1 provides a comparison of existing levels of development to expected build at the 2040 horizon year for the project.

TABLE 1-1 PROJECTED DEVELOPMENT CAPACITY (2017-2040), CUDAHY GENERAL PLAN UPDATE AREA

Scenario	Residential(Units)	Commercial (square feet)	Industrial (square feet)	Public/ Institutional (square feet)
Existing Development (2015)¹	5,774	351,464	755,923	175,899
Realistic Buildout (2040)	7,222	2,166,700	2,099,800	906,040
Realistic Buildout-Existing	1,448	1,815,236	1,343,877	710,142

Source: 1 CA Dept. of Finance - City/County Population & Housing Estimates, 2015

FINAL ENVIRONMENTAL IMPACT REPORT

The following features may also be implemented as a result of the Cudahy 2040 General Plan:

1. Restripe the Clara Street/Otis Avenue and Atlantic Avenue/Salt Lake Avenue intersections to increase vehicle capacity and reduce delays.
2. Close River Road, between Clara Street and Fostoria Street to vehicular traffic and redesign this area as a place for people to engage in active transportation (walking and biking) and recreation.
3. Create placemaking cul-de-sacs at the following three intersections:
 - a. Salt Lake Avenue/Walnut Street
 - b. Salt Lake Avenue/Flower Street
 - c. Salt Lake Avenue/Olive Street
4. Create a placemaking plaza or park at the corner of Otis Avenue and Elizabeth Street, which would also involve closing off Elizabeth Street to vehicles between Salt Lake Avenue and Otis Avenue.
5. Create a network of on-street and off-street bicycle paths, lanes and routes throughout the City.

Implementation of the Cudahy 2040 General Plan would require the following City actions:

- (1) Certification of the Final Environmental Impact Report for the proposed General Plan;
- (2) Adoption of the 2040 General Plan itself; and
- (3) Approval of revisions to the development code and any associated revisions to the City's Municipal Code.

2.0 RESPONSE TO COMMENTS

The Draft Environmental Impact Report (DEIR) was circulated for 45-day public review and comment period beginning December 29, 2017 and ending February 12, 2018. Seven pieces of correspondence were received from public agencies during this period.

The correspondence listed in Table 2-1 DEIR Comments was submitted to the City of Cudahy concerning the DEIR. Written responses to comments are subsequently provided. The following responses to comments include a summary statement to identify if the response will introduce “new significant information” under any of the four categories identified in Section 15088 et seq. of the CEQA Guidelines or if it does not introduce “new significant information”.

TABLE 2-1 DEIR COMMENTS

ID	Commenting Agencies and Individuals	Date
A	State of California Native American Heritage Commission	January 23, 2018
B	Los Angeles County Fire Department	January 25, 2018
C	City of Bell Gardens	January 31, 2018
D	County Sanitation Districts of Los Angeles	February 6, 2018
E	South Coast Air Quality Management District of Los Angeles	February 7, 2018
F	State of California Natural Resources Agency Department of Conservation Division of Oil, Gas, and Geothermal Resources	February 12, 2018
G	State of California Clearinghouse and Planning Unit	February 13, 2018

FINAL ENVIRONMENTAL IMPACT REPORT

COMMENT A – STATE OF CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION (TOTTON)

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-6471

Edmund G. Brown, Jr., Governor



Response A-1

January 23, 2018

Salvador Lopez
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Sent via e-mail: slopez@cityofcudahyca.gov

Re: SCH# 2017071071, Cudahy General Plan Update Project, City of Cudahy; Los Angeles County, California

Dear Mr. Lopez:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Executive Summary; the Introduction and Project Description; the Summary Table 2-2, Mitigation Measures; and Section 9, Historical and Cultural and Tribal Cultural Resources, prepared by MIG for the City of Cudahy. We have the following concerns:

1. There is no documentation of **government-to-government consultation by the lead agency** under AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared; avoidance, minimization of damage to resources; and proposed mitigation. Contact by consultants during the Cultural Resources Assessments is not formal consultation.
2. Mitigation Measures contain requirements to contact tribes only after finds have been made. Consultation should have established relationships with local tribes and contact should continue throughout the project as needed. Contacting tribes only after finds is too late in the process.

Response A-2

ADDITIONAL INFORMATION:

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

Response A-3

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

2.0 RESPONSE TO COMMENTS

forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

Response A-3

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

FINAL ENVIRONMENTAL IMPACT REPORT

Response A-3

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss both of the following:**

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program,** if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified,** nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

¹⁸ Pub. Resources Code § 21082.3 (d)

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1088) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

FINAL ENVIRONMENTAL IMPACT REPORT

Response A-3

- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

TABLE 2-2 RESPONSE TO COMMENTS

ID	Comment A-State of California Native American Heritage Commission
A-1	<p>Thank you for your comments and review of the City of Cudahy General Plan Update Environmental Impact Report State Clearinghouse number 2017071071. The City of Cudahy will include documentation of AB-52 compliance in the Errata Section 3.0 of the City of Cudahy General Plan Update Final Environmental Impact Report in response to the State of California Native American Heritage Commission comment that no documentation of government-to-government consultation by the lead agency under AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes occurred.</p> <p>The City of Cudahy notified interested parties and agencies and Native American Tribal Governments during the Notice of Preparation (NOP) process on July 31, 2017 and formally commenced AB-52 consultation on October 13, 2016. At which point notification letters were mailed and responses were catalogued. The following Native American Tribal Governments were notified as part of the NOP and AB-52 process: Gabrieleno/Tongva San Gabriel Band of Mission Indians, Tongva Ancestral Territorial Tribal Nation, Gabrielino Tongva Indians of California, Gabrielino-Tongva Tribe, and Gabrieleno Band of Mission Indians Kizh Nation. AB-52 consultation is on-going, and the City of Cudahy has submitted a response letter to the Native American Heritage Commission letter with evidence supporting on-going AB-52 consultation in compliance with CEQA statues and guidelines. As part of the City of Cudahy General Plan Update Final Environmental Impact Report, the Circulation Section 4.0 in compliance with Section 15132 CEQA guidelines for preparation of Final Environmental Impact Reports includes documentation of AB-52 consultation.</p> <p>As specified in the State of California Public Resources Code Section 21082.3 consultation with a tribe shall be considered concluded when either of the following occurs:</p> <ol style="list-style-type: none"> a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. <p>Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.</p>
A-2	<p>Documentation of the AB-52 consultation in the form of a response letter from the City of Cudahy has been submitted to the State of California Native American Heritage Commission on March 2, 2018 with inclusion of an additional mitigation measure to further protect Tribal Cultural Resources in response to the letter received by the State of California Native American Heritage Commission on January 23, 2018.</p>

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-2 RESPONSE TO COMMENTS

ID	Comment A-State of California Native American Heritage Commission
	<p>The City of Cudahy has included a mitigation measure to ensure relationships with local tribes continue throughout the project and further protect Tribal Cultural Resources. The mitigation measure Cult MM-4 will be included in the Errata Section 3.0 and as part of the Mitigation Monitoring and Reporting Program of the City of Cudahy General Plan Update Final Environmental Impact Report.</p> <p>Mitigation Measure Cult MM-4 will be incorporated into the City of Cudahy General Plan Update as part of the City of Cudahy General Plan Update Final Environmental Impact Report as follows:</p> <p><i>The City will coordinate with local Native American Tribal Governments that are geographically, traditionally, and culturally affiliated with a proposed project as specified in SB 18 and/or AB 52 upon initiation of the CEQA process for a proposed project.</i></p>
A-3	<p>Thank you for your comments and review of the Cudahy General Plan Update Environmental Impact Report State Clearinghouse number 2017071071.</p>

COMMENT B – COUNTY OF LOS ANGELES FIRE DEPARTMENT (TAKESHITA)



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 26, 2018

Salvador Lopez, Interim Director
City of Cudahy
Community Development Department
5220 Santa Ana Street
Cudahy, CA 90201

Dear Mr. Lopez:

**NOTICE OF AVAILABILITY/DRAFT ENVIRONMENTAL IMPACT REPORT,
"CUDAHY 2040 GENERAL PLAN," IDENTIFIES THE COMMUNITY'S VISION FOR
THE FUTURE AND PROVIDES A FRAMEWORK TO GUIDE DECISION MAKING ON
GROWTH AND DEVELOPMENT, AESTHETICS, TRANSPORTATION, AND
COMMUNITY HEALTH, CUDAHY, FFER 201800001**

Response B-1

The Notice of Availability/Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

Response B-2

Under Section 18, Public Services and Recreation, 18.1.1 Environmental Setting subsection a) of the Draft EIR, paragraph two, sentence six should be updated to state that during 2017 the average response time which includes non-emergency response in the City is 5:46 minutes.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

- | | | | | | | | |
|--------------|-----------|------------------|----------------------|-----------|----------------------|-----------------------|------------------|
| AGOURA HILLS | BRADBURY | CUDAHY | HAWTHORNE | LA HABRA | LYNWOOD | PICO RIVERA | SIGNAL HILL |
| ARTESA | CALABASAS | DIAMOND BAR | HIDDEN HILLS | LA MIRADA | MALIBU | POMONA | SOUTH EL MONTE |
| AZUSA | CARSON | DUARTE | HUNTINGTON PARK | LA PLENTE | MAYWOOD | RANCHO PALOS VERDES | SOUTH GATE |
| BALDWIN PARK | CERRITOS | EL MONTE | INDUSTRY | LANEWOOD | NORWALK | ROLLING HILLS | TEMPLE CITY |
| BELL | CLAREMONT | GARDENA | INGLEWOOD | LANCASTER | PALMDALE | ROLLING HILLS ESTATES | WALNUT |
| BELL GARDENS | COMMERCE | GLENORA | IRVINGDALE | LAWDALE | PALOS VERDES ESTATES | ROSEMEAD | WEST HOLLYWOOD |
| BELLFLOWER | COVINA | HAWAIIAN GARDENS | LA CANADA-FLINTRIDGE | LOMITA | PARAMOUNT | SAN DIMAS | WESTLAKE VILLAGE |
| | | | | | | SANTA CLARITA | WHITTIER |

FINAL ENVIRONMENTAL IMPACT REPORT

Salvador Lopez, Interim Director
January 25, 2018
Page 2

LAND DEVELOPMENT UNIT:

- | | |
|---|---------------------|
| 1. The development of this project shall comply with all applicable code and ordinance requirements for construction, access , water mains, fire flows, and fire hydrants. | <i>Response B-3</i> |
| 2. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation. | <i>Response B-4</i> |
| 3. Provide three sets of alternate route (detour) plans with a tentative schedule of planned closures prior to the beginning of construction. Complete architectural/ structural plans are not necessary. | <i>Response B-5</i> |
| 4. Notify the County of Los Angeles Fire Department, Battalion Headquarters, Fire Station 164 (Div. & BN HQ) 6301 S. Santa Fe Avenue, Huntington Park 90255-3805, (323) 589-1350, at least three days in advance of any street closures that may affect Fire/Paramedic responses in the area. | <i>Response B-6</i> |
| 5. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions. | <i>Response B-7</i> |
| 6. The County of Los Angeles Fire Department Land Development Unit's comments are general requirements. Specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements. | <i>Response B-8</i> |
| 7. The statutory responsibilities of the County of Los Angeles Fire Department's Land Development Unit are the review of, and comment on, all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within contract cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities located within non-contract cities. The County of Los Angeles Fire Department's Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division which may create a potentially significant impact to the environment. | <i>Response B-9</i> |

2.0 RESPONSE TO COMMENTS

Salvador Lopez, Interim Director
January 25, 2018
Page 3

8. Submit proposals for all street vacations (closures) to the County of Los Angeles Fire Department's Land Development Unit for review and approval. The proposal shall be submitted through the Department of Public Works.
9. Any changes to the existing public water system specifically changes to fire hydrant locations and Fire Department access to said fire hydrants shall require additional Fire Department review and approval. Submit three sets of water plans to the County of Los Angeles Fire Department's Land Development Unit. The plans must show all proposed changes to the fire protection water system such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.

Response B-9

Response B-10

Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department Land Development Unit's Inspector Nancy Rodeheffer at (323) 890-4243.

Response B-11

The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

Response B-12

The County of Los Angeles Fire Department's Forestry Division has no further comments regarding this project.

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comments or requirements for the project at this time.

Response B-13

If you have any additional questions, please contact this office at (323) 890-4330.

FINAL ENVIRONMENTAL IMPACT REPORT

Response B-13

Salvador Lopez, Interim Director
January 25, 2018
Page 4

Very truly yours,



MICHAEL Y. TAKESHITA, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:ac

TABLE 2-3 RESPONSE TO COMMENTS

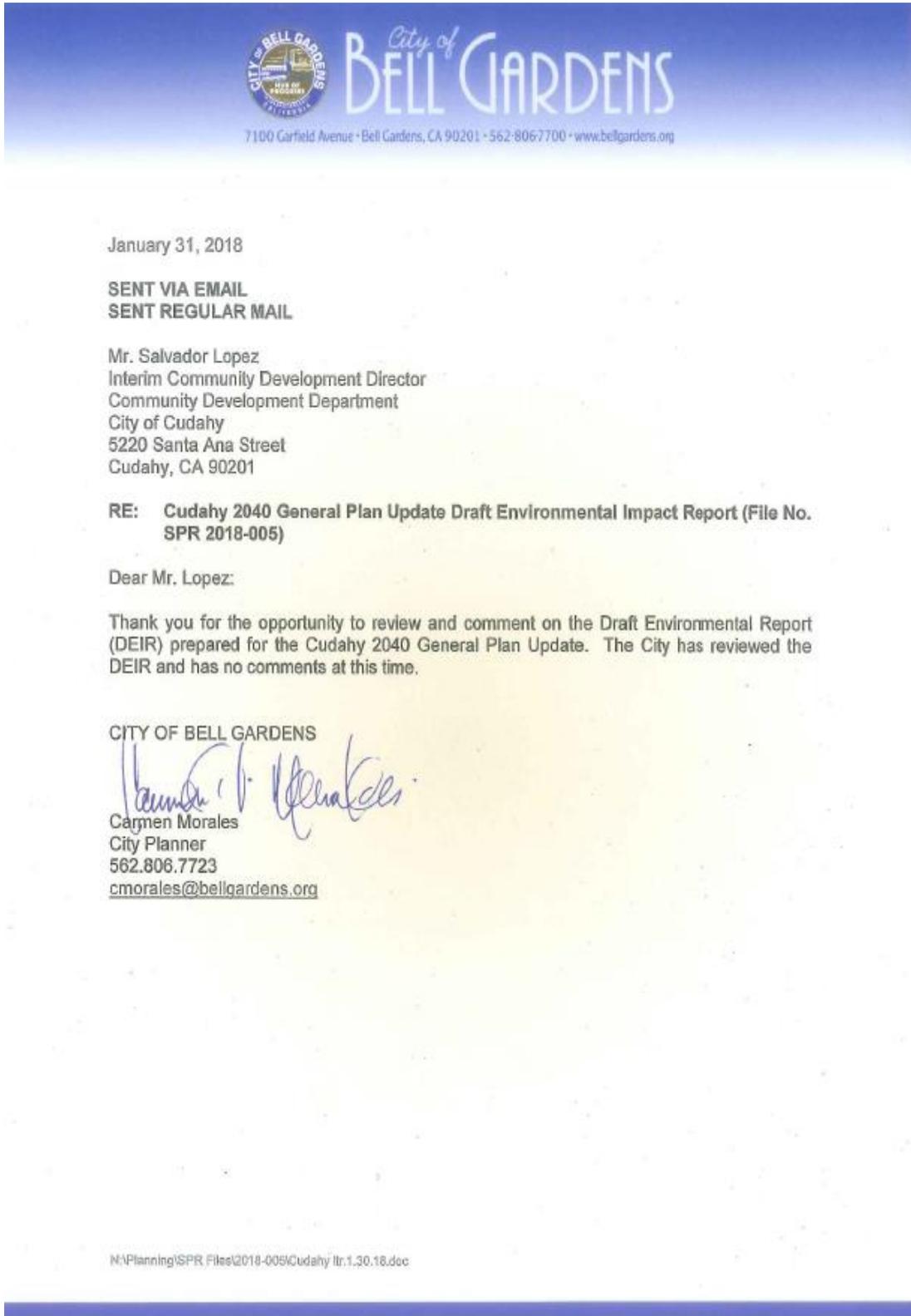
ID	Comment B- County of Los Angeles Fire Department
B-1	Thank you for your comments. No further response required.
B-2	Revisions to Section 18.1.1 Environmental Setting subsection a of the Draft Cudahy General Plan EIR paragraph two, sentence six will be addressed in the Errata Section of the Final Environmental Impact Report to state during 2017 the average response time which includes non-emergency response in the City is 5:46 minutes.
B-3	Site plan and design review in the City of Cudahy is required for projects pursuant to the Municipal Code Chapter 17.136 (Cudahy, 2013). No building permit or any other type of construction permit shall be issued for any building, structure, or other development of property until a Site Plan and Design Review of the proposal is approved. Building permits and other construction permits may be issued only in accordance with such approval. The City of Cudahy Draft General Plan Update Environmental Impact Report identifies the proposed project would comply with the General Plan and Municipal Code requirements and all applicable future development approved under this General Plan Update would be subject to the City of Cudahy Zoning Ordinance, General Plan, and Municipal Code for requirements for construction, access, water mains, fire flows, and fire hydrants. Site plan and design review in the City of Cudahy is required for projects pursuant to the Municipal Code Chapter 17.136 (Cudahy, 2013). No further response required.
B-4	Site plan and design review in the City of Cudahy is required for projects pursuant to the Municipal Code Chapter 17.136 (Cudahy, 2013). No building permit or any other type of construction permit shall be issued for any building, structure, or other development of property until a Site Plan and Design Review of the proposal is approved. Building permits and other construction permits may be issued only in accordance with such approval. The City of Cudahy General Plan Update Environmental Impact Report identifies the proposed project would comply with the General Plan and Municipal Code requirements and all applicable future development approved under this General Plan Update would be subject to the City of Cudahy Zoning Ordinance, General Plan, and Municipal Code for requirements for construction, access, water mains, fire flows, and fire hydrants. Site plan and design review in the City of Cudahy is required for projects pursuant to the Municipal Code Chapter 17.136 (Cudahy, 2013). No further response required.
B-5	Proposed projects will submit individual plans as part of the submittal process under the City of Cudahy Municipal Code Chapter 17.136. No further response required.
B-6	No building permit or any other type of construction permit shall be issued for any building, structure, or other development of property until compliance with applicable local regulations has been met including notification of street closures to the County of Los Angeles Fire Department Battalion Headquarters as specified in the City of Cudahy Municipal Code Chapter 17.136. No further response required.
B-7	The City of Cudahy General Plan Update Environmental Impact Report identifies the proposed project would comply with the General Plan and Municipal Code

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-3 RESPONSE TO COMMENTS

ID	Comment B- County of Los Angeles Fire Department
	requirements and all applicable future development approved under this General Plan Update would be subject to the City of Cudahy Zoning Ordinance, General Plan, and Municipal Code for requirements for construction, access, water mains, fire flows, and fire hydrants. Any disruptions to water service as part of a proposed project within the City of Cudahy shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions. No further response required.
B-8	The City of Cudahy General Plan Update Environmental Impact Report identifies the proposed project would comply with the General Plan and Municipal Code requirements and all applicable future development approved under this General Plan Update would be subject to the City of Cudahy Zoning Ordinance, General Plan, and Municipal Code for requirements for construction, access, water mains, fire flows, and fire hydrants. Any disruptions to water service as part of a proposed project within the City of Cudahy shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions. No further response required.
B-9	Thank you for your comment. City of Cudahy will submit proposed projects for review by the County of Los Angeles Fire Department's Land Use Development Unit on an individual basis. No further response required.
B-10	Thank you for your comment. City of Cudahy will submit all proposals for street vacations to the County of Los Angeles Public Works Department for review by the County of Los Angeles Fire Department's Land Use Development Unit for all proposed projects within the City of Cudahy.
B-11	Thank you for your comment. No further response required.
B-12	Thank you for your comment. No further response required.
B-13	Thank you for your comment. No further response required.

COMMENT C – CITY OF BELL GARDENS(MORALES)



January 31, 2018

**SENT VIA EMAIL
SENT REGULAR MAIL**

Mr. Salvador Lopez
Interim Community Development Director
Community Development Department
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

RE: Cudahy 2040 General Plan Update Draft Environmental Impact Report (File No. SPR 2018-005)

Dear Mr. Lopez:

Thank you for the opportunity to review and comment on the Draft Environmental Report (DEIR) prepared for the Cudahy 2040 General Plan Update. The City has reviewed the DEIR and has no comments at this time.

CITY OF BELL GARDENS

Carmen Morales
City Planner
562.806.7723
cmorales@bellgardens.org

Response C-1

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-4 RESPONSE TO COMMENTS

ID	Comment C-City of Bell Gardens
C-1	Thank you for your comment. No further response required.

COMMENT D – COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY(RAZA)



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

February 6, 2018

Ref. Doc. No.: 4405632

Response D-1

Mr. Salvador Lopez
Community Development Department
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Dear Mr. Lopez:

DEIR Response for the Cudahy 2040 General Plan Update

The Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on January 2, 2018. The City of Cudahy is located within the jurisdictional boundaries of District No. 1. We offer the following comments:

20. UTILITIES AND SERVICE SYSTEMS

- 1. Item (a) Water Supply and Distribution, page 20-3, last paragraph – The availability of recycled water from the Districts is subject to approval of a §1211 Petition by the State Water Resources Control Board. Therefore, we propose the following language changes, with deletions shown in strike through and additions shown in underline.

“According to Central Basin (2017), WRD has recently been allowed to use an increased amount of recycled water (subject to availability) for re-charging the ground water in its service area; this will allow the region to be less reliant on imported water (which is subject to severe restrictions during drought periods). The 2016 master plan notes that the new water sources would include recycled water from the LACSD’s San Jose Creek Water Reclamation Plant (SJCWRP) and Los Coyotes WRP (LCWRP). Also, according to the 2016 plan, WRD is developing and constructing the Groundwater Reliability Improvement Project (GRIP); to replace up to 21,000 AFY of imported water with recycled water from the SJCWRP. Additional recharge water ~~could~~ may be obtained by increased utilization of SJCWRP, Whittier Narrows WRP, Pomona WRP, and LCWRP. However, availability of recycled water from these plants is subject to approval of a § 1211 Petition by the State Water Resources Control Board. WRD is also looking at captured stormwater from the Los Angeles River as another approach to increase water supply.”

- 2. Item (b) Wastewater Collection and Treatment, page 20-7, first paragraph – The information states, “LACSD serves 73 cities and unincorporated areas and provided sewage treatment at the Joint Water Pollution Control Plant in Carson. About one-third of the treated water is available for re-use.” The Districts’ service area encompasses 78 cities and unincorporated territory within Los Angeles County and provides sewage treatment at ten water reclamation plants (WRPs) and

Response D-2

DOC: #4445039 D01

FINAL ENVIRONMENTAL IMPACT REPORT

Mr. Salvador Lopez

-2-

February 6, 2018

one ocean discharge facility (Joint Water Pollution Control Plant). About one-third of the treated water from these WRPs is available for re-use.

Response D-2

3. Potential Impacts of Future Development under the General Plan, *page 20-20*, top of page – The City confirms they will continue to work with the Districts in order to accommodate the level of long-term development allowed by the General Plan Update. Although sufficient capacity currently exists within the Joint Water Pollution Control Plant to treat the proposed long-term development, it should be noted that availability of sewer capacity depends upon project size and timing of connection to the sewerage system. Because there are other proposed developments in the area, the Districts should review individual developments within the City in order to determine whether or not sufficient trunk sewer capacity exists to serve each project and if Districts' facilities will be affected by the project.
4. Potential Impacts of Future Development under the General Plan, *page 20-20*, first paragraph – As indicated in this paragraph, the anticipated population increase of the City discussed will increase wastewater significantly and impact District facilities. 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.
5. All other information concerning Districts' facilities and sewerage service contained in the document is current.

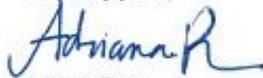
Response D-3

Response D-4

Response D-5

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

DOC: #445039.D01

TABLE 2-5 RESPONSE TO COMMENTS

ID	Comment D- County Sanitation Districts of Los Angeles County
D-1	<p>Thank you for your comments. The following revisions will be made in the Errata Section for Section 20.1.1 page 20-3, fifth paragraph:</p> <p>According to Central Basin (2017), WRD has recently been allowed to use an increased amount of recycled water <u>(subject to availability)</u> for re-charging the ground water in its service area; this will allow the region to be less reliant on imported water (which is subject to severe restrictions during drought periods). The 2016 master plan notes that the new water sources would include recycled water from the LACSD's San Jose Creek Water Reclamation Plant (SJCWRP) and Los Coyotes WRP (LCWRP). Also, according to the 2016 plan, WRD is developing and constructing the Groundwater Reliability Improvement Project (GRIP), <u>to replacing up to</u> 21,000 AFY of imported water with recycled water from the SJCWRP. Additional recharge water <u>may</u> could be obtained by increased utilization of SJCWRP, Whittier Narrows WRP, Pomona WRP, and LCWRP. <u>However, availability of recycled water from these plants is subject to approval of a § 1211 Petition by the State Water Resources Control Board.</u> WRD is also looking at captured stormwater from the Los Angeles River as another approach to increase water supply WRD is also looking at captured stormwater from the Los Angeles River as another approach to increase water supply.</p>
D-2	<p>Thank you for your comments. The following revisions will be made in the Errata Section for Section 20.1.1 page 20-7, first paragraph:</p> <p>The sewer system is managed by the City's Public Works Department. The local sewage is discharged into a larger system (County of Los Angeles Consolidated Sewer Maintenance District) managed by the Los Angeles County Sanitation District (LACSD) which provides both primary and secondary treatment of all City of Cudahy sewage flows while Los Angeles County Department of Public Works (County DPW) maintains all city-owned collection systems. LACSD serves 73 <u>78</u> cities and unincorporated areas <u>territory within Los Angeles County</u> and provided s sewage treatment at <u>ten Water Reclamation Plants (WRPs) and one ocean discharge facility (the Joint Water Pollution Control Plant) in Carson.</u> About one-third of the treated water <u>from these WRPs</u> is available for re-use.</p>
D-3	<p>Thank you for your comments. The following revisions will be made in the Errata Section for Section 20.1.1 page 20-20, first paragraph:</p> <p>growth, as the facility is permitted to accept about 140 mgd more than it currently does. Regardless, future development could require expanded water and wastewater facilities to meet the demand from anticipated population growth, including mainline or backbone elements and local connections. Presently, no immediate changes to the system are needed to meet the demands of immediate growth, as the water and wastewater master plans anticipate growth consistent with the General Plan Update. To accommodate the level of long-term development allowed by the General Plan, the City will continue to assess demand and to work with local water agencies and the Los Angeles Sanitary District as needed. <u>Availability of sewer capacity depends upon project size and timing of connection of sewerage system as such proposed</u></p>

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-5 RESPONSE TO COMMENTS

ID	Comment D- County Sanitation Districts of Los Angeles County
	<u>developments will be reviewed by the district for sufficient sewer capacity.</u> Additionally, water conservation practices will continue and expand. Implementation of the General Plan will not result in an exceedance of RWQCB treatment standards by increasing wastewater production as the anticipated increase in wastewater production is small compared to the current capacity at the Joint Water Pollution Control Plant.
D-4	No further response required.
D-5	No further response required.

COMMENT E – SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT OF LOS ANGELES (SUN)



Response E-1

SENT VIA E-MAIL AND USPS:

February 7, 2018

slopez@cityofcudahyca.gov

Salvador Lopez, Interim Director
City of Cudahy – Community Development Department
5220 Santa Ana Street
Cudahy, CA 90201

Draft Program Environmental Impact Report (Draft PEIR) for the Proposed Cudahy 2040 General Plan Update (SCH No.: 2017071071)

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final PEIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to adopt the Cudahy 2040 General Plan (Proposed Project), which will replace the existing 2010 City of Cudahy General Plan, except the Housing Element last updated in 2013. The Proposed Project represents the community's view of its future and expresses the community's development goals for the next 22 years from 2014 to 2040. The Proposed Project would result in up to 1,448 additional dwelling units, an increase of approximately 1.8 million square feet of commercial uses, 1.3 million square feet of industrial uses, and 0.7 million square feet of public and institutional uses.

SCAQMD Staff's Air Quality Analysis

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational air quality emissions and compared those emissions to SCAQMD's regional and localized air quality CEQA significance thresholds. Due to the first-tier environmental analysis at a programmatic level, short-term construction emissions were modeled based on the average annual level of development necessary to reach the realistic build-out projections in the Proposed Project, and was meant to provide a conservative indication of whether development activities would have the potential to result in short-term construction emissions that would exceed SCAQMD daily maximum thresholds for criteria pollutants¹. Operational emissions at completion of buildout were modeled and compared to the existing conditions. Based on the analyses, the Lead Agency found that the Proposed Project's construction emissions would be less than SCAQMD's regional CEQA significance thresholds, except ROG emissions, and that the buildout net operational emissions would be less than SCAQMD's regional CEQA significance thresholds, except NOx emissions. SCAQMD staff has comments regarding the Air Quality Analysis. Please see the attachment for more information.

SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)², which was later approved by the California Air Resources Board on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

¹ Draft PEIR, Section 7: Air Quality, Page 7-19.

² South Coast Air Quality Management District, March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

FINAL ENVIRONMENTAL IMPACT REPORT

Salvador Lopez

February 7, 2018

As described in the 2016 AQMP, to achieve NOx emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attain the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to NOx and ROG emissions during the overlapping construction and operational phases. Therefore, SCAQMD staff recommends additional mitigation measures to further reduce NOx and ROG emissions in the attachment.

Response E-1

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS
[LAC180102-07](#)
Control Number

ATTACHMENT

Air Quality Analysis – Interim Milestone Years

1. The Air Quality Analysis years in the Draft PEIR included only two analysis years: baseline year (2014³) and buildout year (2040). By 2040, the Proposed Project is assumed fully built. Although the Proposed Project may not be at peak capacity in earlier years, it is possible that due to higher emission rates of vehicles, trucks, and equipment in earlier years that peak daily emissions may occur before 2040. The overall emission rates of vehicles, trucks, and equipment are generally higher in earlier years as more stringent emission standards and technologies have not been fully implemented and fleets have not fully turned over. Therefore, SCAQMD staff recommends that the Lead Agency include interim milestone years (i.e., year 2020, year 2025, year 2030, and year 2035) in the Air Quality Analysis to ensure the peak daily emissions are identified and adequately disclosed in the Final PEIR. The interim milestone years will also assist in the demonstration of progress overtime from implementing air quality-related mitigation measures and General Plan policies.

Response E-2

Air Quality Analysis – Overlapping Construction and Operational Impacts

2. When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the PEIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the PEIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated.

Response E-3

Based on a review of the Air Quality Analysis, SCAQMD staff found that the Lead Agency did not analyze a scenario where construction emissions overlap with operational emissions. Since implementation of the Proposed Project is expected to occur within the City over a period of 22 years from 2014 to 2040, an overlapping construction and operation scenario is reasonably foreseeable, unless the Proposed Project includes requirement(s) that will avoid overlapping construction and operational activities. To properly analyze a worst-case impact scenario that is reasonably foreseeable at the time the Draft PEIR is prepared, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition⁴) with operational emissions, and compare the combined emissions to SCAQMD’s air quality CEQA operational thresholds of significance to determine the level of significance in the Final PEIR. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project’s air quality impacts would be significant, mitigation measures will be required pursuant to CEQA Guidelines Section 15126.4. For more information on suggested potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD’s CEQA Air Quality Handbook website⁵.

Enforceability of Proposed General Plan Policy: AQE-13

3. SCAQMD staff recommends that the Lead Agency develop strategies or tools to implement the proposed General Plan Policy AQE-13 that “encourage[s] the development and/or implementation of new technologies addressing or mitigating pollutant emissions at transportation facilities and

Response E-4

³ Based on a review of the Draft PEIR, it is unclear which CEQA baseline year was used to analyze air quality impacts. Therefore, SCAQMD staff recommends that the Lead Agency clarify the baseline year in the Final PEIR.

⁴ According to the Draft PEIR, the City of Cudahy “is generally a built-out city, many new projects in the City will likely require the demolition of existing structures to make room for newer ones.” Section 7: Air Quality. Page 7-20. Therefore, demolition is reasonably foreseeable during construction.

⁵ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>

FINAL ENVIRONMENTAL IMPACT REPORT

Salvador Lopez

February 7, 2018

industrial use locations⁶.” Example strategy includes performance standards-based technology review at a programmatic level such as the city-wide General Plan. Since the Proposed Project would be implemented city-wide over a period of 22 years, the Lead Agency should take this opportunity to deploy strategies that will foster and facilitate the deployment of the lowest emission technologies possible. The deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies that are expected to be available in the life of the Proposed Project. As such, SCAQMD staff recommends that the Lead Agency develop strategies or tools to assess equipment availability, equipment fleet mixtures, and best available emissions control devices for addressing or mitigating pollution emissions at transportation facilities and industrial uses locations within the City, and specify performance standards and appropriate timeline (or schedule) for the technology assessment that supports the goals and objectives of the 2016 AQMP.

Response E-4

Additional Recommended Mitigation Measures

4. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final PEIR to further reduce emissions, particularly from ROG and NOx. Additional information on potential mitigation measures as guidance to the Lead Agency are available on the SCAQMD CEQA Air Quality Handbook website.
 - a) All off-road diesel-powered construction equipment shall meet or exceed Tier 4 off-road emissions standards. A copy of the fleet’s tier compliance documentation, and CARB or SCAQMD operating permit shall be provided to the Lead Agency at the time of mobilization of each applicable unit of equipment. In the event that all construction equipment cannot meet the Tier 4 engine certification, the Lead Agency must demonstrate through future study with written findings supported by substantial evidence before using other technologies/strategies. Alternative strategies may include, but would not be limited to, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.
 - b) Require the use of 2010 model year diesel haul trucks that conform to 2010 EPA truck standards or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) during construction, and if the Lead Agency determines that 2010 model year or newer diesel haul trucks are not feasible, the Lead Agency shall use trucks that meet EPA 2017 model year NOx emissions requirements, at a minimum.
 - c) Require the use of architectural coatings (no more than 50 grams/liter of VOC) that are in compliance with SCAQMD Rule 1113 – Architectural Coatings.
 - d) Construct or build with materials that do not require painting or use pre-painted construction materials.
 - e) Limit parking supply and unbundle parking costs.

Response E-5

⁶ Draft PEIR, Section 7: Air Quality, Page 7-25.

Salvador Lopez

February 7, 2018

- f) Require that 240-Volt electrical outlets or Level 2 chargers be installed in parking lots that would enable charging of NEVs and/or battery powered vehicles. This recommended mitigation measure is consistent with the proposed General Plan Policy AQE-3.2⁷.

Response E-5

Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NOx and ROG impacts from this project. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the Lead Agency require the Proposed Project be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in.

- g) Require use of electric lawn mowers and leaf blowers.

⁷ Draft PEIR, Section 7: Air Quality, Page 7-27.

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-6 RESPONSE TO COMMENTS

ID	Comment E- South Coast Air Quality Management District of Los Angeles
E-1	<p>Thank you for your comment. The cover letter does not make any specific comments with respect to the Draft EIR, but does provide the following information:</p> <ul style="list-style-type: none"> • Notes that the comments provided are meant as guidance for the Lead Agency and that should be incorporated into the Final PEIR. • Provides a summary of the project description for the Cudahy 2040 General Plan • Summarizes the findings of the Air Quality analysis done for the Program DEIR • Summarizes the emissions reduction goals of the recently adopted 2016 South Coast Air Quality Management Plan • Requests that they receive written responses to their comments in accordance with the provisions of CEQA and the CEQA Guidelines, and references various other provisions of CEQA related to responding to comments received on environment • Indicates that SCAQMD staff is available to work with the Lead Agency issues raised in their letter <p>No specific comments with respect to the adequacy or efficacy of the DER are made, therefore no further response is necessary.</p>
E-2	<p>CEQA is generally focused on the change to the environment that would occur as a result of project implementation. In the case of a general plan with a future year build-out horizon, a lead agency has the discretion to select an appropriate analysis year for impact evaluation purposes; however, the planning horizon year is generally selected for analysis of worst-case project conditions because development will have reached the maximum capacity envisioned in the General Plan.</p> <p>For the Cudahy 2040 General Plan EIR, the City selected the draft General Plan’s horizon year (2040) as the analysis year for impact evaluation and, as shown in Table 7-9, maximum daily NOx emissions could exceed SCAQMD regional significance thresholds for NOx under 2040 buildout conditions. The SCAQMD has recommended the EIR include emissions estimates for interim milestone years such as 2020, 2025, 2030, and 2035 to ensure peak daily emissions are identified; however, such analysis is not necessary for the Cudahy 2040 General Plan EIR for several reasons.</p> <p>As shown in Draft EIR Tables 7-3 and 7-9, mobile sources account for the majority (about 80%) of the proposed project’s maximum daily NOx emissions under both the existing (2017) and build-out conditions (2040). Therefore, it is reasonable to presume that mobile sources, i.e., vehicle trips, would be the primary contributor to peak daily emissions estimates regardless of the analysis year selected. For vehicle emissions in 2020, 2025, 2030, or 2035 to exceed the build-out year vehicle emissions projections, emissions on a per unit basis in the first few years of development would have to be substantially higher than emissions on a per unit basis in the build-out year, or there would have to be an accelerated level of development (such that build-out occurs before 2040).</p> <p>Regarding the first point, existing evidence indicates that motor vehicle emissions on a per unit basis in the first few years of development would not be substantially higher than emissions in 2040. This is because the modeling conducted for the EIR already</p>

TABLE 2-6 RESPONSE TO COMMENTS

ID	Comment E- South Coast Air Quality Management District of Los Angeles
	<p>incorporates the state’s latest low emission vehicle standards (LEV III), which were adopted in 2012 and apply to 2015 to 2025 model years. For example, EMFAC2014 vehicle exhaust emission factors for NOx were compared for 2017 to 2025 model year vehicles, as well as year 2030 and year 2040 model year vehicles. The emission factors were generated for gasoline-powered passenger vehicles and light duty trucks travelling at 25 miles per hour (mph), 35 mph, and 45 mph. Beginning in 2018, the vehicle exhaust emission factors at these speeds drop by about 10% per year through 2022 (i.e., 2018 model year emission factors are approximately 10% less than 2017 model year emission factors), before tapering off and remaining constant after 2025 (i.e., the model assumes the same emission factors for model year 2025 as for model years 2030, 2035, etc.). This means that beginning in approximately 2023, the total emissions generated from motor vehicle trips are primarily dependent on the total amount of development, and not emission factors.</p> <p>This information is not meant to be exhaustive or entirely comprehensive; vehicle emissions and the potential overall emissions generated by implementation of the General Plan update are dependent on many factors (e.g., fleet mix, age of fleet, specific development types and square footages, changes in regulatory requirements, etc.). Rather it is only meant to be indicative of the fact that, for the largest source of emissions considered in the EIR, emissions on a per unit basis would not be substantially higher in the initial years of General Plan implementation than in year 2040. Therefore, it is unlikely that a higher potential emissions scenario would exist in any of the interim year analyses suggested by the SCAQMD.</p> <p>Regarding the second point, the growth associated with the General Plan would be contingent on a variety of market and other factors. It cannot be known with any certainty whether the projected 2040 development scenario for the DEIR would be achieved in 2040, earlier than 2040, or later than 2040. The growth projection in the Cudahy 2040 General Plan and the EIR is the City’s best, most reasonable estimate of future growth and the emissions associated with that growth. Even if there were a sudden uptick in development in the earlier years of General Plan implementation, such development would not have substantially higher emissions on a per unit basis (as described above) and would be subject to “second tier”, project-level, CEQA review and, if necessary, project-level mitigation to reduce potential adverse impacts.</p>
E-3	<p><i>Overlapping Construction and Operational Impacts</i></p> <p>As explained on page 7-18 of the Draft EIR, the proposed General Plan would not directly result in construction of any development or infrastructure. Nonetheless, to disclose the potential level of emissions that could occur with a likely construction project, the Draft EIR presents a construction emissions evaluation based on the average annual level of development necessary to reach the realistic build-out projections contained in the General Plan update.</p> <p>It is not possible to know the size, type, location, timing or number of projects under construction at any given time. The number of different permutations that could occur with respect to construction and operational activity is innumerable.</p> <p>Since this EIR is a Program EIR for a project that would be implemented over a 22-year period, and at this time there are no specifics knowable with respect to future</p>

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-6 RESPONSE TO COMMENTS

ID	Comment E- South Coast Air Quality Management District of Los Angeles
	<p>scale, timing and duration of individual construction activities, attempting to estimate potential future combined emissions that could occur would be an exercise in speculation. The SCAQMD has separate and distinct thresholds for construction and operational emission, and the EIR appropriately compares each individual activity to the corresponding threshold. Furthermore, the SCAQMD does not offer guidance on which threshold (construction or operation) would be appropriate to use for a combined emissions scenario.</p> <p>It should be also noted that when development projects are submitted for review by the City that potential construction and operational air quality impacts would be required to be addressed and, if necessary, mitigated. Policy AQE 5.1 reads as follows:</p> <p><i>Require projects generating potentially significant levels of air pollutants to incorporate the most effective air quality mitigation into project design as necessary to fully mitigate any negative impacts.</i></p> <p>Therefore, potential impacts would be adequately addressed when individual development projects are proposed, and mitigation provided as necessary to comply with Policy AQE 5.1.</p>
E-4	<p>Enforceability of Proposed General Plan Policy AQE 13</p> <p>This comment refers to AQE Policy 1.3 which reads in full as follows:</p> <p><i>Encourage the development and/or implementation of new technologies addressing or mitigating pollutant emissions at transportation facilities and industrial use locations.</i></p> <p>The Implementation Section of the Cudahy 2040 General Plan lays out 40 programs that the City of Cudahy will execute to achieve the goals and policies detailed in the various General Plan Elements. Also included are a series of matrices that cross-reference individual policies and the implementing programs that would facilitate their achievement.</p> <p>Implementation of AQE Policy would be facilitated by the following programs:</p> <p>Program 2: Development Standards and Guidelines (vehicle parking requirements and bicycle parking).</p> <p>Program 14: Green Building Program (addresses new technology to mitigate pollution emissions at industrial sites and transit facilities)</p> <p>Program 25: Pedestrian and Transit Facilities.</p> <p>These implementing programs would provide the structure and basis for implementing AQE Policy 1.3. Although they would likely lead to some emissions reductions, these programs have not yet been developed and implemented. Therefore, potential emissions mitigation effectiveness of these programs has not yet been evaluated.</p> <p>Future development proposals for transportation facilities and industrial use locations would also be subject to the application of Policy AQE 1.3 at the policy level, as well as Policy AQE 5.1 (See discussion above under Response E3).</p>

TABLE 2-6 RESPONSE TO COMMENTS

ID	Comment E- South Coast Air Quality Management District of Los Angeles
E-5	<p>Additional Recommended Mitigation Measures</p> <p>This comment recommends five different mitigation measures intended to reduce pollutant emissions. The first four measures relate to short-term and temporary construction emissions, and the other measures, relate to long-term operational emissions.</p> <p><u>4(a) through 4(d) – Construction Mitigation</u></p> <p>The Draft Program EIR found that potential adverse impacts from short term construction emissions would, with the implementation of Goals and Policies included in the Cudahy 2040 General Plan, be less than significant. Table 7-8 of the Draft Program EIR indicates how these Goals and Policies, which includes Police AQE 5.1 (See discussion under response E.3, above) would avoid or reduce impacts with respect to avoidance or reductions in emissions. Additional mitigation would not be necessary in this Program EIR for construction emissions since such impacts would be less than significant.</p> <p><u>4(e) - Limit parking supply and unbundle parking costs</u> – applies to long-term operational emissions. Providing for adequate and effective parking in the City of Cudahy is a complex and multi-faceted issue in the City of Cudahy, which already has substantial parking deficiencies in many areas. The Cudahy 2040 General Plan thoroughly addresses this issue. Policies that already address this issue are listed below.</p> <p>Policy CE-4.2 Explore options for shared parking and creating a “park once” environment for the Atlantic Avenue subdistricts to encourage patrons to walk to multiple destinations instead of driving and re-parking.</p> <p>Policy CE 4.7 Consider options to implementing parking fee systems, where warranted, to manage demand for existing and new on-street and off-street parking supply.</p> <p>These policies are also supported by the following Implementation Programs:</p> <p>Program 5 Development Standards and Guidelines: (Includes consideration of reduced parking requirements in areas within 200 feet of public transit stops, which provide regional service).</p> <p>Program 9 Parking Districts and Regulations</p> <p>f) Electrical Charging Outlets for Electric Vehicles</p> <p>As noted in the SCAQMD comment letter, inclusion of charging outlets/stations is address by General Plan Policy AQE-3.2 which reads in full as follows:</p> <p><i>Update the building and development codes to facilitate infrastructure installation supporting electric vehicle technology and alternative fuels, such as electric vehicle charging stations and alternative fuel filling stations.</i></p> <p>In addition, the following Implementation Programs address achievement of Policy AQE 3.2.</p> <p>Program 1 – Amended Development Code and Zoning Map</p>

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-6 RESPONSE TO COMMENTS

ID	Comment E- South Coast Air Quality Management District of Los Angeles
	<p>Program 5 – Development Standards and Guidelines</p> <p>Program 20 – Climate Action Plan</p> <p>Implementation of Policy AQE 3.2 through the implementing programs list above would address how best to provide for electrical outlets/charging stations. No additional mitigation is necessary</p> <p>4(g) Electric lawnmowers and leaf blowers</p> <p>Requirements related to electric lawnmowers and leaf blowers would be considered during the development of Implementation Program 20 – Climate Action Plan. Restrictions on lawn equipment may also be considered for development proposals that have the potential for resulting in adverse environmental impacts with respect to air quality.</p>

COMMENT F – STATE OF CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF CONSERVATION DIVISION OF OIL, GAS, AND GEO-THERMAL RESOURCES SOUTHERN DISTRICT (BRANDT)



State of California • Natural Resources Agency
Department of Conservation
Division of Oil, Gas, and Geothermal Resources
Southern District
5816 Corporate Avenue • Suite 100
Cypress, CA 90630
(714) 816-6847 • FAX (714) 816-6853

Edmund G. Brown Jr., Governor

Response F-1

February 12, 2018

VIA EMAIL

Mr. Salvador Lopez Jr., Interim Community Development Manager
City of Cudahy
Community Development / Planning
5220 Santa Ana Street
Cudahy, CA 90201
Email: slopez@citycudahy.ca.gov

Dear Mr. Lopez:

**EIR – Draft EIR
CUDAHY GENERAL PLAN UPDATE
SCH: 2017071071**

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project for impacts with Division jurisdictional authority. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Division offers the following comments for your consideration.

The project area is in Los Angeles County and is not within an administrative field boundary. Division records indicate that there are three oil and gas wells located within the project boundary as identified in the application. Division information can be found at: www.conservation.ca.gov. Individual well records are also available on the Division's web site, or by emailing DOGDIST1@conservation.ca.gov.

Response F-2

The scope and content of information that is germane to Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code, and administrative regulations under Title 14, Division 2, Chapters 2, 3 and 4 of the California Code of Regulations.

Response F-3

If any wells, including any plugged, abandoned or unrecorded wells, are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements and approval to perform remedial operations.

Response F-4

The possibility for future problems from geothermal wells that have been plugged and abandoned, or reabandoned, to the Division's current specifications are remote. However, the Division recommends that a diligent effort be made to avoid building over any plugged and abandoned well.

Response F-5

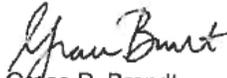
FINAL ENVIRONMENTAL IMPACT REPORT

City of Cudahy General Plan Update
SCH No.: 2017071071
February 12, 2018
Page 2

Response F-6

Questions regarding the Division's Construction Site Well Review Program can be addressed to the local Division's office in Cypress by emailing DOGDIST1@conservation.ca.gov or by calling (714) 816-6847.

Sincerely,



Digitally signed by Grace Brandt
DN: cn=Grace Brandt, o=DOGGR, ou=Construction Site Well
Review, email=grace.brandt@conservation.ca.gov, c=US
Date: 2018.02.12 12:55:56 -0800

Grace P. Brandt
Associate Oil and Gas Engineer

cc: The State Clearinghouse in the Office of Planning and Research
Tim Shular, DOC OGER
Crina Chan, DOC OGER
Jan Perez, DOGGR CEQA Unit
Chris McCullough, Facilities and Environmental Supervisor
Environmental CEQA File

TABLE 2-7 RESPONSE TO COMMENTS

ID	Comment F- State of California Natural Resources Agency Department of Conservation Division of Oil, Gas, and Geo-Thermal Resources Southern District
F-1	Thank you for your comment. No further response required.
F-2	Thank you for your comment. No further response required.
F-3	Thank you for your comment. No further response required.
F-4	The Division's district office will be contacted to obtain information on the requirements and approval to perform remedial operations if any wells, including any plugged, abandoned or unrecorded wells, are damaged or uncovered during excavation or grading, or if remedial plugging operations may be required for a proposed project in the City of Cudahy. If such damage or discovery does occur; the Division's district office will be contacted to obtain information on the requirements and approval to perform remedial operations.
F-5	The City of Cudahy will review all proposed projects as part of the development review process. The City will make all efforts to avoid building over any plugged and abandoned well.
F-6	Thank you for your comment. No further response required.

FINAL ENVIRONMENTAL IMPACT REPORT

This Page Intentionally Left Blank

**COMMENT G – STATE OF CALIFORNIA CLEARINGHOUSE AND PLANNING UNIT
(MORGAN)**

Response G-1



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

February 13, 2018

Salvador Lopez
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Subject: Cudahy General Plan Update
SCH#: 2017071071

Dear Salvador Lopez:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 12, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Response E-1

P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
45-0613 FAX 1-916-558-3164 www.opr.ca.gov

FINAL ENVIRONMENTAL IMPACT REPORT

Response G-2

Document Details Report State Clearinghouse Data Base

SCH# 2017071071
Project Title Cudahy General Plan Update
Lead Agency Cudahy, City of

Type EIR Draft EIR
Description The Cudahy 2040 general plan is a long range planning program that guides the orderly growth and development of the Cudahy planning area, which is defined to be all properties within the Cudahy corporate limits. The Cudahy 2040 general plan communicates the city's vision of its future and establishes a policy framework to govern decision-making concerning the physical development of the community, including assurances that the community at large will be supported by an adequate range of public services and infrastructure systems. The Cudahy 2040 general plan would not authorize any specific development project or other form of land use approval. The specific plan will support development of 7,222 dwelling units and an additional estimated population of 6,138 residents.

Lead Agency Contact

Name Salvador Lopez
Agency City of Cudahy
Phone 323-773-5143 x242 **Fax**
email
Address 5220 Santa Ana Street
City Cudahy **State** CA **Zip** 90201

Project Location

County Los Angeles
City Cudahy
Region
Lat / Long 33° 57' 47.5" N / 118° 11' 10.9" W
Cross Streets Atlantic Ave and Elizabeth St
Parcel No. mult
Township **Range** **Section** **Base**

Proximity to:

Highways 710
Airports
Railways SPRR, UPRR
Waterways LA River
Schools Mult
Land Use Various

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Septic System; Vegetation; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 5; Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Office of Emergency Services, California; Department of Housing and Community Development; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission

Date Received 12/29/2017 **Start of Review** 12/29/2017 **End of Review** 02/12/2018

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1650 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-8471

Edmund G. Brown Jr., Governor



clear
2/12/18
8

January 23, 2018

Governor's Office of Planning & Research

JAN 29 2018

STATE CLEARINGHOUSE

Salvador Lopez
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Sent via e-mail: slopez@cityofcudahyca.gov

Re: SCH# 2017071071, Cudahy General Plan Update Project, City of Cudahy; Los Angeles County, California

Dear Mr. Lopez:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Executive Summary; the Introduction and Project Description; the Summary Table 2-2, Mitigation Measures; and Section 9, Historical and Cultural and Tribal Cultural Resources, prepared by MIG for the City of Cudahy. We have the following concerns:

1. There is no documentation of **government-to-government consultation by the lead agency under AB-52** with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared; avoidance, minimization of damage to resources; and proposed mitigation. Contact by consultants during the Cultural Resources Assessments is not formal consultation.
2. Mitigation Measures contain requirements to contact tribes only after finds have been made. Consultation should have established relationships with local tribes and contact should continue throughout the project as needed. Contacting tribes only after finds is too late in the process.

ADDITIONAL INFORMATION:

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request

¹ Pub. Resources Code § 21000 et seq.
² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15084.5 (b); CEQA Guidelines Section 15064.5 (b)
³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1); CEQA Guidelines § 15064 (a)(1)
⁴ Government Code 65352.3
⁵ Pub. Resources Code § 21074
⁶ Pub. Resources Code § 21084.2
⁷ Pub. Resources Code § 21084.3 (a)
⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

FINAL ENVIRONMENTAL IMPACT REPORT

Response G-3

forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D.
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

Pertinent Statutory Information:**Under AB 52:**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects.¹¹
1. The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss both of the following:**

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program,** if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified,** nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

¹⁸ Pub. Resources Code § 21082.3 (d)

FINAL ENVIRONMENTAL IMPACT REPORT

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

FINAL ENVIRONMENTAL IMPACT REPORT

Response G-4



State of California • Natural Resources Agency
Department of Conservation
Division of Oil, Gas, and Geothermal Resources
Southern District
5816 Corporate Avenue • Suite 100
Cypress, CA 90630
(714) 816-6847 • FAX (714) 816-6853

Edmund G. Brown Jr., Governor

February 12, 2018

Governor's Office of Planning & Research

FEB 12 2018

STATE CLEARINGHOUSE

VIA EMAIL

Mr. Salvador Lopez Jr., Interim Community Development Manager
City of Cudahy
Community Development / Planning
5220 Santa Ana Street
Cudahy, CA 90201
Email: slopez@citycudahy.ca.gov

Dear Mr. Lopez:

**EIR – Draft EIR
CUDAHY GENERAL PLAN UPDATE
SCH: 2017071071**

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project for impacts with Division jurisdictional authority. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Division offers the following comments for your consideration.

The project area is in Los Angeles County and is not within an administrative field boundary. Division records indicate that there are three oil and gas wells located within the project boundary as identified in the application. Division information can be found at: www.conservation.ca.gov. Individual well records are also available on the Division's web site, or by emailing DOGDIST1@conservation.ca.gov.

The scope and content of information that is germane to Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code, and administrative regulations under Title 14, Division 2, Chapters 2, 3 and 4 of the California Code of Regulations.

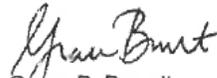
If any wells, including any plugged, abandoned or unrecorded wells, are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements and approval to perform remedial operations.

The possibility for future problems from geothermal wells that have been plugged and abandoned, or reabandoned, to the Division's current specifications are remote. However, the Division recommends that a diligent effort be made to avoid building over any plugged and abandoned well.

City of Cudahy General Plan Update
SCH No.: 2017071071
February 12, 2018
Page 2

Questions regarding the Division's Construction Site Well Review Program can be addressed to the local Division's office in Cypress by emailing DOGDIST1@conservation.ca.gov or by calling (714) 816-6847.

Sincerely,


Digitally signed by Grace Brandt
DN: cn=Grace Brandt, o=DOGGR, ou=Construction Site Well
Review, email=grace.brandt@conservation.ca.gov, c=US
Date: 2018.02.12 12:57:36 -08'00'
Grace P. Brandt
Associate Oil and Gas Engineer

cc: The State Clearinghouse in the Office of Planning and Research
Tim Shular, DOC OGER
Crina Chan, DOC OGER
Jan Perez, DOGGR CEQA Unit
Chris McCullough, Facilities and Environmental Supervisor
Environmental CEQA File

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE 2-8 RESPONSE TO COMMENTS

ID	Comment G- State of California Clearinghouse and Planning Unit
G-1	Thank you for your comment. The City of Cudahy will review and respond to the enclosed letters.
G-2	Thank you for your comment. No response required.
G-3	Thank you for your comment. These comments were addressed in comments A of the Final EIR Section 2.0. No further response required.
G-4	Thank you for your comment. These comments were addressed in comments F of the Final EIR Section 2.0. No further response required.

3.0 ERRATA

This section identifies revisions to the City of Cudahy General Plan Update Draft EIR to incorporate clarifications prepared in response to comments on the City of Cudahy General Plan Update Draft EIR or minor errors corrected through subsequent review. Additions are showing in underline. Deletions are shown in ~~strikethrough~~.

None of the revisions below to the General Plan Update Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in the Draft EIR.

Draft EIR Volume I – Section 2.2

The following revisions are made to Section 2.2 page 2-3, first paragraph:

~~As an implementation step for the Cudahy 2040 General Plan, a comprehensive revision to the City's Development Code will be undertaken and reviewed and adopted concurrently with the update.~~

The following revisions are made to Section 2.2 page 2-4, first paragraph:

- Aesthetics and Visual Resources,
- Agriculture,
- Air Quality,
- ~~Global Climate Change and Greenhouse Gas Emissions,~~
- Biology,
- Historic and Cultural Resources and Tribal Cultural Resources,
- Geology and Soils
- Global Climate Change and Greenhouse Gas Emissions,
- Hazards and Hazardous Materials
- Hydrology
- Land Use and Planning,
- Mineral Resources,
- Noise,
- Population and Housing,
- Public Services and Recreation
- Transportation and Circulation

FINAL ENVIRONMENTAL IMPACT REPORT

Draft EIR Volume I – Section 2.3

The following revisions are made to Section 2.3 page 2-9, Table 2-2:

Mitigation Measure CULT MM-4

The City will coordinate with local Native American Tribal Governments that are geographically, traditionally, and culturally affiliated with a proposed project as specified in SB 18 and/or AB 52 upon initiation of the CEQA process for a proposed project.

The following revisions are made to Section 2.3 page 2-10, Table 2-2:

~~N-MM-1~~ **N MM16-1**. The following policies, or equally effective

The following revisions are made to Section 2.3 page 2-10, Table 2-2:

~~N-MM-2~~ **MM-16-2a & 2b**

The following revisions are made to Section 2.3 page 2-11, Table 2-2:

MM-16-2a & 2b

The following policies, or equally effective language, shall be included in the proposed General Plan to ensure that future development are not exposed to excessive ground-borne vibration from freight train operations:

Policy: The City shall require new residential and commercial projects located within 200 feet of the UP-railroad track to conduct a freight train ground vibration and vibration noise evaluation consistent with approved vibration assessment methodologies (e.g. Caltrans, Federal Transportation Authority).

Draft EIR Volume I – Section 9.2.3

The following revisions are made to Section 9.2.3 page 9-8, second paragraph:

The City currently does have policies relating to the protection of historic resources and/or built environments during development, demolition, and/or alternation related activities. Therefore, a historic conservancy through mitigation is required to avoid or minimize impacts to historic built environments (residences, buildings, or structures). Cultural Mitigation Measures ~~GR-4~~ Cult MM-1 is incorporated and will be applicable in the event of the demolition and/or alteration of historic and significant structures, ensuring that new development is compatible with historic resources, and ensuring that restoration of historic structures preserve the character of the resource. [Significance Criteria 9.2.1 (a)]

The following revisions are made to Section 9.2.3 page 9-8, second paragraph:

Cultural Mitigation Measures ~~GR-4~~ Cult MM-1 would reduce potential impacts to historic and/or significant resources to less than significant because the historic value and potential impact(s) to these resources would undergo a CEQA evaluation for significance as an “unique historic

resource". The policy of historic conservancy through mitigation operates concurrently with the extensive regulatory framework of federal, state, and local laws protecting historic and significant resources.

The following revisions are made to Section 9.2.3 page 9-9, third paragraph:

The City currently does not have policies directly relating to the protection of archaeological resources (prehistoric and historic) during development and related earthmoving activities. Therefore, cultural mitigation measures are required to avoid or minimize impacts to buried archaeological resources. Cultural Mitigation Measures ~~CR-2 and CR-3~~ Cult MM-2 and Cult MM-3 are incorporated and will be applicable in the event of the unanticipated discovery of archeological resources pursuant to CEQA. These cultural mitigation measures will ensure that newly discovery artifact(s) found within the proposed project site(s) will receive a Cultural Resources Assessment and Treatment Plan (if necessary) to avoid impacts and preserve archaeological resources (prehistoric and historic).

The following revisions are made to Section 9.2.3 page 9-9, fifth paragraph:

The City currently does not have policies related to the protection of paleontological resources during development-related earthmoving activities. Therefore, cultural mitigation measures are required to avoid or minimize impacts to buried paleontological resources. Cultural Mitigation Measures; ~~CR-2 and CR-3~~ Cult MM-2, and Cult MM-3 are incorporated and will be applicable during project implementation. These cultural mitigation measures will ensure that the unanticipated discovery of paleontological resources will receive a Paleontological Resources Assessment, Paleontological Treatment Plan, and construction monitoring (if necessary), thus avoiding impacts and preserving paleontological resources and/or unique geological features. Impacts to paleontological resources will be less than significant with mitigation measures incorporated.

The following revisions are made to Section 9.2.3 page 9-10, fourth paragraph:

The City currently does not have policies directly relating to the protection of TCRs during development and related earthmoving activities. Therefore, cultural mitigation measures are required to avoid or minimize impacts to buried archaeological resources associated with TCRs. Cultural Mitigation Measures Cult MM-2 ~~CR-2, and CR-3~~ Cult MM- 3, and Cult MM-4 are incorporated and will be applicable in the event of the unanticipated discovery of archeological resources associated with TCRs pursuant to CEQA.

The following revisions are made to Section 9.2.3 page 9-14, third paragraph:

CULT MM-4: Treatment and Evaluation of Discovered Tribal Cultural Resources: The City will coordinate with local Native American Tribal Governments that are geographically, traditionally, and culturally affiliated with a proposed project as specified in SB 18 and/or AB 52 upon initiation of the CEQA process for a proposed project.

Based on the methodology described above and the mitigation measures applied, General Plan Update impacts related to historic and cultural and tribal cultural resources would be ***less than significant*** (see criteria [a], [b] [c], [d] and [e] in subsection 9.2.1, "Significance Criteria," above).

FINAL ENVIRONMENTAL IMPACT REPORT

Draft EIR Volume I – Section 18.1.1

The following revisions are made to Section 18.1.1 page 18-2, second paragraph:

~~The 2010 Cudahy General Plan EIR showed the Average response time for the City to be three minutes. During 2017 the average response time which includes non-emergency response in the City is 5:46 minutes.~~

Draft EIR Volume I – Section 20.1.1

The following revisions are made to Section 20.1.1 page 20-3, fifth paragraph:

According to Central Basin (2017), WRD has recently been allowed to use an increased amount of recycled water (subject to availability) for re-charging the ground water in its service area; this will allow the region to be less reliant on imported water (which is subject to severe restrictions during drought periods). The 2016 master plan notes that the new water sources would include recycled water from the LACSD's San Jose Creek Water Reclamation Plant (SJCWRP) and Los Coyotes WRP (LCWRP). Also, according to the 2016 plan, WRD is developing and constructing the Groundwater Reliability Improvement Project (GRIP), to replacing up to 21,000 AFY of imported water with recycled water from the SJCWRP. Additional recharge water may could be obtained by increased utilization of SJCWRP, Whittier Narrows WRP, Pomona WRP, and LCWRP. However, availability of recycled water from these plants is subject to approval of a \$ 1211 Petition by the State Water Resources Control Board. WRD is also looking at captured stormwater from the Los Angeles River as another approach to increase water supply WRD is also looking at captured stormwater from the Los Angeles River as another approach to increase water supply.

Draft EIR Volume I – Section 20.1.1

The following revisions are made to Section 20.1.1 page 20-7, first paragraph:

The sewer system is managed by the City's Public Works Department. The local sewage is discharged into a larger system (County of Los Angeles Consolidated Sewer Maintenance District) managed by the Los Angeles County Sanitation District (LACSD) which provides both primary and secondary treatment of all City of Cudahy sewage flows while Los Angeles County Department of Public Works (County DPW) maintains all city-owned collection systems. LACSD serves ~~73~~ 78 cities and unincorporated ~~areas~~ territory within Los Angeles County and ~~provided~~ sewage treatment at ten Water Reclamation Plants (WRPs) and one ocean discharge facility (the Joint Water Pollution Control Plant) in Carson. About one-third of the treated water from these WRPs is available for re-use.

Draft EIR Volume I – Section 20.1.1

The following revisions are made to Section 20.1.1 page 20-20, first paragraph:

growth, as the facility is permitted to accept about 140 mgd more than it currently does. Regardless, future development could require expanded water and wastewater facilities to meet the demand from anticipated population growth, including mainline or backbone elements and local connections. Presently, no immediate changes to the system are needed to meet the demands of immediate growth, as the water and wastewater master plans anticipate growth

2.0 RESPONSE TO COMMENTS

consistent with the General Plan Update. To accommodate the level of long-term development allowed by the General Plan, the City will continue to assess demand and to work with local water agencies and the Los Angeles Sanitary District as needed. Availability of sewer capacity depends upon project size and timing of connection of sewerage system as such proposed developments will be reviewed by the district for sufficient sewer capacity. Additionally, water conservation practices will continue and expand. Implementation of the General Plan will not result in an exceedance of RWQCB treatment standards by increasing wastewater production as the anticipated increase in wastewater production is small compared to the current capacity at the Joint Water Pollution Control Plant.

FINAL ENVIRONMENTAL IMPACT REPORT

This page is intentionally blank.

4.0 PUBLIC CIRCULATION

AVAILABILITY AND DISTRIBUTION

The Notice of Preparation (NOP) was submitted to the State Clearinghouse for distribution to State agencies on the standard notification list maintained by the City of Cudahy Community Development Department. The Notice of Availability (NOA) was distributed to all agencies on the standard notification list maintained by the City of Cudahy Community Development Department via Certified Mail (see below) and was posted to the County of Los Angeles Registrar-Recorder/County Clerk and Published with the Long Beach Press-Telegram. The NOA and Notice of Completion (NOC) were both mailed to the State Clearinghouse for distribution to State agencies. Notification was also submitted to local Native American Tribal Governments in accordance with CEQA statutes, guidelines, and Assembly Bill (AB) 52.

FINAL ENVIRONMENTAL IMPACT REPORT

NOTICE OF PREPARATION



NOTICE OF PREPARATION

DATE: August 1, 2017

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

LEAD AGENCY: City of Cudahy
Contact: Sal Lopez, Interim Community Development Manager
Cudahy Planning Department
5220 Santa Ana Street
Cudahy, CA 90201

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the City of Cudahy General Plan Update¹

The City of Cudahy (City) will be the Lead Agency and will prepare a Draft Environmental Impact Report (DEIR) for the proposed Cudahy General Plan Update ("project") described below. We are interested in your agency's views as to the appropriate scope and content of the DEIR's environmental information pertaining to your agency's statutory responsibilities related to the project. We will need the name of a contact person for your agency. For interested individuals, we would like to be informed of environmental topics of interest to you regarding the project.

The City has already determined that an EIR is required for the proposed Cudahy General Plan Update, and as permitted by CEQA Guidelines Section 15060(d) (Preliminary Review), the City will not prepare an Initial Study for the project.

The proposed project, its location, and its potential environmental effects are described below. The City welcomes public input during the Notice of Preparation (NOP) review period. Due to the time limits mandated by the CEQA Guidelines, your response must be sent *not later than 30 days after your receipt of this notice*. If no response or request for additional time is received by the end of the review period, the City may presume that you have no response. Please send your comments to:

Reference: Title 14, California Code of Regulations, California Environmental Quality Act (CEQA) Guidelines, Sections 15082(a), 15103, and 15375

1

Sal Lopez,
City of Cudahy
5220 Santa Ana Street, Cudahy, CA 90201
mallen@cityofcudahyca.gov

To allow for mailing, receipt, and 30-day review of this NOP, the comment period closes on **August 30, 2017**.


for Sal Lopez
Interim Community Development Manager
323.773.5143 ext 242
mallen@cityofcudahyca.gov

7/28/17
Date

FINAL ENVIRONMENTAL IMPACT REPORT

Project Title: Cudahy General Plan Update

Project Applicant: City of Cudahy

Project Location:

The City of Cudahy (City) encompasses 1.2 square miles in southeastern Los Angeles County, approximately six miles southeast of downtown Los Angeles. The Cudahy General Plan Update area covers the entire city within City limits. The City boundary is trapezoidal in shape and is generally bounded by Florence Avenue to the north, Salt Lake Avenue/Union Pacific Railroad to the west, Patata Street/Southern Pacific Railroad to the south and Interstate 710/Los Angeles River to the east. Regional access to the City is provided by Interstate 710 via Florence Avenue (north of Cudahy) and Firestone Boulevard (south of Cudahy). Exhibit 1 shows the boundary of the city.

Project Description:

The Cudahy General Plan update, known as Cudahy 2040, identifies the community's vision for the future and provides a framework to guide decision making on growth and development, aesthetics, transportation, and community health. The General Plan was last comprehensively updated and adopted by the City in 1992, with minor updates made in 2010. Since then, the City has secured significant grant money to improve circulation, promote active transportation, and develop a new regulatory structure for land use development. The General Plan update will be a community-driven comprehensive update that reflects local values and needs, is easy to understand, is cutting edge, and focused on meaningful results and actions.

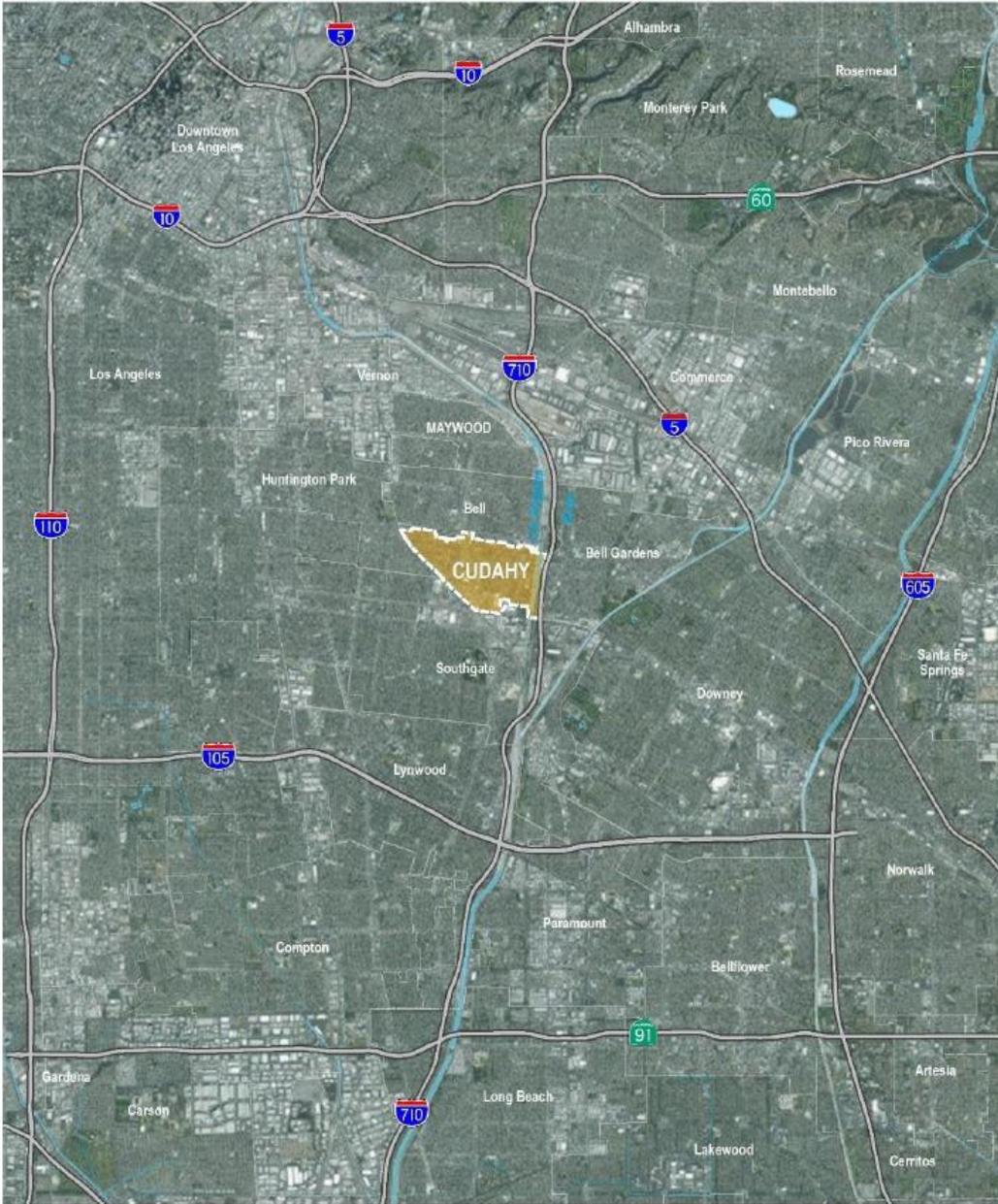
The proposed Cudahy General Plan Update will include the following elements: Land Use, Circulation, Air Quality, Noise, Conservation and Open Space, Mobility, Economic Development, Safety, Implementation

Exhibit 2 shows the proposed Land Use Plan under the General Plan Update.

Development Capacity:

The City contains over 1,600 unique parcels encompassing approximately 677 acres (not including street rights-of way). Most of the development in Cudahy is residential (412 acres), which accounts for approximately 61 percent of the City's total land area. Existing land uses are shown in Table 1.

4.0 PUBLIC CIRCULATION



**Exhibit 1
Cudahy City Boundary**

FINAL ENVIRONMENTAL IMPACT REPORT

Table 1. Existing Land Use		
Land Use Category	Acres	Percent of Total
Residential	411.7	60.8%
Low Density Residential	295.3	43.6%
Medium Density Residential	63.0	9.3%
High Density Residential	53.4	7.9%
Commercial	45.2	6.7%
Neighborhood Commercial	4.6	0.7%
Community Commercial	40.7	6.0%
Industrial	69.8	10.3%
Industrial	69.8	10.3%
Public / Institutional	107.7	15.9%
Public / Institutional	50.5	7.5%*
Los Angeles River	57.3	8.5%*
Recreation	16.4	2.4%
Parks / Recreation	16.4	2.4%
Right of Way	8.0	1.2%
Right of Way (Railroad + River Road)	8.0	1.2%
Vacant	18.3	2.7%
Vacant	18.3	2.7%
Total	677.1	100.0%
<i>Source: City of Cudahy GIS (2016)</i>		

Table 2 summarizes two levels of capacity created for development through the 2040 planning horizon year, compared to existing development in 2015. The Theoretical Maximum Development scenario assumes all private property will redevelop to the maximum intensities and densities allowable in the General Plan. Historic development patterns show that it is very unlikely that all private property will be redeveloped within the next 25 years. The historic patterns also indicate that the new development may increase in density or intensity but it is also unlikely to achieve the maximum because of other site design requirements (setbacks, parking, open space, etc.).

Given the unlikelihood that all private properties will redevelop to their maximum potential, a Realistic Development scenario is projected because it more accurately reflects the likely future development. The Realistic Development scenario assumes a more likely rate of parcel recycling and new development in response to the market.

Scenario	Residential (Units)	Commercial (square feet)	Industrial (square feet)	Public/ Institutional (square feet)
Existing Development (2015) ¹	5,774	351,464	755,923	175,899
Realistic Buildout (2040)	7,222	2,166,700	2,099,800	906,040
Theoretical Maximum Buildout (2040)	12,037	3,035,600	3,499,600	1,216,640
Realistic Buildout-Existing	1,448	1,815,236	1,343,877	710,142
Theoretical Maximum Buildout - Existing	6,263	2,684,136	2,743,677	1,040,742
Source:				
¹ CA Dept. of Finance - City/County Population & Housing Estimates, 2015				

The development capacity forecast encompasses the entire City because no site-specific, individual development proposals will be approved as part of the General Plan EIR. Any such individual project would be subject to its own CEQA review, including evaluation against the General Plan EIR.

Required Approvals:

Implementation of the Cudahy General Plan Update will require the following discretionary approvals by the City Cudahy:

- Certification of the Final Environmental Impact Report;
- Adoption of a Mitigation Monitoring and Reporting Program;
- Adoption of the Cudahy General Plan Update;
- Adoption of the Cudahy Development Code revision

Programmatic EIR:

The City of Cudahy has determined that the proposed General Plan will require preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). The City is the Lead Agency for preparation of a Program Environmental Impact Report (Program EIR) for the proposed City of Cudahy 2040 General Plan, which is a comprehensive update of the General Plan elements adopted in 1992. The Program EIR is an environmental review document being prepared by the City in compliance with the California Environmental Quality Act (CEQA) to evaluate the environmental impacts resulting from General Plan implementation and to recommend mitigation measures to avoid or reduce significant impacts. The Program EIR also is intended to help the City review future project proposals pursuant to section 15168 (Program EIR) of the CEQA Guidelines.

The following environmental topics will be evaluated in the EIR:

FINAL ENVIRONMENTAL IMPACT REPORT

Aesthetics: The EIR will describe the aesthetic and urban design implications of the proposed General Plan update, including its visual relationships to the surrounding vicinity and the potential impacts of General Plan development (the proposed array of building masses, heights, view corridors etc.) on important surrounding vantage points.

Air Quality: The EIR will describe the potential short- and long-term impacts of the General Plan update development capacity on local and regional air quality based on methodologies defined by the South Coast Air Quality Management District (SCAQMD).

Biological Resources: The EIR will evaluate potential impacts on biological resources resulting from General Plan update implementation.

Cultural and Historic Resources and Tribal Cultural Resources: The EIR will describe any potential General Plan impacts and mitigation needs associated with historic and cultural (archaeological and paleontological) resources, including potential impacts on Tribal Cultural Resources.

Geology and Soils: The EIR will describe the potential geotechnical implications of implementation of the General Plan update.

Greenhouse Gas Emissions and Global Climate Change: The EIR will describe the impacts of General Plan implementation on local greenhouse gas emissions and global climate change, following the latest approach and methodologies recommended by State and regional agencies.

Hazards and Hazardous Materials: The EIR will describe the potential for hazardous material use or hazardous waste investigation and cleanup activities anticipated in the plan area and will describe any associated potential impacts and mitigation needs. Potential construction period hazards and hazardous material impacts and mitigation needs will also be described.

Hydrology and Water Quality: The EIR will evaluate potential impacts on hydrology and water quality resulting from implementation of the General Plan update, including possible effects related to drainage and flooding.

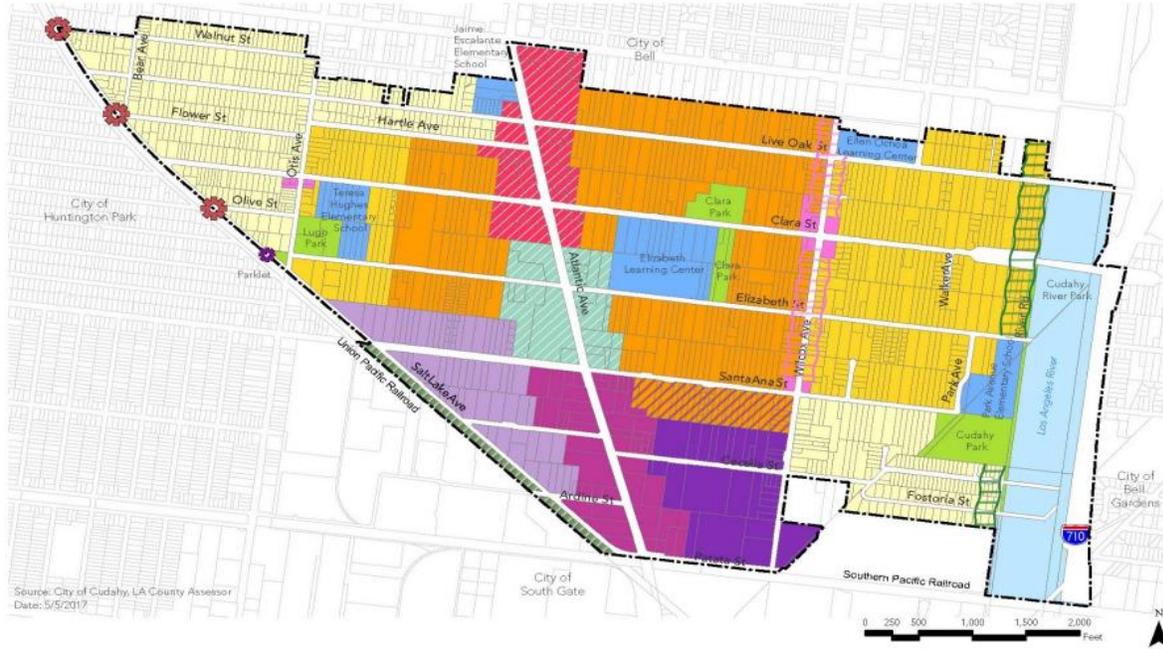
Land Use and Planning: The EIR will describe the potential effects of implementation of the General Plan on existing and planned land use characteristics in the City, including the General Plan's relationship to other adopted regional and local plans.

Noise: The EIR will describe potential construction and long-term operational noise (traffic, mechanical systems etc.) impacts and related mitigation needs.

Population and Housing: The EIR will describe the anticipated effects of General Plan development capacity on existing and projected population and housing characteristics. This information will be used to forecast public service and utility needs in the General Plan area.

4.0 PUBLIC CIRCULATION

FINAL ENVIRONMENTAL IMPACT REPORT



Source: City of Cudahy, LA County Assessor
Date: 5/5/2017

LAND USE FEATURES

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial/ Mixed Use
- Civic/ Mixed Use
- Neighborhood Commercial
- Entertainment
- Innovative Industrial
- Light Industrial
- City Parks/ Parklets
- Railroad Right-of-Way; Potential Bike Path
- School
- Los Angeles River
- Wilcox Commercial Overlay
- River Overlay
- Industrial Overlay

ROADWAY FEATURES

- Cudahy Boundary
- Railroads
- Cul-de-Sac
- Road Closure

* Overlays may be applied and defined in accordance with market demand, which is to be assessed every 5 years. Until that demand exists, underlying land use designation shall apply.

Exhibit 2 CUDAHY GENERAL PLAN Land Use Plan

Public Services: The EIR will describe potential impacts on public services (police and fire protection parks and recreation, and schools) and any mitigation needs.

Transportation and Circulation: The EIR will describe the transportation and circulation implications of the proposed General Plan update, including its incremental contribution to daily and peak hour traffic on local and regional roadways. The evaluation will include roadway system impacts, transit implications, and effects on pedestrian and bicycle circulation. General Plan components to improve multimodal travel will also be described and evaluated.

Utilities and Service Systems: The EIR will describe the impacts of General Plan implementation on local utility and service systems, including water supply, water and wastewater treatment, and solid waste and recycling.

Agriculture, Forestry, and Minerals: The EIR will explain why these CEQA-defined environmental topics will not be adversely affected by General Plan implementation.

Alternatives: Pursuant to CEQA Guidelines Section 15126.6, the EIR will identify and compare a reasonable range of alternatives to the General Plan.

FINAL ENVIRONMENTAL IMPACT REPORT

NOTICE OF COMPLETION

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2017071071

Project Title: Cudahy General Plan Update

Lead Agency: City of Cudahy Contact Person: Salvador Lopez
Mailing Address: 5220 Santa Ana Street Phone: 323-773-5143
City: Cudahy Zip: 90201 County: Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Cudahy
Cross Streets: Atlantic Avenue and Elizabeth Street Zip Code: 90201
Longitude/Latitude (degrees, minutes and seconds): 33 ° 57 ' 47.54" N / 118 ° 11 ' 10.96" W Total Acres: 787
Assessor's Parcel No.: Multiple Section: N/A Twp.: N/A Range: N/A Base: N/A
Within 2 Miles: State Hwy #: 710 Waterways: Los Angeles River
Airports: None Railways: SPRR & UPRR Schools: Multiple

Document Type:

CEQA: [] NOP [x] Draft EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[] Mit Neg Dec Other:

Local Action Type:

[x] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

[x] Residential: Units 7,222 Acres
[] Office: Sq.ft. Acres Employees
[x] Commercial: Sq.ft. 5.1 mil Acres Employees
[x] Industrial: Sq.ft. 2.1 mil Acres Employees
[] Educational:
[] Recreational:
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[] Other:

Project Issues Discussed in Document:

[x] Aesthetic/Visual [] Fiscal [x] Recreation/Parks [x] Vegetation
[x] Agricultural Land [x] Flood Plain/Flooding [x] Schools/Universities [x] Water Quality
[x] Air Quality [x] Forest Land/Fire Hazard [x] Septic Systems [x] Water Supply/Groundwater
[x] Archeological/Historical [x] Geologic/Seismic [x] Sewer Capacity [x] Wetland/Riparian
[x] Biological Resources [x] Minerals [x] Soil Erosion/Compaction/Grading [x] Growth Inducement
[] Coastal Zone [x] Noise [x] Solid Waste [x] Land Use
[x] Drainage/Absorption [x] Population/Housing Balance [x] Toxic/Hazardous [x] Cumulative Effects
[] Economic/Jobs [x] Public Services/Facilities [x] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Multiple/Multiple

Project Description: (please use a separate page if necessary)

The Cudahy 2040 General Plan is a long-range planning program that guides the orderly growth and development of the Cudahy planning area, which is defined to be all properties within the Cudahy corporate limits (Cudahy does not have a sphere of influence). The Cudahy 2040 General Plan communicates the City's vision of its future and establishes a policy framework to govern decision-making concerning the physical development of the community, including assurances that the community at large will be supported by an adequate range of public services and infrastructure systems. The Cudahy 2040 General Plan would not authorize any specific development project or other form of land use approval. The Specific Plan will support development of 7,222 dwelling units (DU) and an additional estimated population of 6,138 residents.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input checked="" type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>7</u> | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>4</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>5</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date 12/29/2017 Ending Date 2/12/2018

Lead Agency (Complete if applicable):

Consulting Firm: <u>MIG, Inc.</u>	Applicant: <u>City of Cudahy</u>
Address: <u>1500 Iowa Avenue, Suite 110</u>	Address: <u>5220 Santa Ana Street</u>
City/State/Zip: <u>Riverside, CA 92507</u>	City/State/Zip: <u>Cudahy, CA 90201</u>
Contact: <u>Cameron Hile</u>	Phone: <u>323-773-5143</u>
Phone: <u>951-787-9222</u>	

Signature of Lead Agency Representative: _____ Date: _____

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

FINAL ENVIRONMENTAL IMPACT REPORT

NOTICE OF AVAILABILITY

PUBLIC NOTICE CITY OF CUDAHY COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF AVAILABILITY

Draft Environmental Impact Report (DEIR) for the Cudahy 2040 General Plan Update-SCH# 2017071071

The City of Cudahy has prepared a DEIR that analyzes the potential environmental impacts associated with the adoption and long-term implementation of the Cudahy 2040 General Plan Update (General Plan). The General Plan is organized to address the requirements of California Government Code Sections 65450 through 65457. The DEIR includes an analysis of potential environmental impacts associated with implementation of the updated General Plan. Program-level analysis was conducted for the General Plan as a whole to account for the broad, cumulative impacts that may occur due to the anticipated, collective redevelopment of the Planning Area. Programmatic analysis focused on the long-term sub regional and regional changes that the General Plan implies and how those changes can be accommodated by areawide plans to minimize the impacts of land use decisions on the environment. The program-level analysis in the EIR is analogous with the cumulative impacts analysis required by CEQA.

The City of Cudahy (City) encompasses 1.2 square miles in southeastern Los Angeles County, approximately six miles southeast of downtown Los Angeles and the General Plan update covers the entire City. The City is trapezoidal in shape and is generally bounded by Florence Avenue to the north, Salt Lake Avenue/Union Pacific Railroad to the west, Patata Street/Southern Pacific Railroad to the south and Interstate 710/Los Angeles River to the east. The General Plan update identifies the community's vision for the future and provides a framework to guide decision making on growth and development, aesthetics, transportation, environmental justice, and community health. The proposed General Plan Update includes the following elements: Land Use; Circulation; Air Quality; Noise; Conservation and Open Space; Mobility; Economic Development, and Safety. Also included as part of this project are revisions to the City's Development Code intended to implement the General Plan update.

The proposed project would result in up to 1,448 additional dwelling units, an increase of roughly 1.8 million square feet of Commercial, 1.3 million square feet of Industrial and 0.7 million square feet of public/institutional uses. The Planning Area does not contain any sites listed as a hazardous waste facility, hazardous waste property, or hazardous waste disposal site as enumerated under California Government Code 65962.5. The table below provides a comparison of existing levels of development with expected realistic buildout of the Planning Area at the 2040 project horizon year. Significant and unavoidable impacts have been identified in regard to air quality and greenhouse gases, noise, and transportation/traffic.

Projected Development Capacity (2017-2040), Cudahy General Plan Update Area				
Scenario	Residential (Units)	Commercial (square feet)	Industrial (square feet)	Public/ Institutional (square feet)
Existing Development (2015) ¹	5,774	351,464	755,923	175,899
Buildout (2040)	7,222	2,166,700	2,099,800	906,040
Difference	1,448	1,815,236	1,343,877	710,142

¹CA Dept. of Finance - City/County Population & Housing Estimates, 2015

The DEIR is available for public review and comment for forty-five (45) days commencing Friday, December 29, 2017 and ending Monday, February 12, 2018 at 5:00 pm. Any person wishing to comment on the DEIR may provide written comments to the City during the public review period, care of Salvador Lopez, Interim Community Development Director, by February 12, 2018. The DEIR is available at Cudahy City Hall, Community Development Department, 5220 Santa Ana Street, and at the Cudahy Library, 5218 Santa Ana Street, Cudahy, California 90201. The DEIR is also available online at: <http://www.cityofcudahy.com/general-plan-update.html>

At this time, no date has been set for a public hearing on the project. For further information on future public hearings please contact Salvador Lopez, Interim Community Development Director, at (323) 773-5143 ext. 242 or slopez@cityofcudahyca.gov.

STANDARD DISTRIBUTION NOTIFICATION MAILING LIST

**United States Fish and Wildlife Service
Region 8 (USFWS)**
2177 Salk Avenue Suite 250
Carlsbad, CA 92008

City of South Gate
Community Development Dept.
8650 California Avenue
South Gate, CA 90280

Union Pacific Railroad
4341 E. Washington Blvd.
Commerce, CA 90023

**Air Resources Board
South Coast AQMD**
21865 Copley Drive
Diamond Bar, California 90013

**Tongva Ancestral Territorial
Tribal Nation**
4712 Admiralty Way, Ste. 172
Marina Del Rey, CA 90292

**Fire Prevention Division
Land Development Unit**
5823 Rickenbacker Rd.
Commerce, CA 90040

City of Bell
Planning Division
6330 Pine Avenue
Bell, CA 90201

Tract 180 Mutual Water Company
4540 Florance Avenue
Cudahy, CA 90201

City of Huntington Park
Community Development Dept.
6550 Miles Avenue
Huntington Park, CA 90255

Tract 349 Mutual Water Company
4630 Santa Ana Street
Cudahy, CA 90201

**San Gabriel and L.A. Rivers &
Mountains Conservancy**
100 N. Old San Gabriel Canyon Rd.
Azusa, CA 91702

FINAL ENVIRONMENTAL IMPACT REPORT

Southern California Edison
Attn: Mike Frazer
1924 Cashdan Street
Compton, CA 90220

L.A. County Sheriff's Dept.
211 W. Temple Street
Los Angeles, CA 90012

Southern California Gas Co.
Attn: Gail Etherly
701 N. Bullis Rd.
Compton, CA 90221

**Central Basin Municipal
Water District**
6252 Telegraph Road
Commerce, CA 90040

**Gabrielino Band of Mission Indians
Kizh Nation** Attn: Andrew Salas
P.O. Box 393
Covina, CA 91723

Cudahy Library
Attn: Jose Rivera
5218 Santa Ana Street
Cudahy, CA 90201

Gabrielino/Tongva Nation
Attn: Bernie Acuna
1999 Avenue of the Stars, Ste. 1100
Los Angeles, CA 90067

LA County Sanitation District
P.O. Box 4998
Whittier, CA 90607

City of Bell Gardens
Planning Division
7100 Garfield Avenue
Bell Gardens, CA 90201

**Los Angeles County Unified
School District**
333 S. Beaty Avenue
Los Angeles, CA 90017

AB-52 DISTRIBUTION NOTIFICATION MAILING LIST

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 FAX



October 7, 2016

Michael Allen
City of Cudahy

Sent via e-mail: mallen@cityofcudahyca.gov

RE: SB 18 / AB52 Consultation for the Proposed Cudahy 2040 – General Plan Update Project, City of Cudahy; Los Angeles County, California

Dear Mr. Allen:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced project.

Government Code §65352.3 requires **local governments** to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans.

In accordance with Public Resources Code Section 21080.3.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the NAHC for the purpose mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.3.1(d))

The law **does not preclude** agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

The NAHC requests that lead agencies include in their notifications information regarding any cultural resources assessment that has been completed on a potential "area of project affect" (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

FINAL ENVIRONMENTAL IMPACT REPORT

- If the probability is low, moderate, or high that cultural resources are located in the APE.
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
- Any report that may contain site forms, site significance, and suggested mitigation measures.
- All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. The request form can be found at <http://nahc.ca.gov/wp-content/uploads/2015/04/Sacred-Lands-File-NA-Contact-Form.pdf>.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the case that they do, having the information beforehand will help to facilitate the consultation process. It will also provide documentation of your compliance with state statutes in preparing your environmental documents.

Lead agencies or agencies potentially undertaking a project are encouraged to send more than one written notice to tribes that are traditionally and culturally affiliated to a potential APE during the 30-day notification period to ensure that the information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at my email address: gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

ARCHAEOLOGICAL AND OTHER HERITAGE RESOURCES CAN BE DAMAGED OR DESTROYED THROUGH UNCONTROLLED PUBLIC DISCLOSURE OF INFORMATION REGARDING THEIR LOCATION. THIS PORTION OF THE DOCUMENT CONTAINS SENSITIVE INFORMATION THAT SHOULD NOT BE DISCLOSED TO THE GENERAL PUBLIC OR UNAUTHORIZED PERSONS.

INFORMATION REGARDING THE LOCATION, CHARACTER, OR OWNERSHIP OF A CULTURAL RESOURCE IS EXEMPT FROM THE FREEDOM OF INFORMATION ACT PURSUANT TO 16 USC 470W-3 (NATIONAL HISTORIC PRESERVATION ACT) AND 16 USC SECTION 470(H) (ARCHAEOLOGICAL RESOURCES PROTECTIONS ACT)

FINAL ENVIRONMENTAL IMPACT REPORT

This page is intentionally blank.



CITY OF CUDAHY