



IV. RESPONSES TO WRITTEN COMMENTS

IV. RESPONSES TO WRITTEN COMMENTS

A. INTRODUCTION

CEQA Guidelines Section 15088(a) states that “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period.” In accordance with these requirements, this Section of the Final EIR provides responses to each of the written comments received regarding the Draft EIR. Responses are also provided for comments presented at the Planning Commission Meeting of November 29, 2005 and the Public Works Commission Meeting of December 12, 2005. Table 3, which starts on page 120, provides a summary of the issues raised in response to the Draft EIR.

Table 3
Written Comments Summary
Draft EIR

LETTER NO.	SUMMARY OF WRITTEN COMMENTS	I. SUMMARY	II. PROJECT DESCRIPTION	III.A. OVERVIEW OF ENVIRONMENTAL SETTING	III.B. CUMULATIVE DEVELOPMENT	IV.A. LAND USE AND PLANNING	IV.B. VISUAL RESOURCES	IV.C. TRAFFIC, CIRCULATION AND PARKING	IV.D. HAZARDS AND HAZARDOUS MATERIALS	IV.E. GEOLOGY AND SOILS	IV.F. SURFACE WATER AND QUALITY	IV.G. AIR QUALITY	IV.H. NOISE	IV.I.1. FIRE PROTECTION	IV.I.2. POLICE	IV.I.3. SCHOOLS	IV.I.4. PARKS AND RECREATION	IV.I.5. LIBRARIES	IV.J.1. WATER SUPPLY	IV.J.2. WASTEWATER	IV.J.3. SOLID WASTE	V. ALTERNATIVES	VI. OTHER ENVIRONMENTAL CONSIDERATIONS	VII. REFERENCES	VIII. LIST OF PREPARERS	APPENDICES	COMMENTS	
STATE																												
1	Cheryl J. Powell IGR/CEQA Branch Chief Regional Transportation Planning Department of Transportation District 7, Regional Planning 100 So. Main St. Los Angeles, CA 90012					•		•																				
2	Terry Roberts Director, State Clearinghouse State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit 1400 Tenth Street P.O. Box 3044 Sacramento, CA 95812-3044																											The letter is procedural in nature and contains no substantive comments on the EIR.
REGIONAL																												
3	Steve Smith, Ph.D. Program Supervisor, CEQA Section Planning, Rule Development & Area Sources South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765-4178											•																
4	Brian Wallace Associate Regional Planner Intergovernmental Review Southern California Association of Governments 818 West Seventh Street 12th Floor Los Angeles, CA 90017-3435						•																					The letter acknowledges that SCAG has reviewed the Draft EIR and that the Draft EIR addresses SCAG's policies and forecasts appropriately, and explains how the Project meets and supports regional goals

Table 3 (Continued)
Written Comments Summary
Draft EIR

LETTER NO.	SUMMARY OF WRITTEN COMMENTS	I. SUMMARY	II. PROJECT DESCRIPTION	III.A. OVERVIEW OF ENVIRONMENTAL SETTING	III.B. CUMULATIVE DEVELOPMENT	IV.A. LAND USE AND PLANNING	IV.B. VISUAL RESOURCES	IV.C. TRAFFIC, CIRCULATION AND PARKING	IV.D. HAZARDS AND HAZARDOUS MATERIALS	IV.E. GEOLOGY AND SOILS	IV.F. SURFACE WATER AND QUALITY	IV.G. AIR QUALITY	IV.H. NOISE	IV.I.1. FIRE PROTECTION	IV.I.2. POLICE	IV.I.3. SCHOOLS	IV.I.4. PARKS AND RECREATION	IV.I.5. LIBRARIES	IV.J.1. WATER SUPPLY	IV.J.2. WASTEWATER	IV.J.3. SOLID WASTE	V. ALTERNATIVES	VI. OTHER ENVIRONMENTAL CONSIDERATIONS	VII. REFERENCES	VIII. LIST OF PREPARERS	APPENDICES	COMMENTS
County																											
5	Ron Takiguchi, P.E. District Engineer County of Los Angeles Building and Safety Division		•							•																	
6	Kelvin Kasai Environmental Health Specialist III Los Angeles County Solid Waste Management Program County of Los Angeles Department of Health Services Public Health 5050 Commerce Drive Baldwin Park, CA 91708								•																		
7	Barbara Herrera Chief, Planning Division County of Los Angeles Fire Department 1320 North Eastern Avenue Los Angeles, CA 90063-3294													•													
8	Ruth I. Frazen Engineering Technician Finance & Property Management Section County Sanitation Districts of Los Angeles County 1955 Workman Mill Road P.O. Box 4998 Whittier, CA 90607																			•							
CITY OF CARSON																											
9	John Cottrell Public Works Commissioner CCJ Const. Co.							•																			
10	Margaret Hudson Planning Commissioner Member, MTA South Bay Sector Governance Council 24518 Panama Avenue Carson, CA 90745		•					•								•						•					

Table 3 (Continued)
Written Comments Summary
Draft EIR

LETTER NO.	SUMMARY OF WRITTEN COMMENTS	I. SUMMARY	II. PROJECT DESCRIPTION	III.A. OVERVIEW OF ENVIRONMENTAL SETTING	III.B. CUMULATIVE DEVELOPMENT	IV.A. LAND USE AND PLANNING	IV.B. VISUAL RESOURCES	IV.C. TRAFFIC, CIRCULATION AND PARKING	IV.D. HAZARDS AND HAZARDOUS MATERIALS	IV.E. GEOLOGY AND SOILS	IV.F. SURFACE WATER AND QUALITY	IV.G. AIR QUALITY	IV.H. NOISE	IV.I.1. FIRE PROTECTION	IV.I.2. POLICE	IV.I.3. SCHOOLS	IV.I.4. PARKS AND RECREATION	IV.I.5. LIBRARIES	IV.J.1. WATER SUPPLY	IV.J.2. WASTEWATER	IV.J.3. SOLID WASTE	V. ALTERNATIVES	VI. OTHER ENVIRONMENTAL CONSIDERATIONS	VII. REFERENCES	VIII. LIST OF PREPARERS	APPENDICES	COMMENTS
11	Margaret Hudson Planning Commissioner 24518 Panama Avenue Carson, CA 90745							•																			
12	Jan Schaefer Public Works Commissioner jjschaef@comcast.net							•																			
OTHER CITIES																											
13	Jeffery W. Gibson Community Development Director Carolyn Chun Senior Planning Associate Redevelopment, Housing and General Plan City of Torrance 3031 Torrance Boulevard Torrance, CA 90503							•																			
INDIVIDUALS																											
14	Rita R. Boggs, Ph.D. 21328 Island Ave. Carson, CA 90745		•			•		•	•	•		•															
15	Judith L. Davenport 117 East 229th Place Carson, CA 90745																										Supports a Wal-Mart locating at the Project site.
16	Lenora Dewood Carson Rtrmnt Center 345 E. Carson St. #37 Carson, CA 90745-2709																										Opposed to a Wal-Mart locating at the Project site.
17	Sylvia A. Diaz 128 E. 228th St. Carson, CA 90755																										Opposed to a Wal-Mart locating at the Project site.

Table 3 (Continued)
Written Comments Summary
Draft EIR

LETTER NO.	SUMMARY OF WRITTEN COMMENTS	I. SUMMARY	II. PROJECT DESCRIPTION	III.A. OVERVIEW OF ENVIRONMENTAL SETTING	III.B. CUMULATIVE DEVELOPMENT	IV.A. LAND USE AND PLANNING	IV.B. VISUAL RESOURCES	IV.C. TRAFFIC, CIRCULATION AND PARKING	IV.D. HAZARDS AND HAZARDOUS MATERIALS	IV.E. GEOLOGY AND SOILS	IV.F. SURFACE WATER AND QUALITY	IV.G. AIR QUALITY	IV.H. NOISE	IV.I.1. FIRE PROTECTION	IV.I.2. POLICE	IV.I.3. SCHOOLS	IV.I.4. PARKS AND RECREATION	IV.I.5. LIBRARIES	IV.J.1. WATER SUPPLY	IV.J.2. WASTEWATER	IV.J.3. SOLID WASTE	V. ALTERNATIVES	VI. OTHER ENVIRONMENTAL CONSIDERATIONS	VII. REFERENCES	VIII. LIST OF PREPARERS	APPENDICES	COMMENTS
18	Dr. Gerry Gee, O.D. 22015 South Avalon Boulevard, Suite A Carson, CA 90745					•																					Opposed to a Wal-Mart locating at the Project site.
19	Raymond W. Johnson, Esq. AICP Principal Planner Planning/Environmental Solutions LLC 26785 Camino Seco Temecula, CA 92890					•	•	•	•													•					
20	Dianne Johnson-Wheeler 18635 Milmore Ave. Carson, CA 90746																										Opposed to a Wal-Mart locating at the Project site.
21	Jack Lardy 22109 Bonita St.																										Supports a Wal-Mart locating at the Project site.
22	Robert Lesley 19919 Alonda Dr. Carson, CA 90746					•			•		•	•	•														
23	Paul Rollins																										Opposed to a Wal-Mart locating at the Project site.
24	Michael Spaeth 463 E. 230th St. Carson, CA 90745																										Opposed to a Wal-Mart locating at the Project site.
25	Joan Terrell P.O. Box 4864 Carson, CA																										Opposed to a Wal-Mart locating at the Project site.
26	Anonymous																										Opposed to a Wal-Mart locating at the Project site.

Table 3 (Continued)
Written Comments Summary
Draft EIR

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PUBLIC MEETINGS																												
27	Planning Commission Meeting November 29, 2005					•		•	•	•		•	•		•						•							Also addressed non-CEQA topics, such as funding and finances.
28	Public Works Commission Meeting December 12, 2005							•					•														Emphasis on Site Accessibility.	

IV. RESPONSES TO WRITTEN COMMENTS
B. COMMENTS RECEIVED ON THE DRAFT EIR

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 SO. MAIN ST.
LOS ANGELES, CA 90012
PHONE (213) 897-6536
FAX (213) 897-1337
E-Mail: NercessVerjanian@dot.ca.gov



*Flex your power!
Be energy efficient!*

Mr. Ronald E. Winkler
Economic Development General Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, #200
Carson, CA. 90745

IGR/CEQA# 051101/NY
DEIR/Carson Marketplace
LA/405/11.22

December 14, 2005

Dear Mr. Winkler:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Carson Marketplace Project which includes: 1,550 residential units, a 300-room hotel, 1,995,125 square feet of commercial space, and 81,125 square feet of restaurant use.

1-1

Based on the review of the Traffic Analysis submitted in the Draft Environmental Impact Report (DEIR) we have the following comments:

The proposed project is located immediately adjacent to the San Diego Freeway (I-405). We are very concerned that the environmental document for the project does not offer any mitigation to offset impacts to the state transportation facilities. Volume 1, page 21— shows an estimated 68,950 project generated trips, including 2510 AM and 5770 PM peak hour trips. These additional trips will result in significant impacts to Freeways I-110 and I-405. Page 29 of the document states, "No feasible mitigation measures are available to the Applicant to mitigate the Project's significant impacts on I-110 and I-405 freeways." The last paragraph of Page 30 says "-- the Project's impact on freeway service levels would be significant and unavoidable." Our review of the project documents indicate there will be significant impacts to the freeways, and these impacts will need to be mitigated.

1-2

Mr. Winkler

December 14, 2005

Existing Levels of Service are "E" and "F" on SR-91, I-110, I-405 and I-710 (Volume 1, Page 225). Per Page 233, Item 3 (a), the documents says analysis of potential impacts to the four (4) freeways are conducted in accordance with transportation analysis procedures outlined in the Los Angeles County Congestion Management Program (CMP). Caltrans has jurisdiction for State facilities, which supercedes the LA County CMP analysis procedures. We are requesting that the Freeway Traffic Analysis portion of the environmental document be re-evaluated, to more comprehensively show impacts to the state transportation facilities. We recommend that you reference Caltrans Traffic Impact Study Guide for more information.

1-3

We would like to partner with the City to identify solutions to offset the project's traffic impacts on the I-110 and I-405 freeways. An example of a mitigation measure the City could consider, would be construction of auxiliary lanes in both directions of the freeways. Other mitigation measures may also be considered to help reduce trips. The City can require the project applicant to contribute an equitable share responsibility for these improvements. The method for calculating an equitable share responsibility is described in the Caltrans Traffic Impact Study Guide. The "Equitable Share" calculations allow the developer to pay only its pro-rata share.

1-4

The Department encourages the City to also develop Smart Growth and Jobs/Housing Balance strategies. Alternative strategies for trip reduction such as programs of employer sponsored carpooling, vanpooling or monthly transit passes for employees could be set up. We ask for continued planning and development of land use layout and internal motorized and non-motorized travel facilities to facilitate localized trip making.

1-5

1-6

1-7

We invite the City to contact us at your earliest convenience to set up a meeting to discuss these issues further.

1-8

To schedule a meeting, or if you have any questions regarding this response, please feel free to call me at 213-897-3747, or the Project Engineer/Coordinator Mr. Yerjanian at (213) 897-6536 and refer to IGR/CEQA # 051101NY.

Sincerely,

Original signed by

Cheryl J. Powell
IGR/CEQA Branch Chief
Regional Transportation Planning

LETTER NO. 1

Cheryl J. Powell
IGR/CEQA Branch Chief
Regional Transportation Planning
Department of Transportation
District 7, Regional Planning
100 So. Main St.
Los Angeles, CA 90012

RESPONSE 1-1

The description of the Project as set forth in this comment is correct and accurate. Specific comments regarding the Agency's review of the Draft EIR follow and are addressed in Response to Comment Nos. 1-2 through 1-7.

RESPONSE 1-2

The comment restates and concurs with the Draft EIR conclusion that the Project would have significant and unavoidable impacts on the freeway system. The commentor's statement of concern is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 1-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As stated in Section IV.C, Traffic, Circulation and Parking, of the Draft EIR, the methods and criteria used in the Draft EIR to assess the significance of Project impacts on the freeway system are the methods and criteria established in the Los Angeles County Congestion Management Program (CMP). The CMP was developed by the Los Angeles County Metropolitan Transportation Authority (MTA) under state statute and has been adopted by the City of Carson. The CMP provides reasonable methods and criteria for the assessment of incremental Project impacts on the regional transportation system. As the CMP has the legal standing as the means by which freeway facilities are administered, the City has no obligation under CEQA to analyze the Project's potential impacts on the freeway system via an alternative methodology, such as the one suggested by the commentor.

RESPONSE 1-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As

discussed in the Draft EIR Traffic Study (see Appendix D to the Draft EIR), there are no current plans by Caltrans to provide additional capacity on the impacted segments of the I-110 and I-405 freeways, implementation of freeway mainline improvements is beyond the ability of any individual project to implement, and as such the Project's incremental impacts on poor cumulative conditions on the affected segments would be considered significant and unavoidable.

The commentor suggests that the City work with Caltrans to develop an auxiliary lane system in this segment of the I-405 freeway and/or the City require the Project Applicant to contribute an equitable share towards freeway system improvements. The City and Project Applicant are willing to work with Caltrans on solutions that address the broader issue of mobility and safety in this segment of the freeway beyond the impacts of the Project. However, in the absence of a specific established program to collect funds for the implementation of specific improvements, simply contributing funds towards an unspecified future improvement would not constitute mitigation under CEQA, since there is no mechanism to ensure that any specific improvements addressing the specific impacts are made.

RESPONSE 1-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The Draft EIR addresses land use/growth issues in Section IV.A, Land Use and Planning. Table 10 of that analysis on page 137 identifies City of Carson General Plan Policies pertaining to future land use and growth. A considerable number of those policies directly pertain to smart growth and jobs/housing balance. General Plan policies that most directly apply to this issue include Land Use Element policies 6.2, 6.3, 6.4, 8.3, 11.1, 15.1, 15.3 and 15.6. The adoption of such policies indicates the City's support of smart growth and jobs/housing balance. Table 10 also documents the Project's consistency with these policies.

The Draft EIR also identifies SCAG policies that support smart growth and jobs/housing balance, and assesses Project consistency with those policies in Table 11 on page 156. As discussed in Tables 10 and 11, the Project is consistent with smart growth and jobs/housing balance strategies due to its following characteristics: (1) the Project is a mixed-use development with a range of residential, shopping, entertainment, restaurant, and hotel uses; (2) the Project is a clustered development located along major transportation corridors; and (3) the Project provides for alternative modes of transportation with pedestrian and bicycle facilities, and linkages to existing public transit systems.

RESPONSE 1-6

Given the retail commercial and residential nature of the Project, the majority of Project trips would be generated by residents and by retail patrons of the commercial and entertainment

uses. Historically, these types of trips are not affected materially by trip reduction measures such as employer-sponsored carpooling, vanpooling, or monthly transit passes for employees. Given the size of the proposed commercial components, however, there would nevertheless be a substantial number of employees on the site.

The Draft EIR, in recognition of the importance of encouraging transit usage as one strategy to address freeway, as well as general roadway, congestion, includes Mitigation Measure C-16, which requires that the Applicant provide additional transit stops, including benches and shelters, in and adjacent to the Project site. Furthermore, a mitigation measure has been added, Mitigation Measure C-17, that requires the Applicant to provide a fair share contribution for the funding of Carson North-South Shuttle operations (please see Section III, Corrections and Additions, Subheading IV.C, of the Final EIR). Further, the Project would be subject to Part 6, Division 5 of the City Zoning Code, which requires trip reduction programs similar to those mentioned in the comment.

RESPONSE 1-7

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The Project site plan is illustrative at present. Nevertheless, it is anticipated that internal facilities, including roadways, bikeways and pedestrian paths, would be provided to facilitate localized tripmaking between the various uses on the Project site. As such, the Carson Marketplace Specific Plan calls for pedestrian paths and bicycle facilities both within and adjacent to the Project site, as well as features supportive of public transportation (per Mitigation Measure C-16), as well as the trip reduction programs (per the Zoning Code).

RESPONSE 1-8

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.



Letter No. 2

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



Arnold
Schwarzenegger
Governor

Sean Walsh
Director

December 16, 2005

Ronald E. Winkler
Carson Redevelopment Agency
1 Civic Plaza Drive, #200
Carson, CA 90745

RECEIVED
DEC 19 2005

ECONOMIC
DEVELOPMENT SERVICES

Subject: Carson Marketplace
SCH#: 2005051059

Dear Ronald E. Winkler:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 15, 2005, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

2-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005051059
Project Title Carson Marketplace
Lead Agency Carson, City of

Type EIR Draft EIR
Description The Carson Marketplace Project would develop a 168-acre site with some or all of the following uses: neighborhood commercial, regional commercial, commercial recreation/entertainment, restaurant, hotel, and residential. Specifically, the applicant's proposal consists of a total of 1,550 residential units (1,150 for-sale units and 400 rental residential units), and 1,995,125 square feet of commercial floor area, inclusive of a 300 room hotel.

Lead Agency Contact

Name Ronald E. Winkler
Agency Carson Redevelopment Agency
Phone (310) 233-4800 **Fax**
email
Address 1 Civic Plaza Drive, #200
City Carson **State** CA **Zip** 90745

Project Location

County Los Angeles
City Carson
Region
Cross Streets Del Amo Blvd. / Main Street

Parcel No.	Range	Section	Base
Township			

Proximity to:

Highways I-405, I-110
Airports
Railways
Waterways
Schools
Land Use Vacant / Regional Commercial (Design Overlay); Light Manufacturing (Design Overlay and Organic Refuse Landfill Overlay) / Mixed Use - Business Park

Project Issues Aesthetic/Visual; Air Quality; Cumulative Effects; Economics/Jobs; Fiscal Impacts; Geologic/Seismic; Growth Inducing; Landuse; Noise; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circuiation; Water Quality; Water Supply

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Integrated Waste Management Board; Department of Health Services; Office of Emergency Services; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 7; Department of Toxic Substances Control

Date Received 11/01/2005 **Start of Review** 11/01/2005 **End of Review** 12/15/2005

LETTER NO. 2

Terry Roberts
Director, State Clearinghouse
State of California
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

RESPONSE 2-1

This comment acknowledges receipt of the Draft EIR by the State Clearinghouse and acknowledges that the City has complied with State Clearinghouse review requirements, pursuant to the California Environmental Act. No further response is required.

RESPONSE 2-2

This attachment is a detailed report regarding State review of the Draft EIR. As such, this comment is addressed in Response 2-1. As indicated, the Draft EIR was distributed to twelve State Agencies for review. No further response is required.



South Coast
Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

RECEIVED
DEC 20 2005

FAXED: DECEMBER 15, 2005

ECONOMIC
DEVELOPMENT SERVICES
December 15, 2005

Mr. Ronald E. Winkler
Carson Redevelopment Agency
City of Carson
1 Civic Plaza Drive, # 200
Carson, CA 90745

Dear Mr. Winkler:

**Draft Environmental Impact Report (DEIR) for
Carson Marketplace, November 2005**

The South Coast Air Quality Management District (SCAQMD) 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 in the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final Environmental Impact Report. The SCAQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Charles Blankson, Ph.D., Air Quality Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

3-1

Sincerely

A handwritten signature in cursive script that reads "Steve Smith".

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS: CB

LACO51101-05
Control Number

**Draft Environmental Impact Report (DEIR) for
Carson Marketplace, November 2005**

1. **Applicable SCAQMD Rules:** Since site preparation may result in the exposure of buried refuse, the third paragraph on page 387 should be revised to state that the Applicant would be required to comply with SCAQMD Rule 1150 – Excavation of Landfill Sites, in addition to SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. 3-2

2. **Project Impacts Mitigation:** SCAQMD recommends that the lead agency revise the proposed mitigation measures as follows:
 - Revise Mitigation Measure G-5 to prohibit construction vehicles from idling in excess of five minutes to be consistent with state law.

 - Clarify Mitigation Measure G-6 to define low-sulfur diesel, consistent with in SCAQMD Rule 431.2, which defines low-sulfur diesel as diesel with sulfur content of 15 ppm by weight or less. 3-3

 - Revise Mitigation Measure G-7, because users are already required to use coatings and solvents consistent with applicable SCAQMD rules and regulations. Instead, Mitigation Measure G-7 should be revised to require the project applicant to use coatings with a VOC content less than required by applicable SCAQMD rules and regulations, and encourage water-based coatings or other low-emitting alternatives, restrict the number of gallons of coatings used per day, or where feasible, paint contractors should use hand applications instead of spray guns.

LETTER NO. 3

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

RESPONSE 3-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As requested, a copy of the Final EIR will be sent to the SCAQMD. Specific comments regarding the Agency's review of the Draft EIR follow, and are addressed in Response to Comment Nos. 3-2 and 3-3.

RESPONSE 3-2

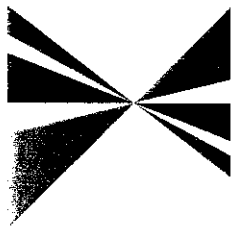
The Applicant plans to generally maintain approximately five feet of cover soil on top of waste to avoid waste and landfill gas exposure. In the unlikely event that waste exposure does occur, SCAQMD Rule 1150 – Excavation of Landfill Sites compliance would be followed. Per SCAQMD's request, changes that identify the potential applicability of SCAQMD Rule 1150 to the Project have been incorporated into the Final EIR. Please see Section III, Corrections and Additions, Subheading IV.G, of this Final EIR. Furthermore, DTSC would require and approve a community monitoring program that would be at least as stringent as the requirements established under applicable SCAQMD Rules (e.g., Rule 403).

RESPONSE 3-3

Per the SCAQMD's request, changes to the air quality Mitigation Measures have been incorporated into the Final EIR. Please see Section III, Corrections and Additions, Subheading IV.G, of this Final EIR.

Letter No. 4

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

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Imperial County: Victor Carrillo, Imperial County • Joe Edney, El Centro

Los Angeles County: Yvonne Burke, Los Angeles County • Zev Yaroslavsky, Los Angeles County • Jim Alvinger, Manhattan Beach • Harry Baldwin, San Gabriel • Paul Bowen, Cerritos • Todd Campbell, Burbank • Tony Cardenas, Los Angeles • Stan Carroll, La Habra Heights • Margaret Clark, Rosemead • Gene Daniels, Paramount • Mike Dispenza, Palmdale • Judy Dunlap, Inglewood • Rae Gabelich, Long Beach • David Galin, Downey • Eric Garretti, Los Angeles • Wendy Greuel, Los Angeles • Frank Gurulé, Cudahy • Janice Hahr, Los Angeles • Isadore Hall, Compton • Keith W. Hanks, Azusa • Tom LaBonge, Los Angeles • Paula Lantz, Pomona • Paul Nowatka, Torrance • Pam O'Connor, Santa Monica • Alex Padilla, Los Angeles • Bernard Parks, Los Angeles • Jar Perry, Los Angeles • Ed Reyes, Los Angeles • Bill Rosendahl, Los Angeles • Greg Smith, Los Angeles • Tom Sykes, Walnut • Paul Talbot, Alhambra • Sidney Tyler, Pasadena • Tonia Reyes Uranga, Long Beach • Antonio Villaraigosa, Los Angeles • Dennis Washburn, Calabasas • Jack Weiss, Los Angeles • Dennis Zine, Los Angeles

Orange County: Chris Norby, Orange County • Christine Barnes, La Palma • John Beauman, Brea • Lou Bone, Justin • Art Brown, Buena Park • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Cathryn DeYoung, Laguna Niguel • Richard Dixon, Lake Forest • Marilynn Poe, Los Alamitos • Tod Ridgeway, Newport Beach

Riverside County: Jeff Stone, Riverside County • Thomas Buckley, Lake Elsinore • Bonnie Flickinger, Moreno Valley • Ron Loveridge, Riverside • Greg Pettis, Cathedral City • Ron Roberts, Temecula

San Bernardino County: Garv Ovit, San Bernardino County • Lawrence Dale, Bairstow • Paul Eaton, Montclair • Lee Ann Garcia, Grand Terrace • Tim Jasper, Town of Apple Valley • Larry McCallion, Highland • Deborah Robertson, Rialto • Alan Wapner, Ontario

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

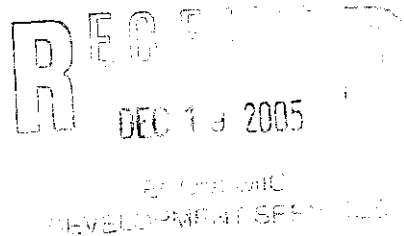
Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

9 December 2005

Mr. Ronald E. Winkler
Economic Development Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, #200
Carson, CA 90745



RE: Comments on the Notice of Completion of a Draft Environmental Report for Carson Marketplace SCAG No. I20050713

Dear Mr. Winkler:

Thank you for submitting the Notice of Completion of a Draft Environmental Report for the above-mentioned project to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has evaluated your submission for consistency with the Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan, and Compass Growth Vision. The Draft EIR addresses SCAG's policies and forecasts appropriately and has provided sufficient explanation of how the project helps meet and support regional goals. Based on the information provided in the EIR we have no further comments.

A description of the proposed Project was published in the November 1-30, 2005 Intergovernmental Review Clearinghouse Report for public review and comment.

If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace
Associate Regional Planner
Intergovernmental Review

DOCS # 116795v1



LETTER NO. 4

Brian Wallace
Associate Regional Planner
Intergovernmental Review
Southern California Association of Governments
818 West Seventh Street
12th Floor
Los Angeles, CA 90017-3435

RESPONSE 4-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The comment describes the Agency's review of the Draft EIR and notes the Agency's responsibilities as a regional planning organization and concludes that the Draft EIR "... addresses SCAG's policies and forecasts appropriately and has provided sufficient explanation of how the project helps meet and support regional goals." No further response is required.

Letter No. 5

December 15, 2005

TO: Ron Winkler
Economic Development General Manager

FROM: Ron Takiguchi
Building and Safety

CARSON MARKETPLACE DRAFT EIR BUILDING AND SAFETY COMMENTS

The draft Environmental Impact Report submitted by PCR Services Corporation dated November 2005 has been reviewed and found to have the following minor comments:

5-1

Volume 1

- Page 7, Third bullet point from top of page.
Reference to "Building-related permits" should also include Grading permits.

5-2

- Page 101, Second bullet point from top of page.
Reference to "Building-related permits" should also include Grading permits.

- Page 314, last paragraph.
Reference to Chapter 33 should read "Appendix Chapter 33".

- Page 324, Figure 32.
Area of liquefaction within the project boundary does not match the State of California Seismic Hazard Zones for the Torrance Quadrangle.

5-3

- Page 326, sub-paragraph c.(1)
Wording to be added to the end of the first sentence, ". . . and the Seismic Provisions for Structural Steel Buildings, of the American Institute of Steel Construction, Parts I and III and Supplement No. 2."

5-4

Volume 2

- Page B-12, sub-paragraph VI.d).
Reference to the Uniform Building Code shall be the 1997 edition, not "1994".

5-5

If I may be of further assistance please contact me at (310) 952-1700, Extension 1374.

5-6

LETTER NO. 5

Ron Takiguchi, P.E.
District Engineer
County of Los Angeles Building and Safety Division

RESPONSE 5-1

This comment provides background on the letter, and does not raise environmental issues. Specific comments regarding the Agency's review of the Draft EIR follow and are addressed in Response to Comment Nos. 5-2 through 5-6.

RESPONSE 5-2

The requested correction has been made; please see Section III, Corrections and Additions, Subheading II, of the Final EIR.

RESPONSE 5-3

Figure 32 of the Draft EIR has been revised to reflect changes in the boundaries of the designated liquefaction areas, to match those shown in the map of the State of California Seismic Hazard Zones for the Torrance Quadrangle.

RESPONSE 5-4

The requested addition has been made; please see Section III, Corrections and Additions, Subheading IV.E, of the Final EIR.

RESPONSE 5-5

The reference to the 1994 Uniform Building Code (UBC) occurs in an Initial Study check list that comes from the State CEQA Guidelines. The check list item asks whether the site contains expansive soils as defined by the UBC. Use of the 1997 UBC as a source for the definition would not change the information presented in the Initial Study regarding nature of the soils on the Project site. No further response is required.

RESPONSE 5-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Letter No. 6



**COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health**



THOMAS L. GARTHWAITE, M.D.
Director and Chief Medical Officer
DEPARTMENT OF HEALTH SERVICES

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health

ARTURO AGUIRRE, R.E.H.S., M.A.
Director of Environmental Health
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 _ FAX (626) 813-3000

www.lapublichealth.org

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DEVELOPMENT SERVICES

BOARD OF SUPERVISORS

Gloria Molina
First District

Yvonne Brathwaite Bu
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

December 12, 2005

Mr. Ronald Winkler, Economic Development Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, #200
Carson, CA 90745

Subject: Comments on the draft Environmental Impact Report (EIR) for the Cal Compact closed landfill, Carson, CA.

Thank you for the opportunity to submit comments and/or suggestions for the proposed development of the Cal Compact closed landfill. The focus of this department is outlined in the California Code of Regulations (CCR) Title 27 section 21190. We acknowledge that some of these concerns may have already been identified by other agencies and reiterating them here may be redundant. In addition, we recognize that the current draft EIR does address many of these requirements. In the interest of being brief, we would suggest that you refer to Title 27, section 21190 of the CCR in order to meet compliance requirements of our department. Please remember that plan approvals must be obtained prior to commencement of operations. For your convenience, a copy of this section is included with this letter.

6-1

If you have any questions regarding this matter, please contact me at (626) 430-5569, Tuesday through Friday.

Sincerely,

Kelvin Kasai
Environmental Health Specialist III
Los Angeles County Solid Waste Management Program

(b) Gas monitoring and control shall be conducted during the closure and postclosure maintenance period pursuant to Article 6, Subchapter 4 of this chapter.

(c) During the closure/postclosure maintenance period, the owner/operator shall ensure that leachate collection and control is done in a manner which prevents public contact and controls vectors, nuisance and odors.

(d) In designing the LCRS to meet the requirements under §20340, the owner/operator shall also assure that the LCRS neither:

- (1) interferes with landfill gas control; nor
- (2) promotes landfill gas migration.

NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code; and Section 66796.22(d), Government Code. Reference: Section 66796.22(d), Government Code; and Sections 43103 and 44100, Public Resources Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21170. CIWMB—Recording. (T14:§17787)

(a) The owner or operator, upon completion of closure of the site, shall file a detailed description of the closed site, including a map, with the Recorder of the County in which the site is located, with the EA and with the local agency that has been selected to maintain the county integrated waste management plan. The site description, upon completion of closure of the site, shall include but not be limited to the following:

- (1) the date that closure was completed;
- (2) the boundaries including height and depths of the filled area. If the site was closed in increments, the boundaries of each waste management unit;
- (3) the location where the closure and postclosure plans can be obtained; and
- (4) a statement that the future site use is restricted in accordance with the postclosure maintenance plan.

NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code; and Section 66796.22(d), Government Code. Reference: Sections 43103 and 44100, Public Resources; and Section 66796.22(d), Government Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21180. CIWMB—Postclosure Maintenance. (T14:§17788)

[Water quality protection aspects for postclosure maintenance are addressed in §21090.]

(a) Postclosure maintenance for the purposes of reducing impacts to health and safety, shall be conducted to ensure the integrity of the final cover and environmental control systems. The landfill shall be maintained and monitored for a period of not less than thirty (30) years after the completion of closure of the entire solid waste landfill. Any areas in which final cover is placed prior to the closure of the entire landfill shall be maintained in accordance with an approved postclosure maintenance plan, but the thirty (30) year monitoring period shall not commence until closure of the entire landfill is complete. Maintenance and monitoring shall include, but not be limited to the following:

- (1) site security;
- (2) gas monitoring and control system maintenance as specified in the final closure and postclosure maintenance plans.
- (b) If nonliquid waste is exposed during postclosure maintenance activities at a solid waste landfill, the waste may be returned to that landfill provided that the integrity of the final cover is maintained.
- (c) The operator shall provide to the CIWMB and the EA copies of the maps and reports provided to the RWQCB pursuant to §21090(e)(2) describing the amount of differential settlement.

NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code; and Section 66796(d), Government Code. Reference: Sections 43021 and 43103, Public Resources Code; and Section 66796.22(d), Government Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21190. CIWMB—Postclosure Land Use. (T14:§17796)

(a) Proposed postclosure land uses shall be designed and maintained to:

- (1) protect public health and safety and prevent damage to structures, roads, utilities and gas monitoring and control systems;
- (2) prevent public contact with waste, landfill gas and leachate; and
- (3) prevent landfill gas explosions.

(b) The site design shall consider one or more proposed uses of the site toward which the operator will direct its efforts, or shall show development as open space, graded to harmonize with the setting and landscaped with native shrubbery or low maintenance ground cover.

(c) All proposed postclosure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, RWQCB, local air district and local land use agency. The EA shall review and approve proposed postclosure land uses if the project involves structures within 1,000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste.

(d) Construction on the site shall maintain the integrity of the final cover, drainage and erosion control systems, and gas monitoring and control systems. The owner or operator shall demonstrate to the satisfaction of the EA that the activities will not pose a threat to public health and safety and the environment. Any proposed modification or replacement of the low permeability layer of the final cover shall begin upon approval by the EA, and the RWQCB.

(e) Construction of structural improvements on top of landfilled areas during the postclosure period shall meet the following conditions:

- (1) automatic methane gas sensors, designed to trigger an audible alarm when methane concentrations are detected, shall be installed in all buildings;
- (2) enclosed basement construction is prohibited;
- (3) buildings shall be constructed to mitigate the effects of gas accumulation, which may include an active gas collection or passive vent systems;
- (4) buildings and utilities shall be constructed to mitigate the effects of differential settlement. All utility connections shall be designed with flexible connections and utility collars;
- (5) utilities shall not be installed in or below any low permeability layer of final cover;
- (6) pilings shall not be installed in or through any bottom liner unless approved by the RWQCB;
- (7) if pilings are installed in or through the low permeability layer of final cover, then the low permeability layer must be replaced or repaired; and
- (8) periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with §20933 of Article 6, of Subchapter 4 of this Chapter.

(f) The EA may require that an additional soil layer or building pad be placed on the final cover prior to construction to protect the integrity and function of the various layers of final cover.

(g) All on-site construction within 1,000 feet of the boundary of any disposal area shall be designed and constructed in accordance with the following, or in accordance with an equivalent design which will prevent gas migration into the building, unless an exemption has been issued:

- (1) a geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and subgrade;
- (2) a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;
- (3) a geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;
- (4) perforated venting pipes shall be installed within the permeable layer, and shall be designed to operate without clogging;
- (5) the venting pipe shall be constructed with the ability to be connected to an induced draft exhaust system;
- (6) automatic methane gas sensors shall be installed within the permeable gas layer, and inside the building to trigger an audible alarm when methane gas concentrations are detected; and

(7) periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with Article 6, of Subchapter 4 of this chapter (§20920 et seq.).

NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code; and Section 66796.22(d), Government Code. Reference: Sections 43021, 43103 and 44105, Public Resources Code; and Section 66796.22(d), Government Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21194. [Reserved by SWRCB]

§ 21200. CIWMB—Change of Ownership During Closure or Postclosure Maintenance. (T14:§17792)

(a) Before the title to a disposal site is transferred to another person during closure or postclosure maintenance, the new owner shall be notified by the previous owner or his agent of the existence of these standards and of the conditions and agreements assigned to assure compliance.

(b) The previous owner shall notify the EA of the change in title within thirty (30) days and shall provide the name, firm, mailing address, and telephone number of the new owner.

NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code; and Section 66796.22(d), Government Code. Reference: Sections 43021, 43103 and 44005, Public Resources Code; and Section 66796.22(d), Government Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

Article 3. SWRCB—Closure Standards for Units Other Than Landfills

§ 21400. SWRCB—Closure Requirements for Surface Impoundments. (C15: §2582)

(a) Remove Free Liquids—All free liquid remaining in a surface impoundment at the time of closure shall be removed and discharged at an approved waste management unit (Unit). All residual liquid shall be treated to eliminate free liquid.

(b) Options—Following removal and treatment of liquid waste, impoundments shall be closed in one of two ways, as approved by the RWQCB.

(1) Mandatory Clean-Closure Attempt—Unless the discharger demonstrates, and the RWQCB finds, that it is infeasible to attempt clean-closure of the impoundment, then all residual wastes, including sludges, precipitates, settled solids, and liner materials contaminated by wastes, shall be completely removed from the impoundment and discharged to an approved Unit. Remaining containment features shall be inspected for contamination and, if not contaminated, can be dismantled. Any natural geologic materials beneath or adjacent to the closed impoundment that have been contaminated shall be removed for disposal at an appropriate Unit. For surface impoundments that are successfully clean-closed, as herein described, the RWQCB shall declare the Unit no longer subject to the SWRCB-promulgated requirements of this title. If, after reasonable attempts to remove such contaminated materials, the discharger demonstrates that removal of all remaining contamination is infeasible, the surface impoundment shall be closed as a landfill or land treatment unit, as appropriate, pursuant to ¶(b)(2).

(2) Fallback Closure Options—In cases where clean-closure (under ¶(b)(1)) is infeasible, the discharger shall propose for RWQCB approval either:

(A) Closure As a Landfill—that all residual wastes, including sludges, precipitates, settled solids, and liner materials, shall be compacted, and the Unit shall be closed as a landfill pursuant to §21090, provided that the closed Unit meets applicable standards for landfill Units in Articles 3 and 4 of Subchapter 2, Chapter 3, Subdivision 1 of this division (§20240 et seq.), and further provided that the moisture content of residual wastes, including sludges, does not exceed the moisture-holding capacity of the waste either before or after closure; or

(B) Closure As an LTU—for surface impoundments which contain only decomposable wastes at closure, that the Unit be closed as a land treatment unit under §21420(a)(2 - 4).

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 13172, Water Code; and Section 43103, Public Resources Code.

HISTORY

1. New article 3 (sections 21400-21420) and section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21410. SWRCB—Closure Requirements for Waste Piles. (C15: §2583)

(a) Options—Waste piles shall be closed in one of two ways, as approved by the RWQCB.

(1) Mandatory Clean-Closure Attempt—Unless the discharger demonstrates, and the RWQCB finds, that it is infeasible to attempt clean-closure of the waste pile, then all waste materials and any components of the containment system which are contaminated by wastes shall be removed from the waste pile and discharged to an appropriate Unit. Remaining containment features shall be inspected for contamination and, if not contaminated, can be dismantled. Any soil or other materials beneath the closed waste pile that have been contaminated shall be removed for disposal at an appropriate Unit. If, after reasonable attempts to achieve clean-closure (as herein described), the discharger demonstrates that removal of all remaining contamination is infeasible, then the remaining portions of the waste pile (including all contaminated portions of the underlying and surrounding geologic materials) shall be closed as a landfill pursuant to ¶(a)(2) and §21090.

(2) Fallback Options—In cases where clean-closure (under ¶(a)(1)) is infeasible, the discharger shall propose for RWQCB approval either of the following options, as appropriate.

(A) Closure As a Landfill—A waste pile can be compacted, covered, and closed as a landfill §21090, provided that the discharger has met the requirements of ¶(a)(1), and further provided that the closed Unit either meets applicable standards for landfill Units in Articles 3 and 4 of Subchapter 2, Chapter 3, Subdivision 1 of this division (§20240 et seq.), or contains only dry waste and was not required to have a leachate collection and removal system under §20340(a).

(B) Closure As an LTU—Waste piles which contain only decomposable wastes may be closed as a land treatment unit under §21420(a)(2 - 4).

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 13172, Water Code; and Section 43103, Public Resources Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

§ 21420. SWRCB—Closure Requirements for Land Treatment Units (LTUs). (C15: §2584)

(a) During the closure and post-closure period, the discharger shall:

(1) continue all operations necessary to maximize degradation, transformation, or immobilization of waste constituents within the treatment zone;

(2) continue all ground water and unsaturated zone monitoring in compliance with Article 1, Subchapter 3, Chapter 3, Subdivision 1 of this division (§20380 et seq);

(3) continue all operations in the treatment zone to prevent runoff of waste constituents; and

(4) maintain the precipitation and drainage control systems.

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 13172, Water Code; and Section 43103, Public Resources Code.

HISTORY

1. New section filed 6-18-97; operative 7-18-97 (Register 97, No. 25).

Article 4. Standards for Composting Facilities [Reserved]

§ 21430. CIWMB—Compost Facility Closure Requirements. [Reserved]

LETTER NO. 6

Kelvin Kasai
Environmental Health Specialist III
Los Angeles County Solid Waste Management Program
County of Los Angeles Department of Health Services
Public Health
5050 Commerce Drive
Baldwin Park, CA 91708

RESPONSE 6-1

As indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, DTSC, pursuant to Health and Safety Code, Section 25260 et seq. (Assembly Bill 2061), has been designated as the Administering Agency for the 157-acre former landfill (i.e., Development Districts 1 and 2). As the Administering Agency, DTSC's responsibilities include administering all state and local laws that govern the site cleanup, determining the adequacy and extent of cleanup, issuance of necessary authorizations and permits, and following a determination that an approved remedy has been accomplished, issuance of a certificate of completion. A key part of the Administering Agency's role is coordinating input from other agencies that have jurisdiction over cleanup activities at the site (e.g., Los Angeles County Department of Health Services), streamlining the permitting and compliance requirements and eliminating regulatory duplication and overlap. While the California Integrated Waste Management Board (CIWMB) also regulates landfills, under Title 27 of the California Code of Regulations (Title 27), the CIWMB has delegated its authority under Title 27 to DTSC for this site.

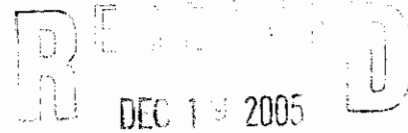
Letter No. 7



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401



ECONOMIC
DEVELOPMENT SERVICES

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

December 15, 2005

Mr. Ronald H. Winkler
Economic Development Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, #200
Carson, CA 90745

Dear Mr. Winkler:

CARSON MARKETPLACE ENVIRONMENTAL IMPACT REPORT

The Los Angeles County Fire Department's Planning Division has the following comments to the subject EIR. Other divisions within the Fire Department will comment separately.

7-1

Page 461, 2nd paragraph: The EIR states, "A portion of General Fund revenue may be used at the County's discretion to address costs associated with demand for LACoFD operations and staffing. The allocation of such revenue to a specific municipal service is determined through the County's budgeting process by the County Board of Supervisors." The LACoFD is a special district - the Consolidated Fire Protection District - which is a separate and distinct legal public agency from the Los Angeles County General Fund. The City of Carson, not the County of Los Angeles, is responsible to provide adequate fire and emergency medical services to its residents and businesses, and the City has chosen to do so by being part of the Fire District. The City's diversion of Fire District revenue to its redevelopment agency adversely impacts the revenue available to the Fire District to fund services and facilities, and it is not accurate to suggest that the County General Fund will fund the insufficiency. These sentences should be deleted.

7-2

Page 462, 3rd paragraph: "The Project would pay a fair share contribution for new fire facilities and, with the occupancy of the proposed development, the Project would generate annually recurring revenue to the Los Angeles County General Fund in the form of taxes and other miscellaneous charges (e.g., sales tax, property tax, etc.). The same comments about funding responsibility made in the above paragraph apply here. The Fire District receives no sales tax, and when a property is in a

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| ARTISIA | CARSON | DUARTE | HUNTINGTON PARK | LA PUENTE | MAYWOOD | RANCHO PALMS VERDES | SOUTH PL. MONTE |
| AZUSA | CERRITOS | EL MONTE | INDUSTRY | LAKEWOOD | NORWALK | ROLLING HILLS | SOUTH GATE |
| HALDWIN PARK | CLAREMONT | GARDENA | INGLEWOOD | LANCASTER | PALMDALE | ROLLING HILLS ESTATES | TEMPLE CITY |
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| BELLFLOWER | CUDAHY | HAWTHORNE | LA HABRA | LYNWOOD | PICO RIVERA | SANTA CLARITA | WESTLAKE VILLAGE |
| BRADBURY | | | | | | | WHITTIER |

Ronald E. Winkler
December 15, 2005
Page 2

redevelopment area, the Fire District does not receive any additional property tax either. The sentence should be rewritten as follows: "The Project would pay a fair share contribution for new fire facilities or expansion of existing facilities and equipment as determined by the LACoFD and the City of Carson, and with the occupancy of the proposed development, the Project would generate annually recurring revenue to the Los Angeles County General Fund in the form of taxes and other miscellaneous charges (e.g., sales tax, property tax, etc.)."

7-2
(Cont)

Page 466, Mitigation Measure I.1-13: Please revise this mitigation measure as follows: The Applicant shall pay a fire share contribution for the improvement of fire service facilities and equipment that are is required to off-set impacts of the Project, subject to approval of as determined by the County of Los Angeles Fire Department and the City of Carson.

7-3

Please contact me at (323) 881-2404 should you need any additional information regarding our comments.

7-4

Very truly yours,

BARBARA HERRERA, CHIEF
PLANNING DIVISION

BH:da

c: Acting Assistant Fire Chief Tripp

LETTER NO. 7

Barbara Herrera
Chief, Planning Division
County of Los Angeles Fire Department
1320 North Eastern Avenue
Los Angeles, CA 90063-3294

RESPONSE 7-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the Agency's review of the Draft EIR follow, and are addressed in Response to Comment Nos. 7-2 through 7-4.

RESPONSE 7-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Per the request of the Fire Department, the two paragraphs of the Draft EIR cited in the comment have been edited to reflect the Department's comments; see Section III, Corrections and Additions, Subheading IV.I.1, of the Final EIR. (The first edited paragraph occurs, as noted on page 461 of the Draft EIR; however, the second cited paragraph is actually the second paragraph on page 463).

RESPONSE 7-3

Per the request of the Los Angeles County Fire Department, the recommended changes to Mitigation Measure I.1-13 have been incorporated into the Final EIR. Please see Section III, Corrections and Additions, Subsection IV.I.1, of this Final EIR.

RESPONSE 7-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.



Letter No. 8

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

JAMES F. STAHL
Chief Engineer and General Manager

November 16, 2005

File No: 08-00.04-00

Mr. Ronald E. Winkler
Economic Development Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, Suite 200
Carson, CA 90745

Dear Mr. Winkler:

Carson Marketplace

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on November 1, 2005. The proposed development is located within the jurisdictional boundaries of District No. 8. We offer the following comments:

8-1

1. On page 519 under Regulatory Framework, the document incorrectly states that the Districts are part of the Los Angeles County Department of Public Works and that the City of Carson (City) contracts with the Districts to maintain the trunk sewer lines within the City. The Districts are not a part of the Los Angeles County Department of Public Works. The City contracts with the Los Angeles County Department of Public Works to maintain the local sewer lines within the City. The Districts own, operate, and maintain only the large trunk sewers that form the backbone of the regional wastewater conveyance system.

8-2

2. A portion of the Del Amo Replacement Trunk Sewer is in a right of way north of Del Amo Boulevard through the project area. Approval to construct improvements within a Districts' sewer easement and/or over or near a Districts' sewer is required before construction may begin. A copy of the Districts' buildover procedures and requirements is enclosed for your information. For additional information regarding the buildover procedure, please contact Mr. Darrell Hatch at extension 2766.

8-3

3. All other information concerning Districts' facilities and sewerage service contained in the document is current.

8-4

If you have any questions, please contact the undersigned at (562) 699-7411, extension 2717.

Very truly yours,

James F. Stahl

Ruth I. Frazen
Engineering Technician
Finance & Property Management Section

RIF:rf
Enclosure
c: D. Hatch
564969.1



BUILD OVER PROCEDURES AND REQUIREMENTS

The Districts do not encourage the building of improvements over sewer easements as such encroachments may result in limited access or damage to the underlying sewers. The Districts consider "build over" proposals on a case-by-case basis. The following explains the Districts' procedure for processing build over requests.

A developer or property owner (applicant) desiring to construct an improvement over a Districts' sewer easement is required to obtain a "Build over Agreement" (BOA) from the Districts. Four (4) sets of the following information are required from the developer or property owner in order for Districts' staff to evaluate the proposal:

1. A vicinity map showing the general location of the proposed improvements in relation to the surrounding streets;
2. A grading plan* and site plan showing the location of the sewer easement, sewer line, and manholes in relation to the proposed improvement. Include information regarding the removal and replacement of unsuitable soil along with cut/fill depths;
3. The calculated footing** and/or traffic loadings resulting from the project, project-related activity, and post-construction activity. A list of construction equipment to be used at the site and a soils report for the project are also required; and
4. A foundation plan and a footing detail,** showing the elevations* and locations of the footings for the improvement(s). Also include profile and/or cross section drawings showing the proposed improvement(s) in relation to the sewer line.

NOTE: Your request will not be processed unless the above specified information is provided.***

This information is simultaneously forwarded to various departments within the Districts for review. Their comments serve as the basis by which the Districts' acceptability of a proposed build over case is determined.

Subsequent to the Districts' review of the proposed build over request, the applicant will be advised in writing of the Districts' decision. The applicant is then required to submit six (6) sets of plans that incorporate corrections, as applicable. The submitted plans must include the following note:

No grading, soil removal, soil fill, or construction activity shall be performed within the Districts' easement without on-site approval of the proposed activity by a Districts' inspector. Contractor shall contact Mr. Phil Friess, Sewerage System Manager, at (310) 638-1161, a minimum of two weeks prior to the start of construction to make the necessary arrangements.

Upon receipt of the final plans, the Districts will mail a BOA detailing the conditions under which the proposed improvement is acceptable to the Districts. It shall be the responsibility of the fee owner of the property to sign the BOA (the signature must be notarized) and return it to the Districts. The BOA is subsequently executed by the Districts' Chief Engineer (or designee) and is submitted to the Los Angeles County Recorder's Office for recordation. After the recorded BOA is received from the Recorder's Office, a copy of the document along with one set of final plans is returned to the applicant.

Under normal conditions, approximately six to eight weeks are required for Districts' staff to properly evaluate a build over proposal. It is recommended that the Districts be contacted as early as possible during planning of the project. If you have any further questions regarding Build over Procedures and Requirements, please contact Darrell Hatch at (562) 699-7411, extension 2766, or by e-mail at dhatch@laesd.org.

*All elevations must be based on U.S.G.S. datum.

**All plans must be prepared by a registered Civil/Structural Engineer in the State of California.

***For proposed minor surface improvements, contact the Districts prior to submittal. Some of the information requirements may be waived.

LETTER NO. 8

Ruth I. Frazen
Engineering Technician
Finance & Property Management Section
County Sanitation Districts of Los Angeles County
1955 Workman Mill Road
P.O. Box 4998
Whittier, CA 90607

RESPONSE 8-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the Agency's review of the Draft EIR follow and are addressed in Response to Comment Nos. 8-2 through 8-4.

RESPONSE 8-2

This comment is noted and the information on page 519 of the Draft EIR has been corrected to reflect the information provided in this comment. See Section III, Corrections and Additions, Subheading IV.J.2, of this Final EIR.

RESPONSE 8-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Mitigation Measures J.2-1 and J.2-2 require that sewer improvements be designed to County of Los Angeles standards, and that connection fees be paid per County procedures. As described on page 524 of the Draft EIR, "As a matter of course, the District reviews/re-reviews projects at the time building permits are issued and new sewer connection permits [are] requested with payment of fees." The buildover procedures and requirements referenced in this comment would be implemented at site plan review.

RESPONSE 8-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 8-5

This attachment is a description of the County Sanitation Districts' Buildover Procedures and Requirements, and supports Comment No. 8-3. As such, this comment is addressed in Response to Comment No. 8-3.

Letter No. 9

FROM : J. COTTRELL CCJ CONST. CO.

FAX NO. : 310 324 2606

Dec. 08 2005 08:34AM P1

Debbie TORRES
FAX 310 835-5749

DRAFT
CARSON MARKETPLACE
ENVIRONMENTAL IMPACT REPORT

PUBLIC WORKS COMMISSIONER'S COMMENTS

Please submit any comments regarding the Carson Marketplace EIR on this form and return it to Richard Garland or Debbie Torres.

This matter will be open for discussion at the regular Public Works Commission meeting on December 12, 2005.

1. AFTER REVIEWING THIS SECTION OF THE EIR
THE QUESTIONS THAT I HAD WERE ANSWERED
2. AFTER GOING THRU THE ENTIRE REPORT WHICH
ONLY DEALS WITH TRAFFIC WERE ANSWERED
3. MY QUESTIONS WERE THE PROJECTED FUTURE
TRAFFIC VOLUMES AT THE 27 INTERSECTIONS AND
4. PROJECTED FLY CONDITIONS
WHAT FORMULA IS USED TO DETERMINE THE NUMBER
5. OF HANDICAP PARKING SPACES AND LOCATION

9-1

9-2


Commissioner Signature

12-8-05
Date

310 324-2606

LETTER NO. 9

John Cottrell
Public Works Commissioner
CCJ Const. Co.

RESPONSE 9-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 9-2

Requirements regarding the number and location of handicap parking spaces are set forth within the Carson Municipal Code. The Project would comply with these as well as all other applicable ADA requirements.

Letter No. 10

From: RWinkler@carson.ca.us
To: persicoplanning@earthlink.net
Cc: AKnechte@carson.ca.us; Srepp@carson.ca.us; b.lackow@pcrnet.com
Date: 11/22/2005 4:39:22 PM
Subject: FW: Carson Marketplace EIR: Public Transportation

Mark:

Please review this with Bruce for our response to comments. Alice make certain a copy is placed on file.
 Ron

-----Original Message-----

From: MargHudn@aol.com [mailto:MargHudn@aol.com]

Sent: Tuesday, November 22, 2005 3:45 PM

To: rwinkler@carson.ca.us

Subject: Carson Marketplace EIR: Public Transportation

I found several errors regarding transit services in the IV.C. Traffic and Circulation analysis of the Carson Marketplace EIR. These are my findings although this list may not be conclusive:

10-1

- The analysis omitted the Carson North-South Shuttle which operates in both directions the portion Main Street abutting the project site. Although it is a shuttle and travels in one direction on a fixed route, it uses Main to reach and return from the northern part of its circuit, Victoria Street between Main and Coleman Avenue. Unless this route has been canceled without my knowledge, it would be an important part of transit access to the site.

10-2

- MTA Line 205 does not operate on Carson Street. It goes north on Vermont Avenue to 182nd Street; it then turns right and goes east to the Artesia Transit Center. After leaving the Center, it continues east on 182nd (Albertoni) to Figure, turns right going south to Victoria. It operates on Victoria to Abalone, turns right and goes south to Del Amo Boulevard. This is the only place where it is within 1/4 mile (or a five minute walk) of the project.

10-3

- I think 1/4 mile or a five minute walk is the commonly used distance to identify transit service to a commercial site. However, the analysis includes MTA Line 550 which runs on Vermont in the vicinity of the project. The portion of the route on Normandie ends at PCH where the bus turns right and goes east to Vermont.

10-4

- If the analysis includes transit on PCH, there should be mention of MTA Line 232, Torrance Lines 3 and 7, and at least one Gardena line. However, I do not expect the EIR to discuss transit options that far away.

10-5

- I think it might mention the Artesia Transit Center, a major transit hub that serves MTA, Torrance and Gardena lines and is located between Vermont Avenue and the 110 Freeway on the north side of 182nd Street. When the project is completed, any new transit service would probably operate through that center.

10-6

- The EIR consultants are probably unaware that the MTA Lines 446 and 447 will shortline in off-peak hours at the Artesia Transit Center as of the first week of December 2005. They will continue to travel to downtown Los Angeles in peak commuting hours only.

10-7

Please refer these comments to PCR Services Corporation or forward my e-mail.

Thank you for your help.

Margaret Hudson
Member, MTA South Bay Sector Governance Council
24518 Panama Avenue
Carson, CA 90745
(310) 835-6580

LETTER NO. 10

Margaret Hudson
Planning Commissioner
Member, MTA South Bay Sector Governance Council
24518 Panama Avenue
Carson, CA 90745

RESPONSE 10-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the Draft EIR follow, and are addressed in Response to Comment Nos. 10-2 through 10-7.

RESPONSE 10-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The Carson North/South Shuttle was inadvertently omitted from the local routes listed in the Draft EIR and is hereby added to the list (Please see Section III, Corrections and Additions, Subheading IV.C, of the Final EIR).

RESPONSE 10-3

The commentor correctly notes that MTA Line 205 does not operate on Carson Street. This reference was a typographical error in the Draft EIR that has been corrected (see Section III, Corrections and Additions, Subheading IV.C, of the Final EIR).

RESPONSE 10-4

The commentor correctly notes that a ¼-mile radius is commonly used to represent a typical walking distance for local transit service to a commercial site. MTA Lines 445, 446/447, and 550 were included in the analysis, however, in response to the CMP requirement that express lines within a two-mile radius be included.

RESPONSE 10-5

MTA Line 232, Torrance Lines 3 and 7, and Gardena routes are local routes not within ¼-mile of the Project site and thus, in accordance with CMP requirements, were not included in the analysis.

RESPONSE 10-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 10-7

The comment accurately describes the current status of MTA Lines 446 and 447. No changes to the Draft EIR are required.

Letter No. 11

From: RWinkler@carson.ca.us
To: b.lackow@pcrnet.com; persicoplanning@earthlink.net
Date: 12/15/2005 7:23:50 AM
Subject: FW: More Comments On Carson Marketplace EIR

More comments for your response.

Ron

-----Original Message-----

From: MargHudn@aol.com [mailto:MargHudn@aol.com]

Sent: Wednesday, December 14, 2005 11:07 PM

To: rwinkler@carson.ca.us

Subject: More Comments On Carson Marketplace EIR

At the Planning Commission Workshop on November 29, 2005, the PCR consultant indicated that he did not think this hearing was an appropriate forum to discuss the methodology PCR used in preparation of the EIR for Carson Marketplace. Therefore, I avoided asking methodology questions. However, I noted two factual errors in it. | 11-1

1) In preparing the discussion of public transportation, the consultant apparently did not contact the Los Angeles County Metropolitan Transportation Authority, the lead agency for public transportation in the county. Bus route information was incorrect. | 11-2

2) Also, in the discussion of the availability of public services to Alternative 4, the Shell property, the consultant failed to identify the fire station that abuts the site and it is clearly shown on Page 764 of the Thomas Bros. Street Guide for Los Angeles County. | 11-3

These errors concern me because I have no reason to think I found all of them. I would be more comfortable with the EIR if PCR routinely explained its methodology. | 11-4

On Page 92, The EIR states that there are six points of entry. Only five points of entry are identified in Figure 7 on Page 90. Where is the sixth point of entry? | 11-5

On Page 495, the EIR discusses a Class III bike route, but the EIR never defines the term. Please describe the classification of bus routes. | 11-6

If you have any questions about these matters, please contact me. | 11-7

Margaret Hudson
 24518 Panama Avenue
 Carson, CA 90745
 (310) 835-6580

LETTER NO. 11

Margaret Hudson
Planning Commissioner
24518 Panama Avenue
Carson, CA 90745

RESPONSE 11-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the Draft EIR follow and are addressed in Response to Comment Nos. 11-2 through 11-7.

RESPONSE 11-2

Information regarding transit services within the study area was obtained from the Los Angeles County Metropolitan Transportation Authority (MTA) and from the City of Carson. Please see Responses 10-2 through 10-7 regarding the bus route information presented in the Draft EIR.

RESPONSE 11-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The discussion on page 592 of the Draft EIR has been amended to reflect the location of the fire station, and its contribution to fire protection at the Alternative site; see Section III, Corrections and Additions, Subheading V, of this Final EIR. The inclusion of this information does not materially alter the analysis, as the analysis currently concludes that the availability of fire fighting resources is superior at the Alternative Site in comparison to what is currently available to serve the Project site.

RESPONSE 11-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As a point of information, the methodology used in the analysis of potential Project impacts is provided within the analysis of the individual environmental issues set forth in Section IV of the Draft EIR. Additional questions regarding methodology may be addressed during continued public hearings by the City Commissions and City Council.

RESPONSE 11-5

The Project, as presented the Draft EIR has six access points. Those six access points are portrayed on Figure 5 on page 86. The sixth access point, which was inadvertently not portrayed in Figure 7 on page 90, is located at the northern edge of the Project site on Main Street. It includes right turn movements from Main Street and onto Main Street at that location. In response to public comments and further study of site access, a seventh access point has been added on the south side of Del Amo Boulevard to improve traffic flows. Revised versions of Figures 5 and 7 have been added to the Final EIR; see Section III, Corrections and Additions, Subheading II, of the Final EIR.

RESPONSE 11-6

Class III Bicycle Routes are bikeways that are designated through signage, but do not have separate lanes for travel. In contrast, Class II Bike Lanes, as noted on page 495, have separately designated lanes within the roadway. Class I Bicycle Paths or Trails provide travel for bikeways or pathways that are separate from the lanes of motor vehicle travel. In response to this comment, the text on page 495 of the Draft EIR has been edited to include the definition of Class III bike routes; see Section III, Corrections and Additions, Subheading IV.I.4, of the Final EIR.

RESPONSE 11-7

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Letter No. 12

DRAFT
CARSON MARKETPLACE
ENVIRONMENTAL IMPACT REPORT

PUBLIC WORKS COMMISSIONER'S COMMENTS

Please submit any comments regarding the Carson Marketplace EIR on this form and return it to Richard Garland or Debbie Torres.

This matter will be open for discussion at the regular Public Works Commission meeting on December 12, 2005.

1. Signage: Extremely important at all exits. Signs need to clearly visible to direct people to freeways at all exits. The Marketplace might be easy to find, but people may not leave at the same entrance/exit that they used to enter. Since it is likely to attract customers from all over the county it would be important that it be easy for them to find their way back to the freeway they used to get there. If this is difficult or confusing they might not come back. Also, people who are lost add to traffic congestion. 12-1
2. No mention was made of service roads for deliveries, etc. Probably need service roads at perimeters of the property. Ex: along the 405 and along the flood channel with entrances from Main Street and Avalon Blvd. 12-2
3. It seems that the Marketplace needs more entrances/exits. Since it will be a large, multiuse complex it would be easier to get to with more entrances/exits, particularly from Del Amo Blvd. 12-3
4. Regarding transit services: Please see attached email from Commissioner Margaret Hudson. 12-4

Jan Schaefer

Commissioner Signature

Date: 12/08/05

Jan & Jim Schaefer

Margaret Hudson

From: <MargHudn@aol.com>
To: <jjschaef@comcast.net>
Sent: Wednesday, December 07, 2005 10:50 AM
Subject: Carson Marketplace EIR

Here is a copy of my e-mail to Ron Winkler. I think that PCR did not contact all the transportation agencies providing service in the area. It looks as if they missed MTA, the lead agency for the County of Los Angeles.

12-5

I found several errors regarding transit services in the IV.C. Traffic and Circulation analysis of the Carson Marketplace EIR. These are my findings although this list may not be conclusive:

- The analysis omitted the Carson North-South Shuttle which operates in both directions the portion Main Street abutting the project site. Although it is a shuttle and travels in one direction on a fixed route, it uses Main to reach and return from the northern part of its circuit, Victoria Street between Main and Coleman Avenue. Unless this route has been canceled without my knowledge, it would be an important part of transit access to the site.
- MTA Line 205 does not operate on Carson Street. It goes north on Vermont Avenue to 182nd Street; it then turns right and goes east to the Artesia Transit Center. After leaving the Center, it continues east on 182nd (Alberoni) to Figure, turns right going south to Victoria. It operates on Victoria to Abalone, turns right and goes south to Del Amo Boulevard. This is the only place where it is within 1/4 mile (or a five minute walk) of the project.
- I think 1/4 mile or a five minute walk is the commonly used distance to identify transit service to a commercial site. However, the analysis includes MTA Line 550 which runs on Vermont in the vicinity of the project. The portion of the route on Normandie ends at PCH where the bus turns right and goes east to Vermont.
- If the analysis includes transit on PCH, there should be mention of MTA Line 232, Torrance Lines 3 and 7, and at least one Gardena line. However, I do not expect the EIR to discuss transit options that far away.
- I think it might mention the Artesia Transit Center, a major transit hub that serves MTA, Torrance and Gardena lines and is located between Vermont Avenue and the 110 Freeway on the north side of 182nd Street. When the project is completed, any new transit service would probably operate through that center.
- The EIR consultants are probably unaware that the MTA Lines 446 and 447 will shortline in off-peak hours at the Artesia Transit Center as of the first week of December 2005. They will continue to travel to downtown Los Angeles in peak commuting hours only.

12-6

Please refer these comments to PCR Services Corporation or forward my e-mail.

LETTER NO. 12

Jan Schaefer
Public Works Commissioner
jjschaefer@comcast.net

RESPONSE 12-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. As of this date, the exact signage for the Project has not been designed. However, the Specific Plan for the Project establishes a Signage Program intended to announce the presence of the Carson Marketplace and help users navigate the site. The Signage Program includes specific standards regarding the number, size and design of on-site signage that balances the needs of the users of the Project as well as to limit the visual impact of the signs when viewed from off-site residential locations. The Specific Plan also presents a Conceptual Sign Location Plan and Illustrative Designs. Furthermore, the Specific Plan allows for the provision of two freeway icon sites, ten freeway monument signs, four primary entry monument signs, two entry arch signs, one Main Street Entry Monument sign, and two North Del Amo entry monument signs. Freeway message board signs would require further discretionary review. The Specific Plan's Sign Program is described in Section II, Project Description of the Draft EIR, and the impact of the potential signage on the visual quality of the area is analyzed in Section IV.B, Visual Quality (see page 197 of the Draft EIR).

RESPONSE 12-2

The Project site plan is illustrative at present. Service vehicles would enter and exit the site via the same access points as commercial patron and employee traffic, and would utilize the on-site roads to access the various areas of the site. Access to individual loading docks would occur via the parking lot drive aisles, with trucks traveling around to the rear of the building. The precise layout and design of the service roadways would be approved by the City at the time detailed Project development plans are submitted to the City for approval.

RESPONSE 12-3

The Illustrative Site Plan indicates six Project access points: three serving the development district north of Del Amo Boulevard (a primary access point signalized on Del Amo Boulevard opposite the Stamps Drive entrance to the Project site to the south, one unsignalized right-turn-in/right-turn-out on Del Amo Boulevard, and one unsignalized right-turn-in/right-turn-out access point on Main Street) and three serving the development districts south of Del Amo Boulevard (Stamps Drive primary signalized access point on Del Amo Boulevard, Lenardo Drive signalized access to Avalon Boulevard and I-405 freeway ramps, and Lenardo Drive signalized access to Main

Street). Subsequent to preparation of the Draft EIR, the Applicant has agreed to provide an additional access point serving the development districts south of Del Amo Boulevard. This seventh access point would be located west of Stamps Drive and would provide right-turn-in/right-turn-out access to Del Amo Boulevard.

RESPONSE 12-4

The comment references an attachment that is an e-mail from Margaret Hudson of the Planning Commission. The contents of that attachment are shown in Comment Nos. 12-5 and 12-6.

RESPONSE 12-5

This comment is an attachment provided by Margaret Hudson of the Planning Commission, and is similar to one of the comments included in her letter (see Letter 11). As such, please refer to Response to Comment Nos. 11-2.

RESPONSE 12-6

This comment is an attachment that was provided by Margaret Hudson of the Planning Commission. The attachment was also submitted directly to the Lead Agency and is included in the Final EIR as Letter No. 10. For responses to the points raised in this comment, see Response to Comment Nos. 10-1 through 10-7.



CITY OF TORRANCE

RECEIVED
NOV 09 2005

COMMUNITY DEVELOPMENT DEPARTMENT

JEFFERY W. GIBSON
COMMUNITY DEVELOPMENT DIRECTOR

ECONOMIC
DEVELOPMENT SERVICES

November 4, 2005

Ronald E. Winkler
Economic Development Manager
Carson Redevelopment Agency
1 Civic Plaza Drive, Suite 200
Carson, CA 90745

Re: D-EIR Carson Marketplace

Dear Mr. Winkler:

Please accept the comments listed below from the City of Torrance pertaining to the D-EIR for the proposed Carson Marketplace project. The potential impact of this project on traffic conditions in Torrance is of concern given that the project site is served by Carson Street and Torrance Boulevard. We respectfully request that Kaku Associates' Traffic Analysis be expanded as follows:

13-1

1. Take the east-west intersection analysis for Carson Street farther to the west to show where the impact can be eliminated, and,
2. Take the east-west intersection analysis for Torrance Boulevard farther west to Vermont Avenue (at minimum) to show no significance, and if necessary, take it farther west to Normandie until the impact is dissipated.

13-2

Thank you for the opportunity to review and comment on the D-EIR. Please do not hesitate to call me at 310.618.5990 if you have any questions.

13-3

Sincerely,

Jeffery W. Gibson
Community Development Director

By Carolyn Chun
Carolyn Chun
Senior Planning Associate
Redevelopment, Housing and General Plan

X:\Planning\RCutting\EIR COMMENTS\CarsonMarketplace.rtf

LETTER NO. 13

Jeffery W. Gibson
Community Development Director
Carolyn Chun
Senior Planning Associate
Redevelopment, Housing and General Plan
City of Torrance
3031 Torrance Boulevard
Torrance, CA 90503

RESPONSE 13-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The comment provides background information regarding the letter and the City's concerns. Specific comments regarding the City's review of the Draft EIR follow, and are addressed in Response to Comment No. 13-2.

RESPONSE 13-2

The commentor expresses concern about the potential impact of the proposed Project on traffic conditions in the City of Torrance and requests that additional traffic analysis be conducted along Torrance Boulevard and Carson Street to address this concern. In response to this request, additional analyses have been conducted to assess the potential for traffic impacts at the following four intersections:

- Western Avenue & Torrance Boulevard;
- Western Avenue & Carson Street;
- Crenshaw Boulevard & Torrance Boulevard; and
- Crenshaw Boulevard & Carson Street.

The Western Avenue intersections are located along the eastern boundary of the City of Torrance and the Crenshaw Boulevard intersections are located wholly within the City of Torrance.

Existing count data for the Crenshaw Boulevard intersections was obtained from the Traffic Study for the Draft Environmental Impact Report, Del Amo Fashion Center South Mall and Residential Development Project (Kaku Associates, June 2004). Existing count data for the Western Avenue intersections were obtained from the City of Los Angeles traffic count database.

All counts were factored up to 2005 existing base year conditions using a factor of 1% per year. For the Crenshaw Boulevard intersections, 2010 cumulative conditions were forecast by factoring the year 2008 cumulative projections from the Del Amo Fashion Center traffic study. For the Western Avenue intersections, the 2005 base year volumes were grown to 2010 cumulative conditions.

Project traffic volumes were then assigned through the additional intersections. The Project traffic assignment recognizes that the western portion of the Project trade area is expected to fall off relatively quickly in Torrance due to competition from the Del Amo Fashion Center and other retail uses along Hawthorne Boulevard.

Intersection capacity calculations with and without the Project were conducted using the Intersection Capacity Utilization (ICU) method of intersection analysis, consistent with both City of Carson and City of Torrance requirements.

The City of Torrance considers a project impact at a signalized intersection to be significant if the following conditions are met:

- The intersection operates at an undesirable peak hour level of service (LOS E or F); and the project increases traffic demand by 2% of capacity, causing or worsening LOS E or F.

Table 4 on page 168 summarizes the results of this analysis. As indicated in the table, the Project is not expected to create significant traffic impacts at the analyzed intersections in the City of Torrance. As a result, no further analysis is required.

RESPONSE 13-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Table 4

**Intersection Level of Service Summary
Additional Analysis Locations in City of Torrance**

Intersection	Peak Hour	Existing Conditions (2005)		Cumulative (2010) Base Conditions		Cumulative (2010) Plus Project Conditions		Project Increase in V/C	Significant Project Impact
		V/C	LOS	V/C	LOS	V/C	LOS		
Western Av & Torrance Bl	A.M.	0.757	C	0.789	C	0.799	C	0.010	No
Western Av & Carson St	P.M.	0.758	C	0.791	C	0.820	D	0.029	No
Western Av & Crenshaw Bl & Torrance Bl	A.M.	0.947	E	0.989	E	0.998	E	0.009	No
Carson St & Crenshaw Bl & Torrance Bl	P.M.	1.092	F	1.141	F	1.159	F	0.018	No
Crenshaw Bl & Torrance Bl	A.M.	0.902	E	1.016	F	1.020	F	0.004	No
Torrance Bl & Crenshaw Bl & Carson St	P.M.	1.006	F	1.069	F	1.078	F	0.009	No
Crenshaw Bl & Carson St	A.M.	0.942	E	1.053	F	1.056	F	0.003	No
Carson St	P.M.	1.035	F	1.158	F	1.170	F	0.012	No

Source: Kaku Associates, 2006.

21328 Island Ave.
Carson CA 90745
December 15, 2005

05 DEC 15 PM 4: 29
ENGINEERING SERVICES DEPT.

Ms. Sheri Repp-Loadsman
Planning Department
City of Carson
701 E. Carson St.
Carson CA 90745

RECEIVED
DEC 15 2005

ECONOMIC
DEVELOPMENT SERVICES

Re: Comments on Environmental Impact Report for 168 acre site

Dear Sheri:

Enclosed are my comments regarding Carson's Environmental Impact Report for what we commonly call the 168 acres: 14-1

Specific Plan

It would appear that the Specific Plan has been written using equivalences in a way that makes evaluation of an appropriate EIR almost impossible. 14-2

How can one identify traffic and air quality issues when the project could either be mostly housing or mostly commercial. Changes would be under the ministerial review of the Planning Manager.

Secondly according to the document, the Specific Plan will be adopted by ordinance and will serve as zoning for the site. There are few guidelines for such buildings as those over 50,000 sq ft. This is to say we would have no way of selecting or rejecting such projects as a Walmart Superstore. 14-3

Affordable housing – Owner Participation Agreement? (Page 30) What are the terms of this? An agreement is not a substitute for affordable housing. 14-4

Environmental Impact

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To Ron Winkler	From
Co.	Co.
Dept. 233-4804	Phone #
Fax #	Fax #

P. 6 – Issuance of bonds by the Redevelopment Agency. How much? Who would buy given the risk? Voters need to have the opportunity to vote on this. The approval of the issuance of bonds, the development agreement, a General Plan amendment, etc. should be separately approved and not automatically approved with the specific plan. What happens if this proposal does not work, and, for example, methane is found within the lei and uel in the garage? What happens when someone gets out of his car and lights a cigarette? Can the whole project be insured, just in case?

14-5

P. 10 – How much money is available in the State's remediation fund for this site?

14-6

P. 22 – With an estimated 68,950 daily trips, including approximately 2,510 am and 5,770 pm peak hour trips, how can we later say that the traffic LOS is only slightly affected? At a later point, one of the pluses of the project is said to be that people can live and work at the same site, eliminating commuting trips. If this is the case, then why are there 68,950 daily trips? Why do we need over 13,000 parking spaces? Turn lanes will not do the trick. It states that “no feasible mitigation measures are available to the Applicant to mitigate the Project's significant impacts on the I-110 and I-405 freeways”. It would appear that, if this is the case, the project needs to be redesigned.

14-7

14-8

I am concerned about the liquefaction problem on the site, the 6 million yards of solid municipal waste, the 2.6 million barrels of industrial liquid waste, the emission of carbon monoxide almost 10 times the AQMD threshold value, the emission of the oxides of nitrogen (NOX) over ten times the threshold value, generation of particulate, PM₁₀, five times the threshold value, and the emission of reactive organic compounds five times the threshold (page 390, Table 39).

14-9

14-10

14-11

I believe that a housing density of 60 units/acre is totally absurd on this property. Even if the housing is built on a slab whose

14-12

corners are driven down, I don't believe this will support such a structure of this density. I fear we will re-invent the leaning Tower of Pisa.

14-12
(Cont)

p. 277 upper operable unit air: 0.0809 ppm benzene. The contaminants listed in Table 27 are contaminants to be taken very seriously.

14-13

p. 288 Groundwater level is rising in the area. The statement is made that "While the groundwater level is rising in the area, where the waste is in contact with the groundwater there is evidence that the contaminants are not downmigrating into the groundwater". How do we know this? Over what time period is this being measured? At what point did the waste start coming into contact with the groundwater? This issue is a very important one and cannot be ignored.

14-14

p. 292 Current Deed Restrictions
Bans such uses as residential, hospitals, schools, and day care centers." "Deed restrictions would need to be modified". At a city meeting recently, when a school was suggested for the site, the developer's agents made it immediately clear that the land would not be able to get approval for that. If the environment is bad for children and seniors, who will live there? Only people between 20 and 40, who agree not to have children? Doesn't make sense!

14-15

p. 293 Anomaly?

The July 05 groundwater samples do not show evidence of contamination. These results differ from the April 05 results in which very low levels of perchlorate in two of the three wells were detected. The April 05 sampling also showed some phthalate detections. The April 05 results may be an anomaly. Have readings been taken since then to determine if this is an anomaly? Since this site was a landfill, one can expect differences test point to test point. There are really no anomalies.

14-16

p. 302

Development District 3 – Uncontaminated?

Five shallow soil samples were analyzed. The detected metals concentrations were within general background levels with the possible exception of barium. Only 4,4' DDE, a pesticide, was detected in one soil sample. Soluble barium salts are poisonous and cause death.

14-17

Finally, the vibration which would occur. This may undo the leveling of the coaches at the nearby mobile home park. There must be some arrangement whereby the developer and/or city agrees to pay for releveling if it occurs.

14-18

There are several mobile home parks on the southern boundary. The one which shares a significant amount of land at the southern boundary is Imperial Avalon, a senior park. As such I believe it qualifies as a sensitive receptor.

14-19

I am not convinced that the remediation proposed is sufficient to allow housing on the site.

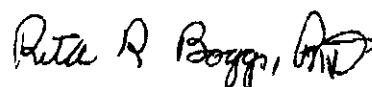
14-20

I believe this project is a classic case of environmental injustice. The city is predominantly minority. Where else have they put housing at a density of 60 units/acre on a heavily contaminated site? Or maybe, the health and survival of the minority population is not important! I beg to differ with that point of view.

14-21

Secondly, I would like to know if there are any sites of similar size within the U.S. with comparable contamination and where remediation similar to that proposed has been used successfully. If so, for how long has this or these sites been so remediated?

Sincerely,



Rita R. Boggs, Ph.D.

LETTER NO. 14

Rita R. Boggs, Ph.D.
21328 Island Ave.
Carson, CA 90745

RESPONSE 14-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the Project follow and are addressed in Response to Comment Nos. 14-2 through 14-22.

RESPONSE 14-2

The Project's Equivalency Program is described on page 95 of Section II.D.2.a.(2) of the Draft EIR. As described on page 95:

“The Equivalency Program would provide flexibility for modifications to land uses and square footages within the Project site. This is achieved via a framework within which permitted land uses can be exchanged for certain other permitted land uses, so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. As such, increases in permitted land uses can be exchanged for corresponding decreases of other permitted land uses under the proposed Equivalency Program. The conversion rates at which land uses can be exchanged with one another is limited so as not to exceed the level of impacts identified in this EIR. In addition, under the Equivalency Program, a maximum of 1,550 residential uses can be developed and P.M. peak hour trips can not exceed 5,770..... A complete listing of the environmental impact thresholds including the trip conversion rates is provided in Appendix C.”

As indicated, the Equivalency Program includes limitations on the development that can occur, so that impacts would not be greater than those analyzed in the Draft EIR. For example, if some of the residential development designated in the Applicant's illustrative plan and analyzed in the Draft EIR were replaced by commercial development, the number of traffic trips could not exceed the number that would occur with the residential development. Conversion factors that indicate how many square feet of commercial use may occur in exchange for each residential unit without generating additional traffic are presented in Table 8 on page 96 of the Draft EIR, and included for other uses in more detail in Table B of Appendix C of the Draft EIR. The conversion factors have been calculated so that the conversion of uses is limited by not generating more trips, than the most restrictive of day-time trips, P.M. inbound trips, or P.M. outbound trips. Therefore, the

exchanged uses can not exceed the impacts identified in Section IV.C Traffic and Circulation of the Draft EIR. Further, with these traffic restrictions, Air Quality and Noise impacts that are caused by the number of automobile trips also can not be exceeded. Table A of Appendix C establishes additional thresholds that can not be exceeded with the exchanged uses pertaining to grading limitations, and impacts on Air Quality and Utilities. Table A also limits the maximum number of residential units to 1,550, the number analyzed in the Draft EIR. This assures that impacts that occur as a result of residential population, e.g. impacts on schools or parks, would not exceed those analyzed in the Draft EIR.

RESPONSE 14-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

The comment is correct in noting that the Specific Plan would be adopted by ordinance and would serve as zoning for the Project site. However, the Specific Plan includes extensive guidelines and standards for development. (In some cases, where the Specific Plan does not establish new standards for the Project, it incorporates the standards set forth in the Carson Municipal Code). For example, the Specific Plan specifies all allowable uses, and establishes standards regarding the massing and location of buildings. Refer, in particular to Table 4 - Permitted Uses, Table 5 - General Development Standards, and Table 6 - Building Height Development Standards of the Draft EIR. The Draft EIR provides a comparative analysis of the features of the Specific Plan in contrast to those of the Carson Municipal Code in Subsection 3.c.(2).(a).iii, Zoning, of Section IV.A. The Draft EIR concludes that the Specific Plan “provides protections that are generally equivalent to, or more protective of, the environment than the existing zoning. Therefore, the proposed Project would be compatible with the City’s Zoning ordinance” (page 155 of the Draft EIR).

The Draft EIR also provides an analysis that addresses all of the development that could occur pursuant to the Specific Plan’s, guidelines and standards. These impacts are identified by the uses and building types, not tenants. For example, the Visual Analysis in Section IV.B of the Draft EIR is based in part on the height limits that would be allowed. Table 6, Building Height Development Standards, indicates that for a commercial building of 40,000 sq.ft. to 60,000 sq.ft. (the range inclusive of 50,000 sq.ft.), the maximum base building height would be 28 feet, and increases would be allowed for architectural features of 34 feet along 30% of the frontage, and 44 feet along 30% of the frontage. Likewise, building height limits are established for commercial buildings of 60,000 sq.ft. to 100,000 sq.ft., commercial buildings greater than 100,000 sq.ft., residential buildings and other specialized uses such as hotels and theaters. The Draft EIR analyzes the maximum building heights that could occur, regardless of tenant, based on the limitations set forth in the Specific Plan. Therefore, the illustrative building sections and elevations in Figures 18 through 20, on pages 188 through 190, and the shading diagrams in Figures 22 through 24, on pages

210 through 212 show the greatest visual impacts that could occur. These figures serve as a basis for the conclusions regarding visual impacts. Likewise, all of the analyses of the environmental topics in Sections IV.A through IV.J.3 address the development that could occur pursuant to the uses and standards of the Specific Plan. Therefore, all environmental impacts have been addressed pursuant to CEQA.

RESPONSE 14-4

The comment refers to a statement on page 30 of the Specific Plan stating that "...the Redevelopment Agency will be responsible for affordable housing production in accordance with the Redevelopment Plan and applicable law. The Agency will address affordable housing for this project through an Owner Participation Agreement." Under State law, the provision of affordable housing within designated redevelopment areas is the responsibility of the Carson Redevelopment Agency (CRA). As such, affordable housing must be provided pursuant to Section 33413 of the California Health and Safety Code. Section 33413 establishes requirements for the number of housing units required, and their distribution amongst very low, low and moderate income households. This obligation would be met through actions of the CRA. Therefore, affordable units that would be built pursuant to requirements associated with the proposed Project would be implemented in a manner consistent with State law. The CRA is determining the most effective manner of providing the housing, and therefore will enter into an Agreement with the Applicant for their fair share contribution. Such housing may be located within the Project site, or at an off-site location. If such housing were to be located at an off-site location, additional CEQA review would be required.

RESPONSE 14-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. It is anticipated that the Project would be funded by the developer. The remediation of the former landfill on the 157-acre portion of the Project site will be funded with financial support via Tax Increment Bonds issued by or on behalf of the Carson Redevelopment Agency (CRA) and/or Community Facility Bonds issued by the City of Carson in accordance with their standard procedures. The issuance of bonds by the CRA and/or City would occur subsequent to the current entitlement process.

With regard to methane, as discussed in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, Subsection (e) of Section 21190 of Title 27 of the California Code of Regulations requires a number of structural improvements for development on top of landfilled areas during the postclosure period that would promote successful implementation of DTSC's approved Remedial Action Plan (RAP). These requirements include the following: automatic methane gas sensors; prohibition of enclosed basement construction; construction so as to mitigate the effects of gas accumulation and differential settlement; and periodic methane gas monitoring inside all buildings.

In addition, the RAP that would be implemented requires the installation of an active landfill gas control system under the landfill cap in order to remove the landfill gases. The active landfill gas control system would consist of horizontal and vertical, perforated piping that would be installed above and within the refuse, respectively (but below the landfill cap). Based on the size of the landfill site and the likely need for perimeter landfill gas control, the RAP assumes that the landfill gas treatment would require the construction of a flare unit including related collection headers, blowers, and gas sampling and processing components. The RAP also requires that for building safety, additional landfill gas venting or monitoring features be considered. These features include:

- Open ventilation provided by open parking structures or passive surface vent pipes to monitor or release methane from accumulating beneath the buildings. As applicable, the vent pipe will be constructed with the ability to be connected to an induced draft exhaust system;
- A pile sleeve system to seal the synthetic geomembrane to the building piles; and
- A landfill gas monitoring and alarm system for landfill gas under the buildings.

The RAP indicates that these features would be designed in detail during the remediation system and/or building construction/design phase and would be part of the ongoing operation and maintenance activities. Also, the Project would include multiple layers of protection and fail-safe features to protect future occupants and the surrounding community. As a consequence, simultaneous failure of the multiple protection systems would have to happen before a true upset scenario would occur. Nevertheless, for purposes of analysis, potential individual operation-related upset scenarios were identified as follows:

- Failure of landfill gas extraction wells or conveyance piping;
- Failure of landfill gas vacuum system;
- Failure of landfill gas flare, blowers, or make-up gas;
- Failure of electrical power;
- Failure of landfill gas system instrumentation, data logger, or data transmitter;
- Failure of landfill gas alarms;
- Synthetic geomembrane system (landfill cap) puncture, tear, or seam separation;
- Failure of building protection system's impermeable geomembrane attached to slab;

- Failure of methane detection sensors;
- Failure of groundwater injection or extraction wells or conveyance piping; and
- Failure of groundwater treatment and discharge system.

Each of the potential individual upset scenarios above has a low likelihood of occurring. Due to the redundancy of the systems, multiple and simultaneous failures would have to occur to create the potential for impacting human health or the environment. The likelihood of such multiple, simultaneous, and complete system failure is very low.

Finally, as part of the Remedial Design (RD) process, upset scenarios that could impact human health and the environment, during either the Remedial Action (RA)/construction phase or the operation phase of the Project, would be further evaluated and refined. Based upon that evaluation and refinement, design elements, engineering controls, and monitoring and contingency plans would be developed and incorporated into the remedial designs and specifications to minimize the potential for upset events and to establish plans for protection of human health and the environment should an upset event occur. DTSC review and approval of such design elements, engineering controls and monitoring and contingency plans would be a component of DTSC's review and approval of the final remedial designs and specifications for the Project.

Further, DTSC would review and approve all financial assurance documents provided by the Applicant for all remedial systems. The Applicant would be required to provide financial assurances to guarantee the long-term operations and maintenance of the remedial systems.

RESPONSE 14-6

There is approximately 7 to 8 million dollars in the fund for the remediation of the Project site. The disbursement of these funds would occur under DTSC's oversight.

RESPONSE 14-7

Regarding impact of the proposed Project on traffic levels of service, the Draft EIR concluded that the Project would have a significant impact on operating conditions at 12 intersections and proposed mitigation measures at each of these locations.

The potential for interaction between the different land uses proposed on the site and thus a reduction of external trips to and from the site was considered in the Draft EIR traffic study as part of development of the trip generation estimates for the Project (see discussion of internal trip reduction credits on pages 230 through 233 of the Draft EIR). Such internal interaction could take the form of both internal commute trips between residential and commercial components of the

Project, internal commercial patron trips between the residential and commercial components of the Project, and internal trips between various commercial components on the site.

The Draft EIR determined that over 13,000 parking spaces would be required for the Project if the City's General Development Standards were to be applied (see Table 24 on page 256 of the Draft EIR). The General Development Standards, however, apply to each component of the Project without regard to potential internal interaction between different land uses or shared use of parking. A shared parking analysis taking these interactions into consideration was also conducted as part of the Draft EIR (See Section IV.C, Traffic, Circulation and Parking). The shared parking analysis projected a peak demand for 11,123 parking spaces on the peak Saturday afternoon in the peak December shopping season, and less during other times of the year (see Table 23 on pages 254 and 255 of the Draft EIR). The Specific Plan contains provisions for the implementation of a shared parking program if it can be demonstrated that the peak parking demand would be less than the parking required under the City's General Development Standards.

RESPONSE 14-8

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 14-9

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Potential liquefaction impacts are addressed in Section IV.E., Geology and Soils, of the Draft EIR. Implementation of Mitigation Measure E-2, which states the following, would assure that the Project is designed to meet all standards for the protection of buildings within liquefaction zones.

“Due to the classification of portions of the Project site as a liquefaction zone, the Applicant shall demonstrate that liquefaction either poses a sufficiently low hazard to satisfy the defined acceptable risk criteria, in accordance with CDMG Special Bulletin 117, or (b) implement suitable mitigation measures to effectively reduce the hazard to acceptable levels (CCR Title 14, Section 3721). The analysis of liquefaction risk shall be prepared by a registered civil engineer and shall be submitted to the satisfaction of the City Building Official.”

RESPONSE 14-10

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, during the life of the

landfill, approximately 6 million cubic yards (cy) of solid municipal waste and 2.6 million barrels of industrial liquid waste were received at the landfill.

RESPONSE 14-11

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The comment is based on information presented in Table 39; the threshold percentages of the Project emissions are provided by the commentor and are extremely rough approximations. The exceeding of the thresholds has been identified in the Draft EIR as a significant, unavoidable impact of the Project.

RESPONSE 14-12

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The impacts of the Project's housing at the proposed densities are addressed throughout all of the environmental topics in Section IV of the Draft EIR. In particular, Section IV.A, Land Use, addresses the relationship of the Project densities to existing General Plan policies and zoning regulations, and concludes that the proposed densities would be compatible with the existing regulations. Also, Section IV.E, Geology and Soils, evaluates the Project's potential impacts regarding the ability of the site to support the proposed buildings. Specifically, Mitigation Measure E-1 of that Section requires the following:

“In accordance with City of Carson Municipal Code, the Applicant shall comply with site-specific recommendations set forth in engineering geology and geotechnical reports prepared to the satisfaction of the City of Carson Building Official, as follows:

- The engineering geology report shall be prepared and signed by a California Certified Engineering Geologist and the geotechnical report shall be prepared and signed by a California Registered Civil Engineer experienced in the area of geotechnical engineering. Geology and geotechnical reports shall include site-specific studies and analyses for all potential geologic and/or geotechnical hazards. Geotechnical reports shall address the design of pilings, foundations, walls below grade, retaining walls, shoring, subgrade preparation for floor slab support, paving, earthwork methodologies, and dewatering, where applicable.
- Geology and geotechnical reports may be prepared separately or together.
- Where the studies indicate, compensating siting and design features shall be required.

- Laboratory testing of soils shall demonstrate the suitability of underlying native soils to support driven piles to the satisfaction of the City of Carson Building Official.”

Implementation of this mitigation measure would require a demonstration that the buildings can be supported, and that no significant impacts due to their construction would occur.

RESPONSE 14-13

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As shown in Table 27, the 0.0809 parts per million (ppm) stated in the comment is the concentration of vinyl chloride in the air, rather than benzene. Benzene concentrations were detected in both the groundwater and air at the Project site. The concentration range of benzene in the air is 0.0014 – 0.0573 ppm, while the concentration of benzene in the groundwater is <0.001 to 7.5 ppm. Remedial Action Plans (RAP) have been approved by DTSC for the Upper and Lower Operable Units, which would be implemented as part of the Project. With the implementation of these RAPS, DTSC has concluded that implementation of the commercial uses on the former landfill site could occur without posing a human health risk. The Applicant is seeking to extend this determination to include on-site residential uses on the former landfill site. Such residential uses could only occur on the former landfill site upon approval of such use by DTSC.

RESPONSE 14-14

The information provided regarding groundwater elevation, migration, and water quality beneath the landfill are based on the data generated from the monitoring wells that have been installed at the landfill site. Statements about regional changes in groundwater elevation are based on discussions with and review of documents produced by the Water Replenishment District (WRD) and the United States Geological Survey (USGS).

Beginning in 1990, 35 groundwater monitoring wells were installed along the perimeter of the former landfill. Twenty two wells within the Upper Bellflower Aquitard (UBF), five within the lower portion of the UBF Aquitard and the upper portions of the Middle Bellflower (MBFB/C) Aquitard, five in the lower portions of the MBFB/C Aquitard, and three in the upper Gage Aquifer. Groundwater elevations have been measured in the available monitoring wells around the site since 1990. Based on the reported monitoring data, the groundwater elevation at the site rose an average of approximately 9 to 10 feet since 1990. Groundwater elevation of the middle upper Bellflower Aquitard in June 2005 ranged from approximately 6 to 15 feet below mean sea level (MSL). The bottom of the waste in the five waste cells reportedly ranges from 12 to 44 feet below MSL.

It has been reported by the WRD that groundwater has been rising in the basin since management of the resource was initiated in the 1960s. Groundwater model projections by the

USGS indicate the regional groundwater levels are likely to continue to rise in the future another 15 to 20 feet before stabilizing near sea level. The proposed remediation systems for the Carson Marketplace development would be designed, constructed, and operated to account for potentially rising groundwater levels in the future.

As stated above, groundwater monitoring at the site began in 1990. It would appear groundwater was in the deepest of the waste prisms at that time, when the groundwater first contacted the waste is unknown.

The Final (DTSC approved) RAP for the Upper OU requires that groundwater monitoring and sampling of all wells initially be conducted on a quarterly basis for one year. Currently, the DTSC has approved semi-annual groundwater sampling after reviewing the data collected to date. The samples would be analyzed for 34 VOCs in the Target Compound List (TCL) using approved methodologies. After one year, the frequency and analyses to be performed would be re-evaluated and modified as appropriate. Furthermore, DTSC would enter into an operations and maintenance agreement with the Applicant and require that an operations and maintenance plan be implemented. This plan would require continuous monitoring of the former landfill site until such time that DTSC determines that monitoring is no longer necessary. At a minimum of every five years, DTSC would complete a comprehensive review of the effectiveness of the remedial systems and make sure that conditions at the site meet the safety standards in effect at the time of the review. Modifications to the remedial systems would be implemented, if needed.

With regard to the downmigration of contaminants, as indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, the Final RAP for the Lower OU addresses the potential impact of groundwater contamination in the Upper OU on the Lower OU. Based on groundwater monitoring and chemical fate and mobility modeling data, in conjunction with remedial actions for the Upper OU, the risk posed to the Lower OU is considered to be minimal. The Final RAP for the Lower OU concludes that while additional remedial investigation of the Lower OU is not currently warranted since no VOCs are present at detectable concentrations in the Gage aquifer (Lower OU), the selected remedy for the Lower OU requires groundwater monitoring of the Lower OU. The monitoring would be conducted on a quarterly basis for a period of two years, followed by semi-annual monitoring for an additional two years, and annual monitoring every third year thereafter for up to 50 years. If any VOC is detected in the Lower OU during that period, the monitoring events would be increased to quarterly for a period of two years.

RESPONSE 14-15

There are no deed restrictions that currently apply to the Project site. In the 1995 DTSC-approved RAP, residential scenarios were not evaluated. Therefore, at that time it was anticipated that deed restrictions would be put in place that would preclude residential use. As residential use is now proposed, DTSC would establish appropriate land use restrictions based on applicable data,

information and analysis, including, but not limited to, a post-remedial health risk assessment. Prior to occupancy, a deed restriction would be established precluding those land uses deemed inappropriate for the Project site by DTSC.

A school is not being pursued as part of the Project. Nevertheless, the existence of soil and groundwater contamination does not preclude the site from being used as a school. DTSC's School Property Evaluation and Cleanup Division is responsible for assessing, investigating and cleaning-up proposed school property sites. The Division ensures that selected properties are free of contamination or, if the properties were previously contaminated, that they have been cleaned-up to a level that protects the students and faculty who will occupy the new school. All proposed school sites that receive State funding for acquisition or construction are required to go through a rigorous environmental review and cleanup process under DTSC's oversight. DTSC would not allow a school to be constructed on the Project site unless the agency determined that any potential unacceptable risks were adequately addressed.

RESPONSE 14-16

As indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, the Final RAP for the Lower OU requires that groundwater monitoring be conducted on a quarterly basis for a period of two years, followed by semi-annual monitoring for an additional two years, and annual monitoring every third year thereafter for up to 50 years. The monitoring of the Lower OU began in January 2005. The data presented in the EIR was the information that was available at the time of the preparation of the Draft EIR. Since the release of the Draft EIR, the next quarterly monitoring reports have become available. The most recent groundwater monitoring report (dated November 2, 2005) indicates non-detect for all but naturally occurring metals. The concentrations of these naturally-occurring metals are considered to be within the likely range of normal background concentrations. Therefore, the detection of low levels of perchlorate and some phthalates reported in the April 2005 report were likely an anomaly. As indicated, the expanded database that will be created as a result of future RAP-required monitoring will yield a more thorough assessment of the groundwater quality in the Gage Unit aquifer. DTSC will oversee this monitoring and evaluate the database.

RESPONSE 14-17

As indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, a screening-level risk evaluation of these data indicates that there are likely no unacceptable risks associated with either the barium or 4,4'DDE or the low levels of VOCs either individually or on a combined basis.

RESPONSE 14-18

Potential construction vibration impacts were thoroughly analyzed in Section IV.H, Noise, of the Draft EIR. As concluded in the Draft EIR, potential impacts related to deep dynamic compaction (DDC) to be less than significant with the implementation of Mitigation Measures H-2 and H-3. Further, while the pile driving is considered to have a significant noise impact (due to the frequency of occurrences, rather than the extent of the noise levels), the vibration from pile driving activities would also be less than significant. Specifically, residential land uses, including, but not limited to, the nearby mobile home parks would be located at a sufficient distance (greater than 75 feet) from any potential pile driving activity so that vibration from such activities would be below the peak particle velocity threshold of 0.2 inch/sec. In addition, the vibration associated with pile driving would be substantially reduced due to the lower density of material on site (i.e., waste with soil cover versus compact soils with rock) and the intervening Torrance Lateral (i.e., impeding transmission of surface waves and higher-amplitude motion from pile driving).

To further protect off-site sensitive land uses, the Draft EIR recommends the implementation of a pilot program regarding DDC operations, which has been included as Mitigation Measures H-2 and H-3 in the Draft EIR. These measures have been revised to also address vibration impacts from pile driving; see Section III, Corrections and Additions, Subheading IV.H, of the Final EIR. The purpose of the pilot program, as amended via the Final EIR, is to assure that less than significant vibration impacts to off-site uses and/or facilities would occur. Under the pilot program the Applicant would install vibration monitors at the following locations: (1) along the Project's fenceline opposite the off-site residential uses located to the south and southwest of the Project site (i.e., within the Project site), and (2) along the far side of the Torrance Lateral Channel in line with the monitors placed within the Project site itself. Monitoring of construction vibrations would occur at the onset of development activities. Based on an initial set of testing, limits would be established on the level of vibration causing activities. With the implementation of this program, vibration levels near the western and southern boundaries of the Project site would not exceed the 0.2-inch-per-second PPV significance threshold for fragile structures, such as the off-site mobile homes, and a less than significant short-term vibration impact to the existing mobile home residences along the Project site boundary would occur.

Notwithstanding, a Condition of Approval has been established for the Project which would hold the developer responsible for any damage that may occur to off-site residential uses, including the nearby mobile homes from Project construction activities.

RESPONSE 14-19

The City concurs that the mobile home parks on the southern boundary are considered sensitive receptors and Section IV.G, Air Quality, of the Draft EIR evaluated potential localized impacts for these sensitive receptors as a result of the proposed Project. As concluded in the Draft

EIR, the construction of the proposed Project would result in short-term localized PM₁₀ impacts for sensitive receptors in close proximity to the project site.

RESPONSE 14-20

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The DTSC is responsible for evaluating potential risks related to the presence of hazardous materials at the Project site and ensuring that human health and the environment are adequately protected. This includes, but is not limited to, assuring that elevated residential uses on the former landfill site would only be permitted if all human health concerns are appropriately addressed. The DTSC-approved Remedial Action Plan (RAP) for the Upper OU was completed at a time when residential uses were not contemplated. Deed restrictions would be established to preclude those land uses deemed by the DTSC to be inappropriate based on applicable data, information and analysis, including, but not limited to a post-remedial health risk assessment. As such, the site would be remediated to a level that would provide health and safety protection for future residents.

In addition, since the release of the Draft EIR, a Human Health Risk Evaluation Report (HRE) has been prepared by Tetra Tech, Inc. and submitted to DTSC for review. The HRE generally describes how anticipated construction controls, remediation systems, monitoring, and corrective actions would be used to protect construction workers, the surrounding community and future occupants and sets forth a proposed approach and methodology for evaluating potential risks. Among other things, the proposed approach includes collection of additional data and preparation of a post-remedial risk assessment. Following completion of the remediation, DTSC would review and approve the post-remedial risk assessment. Furthermore, and most importantly, DTSC would not allow occupancy to occur until it is satisfied that the end users are adequately protected from potential risks. In addition, the submittal of the HRE is a clear demonstration that the Applicant is moving forward to obtain DTSC approval of the requested modifications and the development of elevated residential uses on the portion of the site that was previously used as a landfill.

RESPONSE 14-21

The proposed remediation of the Project site is intended to reduce the existing hazardous conditions on the Project site and provide a benefit to all members of the community, including off-site residents of the City. As described in Response to Comment No. 14-12, the inclusion of housing at 60 dwelling units per acre is not expected to cause a significant impact. In fact, the remediation and sequential development of the site would replace a blighted site within the City with a new development with many community amenities, e.g. entertainment opportunities that would serve all residents of the City. Further, housing developments with such densities are commonly provided in all communities. As described in Response to Comment No. 14-20, the Project would not have significant impacts resulting from its location on top of a former land fill site.

RESPONSE 14-22

There are thousands of former landfills across the United States similar to the former Cal Compact Landfill. Based on available data and historical information, the waste and contamination present at the Project site likely pose low human health risks. The reason for this is that groundwater contamination concentrations are relatively low and are generally confined on-site to the upper fine-grained sediments; the groundwater system appears to be naturally degrading groundwater contaminants; and the existing and temporary soil cover appears to have blocked noteworthy landfill gas releases during the last ten years.

During approximately the last 10 to 15 years, numerous landfills across the country have undergone remediation to further protect human health and the environment and to allow for redevelopment of the land, particularly in urbanized areas where land is scarce and in high demand. Because it is often impractical to relocate waste, landfill remediation usually focuses on containing or blocking exposure to waste and potential contaminants. Containment is typically completed by using either of the following or some combination thereof: low permeability soil, concrete or asphalt; synthetic geomembranes; or vegetation. On-going groundwater and landfill gas removal, treatment, and monitoring are usually required to protect human health and the environment.

As discussed in Section IV., Hazards and Hazardous Materials, of the Draft EIR, the proposed remediation refinement approach for the Project would be to contain the waste under a synthetic geomembrane system (which would have a permeability less than the 10^{-6} required for clay and other desirable physical properties) to block exposure of the waste, prevent water from infiltrating into the waste prism, and to prevent gases from escaping. In addition, the remediation would include a landfill gas collection and treatment system that would remove and treat landfill gases under the landfill cap. Groundwater impacts currently are believed to be relatively low and not significantly migrating offsite; however, remediation would be completed to remove and/or treat contaminants to further ensure that migration offsite does not occur.

The following briefly summarizes other developments elsewhere in the country that have been completed on top of former landfills. The examples below incorporated many elements being considered for the Carson Marketplace development.

- The Colma California Home Depot Center was successfully built on the closed Junipero Serra solid waste landfill in San Mateo County. Refuse depths within the landfill varied up to 130 feet. More than 8 years later, the development is considered a success.
- The \$150 million Westport Office Park in Redwood City, California, was developed on an 85-acre property formerly used as a municipal waste landfill from the 1940s until 1970. Today, Westport Office Park is a successful 20-building, 980,000 square feet campus situated in a park-like setting.

- The Jersey Gardens Mall in Elizabeth, New Jersey, is a large retail outlet center opened in October 1999 developed in coordination with various state, county and local agencies. Jersey Gardens Mall provides millions in annual tax benefits for the area and 5,000 job opportunities at the 1.3 million square foot location. Jersey Gardens Mall is located on a 126-acre former municipal landfill that had been abandoned for 20 years. In addition to municipal waste, the landfill contained polychlorinated biphenyls (PCBs), paint sludge, and lead contamination that required remediation before redevelopment occurred.
- In October 2003, a developer in New Jersey unveiled a completed 92 unit luxury resort community, The Tides at Seaboard Point in North Wildwood. Located on the former Anglesea Beach municipal waste landfill, a 20-acre site, the project caps an inactive 30-year-old, unsecured landfill to prevent water and air contamination. The project required securing the landfill that was not properly closed when it became inactive 30 years ago. Clean dredge materials were spread over the top of the landfill as a low permeability cap. The landfill was capped with a four-foot layer of clay, then topped with a six-foot layer of sand that remained in place for six months, acting as a weight to measure settling and compact the landfill. The waste itself was surcharged with fill to mitigate the potential for differential settlement in the waste and underlying soft soils in the roadways, parking areas, and the landscape areas. The high rise residential buildings were constructed on piles.

Letter No. 15

Ronald E. Winkler
Economic Development General Manager
One Civic Plaza Drive, #200
Carson, CA 90745

RECEIVED
DEC 12 2005

ECONOMIC
DEVELOPMENT SERVICES

December 5, 2005

Dear Mr. Winkler,

I understand by the flyer I received in the mail (enclosed) that I am supposed to write to you and say "NO to Wal Mart!"

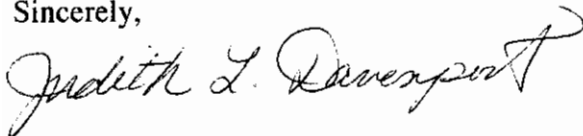
Well, sorry to disappoint them, but...

ISAY "YES" TO WAL MART AND IT'S ABOUT TIME!!

I hope *we are* getting a WalMart Super Center on Main and Del Amo. It's about time Carson has a nice WalMart to shop at in this area. Come on! Everybody I know who shops *LOVES* WalMart.

Good luck with your project – whatever it is – and I hope nobody stands in your way in bringing our city of Carson up to date. We need more good restaurants also!

Sincerely,



Judith L. Davenport
Lifetime Citizen of Carson
117 East 229th Place
Carson, CA 90745
Email: judester53@aol.com

15-1

LETTER NO. 15

Judith L. Davenport
117 East 229th Place
Carson, CA 90745

RESPONSE 15-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date, Wal-Mart has not been identified as a potential tenant of the Project.



please PLease note I think it is a bad
idea to have a Wal Mart Store in CARSON.
I Pray you do not succumb. t to this /.
it would be a di aster

Lenora deWood 345 ECARSON
c/o RETirement HOME (CA 1
Carson, Calif. 90745

RECEIVED
DEC 12 2005

ECONOMIC
DEVELOPMENT SERVICES

16-1

LETTER NO. 16

Lenora Dewood
Carson Rtrmnt Center
345 E. Carson St. #37
Carson, CA 90745-2709

RESPONSE 16-1

As of this date, Wal-Mart has not been identified as a potential tenant of the Project. The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Letter No. 17

Dec 6-05

Mr. Ronald E. Winkler
Please tell Wal-Mart
that we have enough
very good stores in
Cotton - and I am
saying NO to Wal-Mart.

Thank You
Mrs. Sylvia Day

17-1

RECEIVED
DEC 12 2005

ECONOMIC
DEVELOPMENT SERVICES

LETTER NO. 17

Sylvia A. Diaz
128 E. 228th St.
Carson, CA 90755

RESPONSE 17-1

As of this date, Wal-Mart has not been identified as a potential tenant of the Project. The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Letter No. 18

**Dr. Gerry Gee, O.D.
22015 South Avalon Boulevard, Suite A
Carson, CA 90745
(310) 830-7584
Fax (310) 830-5856**

RECEIVED
DEC 07 2005

ECONOMIC
DEVELOPMENT SERVICES

December 2, 2005

Ronald Winkler
Economic Development General Manager
One Civic Plaza Drive, #200
Carson, CA 90745

Re: Wal-Mart

Dear Mr. Winkler,

I was informed that there is a possibility of a Wal-Mart coming to Carson. I would like to let you know personally that it would impact my business as well as the business of my other colleagues in this city. Wal-Mart uses the concept of loss leaders to attract patrons and one of them is their contact lens business. That is a major part of my business and it would be a tremendous detriment for the financial well being of my office. I have been a business owner in Carson for 20 years now and have enjoyed the variety of ethnic backgrounds and varying socio-economic levels. Wal-Mart would attract customers looking for the lowest price only and with that kind of competition I could not stay in business. Please do not allow Wal-Mart to enter the Carson marketplace. Thank you for your attention.

Sincerely,


Dr. Gerry Gee, O.D.

18-1

LETTER NO. 18

Dr. Gerry Gee, O.D.
22015 South Avalon Boulevard, Suite A
Carson, CA 90745

RESPONSE 18-1

As of this date, Wal-Mart has not been identified as a potential tenant of the Project. The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

Letter No. 19

Planning/Environmental Solutions LLC

24785 Camino Seco • Fremont CA 94590

Fax: 925.506.9825

Office: 925.506.9825

December 15, 2005

Carson Redevelopment Agency
One Civic Plaza Dr., Suite 200
Carson, CA 90745

Greetings:

This firm has been retained by a group of local residents to comment on the DEIR for the Carson Marketplace Specific Plan. | 19-1

The DEIR states that there will be no impacts as a result of blighting from the construction of the Carson Marketplace project. This is unsupported by evidence in the record. The evidence indicates that there will be significant impacts over the next 15 years but that these impacts will go away by fifteen years. There still will be a significant impact for the first 15 years. Additionally, the analysis fails to consider the fact that during that 15 year period that there will be additional commercial properties constructed, thus putting additional pressure on marginal commercial facilities. The increased pressure will result in increased vacancies and visual blighting as a result of closed facilities and reduced maintenance on marginal facilities. | 19-2
| 19-3

There will be significant visual impacts to surrounding residential areas as a result of the construction of the center. Placement of trees every 50 feet will be insufficient to break the view of the large structures. Additionally, the rear of the center, with its trash and loading areas will be presented to the adjacent residential areas. The aesthetic mitigation measures will not be effective on the rear service areas of the buildings. Trees should be planted with a minimum spacing of 25 feet on the slope areas adjacent to the existing residential areas. | 19-4

The DEIR states that there is no feasible mitigation for significant traffic impacts to I-405 and I-110. As mitigation, the project should provide a fair share contribution to the construction of improvements sufficient to bring these two freeways up to an acceptable level of service. Similarly, the center should provide subsidies to cover their fair share impact to the transit system. The DEIR also improperly relies upon others to construct the interchange improvements at Avalon & I-405. Mitigation measure C-14 is uncertain, in that there is no certainty that the measure can be physically constructed. Measure C-15 is also ineffective in that it merely prevents the construction of a larger facility than approved until after the intersection improvements have been constructed. The full approved facility however exceeds the capacity of the intersection as it is. | 19-5
| 19-6
| 19-7
| 19-8

The air quality analysis does not consider the impact of toxic air contaminants from I-405 and I-110 on the residential uses proposed for the site. Elemental carbon from trucks using the freeways in addition to those serving the site must be considered. A health risk assessment should be conducted.

19-9

Additionally, the use of a cogeneration facility should be considered as mitigation for the air quality impacts. Such a facility would utilize the methane produced by the site and would help offset emissions to produce electricity for the site.

19-10

According to the DEIR, there would be a significant noise impact to residential uses to the west of the property. (Table 59) Mitigation measure H-7 is ineffective as it is only required if feasible. There should be an absolute prohibition of deliveries between the hours of 10:00 p.m. and 7:00 a.m. unless it can be conclusively proved that the deliveries will not exceed city noise standards.

19-11

The Reduced Project alternative should be approved. It is an environmentally superior alternative that is capable of meeting most project objectives and substantially reduces project impacts.

19-12

Thank you for your consideration.

Sincerely,



Raymond W. Johnson, Esq. AICP
Principal Planner

LETTER NO. 19

Raymond W. Johnson, Esq. AICP
Principal Planner
Planning/Environmental Solutions LLC
26785 Camino Seco
Temecula, CA 92890

RESPONSE 19-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the review of the Draft EIR follow, and are addressed in Response to Comment Nos. 19-2 through 19-12.

RESPONSE 19-2

This comment does not accurately portray the Draft EIR's findings. Page 165 of the Draft EIR states the following:

“While the Proposed Project’s economic activity would contribute to the overall well being of the City and Region, it would contribute to a competitive market framework which could potentially have an adverse economic effect at some competitive retail locations. Such economic effects could result in secondary impacts on the physical environment if they were to lead to abnormally high retail vacancies, abandoned, non-maintained buildings and/or a general deterioration. When this occurs, there can be affects on land use relationships in the area (i.e., aesthetics and security/safety). When these effects are substantial, they may potentially cause conditions generally referred to by terms such as “blight” or “urban decay.”

On page 166, the Draft EIR goes on to state “Project development would have a short-term negative effect upon existing retail uses within the market area served by the proposed Project. An adverse impact on vacancies and sales could occur, most likely in smaller, older retail centers. However, this impact could be alleviated in the mid-term (i.e., by 2020) as the local market grows and matures. The addition of the Project’s new retail activities would not likely cause any widespread, prolonged urban decay.” It should be noted that the 2020 date is 10 years after the 2010 projected opening date of the Proposed Project (not 15 years as stated in the comment).

In short, the Draft EIR finds that the proposed Project could have an adverse economic impact on one or more competitive retail locations and that these economic impacts could result in

adverse secondary impacts on the physical environment. Such impacts could occur over the first 10 years after the proposed Project opens. If such impacts were to occur, they would likely occur in smaller, older retail centers. Thus, the impacts would not likely be prolonged nor widespread. These findings were based upon the results of the Retail Impact Study that was undertaken to identify the proposed Project's likely affects on commercial properties within the market area. This study is presented in its entirety as Appendix J of the Draft EIR.

The report contains extensive evidence and analysis supporting its findings. The following summarizes the key findings of the report:

The retail analysis takes two alternative approaches to estimating the maximum potential impact of the proposed Project. The first is to estimate the impact that the proposed Project would have on retail vacancy rates assuming that retail sales per square foot of store space remains constant. The second estimates the change in retail sales per square foot that would occur assuming that retail vacancy rates remain constant. The effect in the market place would likely be some mix of the two effects.

The analysis assumes an equilibrium market currently exists (as supported by the survey of current low vacancies) and estimates hypothetical changes from this equilibrium. The estimates represent a maximum because some stores may be more or less profitable than others. This could result in closures and land use changes (e.g., conversions from retail to residential or office uses).

In addition, due to the presence of regional and entertainment uses at the proposed Carson Marketplace, a portion of visitors would likely come to the center from outside of the primary trade area. The City of Carson's retailers are primarily smaller, local serving stores distributed along arterials such as Carson and Avalon Boulevards and elsewhere in the City without any major concentrations of retail development, with the exception of the South Bay Pavilion, which is also owned by the Project's Applicant. While some competition would be expected from the Project and existing businesses in the City, the proposed Project is more likely to compete with major department stores and big-box retailers throughout the primary area (i.e., a five-mile radius of the Project site). It is also very likely that the level of activity generated could benefit the City of Carson by attracting shoppers for goods and services throughout the City.

Currently the market conditions are very strong for regional retailing in Carson and the surrounding area. Historic growth and current levels of retail sales and per capita retail sales trends are also strong. Over the period measured from 1995 to 2003, retail sales increased in the 5.0-mile market area by an average annual rate of 2.6%; for Carson this rate was relatively higher at an annual average rate of 5.0%. When viewed from the perspective of per capita retail sales, the market area grew at an average annual rate of 1.8%; in comparison, Carson's per capita retail sales grew relatively faster at an average annual rate of 3.6%.

Current retail vacancy rates in the primary trade area are very low, averaging about 1.5 percent overall in the 2.5-mile market area, representing 49 centers, and approximately 2.9 million square feet of retail space. For the 2.5 to 5.0-mile ring, the economic consultants surveyed a sample of 16 of the larger centers plus the two regional malls within this geographic area. This sample was performed because of the very large number of centers identified in the primary trade area (245 centers). The sample of centers had a vacancy rate of 1.6 percent which is comparable to the retail supply within the 2.5-mile ring. However, when the two regional malls in this geographic area (Del Amo Mall and South Bay Pavilion) are excluded, the vacancy jumps to 5.12 percent. (In comparison, when the South Bay Pavilion regional mall was excluded from the sample of stores surveyed in the 2.5-mile market area, the vacancy rate only increased slightly from 1.5% to 1.8%).

The strength of the current market indicates that existing retailers can likely sustain some loss of sales and still remain open and profitable. Retail demand is projected to continue to grow significantly in the future. Southern California Association of Governments (SCAG) official projections show continued residential and population growth. This translates into growth in retail expenditures by residents within the primary trade area. (Projected population growth also indicates continued demand for new housing units.) Under worst case assumptions, the projected retail vacancy rate would be 11.0 percent immediately after the opening of the proposed Project (2010). (“Worst case” here includes assuming that new retail space would immediately replace existing retail space—an unlikely outcome since, as described above, current retail conditions are strong.) By 2020 (ten years later), the projected retail vacancy rate would fall to 6.0 percent, again under worst case assumptions.

As a general rule of thumb, based on Stanley R. Hoffman Associates’ experience, a commercial vacancy rate of around 5.0 percent is considered characteristic of a stable retail market and is used as a comparative measure for evaluating impacts. The retail vacancy rate impact scenarios are presented in detail within Appendix J of the Direct EIR (see Table 7-2, page 43 of the study and further discussed below (from pages 43 and 44 of the Retail Impact Study):

Case 1: 2005 – 2010

1a. Short-Term Impact of New Retail, Excluding Carson Marketplace

From 2005 and 2010, approximately 1,120,937 square feet of new retail space is under construction or planned. This new retail supply will increase the existing market vacancy rate of 1.6 percent to a maximum of 3.5 percent by 2010.

1b. Short-Term Impact of New Retail, Including Carson Marketplace

Including the proposed retail square footage for Carson Marketplace of 1,556,125 (excluding services, lodging and entertainment uses), the market vacancy rate in 2010 increases to an estimated maximum of 11.0 percent.

Case 2: 2005 – 2020

2a. Long-Term Impact of New Retail, Excluding Carson Marketplace

Assuming only the planned 1,120,937 square feet of retail is added to the market the long-term impact (to 2020) is a supply shortfall. The vacancy rate drops to -2.0 percent under this scenario indicating that growth in retail demand in the 5.0-mile ring more than absorbs the estimated increases in retail supply.

2b. Long-Term Impact of New Retail, Including Carson Marketplace

The cumulative impact of the addition of Carson Marketplace and all other planned retail through 2020 is a vacancy rate of approximately 6.0 percent. This represents a decline of 5.0 percentage points from the 2010 vacancy rate and shows that the growth in demand reduces the impact of the short-term vacancy increase, but remains above the current vacancy rate. However, under this scenario, by 2020 the vacancy rate is relatively close to the 5.0-percent level and one would not expect long-term, persistent vacancies leading to urban decay.

The impact of new additions to the retail supply on the expenditures per square foot has also been examined over the same two periods (2005-2010 and 2005-2020), both including and excluding the proposed Carson Marketplace as presented in Table 7-4, page 46 and also discussed on page 46. The results and findings are very similar to the vacancy impact analysis discussed above regarding an estimated maximum, worst-case decline of 11 percent on expenditures per square foot in the 2005-2010 period and dropping to an estimated maximum, worst-case decline of 5.8 percent by 2020.

As discussed later in Chapter 8 of Appendix J, using case studies both in Carson and the greater Southern California market area, the changing nature of the real estate markets is further illustrated by examples that show the potential for older retail centers to successfully undergo renovations and redevelopment to newer forms of retail, residential, office or mixed use.

As discussed on page 50 of Appendix J, the following are examples of projects in Carson that have responded to changing conditions:

- Plaza Avalon – This is a small neighborhood shopping center located on the west side of Avalon Boulevard just south of Bayport Street. After experiencing a period of decline and vacancy in the late 1980's, the project was sold and underwent a redevelopment, downsizing the retail space on the site and adding a residential component in the mid-1990s.
- Avalon Boulevard & 231st Street – Just north of the Plaza Avalon project, a former retail and church development was converted to a purely residential development of town homes and single-family residences.
- Also, there are three projects in Carson at the intersection of Avalon Boulevard and East Carson Street that are currently in the planning stages and expected to include some replacement retail and possible mixed use.

Page 49 of Appendix J also cites several examples within the Los Angeles basin of the conversion of older retail properties into mixed use or non-retail uses in response to real estate market conditions. Many of these conversions involve replacing older retail with varying combinations of newer retail, residential, office and entertainment uses. The projected high levels of demand for new housing units in the Carson area would be expected to provide similar opportunities for retail conversions. In other words, even if long-term vacancies were to occur in a shopping center, it is unlikely that the property would remain vacant for a long period of time. A rational landowner would seek to convert the property to another use or mixed use, particularly since the market demand for residential properties is projected to remain strong.

RESPONSE 19-3

The economic consultants made a diligent effort to identify every significant existing, planned or proposed retail project or property within the 5-mile primary trade area of the Proposed Project. As shown in Appendix J, Table 6-13, page 39, an estimated 1.12 million square feet of planned or under-construction retail developments were identified through a review of each city's website and field inspections in the primary trade area.

The economic consultants also contacted representatives from the City of Torrance, the City of Compton, The Mills Company (Del Amo Fashion Center), and Hopkins Real Estate Group (who is also currently renovating the South Bay Pavilion with a Target Store and inline shops). The major regional supply changes identified will result from ongoing renovations of the nearby South Bay Pavilion in Carson, the Del Amo Fashion Center in Torrance, plus a new Target store adjacent to the South Bay Galleria in Redondo Beach. In addition, the proposed, mixed-use Gateway Towne Center is planned in Compton and currently three alternative configurations are under consideration. No other major competitive additions to the retail market were identified.

For existing projects, vacancy and condition data were also compiled. A detailed inventory of these projects is presented in Appendix A of the Retail Impact Study (Appendix J of the Draft EIR). The comment calls for including speculation about other as yet unknown retail projects. However, there is no rational basis for making such speculations about events not reasonably foreseeable (CEQA Guidelines Section 15145).

RESPONSE 19-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The Specific Plan for the Project requires a perimeter wall along the rear of the Project site, across from the residential areas located to the south and southwest of the Project site. Further, the Specific Plan requires that wall facades be varied and articulated, and that accessory facilities such as trash bins, storage areas, etc. be covered and screened. The Draft EIR evaluated the aesthetic impacts of the Project on the residential uses to the south and southwest of the Project site in Section IV.B, Visual Resources, of the Draft EIR. (See in particular the discussion on page 195, as supported by Figure 19 on page 189). The analysis considers not only the design features noted, but also the location of the Project buildings relative to the residential uses. The buildings would be located behind a landscaped berm (of 8 feet to 17 feet, and consisting of a combination of native and adapted drought-tolerant trees, shrubs and groundcovers) at a horizontal distance of 185 feet, thus reducing the visibility of such activities. The recommendation may be considered further, but would not be required to avoid a significant impact, pursuant to CEQA. While the preceding reflects conditions under the Specific Plan as proposed, the Project's landscaping plan would also be reviewed by DTSC as there is a potential, depending on the root system of the vegetation selected, for the proposed landscaping to have an adverse impact on the landfill cap (i.e., the root systems of the landscaping may create a preferential pathway for gas migration). As such, DTSC's review would focus on the root system, rather than the quantity, of the landscaping proposed for areas south of Del Amo Boulevard.

RESPONSE 19-5

With regard to mitigation of freeway impacts, the commentor suggests that the Project should provide a fair share contribution towards freeway system improvements. There are no current plans by Caltrans to provide additional capacity on the impacted segments of the I-110 and I-405 freeways. In the absence of a specific established program to collect funds for the implementation of specific improvements, however, simply contributing funds towards an unspecified future improvement would not constitute mitigation under CEQA, since there is no mechanism to ensure that any specific improvements addressing the specific impacts are made.

With regard to transit subsidies, a mitigation measure has been added that requires the Applicant to provide a fair share contribution for funding of Carson North-South Shuttle operations. Please see Section III, Corrections and Additions, Subheading IV.C, of the Final EIR.

RESPONSE 19-6

The planning, design, and construction process for the proposed I-405/Avalon Boulevard interchange improvements is a process separate from the approval process for the Carson Marketplace Project. The City of Carson is currently working with Caltrans with regard to the design for the interchange improvements. In recognition of the fact that the interchange improvements are required to provide adequate access to, and alleviate impacts of, the Carson Marketplace Project, Mitigation Measure C-15 has been established which limits the level of development on the Carson Marketplace site prior to completion of the I-405/Avalon Boulevard interchange improvements.

RESPONSE 19-7

The comment restates a finding already in the Draft EIR, presented in the discussion of Mitigation Measure C-14. The Draft EIR discloses that there is some uncertainty regarding the implementation of Mitigation Measure C-14. In the event that Mitigation Measure C-14 is not fully implemented, Project impacts would remain significant. However, if all improvements identified under Mitigation Measure C-14 are implemented, Project impacts at the Avalon Boulevard/Carson Street intersection would be reduced to less than significant.

RESPONSE 19-8

Mitigation Measure C-15 does not prevent the construction of a “larger facility than approved until after the intersection improvements have been constructed.” Rather, it prevents construction of the majority of the commercial development proposed as part of the Project (i.e., all of the commercial development in District 2 plus any commercial development in Districts 1 and 3 beyond the Applicant’s Illustrative Plan for 1 and 3), and prevents such construction until such time as the proposed I-405/Avalon Boulevard interchange improvements are constructed, and not simply intersection improvements.

RESPONSE 19-9

Section IV.G, Air Quality, of the Draft EIR, provides a complete and comprehensive assessment of potential health risks attributable to freeway operations. As detailed therein, the assessment followed SCAQMD recommended procedures and evaluated toxic air contaminant emissions from sources within one-quarter mile of the proposed on-site residential locations (e.g., San Diego Freeway (I-405)). Interstate 110 is located more than one-quarter mile from the proposed residential uses and was therefore excluded from further analysis.

The results of the analysis are provided in Table 42 on page 401 of the Draft EIR. The probability of cancer risk from TAC sources within one-quarter mile of the proposed on-site residential locations is above the 10 in one million threshold. Freeway truck traffic is the largest source (refer to Appendix F of the Draft EIR for further discussion). Following a conservative

guideline for a receptor exposure scenario, which assumes that a resident would experience a 24-hour/day, 365 days/year exposure outdoors (not indoors) at the same concentration over a lifetime of 70 years, the resultant estimated probability of cancer risk is of up to 349 cases in one million for the maximum on-site receptor scenario (i.e., the on-site receptor location where the highest probability of cancer risk would occur). This conclusion is based on a very conservative set of assumptions as to the extent of the exposure that would be experienced by an individual residing within the Project site. While the assumptions are very conservative in their nature, they are consistent with established protocols endorsed by the SCAQMD. It is important to note that most of the City of Carson is located in an area where the estimated probability of cancer risk is between 500 and 750 cancers per million.⁸ Thus, the health risk assessment performed for the Project site, with respect to risks related to freeway operations, demonstrates that the Project site is also within already existing risk levels. It is noteworthy that these results for a planned development near a freeway in Southern California are not uncommon. Nevertheless, based on an analysis which assumes constant 24 hours a day, 365 days a year of outdoor exposure, the Project would result in locating sensitive receptors within an area of cancer risk in excess of the SCAQMD significance threshold of 10 in one million. In response to this impact, mitigation measures are recommended. Furthermore, it should also be noted that the cancer risk from Interstate 405 would not be substantially different across the Project site and would exceed the SCAQMD 10 in one million threshold regardless of a 500 foot buffer. In fact, the cancer risk would exceed the SCAQMD 10 in one million threshold approximately 18,000 feet from the freeway.

Mitigation Measure G-25 recommends that the Project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 12 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. An air filtration system with a 12 MERV would reduce particles in the range of 1 to 3 microns by a minimum of 80 percent. This mitigation measure would reduce the probability of cancer risk to residential uses substantially, but impacts would remain significant and unavoidable. The Applicant is performing further study to determine whether other feasible mitigation measures might be available; e.g., the relocation of buildings, further enhanced air filtration systems, etc.

RESPONSE 19-10

While use of a cogeneration facility was considered for production of electricity from on-site landfill methane gas, due to the age of the landfill, the quantity and quality of methane gas was not considered sufficient to efficiently produce electricity. Thus, a cogeneration facility would likely not be economical and may produce more pollutant emissions per kilowatt generated due to the inefficiency.

⁸ <http://www.arb.ca.gov/toxics/cti/hlthrisk/cncrinhl/riskmapviewfull.htm>.

RESPONSE 19-11

Deliveries to the project site generate noise from vehicles accessing the loading docks and from loading dock activities (e.g., loading, refuse collection, cardboard compaction, etc.). Loading dock activities would occur mainly at the rear of the proposed on-site structures and the Project would implement standard design practices (all outdoor loading dock and trash/recycling areas would be fully or partially enclosed, or screened with portions of the building, architectural wing walls, and freestanding walls such that the line-of-sight between these noise sources and the noise sensitive land uses would be obstructed). By blocking the sound transmission path between the loading dock-area noise sources and nearby residential uses, noise levels would comply with City standards.⁹

Vehicles accessing and positioning at the loading docks would generate a maximum L_{eq} noise level of 70 dBA at 50 feet or approximately 63 dBA at 250 feet. This noise level would not exceed the 5-dBA hourly L_{eq} significance threshold, or the 5-dBA CNEL significance threshold for conditionally acceptable noise environments at any off-site or on-sensitive receptor. However, maximum (instantaneous) noise levels could reach 85 dBA (L_{max}) at 50 feet or approximately 79 dBA at 250 feet. While these noise levels would be consistent with daytime existing conditions and would not be considered problematic during these hours, given the proximity of residential uses, additional limitations for loading dock facilities were considered for activities occurring within 250 feet of residential uses.

Per the Commentor's request, Mitigation Measure H-7 has been revised to more effectively mitigate potential impacts to residential uses to the west of the property from loading dock activities. Under the revised mitigation measure, truck deliveries within 250 feet of an off-site residential use shall not occur between 10:00 P.M. and 7:00 A.M. See Section III., Corrections and Additions, Subheading IV.H, of the Final EIR.

RESPONSE 19-12

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

⁹ *The Carson Municipal Code (CMC) sets a maximum noise level from any noise source in a residential zone at 50 dBA, when measured at the property line. However, if the existing ambient noise level exceeds 50 dBA, the limit is adjusted to reflect the measured ambient maximum noise level (e.g., the existing ambient L50 becomes the exterior noise level for Standard 1). The ambient noise level for the project site is 65 dBA L_{eq} .*

December 12, 2005

RECEIVED
DEC 14 2005

20-1

Dear Ronald Winkler,

I'm saying NO to building a Wal-Mart store in Carson. Carson is surrounded by two Wal-Mart stores that are no more than fifteen minutes away. These stores are located in Cerritos off the 91 freeway and the newly built store in Gardena at 190th St. & Normandie Ave.

I would like to see in the Carson area are department stores such as a Macy's, Robinson-May or a Nordstrom.

Thank you,

Dianne Johnson-Wheeler

Dianne Johnson-Wheeler

18635 Milmore Ave.

Carson, CA 90746

LETTER NO. 20

Dianne Johnson-Wheeler
18635 Milmore Ave.
Carson, CA 90746

RESPONSE 20-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date, Wal-Mart has not been identified as a potential tenant of the Project.

Letter No. 21


IMPORTANT MESSAGE

FOR Row
DATE 12-14 TIME 9:55 ^{A.M.} _{P.M.}
M Jack Lardy
OF 2209 Bonita St.
PHONE/
MOBILE (310) 835-6555

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE He & his wife
are in favor of
Wal Mart.

SIGNED

at 

1184

21-1

LETTER NO. 21

Jack Lardy
22109 Bonita St.

RESPONSE 21-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date Wal-Mart has not been identified as a potential tenant of the Project.

Letter No. 22

Robert Lesley
19919 Alonda Dr.
Carson, Ca. 90746

05 DEC 15 PM 2:35

December 13, 2005

ENGINEERING SERVICES DEPT.

Carson City Hall
Planning Division, Sheri Repp-Loadmans
701 East Carson Street
Carson, Ca. 90745

RECEIVED
DEC 15 2005

ENVIRONMENTAL
DEVELOPMENT SERVICES

Subject: Official Comments and Concerns on the Carson Marketplace EIR

In response to the Carson Marketplace EIR (Environmental Impact Report), listed are seven items that raise high concerns of significant impact to the various neighborhoods located to the North and South of the vacant 157 acres "Mix Use" propose project.

22-1

The following items listed are:

- A. The soil composition at the location consists of an unstable sand base that sets on a "fault line". Are there records or studies showing that a structure built with this soil condition can sustain considerable damage of an earthquake whose "seismic activity" is a 4.0 or more?
- B. It was recommended that a liner be put in place over the soil base. Will this prevent any Methane gas or Toxic substance leaks if there is a moderate earthquake?
- C. On pg. 337 of the EIR (Surface Water Quality) paragraph three, it shows the VOC (Volatile Organic Compound) level of metal compounds in the soil consist of the following: nitrites, radionclides, antimony, calcium, chromium, lead, molybdenum, nickel and zinc that exceeds the State health hazardous Standard. What steps will be taken to prevent these substances from finding there way into our water, air, residents and the health of families living at this location?
- D. A national study showed that 79% of Blacks or Minorities are exposed to air and noise pollutants from facilities that are built in their communities. With that said, on pg. 373 of the EIR (Air Quality) under the TAC (Toxic Air Contaminants) the particle materials of Sox, Roc, Nox and Co with direct or in direct contact exceed the SCAQMD (South Coast Air Quality Management District) health and safety standards. Page 379 of the EIR (Air Quality) concurs that these downwind pollutants have a potential impact on the health and safety of an individual. Page 371 clearly identifies a group of people that are at a higher health risk, such as, the elderly, ill and the young. In 2001-2002 during renovation of the Victoria Golf Course numerous young people came in contact with a respiratory illness from downwind pollutants at the Towne Elementary School. How will you circumvent the reoccurrence of this incident?
- E. How will you reduce the CNE (community noise equivalent) and the high-risk decimal level during the construction and operation process of this project?
- F. Page 10 of the Specific Plan Manual paragraph four under the "Mix Use" section there is a proposal to build up to 60 units on an acre, which violates the City Code. What will you do to correct this deficiency?
- G. Who will be responsible for the cost of this project? What type of "bonds" will be used to pay for the project?

22-2

22-3

22-4

22-5

22-6

22-7

22-8

I look forward to a resolution and correction of these issues during the scheduled workshops before this project goes forward.

22-9

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	Ron Winkler		
From	DENISE		
Co.	233-4804		
Dept.	Phone #		
Fax #	Fax #		

Sincerely,
Robert Lesley
Robert Lesley

LETTER NO. 22

Robert Lesley
19919 Alonda Dr.
Carson, CA 90746

RESPONSE 22-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Specific comments regarding the review of the Draft EIR follow, and are addressed in Response to Comment Nos. 22-2 through 22-8.

RESPONSE 22-2

The natural soils below the waste cells at the site consist predominantly of Pleistocene age (older than 11,000 years) sand of the Lakewood Formation. This sand is dense to very dense and will competently support the proposed structures. For support of building foundations, the Lakewood Formation sand is as good, or better than most soils in the region.

There are no known active or potentially active faults beneath the site. Therefore, anticipated construction activities will not contact or disturb any known faults located beneath the site.

The nearest active or potentially active fault is the Newport-Inglewood fault zone, which is more than 2 miles away. The Avalon-Compton fault, which is referenced in the City of Carson's Seismic Safety Element, is part of the Newport-Inglewood fault zone. Faults are considered "active" if they have evidence of displacement within the past 11,000 years (Holocene epoch). Faults are considered "potentially active" if they have evidence of displacement within the past 1.6 million years (Pleistocene epoch).

Some researchers have postulated that the Compton-Los Alamitos Thrust (generally mapped about 13 miles to the northeast of the site) may extend beneath the site. This is a blind-thrust fault, which means that it does not have a surface trace since the top of the fault is at considerable depth below the ground surface. This fault has been dropped from the State of California Fault Hazard model in 2002 because recent studies suggest that the fault is inactive. It has no evidence of movement within the past 1.6 million years.

Based on the discussion above, the potential for earthquake fault rupture impacting the site is remote and need not be considered in the design. However, like all sites in seismically active Southern California, the site would be subject to strong ground shaking should a regional fault

rupture in the future. This potential hazard would be mitigated by implementing current building codes and engineering practices.

RESPONSE 22-3

With regard to the remediation of the landfill, the 1995 Final (DTSC approved) RAP for the Upper OU would require the installation of a low-permeability clay cap to contain the buried waste and the impacted soil on the landfill site. The DTSC-approved landfill cap would consist of three primary layers, the foundation layer, clay layer and protective soil. (See Figure 26 on page 282 of the Draft EIR.). Prior to the installation of the landfill cap, deep dynamic compaction (DDC) would be used in non-building areas to pre-consolidate the upper layers of the waste so as to reduce future settlement of the material and to provide a more uniform substrate over which to construct the landfill cap.

In addition, the proposed remediation plan refinements would have a number of redundancies built into the various remediation systems in order to provide protection in the event of a failure of a system. Table 29 on page 298 of the Draft EIR provides an explanation of what would be done to eliminate or minimize impacts in the unlikely event that any of these potential upset scenarios occurred. Due to the redundancy of the systems, multiple and simultaneous failures would have to occur to create the potential for impacting human health or the environment. The likelihood of such multiple, simultaneous, and complete system failure is very low.

As indicated in Section IV.E, Geology and Soils, of the Draft EIR, the Project would expose occupants and visitors to potential ground shaking that would be similar to other locations throughout the Los Angeles Basin and the City of Carson, as a result of an earthquake event at any of several earthquake fault zones in the surrounding area. Geologic hazards in Development Districts 1 and 2 include potential differential settlement due to the densification of waste in the underlying waste layers. Exposure to settlement would be reduced to less than significant levels through the implementation of driven pile foundations, in which concrete building pads and floors would be supported by piles driven directly into underlying soils. No building pads or pilings would be supported by the underlying waste. Exposure to ground shaking would be reduced through the implementation of seismic construction standards set forth in the Carson Municipal Code, Chapter 16, which include design provisions for structures within 15 km (9.3 miles) of an active fault. The Carson Municipal Code also requires the preparation of updated soils, geotechnical, or geology reports and the compliance of the Project with any recommendations developed as part of any such report.

RESPONSE 22-4

As indicated in Section IV.F, Surface Water Quality, of the Draft EIR, the Final (DTSC approved) RAP for the Upper OU requires the landfill area to be capped to prevent rainwater from

entering the waste prism. Capping the landfill waste would prevent additional existing contaminants from entering surface water runoff. More specifically, the purpose of the clay layer, or the synthetic geomembrane system should its use be approved by DTSC, is to inhibit infiltration of surface water into the waste and to inhibit upward migration of landfill gas.

With development of the Project as proposed, surface areas in Development Districts 1 and 2 would be almost entirely impermeable. Surfaces that have very low permeability would include streets, driveways, parking areas, and building footings and slabs. The proposed landfill cap, which would underlie much of the developed area within Development Districts 1 and 2, would also contribute to the site's impermeability. Onsite surfaces with higher permeability, south of Del Amo Boulevard, would consist of only the perimeter slopes along the edges of Development Districts 1 and 2. Although new low permeability surfaces would increase water runoff from the site, the impermeability that would result due to the landfill cap would eliminate the exposure of surface water runoff to any contaminated soils.

With regard to the migration of contaminants into the groundwater, the Final (DTSC approved) RAP requires the installation of groundwater extraction and treatment systems for controlling off-site migration, as well as implementation of long-term monitoring of the groundwater and landfill gases. These systems would serve to ensure protection of the local groundwater resources. With regard to the protection of air, the Final (DTSC approved) RAP for the Upper OU requires the likely installation of a landfill gas extraction, control, and treatment system along the perimeter of the landfill site within the waste zone. These systems are described in detail in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR.

From an air quality standpoint, should contaminated soils be found or landfill contents be exposed through the implementation of the DTSC-approved RAP or the proposed remediation design refinements during project construction activities, such soils shall be treated in accordance with the requirements of the appropriate regulatory agency. In addition, the Applicant would abide by SCAQMD Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil. This rule sets requirements to control the emission of Volatile Organic Compounds (VOC) from excavating, grading, and handling, of VOC-contaminated soil. The mitigation measures set forth in Section IV.G along with SCAQMD Rule 1166 ensures that the potential for accidental releases of air toxic emissions or acutely hazardous materials would be less than significant from a safety as well as air quality perspective and thus, would not pose a threat to public health and safety.

RESPONSE 22-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The statement regarding impacts on minorities is acknowledged, however it is noted that the statement does not reflect the type of noise and air effects referenced and how such noise and air might affect

other populations. As noted, page 371 of the Draft EIR does identify sensitive population groups which are defined by factors such as age, existing health conditions, etc., rather than race or ethnicity. The discussion on page 371 is part of the discussion of the existing setting and identifies the sensitive populations in the Project area that were considered in the evaluation of potential impacts in Section IV.G, Air Quality. The discussion on page 373 (and following through the top of page 375) lists the thresholds for defining significant impacts; and the discussion on page 379 discusses the methodology for evaluating toxic air contaminants. Impacts on air quality are addressed in the succeeding pages. As shown in Table 38 on page 386 of the Draft EIR, localized impacts from construction would be less than significant for all pollutant thresholds with the exception of PM₁₀. Mitigation Measures G-1 through G-12 reduce the level of this impact to the extent feasible. However, localized PM₁₀ impacts would remain significant and unavoidable. In response to this circumstance the Applicant is studying the feasibility of further mitigation that addresses potential impacts to future on-site residents, e.g., location of buildings, greater air filtering systems, etc. In addition, it is also important to note that these impacts would be limited to on-site areas and would not cause a significant impact to off-site locations. As shown in Table 40 on page 391, localized impacts from Project operations would be less than significant.

The text presented on page 373 of the Draft EIR sets forth the significance thresholds that are used to assess Project impacts. The standards established therein are for criteria pollutants. The significance thresholds for toxic air contaminants are presented on pages 374 and 375 of the Draft EIR. It is also important to note that the significance thresholds for criteria pollutants, as established by the SCAQMD, are levels which when exceeded require the imposition of all feasible mitigation measures. They are not health and safety standards as asserted in the comment.

RESPONSE 22-6

Project features and mitigation measures (e.g., limitation of construction hours, temporary sound barriers, pile driver noise shields, exhaust silencers or mufflers, building orientation, etc.) have been incorporated into the Project to reduce potential noise impacts to the extent feasible (see pages 449-451 of the Draft EIR). Despite the imposition of all feasible mitigation measures, construction activities would continue to increase the daytime noise levels at nearby noise-sensitive uses by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable. Furthermore, noise impacts during pile driving were concluded to be significant due to the frequency with which this impact is going to occur and the circumstance in which this impact cannot be mitigated given the construction techniques that are required for the Project site. With implementation of Mitigation Measures H-7 through H-10 (limitation of delivery hours, noise insulation for proposed uses, and requirement for additional noise studies for any future proposed noise intensive uses), operational noise impacts to the off-site existing residential uses located to the south and west of the Project site, as well as on-site residential developments, would be reduced to less than significant levels. In addition, the Project

site would provide some noise-attenuation/shielding characteristics from I-405 traffic noise to the area, particularly for the residential uses located south and west of the Project site.

RESPONSE 22-7

The Draft EIR evaluates the relationship between the proposed Project and the existing regulations in Section IV.A, Land Use, of the Draft EIR. Specifically, that analysis addresses existing zoning regulations and density in Subsection 3.c.(2).(a).iii, Zoning. As described therein, Project approval would replace existing zoning designations with zoning provisions of the Specific Plan. So long as Project development is consistent with the Specific Plan, no deficiencies would occur. The Draft EIR concludes that changing the zoning on the Project site would not have a significant impact with regard to the City's regulatory framework for a number of reasons that address a large range of City policies, and regulatory requirements. With regard to the Project's density, the Draft EIR states, on page 152:

“It may be noted that the Project's Specific Plan standards for residential density would be greater than the residential densities allowed elsewhere in the City; 60 units per acre versus 25 units per acre. Increased housing density at the Project site would support numerous City Policies that aim to increase the number and types of housing opportunities within the City. The Project's higher density housing would not occur within an existing neighborhood and would therefore not contrast with adjacent housing stock, or conflict with existing zoning standards aimed at limiting impacts on existing housing stock. The increased density would occur in an area that is suited for higher density development due to its Freeway accessibility. Further, the increased density would support the Project's mixed use objectives. As the density/FAR limits would be established through a Specific Plan, the Project would not have any effect on zoning restrictions that are applicable to off site locations. By adding limitations on the amount of development and specific density/(FAR) limitations, the Project's Specific Plan would add new limitations to development, and would therefore be compatible with the City's existing zoning provisions.”

RESPONSE 22-8

It is anticipated that the Project would be funded by the developer. The remediation of the former landfill on the 157-acre portion of the Project site will be funded with financial support via Tax Increment Bonds issued by or on behalf of the Carson Redevelopment Agency (CRA) and/or Community Facility Bonds issued by the City of Carson. In addition, remediation of the site may also be funded by monies set aside for this purpose that would be disbursed by DTSC.

RESPONSE 22-9

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RECEIVED
12/13/05
DEC 14 2005

MR. WINKLER,

ECONOMIC
DEVELOPMENT SERVICES

THANK YOU FOR YOUR NOTICE, AND I TOO
WISH TO SAY NO TO WALMART IN OAKSON,
DELANO-AREA.

IN VIEW OF THE RECENT COMPLETION OF
THE WALMART, AT THE CORNER OF NORMANIE
AND 190TH, THEY HAD "GOOD REAL ESTATE
EXPOSURE" IN THIS AREA AND ONE SURELY
IF A NEW STORE WOULD FINANCE THEM REAL
EXPOSURE - SOMETHING THAT WALMART AS WELL
MAY WISH TO BE AWARE OF -

ANOTHER POINT IS THAT THE SUCCESS OF
THE HALL DEPUT SPORTS CENTER IS EXCELLENT,
AND A BOON TO THE COMMUNITY FOR OTHER
INTANGIBLE REASONS. WITH THAT, THE NFL
IS STILL ACTUALLY LOOKING FOR A SITE FOR
A TEAM IN L.A. - AND THERE WILL BE A
PRO FOOTBALL TEAM HERE.

SPORTS, OR A SPORTS RELATED VENUE, WOULD BE
FAR MORE USEFUL THAN COMMERCIAL, ~~FOR~~ ^{FOR THE}
FUTURE. THANK YOU.

Paul Rouns
PAUL ROUNDS

PS: COMPUTER WAS DOWN SO HAD TO WRITE
THIS. HOPE IT MADE THE DEADLINE.
INCLUDE MY NAME IN A PETITION, IF THAT'S
BEING DONE.

23-1

23-2

LETTER NO. 23

Paul Rollins

RESPONSE 23-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date, Wal-Mart has not been identified as a potential tenant of the Project.

RESPONSE 23-2

This comment is a note about the logistics of the submittal and does not raise any environmental issues. The letter was received prior to the deadline and is incorporated and responded to in the Final EIR.

Letter No. 24

NO WACL MART
IN CARSON b

24-1

Michael Spaeth
436E 230th St
CARSON CA 90745
310 830-4582

RECEIVED
DEC 12 2005

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

LETTER NO. 24

Michael Spaeth
463 E. 230th St.
Carson, CA 90745

RESPONSE 24-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date, Wal-Mart has not been identified as a potential tenant of the Project.

Letter No. 25

IMPORTANT MESSAGE

FOR Ron
DATE 12-14-05 TIME 9:47 A.M.
M Joan Terrell P.M.
OF P.O. Box ~~60~~ 4864, Carson
PHONE/
MOBILE 310-329-5990

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION	

MESSAGE Opposed to
Walmart

SIGNED at 1184

25-1

LETTER NO. 25

Joan Terrell
P.O. Box 4864
Carson, CA

RESPONSE 25-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. As of this date, Wal-Mart has not been identified as a potential tenant of the Project.

A Wal-Mart Supercenter at Carson Marketplace?

The developer of the proposed 2 million sq. ft. mixed-use project at the intersection of Del Amo Boulevard and Main Street has not revealed any retail tenants. However, a preliminary concept site plan shows the footprint for a retail tenant consisting of 216,000 sq. ft. This can only be a Wal-Mart Supercenter.

By importing more than 70 percent of their products from China and keeping wages and benefits low for their workers, Wal-Mart has a history of ruining communities. Wal-Mart has shuttered many local stores and often leaves dark stores in their wake. Don't let Wal-Mart ruin what could otherwise be a great development project for our community.

Public comment letters on the project's potential impacts on the community are being accepted until December 15, 2005. Tell our public officials that a Wal-Mart Supercenter is a bad idea. Please send letters to:

Ronald E. Winkler
Economic Development General Manager
One Civic Plaza Drive, #200
Carson, CA 90745

Say NO to Wal-Mart!

For more information, and to take action visit: www.wakeupwalmart.com

LETTER NO. 26

Anonymous

RESPONSE 26-1

Letter 26 was not submitted directly to the Lead Agency, but was circulated within the community, with the Lead Agency listed as the return address. The Lead Agency did not circulate the flyer, was not aware of its distribution, and does not know who sent out the flyer. Any public comments that were made in response to the flyer are included in the Final EIR. With regards to the content of the flyer, the comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Furthermore, as of this date, Wal-Mart has not been identified as a potential tenant of the Project.

Letter No. 27

AGENDA

CITY OF CARSON PLANNING COMMISSION ADJOURNED REGULAR MEETING CITY COUNCIL CHAMBERS, CITY HALL 2ND FLOOR

CARSON, CALIFORNIA 90745

November 29, 2005 – 6:30 P.M.

1. **CALL TO ORDER** Chairperson Cottrell called the meeting to order at 6:40 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Hudson led the Flag Salute.
3. **ROLL CALL**
Planning Commissioners Present: Cottrell, Diaz, Hudson, Pulido, Saenz, Verrett, Wilson

Planning Commissioners Absent: Embisan, Faletogo (excused)

Staff Present: Planning Manager Repp, Planning Consultant Ketz, Assistant City Attorney Galante, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Hudson moved, seconded by Commissioner Diaz, to approve the Agenda as submitted. Motion carried (absent Commissioners Embisan and Faletogo).
6. **INSTRUCTIONS TO WITNESSES** Chairperson Cottrell requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.
7. **SWEARING OF WITNESSES** Assistant City Attorney Galante
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes.
9. **CONSENT CALENDAR** **Chairperson to poll Commission and audience on desire to discuss any agendaized Consent Calendar item.**

10. **CONTINUED PUBLIC HEARING** None.

11. PUBLIC HEARING

A) **Specific Plan No. 10-05; Zone Change Request No. 149-05; and General Plan Amendment No. 15-05**

Applicant: Carson Marketplace, LLC
4350 Von Karman Avenue, No. 200
Newport Beach, CA 92660

Request: For a Specific Plan to allow 1,550 residential units and 1,995,125 square feet of commercial floor area. Carson Marketplace would be both the Zoning and General Plan designation for the property. An Environmental Impact Report (EIR) is required for a project of this size. The EIR is the subject of this hearing.

Property Involved: 168 acres located southwest of the I-405 Freeway, north of the Avalon Boulevard interchange, east of Main Street, north and south of Del Amo Boulevard.

Staff Recommendation: TAKE comments from the public on the Draft EIR and MAKE comments on the Draft EIR.

27-1

Planning Manager Repp stated that the Carson Redevelopment Agency is the lead agency as it relates to the CEQA process; the City will be a responsible agency in that it will have a number of permits that will be necessary in order for this project to go forward; and briefly explained that this project involves the development of 168 acres – 157 acres being a former landfill. She noted that this evening's presentation will be made by PCR Consultants, the environmental consultant that has been retained by the Redevelopment Agency to prepare the Draft Environmental Impact Report (DEIR); and reminded the Planning Commission that the purpose of the meeting tonight is only to receive comments on the DEIR, noting there will be subsequent meetings to specifically talk about the development proposal. She stated that staff anticipates scheduling a meeting on December 19, 2005 to address the Specific Plan.

Bruce Lackow, principal with PCR Services Corporation, 233 Wilshire Boulevard, Santa Monica, advised that his firm has many years' experience in these matters; provided an outline of the process and purpose of the EIR and a brief overview of the major conclusions. He stated that the Notice of Preparation (NOP) was distributed to the public and that that 30-day comment period ended on June 13, 2005; advised that a total of 17 letters were received from agencies and the public; and that issues of concern in those letters were as follows: the safety of the site for development given its prior use as a landfill; traffic issues; project compatibility with adjacent uses, particularly the residential neighborhoods to the south and west; air quality; noise; vibration; and impacts on public services. He added that all these issues have been addressed in the DEIR, which was released for public review on November 1, 2005; and noted that the DEIR comment period will last 45 days, with the comment period ending on December

15, 2005. He stated that the purpose of tonight's meeting is to provide the public and the Commissioners the first of several forums for commenting on the DEIR and mentioned that all comments will be addressed in the Final EIR (FEIR) after the comment period has ended. He mentioned that once the FEIR is complete, the project and the FEIR will be the subject of another hearing held by the Commission to consider approval of the project and certification of the FEIR.

27-1
(Cont)

Mr. Lackow advised that the EIR analyzed a total of 16 different environmental issues ranging from land use, aesthetics, traffic, hazardous materials, air quality, noise, public services, utilities, etc.; and he highlighted the conclusions in the DEIR with regard to those issues.

Commissioner Hudson:

The housing closest to the San Diego Freeway, I'm concerned that that housing is within 500 feet of that freeway; and I am wondering if we're not taking too much of a risk to permit housing at that distance because I think it's been fairly well established that there is a higher incidence of cancer for people who live within 500 feet of a freeway. I believe the applicant also stated that that was a significant impact that could not be fully mitigated. Would the applicant perhaps consider not putting housing within 500 feet of that freeway and perhaps using that space for commercial instead?

27-2

I have several suggestions for mitigating public transportation concerns. One of them regards the existing line – the Carson North/South shuttle, it is currently subsidized to a small extent by Super K, and I'm wondering if the applicant might subsidize it further so that the shuttle could run counter-clockwise as well as clockwise, thereby providing 20-minute service, which makes it more feasible for people to use it to get to and from the shopping center. And, of course, that shuttle should also be extended – and this is not the applicant's job to do, that's the City's job to do – should be extended to the Artesia Transit Center.

27-3

Commissioner Verrett:

With regard to the letter dated June 29, 2005, addressed to Mr. Ron Winkler from Captain Todd Rogers to continue to get the Carson Sheriff to continue to be incorporated in this EIR report and that the Commission at some point in time possibly recommends that we accept Captain Todd Rogers recommendation to incorporating the safety center to be staffed by a minimum of 16 hours per day, 7 days a week, and to allow the Carson Sheriff to deploy one-person patrol for 7 days a week.

27-4

Because of Carson's General Plan which sets forth objectives, goals, and policies and implementation of measurements that provide guidelines to meet the needs and desires of the community, I ask that we allow a limited amount of community input into the naming of the streets in District Nos. 1, 2 and 3, and the streets are visible, and that we also, in naming this, what we do primarily is to allow for a certain amount of identity and character within the City here.

27-5

Commissioner Hudson:

The provision of reclaimed water, if feasible, I'm wondering what would make that infeasible. I note that there is a comment in the EIR that the second piping system for reclaimed water for irrigation would be included if the providing agency could provide this water by 2010, and that seems to be sort of a short cut-off for me. I'm not sure what the problem of the providing agency would be, but if the providing agency could

27-6

see that that water would be available within a few years after 2010, could not the double piping for the reclaimed water be placed in anticipation of that?

27-6
(Cont)

Vice-Chairman Pulido:

Off-ramp at the Figueroa exit off the 110 Freeway – actually, not the off-ramp, but actually the on-ramp there, I'd like to find out more about the exact, precise, perhaps, improvements that are going to be worked out with hopefully Caltrans and the applicants. Another question as far as the 12 significant intersections that were mentioned, I'd like to have more details on how the City will provide, if you will, the partnership or if the applicant is going to work on building in some infrastructure on those roads regarding the left turn right there off Del Amo, specifically; we have some of our modifications done out there, but I think we're going to probably need to address them. And I know they have somewhat -- regarding the Avalon new off-ramp, I understand the work first will be done there before doing the one at the (inaudible) I want to clarify that and make sure that Caltrans will be notified, that their project's moving right along, and that's going to be moved and done properly first and foremost and then the other intersections and the other improvements on that off-ramp should be also included. So I have questions about how we're going to work that timetable out in that (inaudible) in getting that done.

27-7

27-8

Vibration on the pile driving, the effect it's going to have on the residents pertaining to the south side of the project there, the mobile home estates, particularly, impacting this area; how are we going to really mitigate that, you know, as far as working with them? Are we going to have a full-time monitor on site, you know, or perhaps are we going to have someone there that will (inaudible) will be to work with them and keep them updated on the progress? We have the hotline, but I think we need to go a bit further with how we're going to address those needs of the community.

27-9

At our next meeting, if we could, like to have for the record the noticing to the community, a summary for all of what we've done as far as our due diligence, as far as who we notified, who was made available to knowing about our meeting through the newspaper, through our regular residents and leaders in the community. I want to make sure we do citywide noticing, if possible.

27-10

I also want to know more about that onsite community safety center, how it will provide for any of the residents. I would like to know more about that and how we effectively work that into the (inaudible) community safety center as proposed.

27-11

DTSC and Caltrans recommendations, I would like to make sure that we have our dialogues there, we have a main person like Mr. Koda, himself, (inaudible) acting with Caltrans (inaudible) person is and if they're meeting with our CRA staff and our Planning Division staff and hear more about their recommendations that they feel would be appropriate with what's going on there with Caltrans as far as the project goes. And DTSC again, Mr. Koda, and whoever else and be the monitoring persons, are they full time? Will they be monitoring the project from now, from the onset as well as afterwards? How long afterwards will we be keeping an eye on the methane gas and all our different filtering systems and how are we going to keep an eye on the air quality out there for the community? I would like to see a little bit more information on that.

27-12

What's our plan for delay of actual construction? What is our contingency plan for anything that could come up as far as weather problems or not being able to get your material on time to build the property, just the delay factor that's built in there and the

27-13

cost of materials that they take into consideration, that they incur disruption or delay for the community there in that area?

27-13
(Cont)

Page 240 of the DEIR, Volume I, we want to be very precise in our time and make sure that our demolition and our paving of streets, street sweeping, and keeping the area around the construction paths as clean as possible, and I'd like to get more information on that if I could. On the hauling routes to and from, what kind of weight are we talking about? I'd like to get a little more precise if I could on the next presentation.

27-14

Page 366, Volume I, Section 2, existing pollutants levels at nearby monitoring stations, I would like to see if we could, perhaps, consider having a monitoring station, if you will, there on site, or thereabouts here, a little closer now that Carson is developing (inaudible). That we consider that monitoring station that they have in North Long Beach. Need a monitoring station there on site, give me a little more information on that if you could.

27-15

Commissioner Diaz:

Significant and unavoidable impacts, that bothers me and I don't think that we should allow projects that have significant and unavoidable impacts to our community, to our residents. One again, to PCR, Bruce talked about the traffic circulation and parking, some of these unavoidable impacts. I'm concerned with this project generating, it says approximately 68,000 daily trips to this project site upon its completion. Air quality, how it impacts significantly the region, that would impact the adjoining communities or residents. And the noise exceeding the City's codes and so forth, the thresholds, very much concerned about that. I think that those are unacceptable and are significant enough that need to continue to be addressed. I don't like to deal with those significant, unavoidable impacts. We need to make a -- all impacts that affect the community.

27-16

Commissioner Hudson:

Page 92, Item B, entries at the top of the page, it says that there will be 6 points of access; see Figure 7 on page 90, Figure 7 shows 5 points of access. I do have some concern that access from Del Amo Boulevard is so limited. I'm wondering if perhaps traffic might move more freely if there were more than one access point from Del Amo Boulevard, especially to the residential area on the south side, the apartment area.

27-17

Commissioner Wilson:

Page 38, I'm always concerned about the health of our citizens. I'm looking at the mitigation measures, as I was reading them, it talks about a program of air pollution, controlled strategies, design, but I think I need a more detailed, one-on-one explanation of what those programs will entail. Page 39 talks about what general contract (inaudible), but I would like to know what type of strategies, what type of programs, what's going to be done and how will all of these activities be monitored.

27-18

Also, I was concerned about the deep dynamic compaction, how it might possibly affect the mobile home parks and surrounding areas, and I'm concerned about what type of program will you implement to avoid some of the damages that people were talking about, if damages occur.

27-19

Commissioner Saenz:

I'm just concerned about the overall mitigations as far as the traffic, environment, who will oversee the mitigation measures to make sure it's enough. The traffic, environment (inaudible).

27-20

Chairperson Cottrell:

I'm very interested in the mobile homes that are connected close to there and what's going to be done there. And also they talk about the traffic and things on Del Amo Boulevard, it's kind of getting out of hand right now; so I think we've got to look into that quite a bit. And also with all of the things we plan on, Main Street all around this area is really in bad shape and there needs to be something done along with that if we're going to be working on this project. The mobile homes are okay, but they could have some kind of landscaping around them, and then all the other things, the automotive things that are still there, and Main Street is really in bad shape right now.

27-21

Commissioner Wilson:

I would like to know, what about the plans for people with pre-existing conditions, that the project might affect their health and might be fatal, so how would you address that situation?

27-22

Commissioner Verrett:

Volume I, page 23, Mitigation Measures, C-2, where it specifically states that during construction, at least one sidewalk on either north or south side of Del Amo Boulevard shall remain open and accessible to pedestrian traffic, and I'm concerned about that in that the site will pose as an attractive nuisance for children, and it is going to be a dangerous area. The sidewalks are extremely narrow, so my question to staff or the developers, is there a possibility of improving both sidewalks on Del Amo Boulevard?

27-23

Chairperson Cottrell opened the public hearing.

Dr. Rita Boggs, Carson resident:

With respect to the Specific Plan, it would appear that the Specific Plan has been written using equivalences in a way that makes evaluation of an EIR almost impossible. How can one identify traffic and air quality issues when the project could be either mostly housing or mostly commercial? Changes would be under the ministerial review of the Planning Manager.

27-24

Secondly, according to the document, the Specific Plan will be adopted by ordinance and will serve as zoning for the site. There are inadequate guidelines for such buildings as those over 50,000 square feet. This is to say we would have no way of selecting or rejecting a Wal-Mart Superstore, for example.

27-25

They talk about affordable housing and then it refers to an Owner Participation Agreement, just what would that be? What are the terms of this, what would it involve? An agreement is not a substitute for affordable housing.

27-26

With respect to the Environmental Impact Report itself, page 6, it talks about issuance of bonds by the Redevelopment Agency. How much? Who would buy the bonds given the risk? Voters need to have the opportunity to vote on this. What happens if this proposal does not work? Can the whole project be insured, just in case?

27-27

Page 10, how much money is available in the State's remediation fund for this site?

27-28

Page 22, with an estimated 68,950 daily trips, including approximately 2,510 A.M. and 5,770 P.M. peak hour trips, how can we later say that the traffic Level of Service (LOS)

27-29

is only slightly affected? At a later point, one of the pluses of the project is said to be that people can live and work at the same site, eliminating commuting trips. If this is the case, then why are there 68,950 daily trips? Why do we need over 13,000 parking spaces? Turn lanes will not do the trick. It states that “no feasible mitigation measures are available to the Applicant to mitigate the Project’s significant impacts on the I-110 and I-405 Freeways.” It would appear that, if this is the case, the project needs to be redesigned.

27-29
(Cont)

I am concerned about the liquefaction problem on the site, the dumping of the 6 million yards of solid municipal waste and the 2.6 million barrels of industrial liquid waste. I’m concerned about the air qualities, where the carbon monoxide levels coming from the project would be at almost 10 times the AQMD threshold value; the emission of the oxides of nitrogen (NOX) over ten times the threshold value; the generation of particulate, PM₁₀, about four times the threshold value; and the emission of reactive organic compounds, about 10 times the threshold.

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Page 277, an air sampling in the upper operable unit indicates a level of benzene of 0.0809 ppm. Benzene is a very dangerous thing.

27-33

Page 288 refers to the groundwater level rising in the area. Back when there was a presentation to the Council from the fellow from the DTSC indicated the level rises and it falls, but that’s not what it says in the Impact Report, neither is what did the DTSC report say that when it was looking at the K-mart site, that there’s a constant, gradual leveling of the ground water. What would that do in this project?

27-34

Page 292 indicates there are current deed restrictions. Right now, there are bans for such uses as residential, hospitals, schools, and daycare centers, and then those deed restrictions would need to be modified. I’m not sure they should be modified with respect to residential if in the air there’s benzene, for example.

27-35

Page 293 talks about possible anomaly. The July ‘05 groundwater samples do not show evidence of contamination. These results differ from the April ‘05 results in which very low levels of perchlorate in two of the three wells were detected. The April ‘05 sampling also showed some phthalate detections. The April ‘05 results may be an anomaly. Have readings been taken since then to determine if this is an anomaly?

27-36

Page 302, Development District 3 – Uncontaminated? That’s the section that’s said to be uncontaminated, useable for housing. Five shallow soil samples were analyzed. The detected metals concentrations were within general background levels with the possible exception of barium. Only 4,4’ DDE, a pesticide, was detected in one soil sample. Soluble barium salts are poisonous and cause death.

27-37

The vibration which would occur. This may undo the leveling of the coaches at the nearby mobile home park. There must be some arrangement whereby the developer and/or City agrees to pay for re-leveling if it occurs.

27-38

Finally, the mobile home park at the southern end of the site constitutes a sensitive receptor. It’s a Senior mobile home park, so having the levels of all of these pollutants in the air go up to something like 10 times the threshold is a major issue. If it’s bad there, what’s to stop it from being bad right down at the park at the southern end?

27-39

Linda Harding.

I actually live in the mobile home park that's on south side of the development. Major concern is off the I-405 Freeway, the Avalon Boulevard off-ramp that doesn't seem to be still well addressed, and if you're like me when you're coming home from work, that is very, very heavily congested, especially when the off-ramp right there is forcing you to either go off or get back over to the 405. Regarding the outside perimeter of the project, is there going to be a sound wall? I think that would be significant because of the noise level, the noise factor to the residents, and also to the surrounding housing areas.

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Another point for the commercial buildings is what the height of the buildings will be and also with regard to the artificial lights, the overhead lights, the height on those, will that be impacting the mobile home park as well as the housing residents? During construction, artificial lights, of course, will have to be implemented. Is that going to be a 24/7, meaning 24 hours a day, 7 days a week? If you recall when they did the filming for the Escape from New York, that very well impacted our mobile home park, so a little consideration.

27-42

Noise level for the residents to be informed, again, with regards to our mobile home park, hopefully they will take into consideration to notify everybody, either a letter, that not to rely on our management as (inaudible).

27-43

Also, off the I-405, where the Carson Marketplace, is there going to be a sign informing people of this? And how high will that be? You have the South Bay Pavilion (inaudible) signage and how many of those will be built around the area?

27-44

The time frame, how many years is this going to take to develop?

27-45

Robert Lesley, resident:

The material that's in the site right now has different types of chemicals, the benzenes, metals, etc., compressed and to make that methane gas that goes into that facility there, so once you go down, how deep is the fault level that we know that's going to be there? Because it does sit on a fault, so as deep as the fault is, when we get ready to go down and how deep would you have to go down and what's the stabilizations that's going to happen once you go down as deep, how will it actually stabilize itself?

27-46

The gases, once you get those gases down there, pipelines, the distribution of how it's going to be fed off from beneath there, if you know, we're at a threshold level right now with the different types of chemicals that we're looking at, such as the VOC's, how much of that will feed into the atmosphere itself? We need to find a way to mitigate that type of level of distribution of gases that's going to come out of there.

27-47

60 units an acre, that exceeds the Carson code, which is up to 25 or 35 which we renegotiated that. You're talking about the residents they're proposing in there, at two cars per unit, you're looking at over 3,100 cars congested just in the residence. If you're going to put residents in there, how is the level of contaminants going to be safely administered or safely imposed upon a family that's going to have to be in that area?

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The cost, are we going to look at redevelopment bonds? Because -- wasn't mentioned before because it's going to have to either be redevelopment bonds or we're going to have to look at probably the Mello-Roos bonds in there. The redevelopment bonds are going to have a certain amount of liability that the City is going to have to carry. The Mello-Roos bonds going to be a certain liability that the developer is going to have to

27-51

take. We need to know those types of things before you get a chance to put that in there and we end up holding the bag at the very end.

27-51
(Cont)

H.R. Norwood, Carson:

I stood here five years ago when the soccer stadium was coming to town, the National Training Center. The same issues I brought up then seems to still be affecting us now. I spoke about the Del Amo bridge, when it opened with the Del Amo Boulevard. It would go all the way to Anaheim Hills, through Placentia. Placentia Boulevard turns into Del Amo coming back going west. Eventually, Torrance is going to open up Del Amo Boulevard which will go all the way through Torrance to the beach. We are calculating our traffic with the existing National Training Center, which has only been opening on the weekends and usually on Wednesday nights. You're going to open up a metro site over here that's going to be open every day. The thing that bothers me is that the same traffic will eventually turn into the freeway traffic because people do find ways to find shortcuts. So when you can take traffic that can go from the beach to the desert, we're going to be very impacted here. So I haven't heard any off-ramps, like the only exit we have coming west on the San Diego Freeway is at Vermont, and you have the intersection and interchange of the freeways. The next exit is Avalon, but all the congestion is coming at Main and Del Amo Boulevard.

27-52

There is also in the EIR about the monitoring system that has to be checked 24 hours a day, 7 days a week. You say that the damage and contamination is on the south side of the boulevard, but before the boulevard was built where the homes are going to be built went up to the same fence, all the way to the par 3 golf course. So I don't see how you can say that dividing the street is going to stop the contamination. I haven't heard anyone talk about the contamination coming from the pollution of cars on the two freeways. This is in a section where the wind blows from west to east. We have a lot of things that need to be figured out here that I haven't heard a lot of speaking about. You need to think about, when you're putting 1,500 houses in a contaminated area, 10 years down the road, where will these developers be who will be responsible if people continue to get sick like they do 500 yards away from this site, which is in the past. You're going to be looking at lawsuits later on if you put in those many houses in that area because I live at least two miles from here and I can smell the gases from the Arco station and different places. It's coming out stronger every day.

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27-54

There were no further audience comments.

Planning Manager Repp reiterated that the consultants will be busy working to address all the comments received during this comment period, both tonight as well as other meetings and other written comments that may be received through December 15, 2005; advised that there will be a number of public meetings that will be available for additional public comment; stated that and the Environmental Commission will be meeting on December 7, 2005, 6:30 P.M to address this matter; and that the Public Works Commission will be meeting on Monday, December 12, 2005, 6:30 P.M., noting that the Public Works Commission will be mostly looking at the traffic-related issues. She encouraged everyone to submit further comments before the deadline.

27-55

Planning Manager Repp polled the Commission members on their availability to address the Specific Plan on December 19, 2005; and advised that it will not be televised live because of prior cable channeling commitments.

The Commission indicated its preference for the Carson Marketplace meetings to be televised; and a consensus of the Commission noted availability for the December 19, 2005 Commission meeting.

Assistant City Attorney Galante stated he was just advised by Director Winkler that the December 19, 2005, meeting will be televised when the cable channel has an open slot.

27-55
(Cont)

Expressing her disappointment in the limited number of residents present to address this important project tonight, Chairperson Cottrell expressed her appreciation for those residents who did attend this evening's meeting.

Planning Manager Repp briefly highlighted the numerous advertising efforts related to this evening's meeting.

Commissioner Hudson:

I read things about Alternative 4. Alternative 4 is a pretty good competitor site. It has some advantages. The major disadvantage is the terrible traffic impact, but I would like the applicant to know that there is a fire station not near that site, but totally surrounded by that site, except for its northern entry onto Del Amo. There is a fire station right there in the middle of the Shell property, and that would be kind of a significant benefit to have that fire protection that close.

27-56

Vice-Chairman Pulido:

I didn't hear too much about the impact that this project will have also on our existing South Bay Pavilion there. I wanted to get the applicants' views on what type of effects we have economically as well as environmental. How would that partnership, how would that affect the mall there with the new one coming in?

27-57

Commissioner Saenz:

I'm concerned about how safe it is to build residential units in that project. Also, compensation for those surrounding neighbors that will be affected by the project. If their property is damaged, will they be compensated? Hauling of the dirt, a lot of complaints about the dirt left by the trucks leaving the site, how will this activity be controlled and how will the dirt be kept from blowing onto the neighboring properties?

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27-59

27-60

What will be the City's financial involvement in this project?

27-61

ck/sr

12. NEW BUSINESS DISCUSSION None.

13. MANAGER'S REPORT

14. WRITTEN COMMUNICATIONS

15. COMMISSIONERS' REPORTS

16. ADJOURNMENT

December 19, 2005 (Carson Marketplace Specific Plan Workshop)
December 27, 2005 (tentatively dark)

Note: For further information, call (310) 952-1761.
Planning Commission Agenda available
at (<http://ci.carson.ca.us>)

LETTER NO. 27

Planning Commission Meeting
November 29, 2005

RESPONSE 27-1

This comment provides background and introductory information regarding the November 29, 2005 Planning Commission Meeting. No CEQA environmental issues were raised during this part of the meeting. Testimony regarding the Project and the Draft EIR follow and are addressed in Response to Comment Nos. 27-2 through 27-61.

RESPONSE 27-2

Section IV.G, Air Quality, of the Draft EIR, provides a complete and comprehensive assessment of potential health risks attributable to freeway operations. As detailed therein, the assessment followed SCAQMD recommended procedures and evaluated toxic air contaminant emissions from sources within one-quarter mile of the proposed on-site residential locations (e.g., San Diego Freeway (I-405)). Interstate 110 is located more than one-quarter mile from the proposed residential uses and was therefore excluded from further analysis.

The results of the analysis are provided in Table 42 on page 401 of the Draft EIR. The probability of cancer risk from TAC sources within one-quarter mile of the proposed on-site residential locations is above the 10 in one million threshold. Freeway truck traffic is the largest source (refer to Appendix F of the Draft EIR for further discussion). Following a conservative guideline for a receptor exposure scenario, which assumes that a resident would experience a 24-hour/day, 365 days/year exposure outdoors (not indoors) at the same concentration over a lifetime of 70 years, the resultant estimated probability of cancer risk is of up to 349 cases in one million for the maximum on-site receptor scenario (i.e., the on-site receptor location where the highest probability of cancer risk would occur). It is important to note that most of the City of Carson is located in an area where the estimated probability of cancer risk is between 500 and 750 cancers per million.¹⁰ Thus, the health risk assessment performed for the Project site, with respect to risks related to freeway operations, demonstrates that the Project site is also within already existing risk levels. It is noteworthy that these results for a planned development near a freeway in Southern California are not uncommon. Nevertheless, based on an analysis which assumes constant 24 hours a day, 365 days a year of outdoor exposure, the Project would result in locating sensitive receptors within an area of cancer risk in excess of the SCAQMD significance threshold of 10 in one million. In response to this impact mitigation measures are recommended. Furthermore, it should also be

¹⁰ <http://www.arb.ca.gov/toxics/cti/hlthrisk/cncrinhl/riskmapviewfull.htm>.

noted that the cancer risk from Interstate 405 would not be substantially different across the Project site and would exceed the SCAQMD 10 in one million threshold regardless of a 500 foot buffer. In fact, the cancer risk would exceed the SCAQMD 10 in one million threshold approximately 18,000 feet from the freeway.

Mitigation Measure G-25 recommends that the Project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 12 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. An air filtration system with a 12 MERV would reduce particles in the range of 1 to 3 microns by a minimum of 80 percent. This mitigation measure would reduce the probability of cancer risk to residential uses substantially, but impacts would remain significant and unavoidable. The Applicant is performing further study to determine whether other feasible mitigation measures might be available; e.g., the relocation of buildings, further enhanced air filtration systems, etc.

RESPONSE 27-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. A mitigation measure has been added that requires the Applicant to provide a fair share contribution for funding of Carson North-South Shuttle operations. Please see Section III, Corrections and Additions, Subheading IV.C, of the Final EIR.

RESPONSE 27-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. Mitigation Measure I.2-2 of the Draft EIR requires the provision of a staffed Community Safety Center; Mitigation Measure I.2-4 requires the Applicant to develop jointly with the Sheriff's Department a community policing plan, subject to final review and approval by the Sheriff's Department, and Mitigation Measure I.2-5 requires that the Applicant fund Deputy Sheriffs on an overtime basis. Staffing schedules would be determined in conjunction with the Sheriff's Department and could include the staffing of the aforementioned Community Safety Center up to 16 hours per day, 7 days per week, per the final requirements of the Sheriff's Department.

RESPONSE 27-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project.

RESPONSE 27-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. Mitigation Measure J.2-4 of the Draft EIR states that “The project shall include a dual plumbing system designed to utilize reclaimed water for non-potable uses.” This would allow use of reclaimed water, should the reclaimed water become available at the Project site.

RESPONSE 27-7

The proposed improvements at Figueroa Street & I-110 Northbound Ramps include the following:

- A second right-turn lane shall be added to the southbound approach. The southbound approach shall be improved to provide two through lanes and two right-turn lanes.
- A right-turn lane shall be added to the eastbound approach. The eastbound approach shall be improved to provide two left-turn lanes and a right-turn lane. The improvements are feasible within the existing right-of-way.

RESPONSE 27-8

Regarding intersection mitigation measures, the Draft EIR provides a mitigation phasing schedule with implementation thresholds tied to the percentage of total trips generated (see Table 25 on page 259 of the Draft EIR). Responsibility for funding the off-site intersection mitigation measures and the site access improvements within the public right-of-way would be negotiated between the Carson Redevelopment Agency and the Project Applicant.

Coordination between implementation of the I-405/Avalon Boulevard interchange improvements and Project intersection and site access improvements would be provided by City staff, in consultation with Caltrans. In recognition of the fact that the interchange improvements are required to provide adequate access to and alleviate impacts of the Carson Marketplace project, Mitigation Measure C-15 limits the level of development on the Carson Marketplace site prior to completion of the I-405/Avalon Boulevard interchange improvements.

RESPONSE 27-9

Potential construction vibration impacts are thoroughly analyzed in Section IV.H, Noise, of the Draft EIR. As concluded in the Draft EIR, potential impacts related to deep dynamic compaction (DDC) were concluded to be less than significant with the implementation of Mitigation Measures H-2 and H-3. Further, while pile driving is considered to have a significant noise impact (due to the frequency of occurrences, rather than the extent of the noise levels), the vibration from pile driving activities would be less than significant. Specifically, the off-site

residential uses including, but not limited to, the nearby mobile home parks would be located at a sufficient distance (greater than 75 feet) from any potential pile driving activity so that vibration from such activities would be below the peak particle velocity threshold of 0.2 inch/sec. In addition, the vibration associated with pile driving would be substantially reduced due to the lower density of material on site (i.e., trash with soil cover versus compact soils with rock) and the intervening Torrance Lateral (i.e., impeding transmission of surface waves and higher-amplitude motion from pile driving).

To further protect off-site sensitive land uses (i.e., mobile homes), the Draft EIR recommends the implementation of a pilot program regarding DDC operations, which has been included as Mitigation Measures H-2 and H-3 in the Draft EIR. These measures have been revised to also address vibration impacts from pile driving; see Section III, Corrections and Additions, Subheading IV.H, of the Final EIR. The purpose of the pilot program, as amended via the Final EIR, is to assure that less than significant vibration impacts to off-site uses and/or facilities would occur. Under the pilot program the Applicant would install vibration monitors at the following locations: (1) along the Project's fenceline opposite the off-site residential uses located to the south and southwest of the Project site (i.e., within the Project site), and (2) along the far side of the Torrance Lateral Channel in line with the monitors placed within the Project site itself. Monitoring of construction vibrations would occur at the onset of development activities. Based on an initial set of testing, limits would be established on the level of vibration causing activities. With the implementation of this program, vibration levels near the western and southern boundaries of the Project site would not exceed the 0.2-inch-per-second PPV significance threshold for fragile structures, such as the off-site mobile homes, and a less than significant short-term vibration impact to the existing mobile home residences along the Project site boundary would occur.

In addition, Mitigation Measure H-4, requires the presence of an on-site construction monitor who would monitor construction activities and the implementation of the Project's mitigation measures. Required monitoring records of the monitor would be available for public review. Mitigation Measure H-4 also requires the establishment of a 24-hour telephone construction hotline that would be staffed between the hours of 8:00 A.M. and 5:00 P.M. on a daily basis during the construction period for the purpose of answering questions and resolving disputes with adjacent property owners, should they arise.

RESPONSE 27-10

All noticing and opportunities for participation in the review of the proposed Project were conducted in accordance with all CEQA requirements and standard City noticing procedures. Specific examples include the issuance of a Notice of Preparation for the EIR (distributed on May 12, 2005); a notice of the EIR scoping meeting (held on June 1, 2005), and a notice for the joint workshop with the City Council and the Planning Commission was held on October 10, 2005. For each of these notices, residents and occupants residing within 500 feet of the Project site were

notified, as were the City's list of homeowners' groups. Approximately 950 notices were mailed. In addition, on November 1, 2005, the Draft Environmental Impact Report was released. Notices were sent to all residents and occupants within 500 feet and to all homeowners' groups. The notices informed the residents that the comment period for the Draft Environmental Impact Report (DEIR) was from November 1 to December 15, 2005, and identified locations for public review of the document. The notice also informed the residents of the public hearing held on November 29, 2005. Once again, approximately 950 notices were mailed. A notice of the availability of the Draft EIR was also published in the Daily Breeze, posted on site and in various public places. Subsequent hearings before the Planning Commission received similar noticing with the mailing of notices to approximately 950 residents and homeowners' groups, and posting in public place.

RESPONSE 27-11

As referred to in the comment, Mitigation Measure I.2-2 of the Draft EIR requires the provision of a staffed Community Safety Center; Mitigation Measure I.2-4 requires the Applicant to provide the Project's fair share of a budget for the deployment of a one-person patrol unit, and Mitigation Measure I.2-5 requires that the Applicant fund Deputy Sheriffs on an overtime basis. The purpose of these measures is to provide for the public safety in the commercial portions of the Project. It is anticipated that the residential developments within the Project site would be served by regular patrols by the Sheriffs, which would be supplemented with private security through the homeowners association for the purchased units, and through the management company for the apartments. Notwithstanding, the resources and staffing of the on-site Community Safety Center would be available to the Sheriffs on as-needed basis.

RESPONSE 27-12

Section 21180 of Title 27 of the California Code of Regulations requires that "Postclosure maintenance for purposes of reducing impacts to health and safety shall be conducted to ensure the integrity of the final landfill cap and environmental control systems. The landfill shall be maintained and monitored for a period of not less than thirty (30) years after the completion of closure of the entire solid waste landfill." More importantly, DTSC will review and approve all financial assurance documents provided by the Applicant for all remedial systems. The Applicant will be required to provide financial assurances to guarantee the long-term operations and maintenance of the remedial systems. Furthermore, DTSC is required to evaluate and monitor all of the remedial systems where the waste is left in place. DTSC would enter into an operations and maintenance agreement with the Applicant and require that an operations and maintenance plan be implemented. This plan would require continuous monitoring of the former landfill site until such time that DTSC determines that monitoring is no longer necessary. At a minimum of every five years, DTSC would complete a comprehensive review of the effectiveness of the remedial system and make sure that conditions at the site meet the safety standards in effect at the time of the review. Modifications to the remedial systems would be implemented, if needed.

As indicated in the Draft EIR, the DTSC-approved RAP for the Project site requires quarterly air and soil monitoring of landfill gas. The purpose of the monitoring is to provide early warning of potential off-site migration and to ensure proper control of the landfill gases. With regard to air sampling, requirements for the gas monitoring could include, at a minimum, the following: (1) the concentration of methane gas must not exceed 1.25 percent by volume in air within on-site structures, (2) the concentration of methane gas must not exceed 5 percent by volume in air at the landfill property boundary, and (3) trace gases must be controlled to prevent adverse acute and chronic exposure to toxic and/or carcinogenic compounds. The monitoring data would be used to adjust the gas collection and treatment measures as necessary so that the gas control and treatment system would be properly implemented. The landfill gas monitoring program would be conducted on a quarterly basis for 30 years.

In addition, groundwater monitoring and sampling of all wells would initially be conducted on a quarterly basis for one year. Currently, the DTSC has approved semi-annual groundwater sampling after reviewing the data collected to date. The samples would be analyzed for 34 VOCs in the Target Compound List (TCL) using approved methodologies. After one year, the frequency and analyses to be performed would be re-evaluated and modified as appropriate. The monitoring program would be conducted for 30 years or until the groundwater contamination has been in continuous compliance with the remediation goals and upon DTSC and RWQCB written approval.

City staff and the Applicant are working with Caltrans on an ongoing basis to address issues of mutual concern.

RESPONSE 27-13

The construction schedule presented in the Draft EIR indicates that development would occur between the spring of 2006 and the end of 2010. The schedule is based on conservative assumptions with consideration for possible delays of the type noted in the comment. Contingencies beyond those considered in preparation of the schedule would be minor and would not have a notable affect on the overall schedule.

RESPONSE 27-14

The Project's proposed fugitive dust program, due to its importance with regard to reducing PM₁₀ impacts to off-site uses, has been incorporated as a mitigation measure which assures its implementation via the Project's Mitigation Monitoring and Reporting Program. The Project Applicant is required to comply with SCAQMD Rule 403 (Fugitive Dust) and Mitigation Measures G-1 through G12 are (1) intended to implement requirements of SCAQMD Rule 403 (Fugitive Dust) and (2) set forth a program of air pollution control strategies designed to reduce the proposed Project's air quality impacts to the extent feasible. In addition to specific requirements provided in SCAQMD Rule 403, the Applicant shall ensure that all construction vehicle tires shall be washed at

the time these vehicles exit the Project site and all fill material carried by haul trucks shall be covered by a tarp or other means. Haul trucks would be typical of on-road haul trucks used for other projects and operations within the area (e.g., transfer station) and would be required to meet State and local standards.

RESPONSE 27-15

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

The SCAQMD maintains a network of air quality monitoring stations located throughout the South Coast Air Basin and has divided the Basin into air monitoring areas. The monitoring station closest and most representative of conditions within the Project vicinity site is the North Long Beach Monitoring Station, located at 3648 Long Beach Boulevard, approximately 6 miles southeast of the Project site. This monitoring station was placed at this location in compliance with EPA meteorological requirements to properly characterize conditions within the air monitoring area. Meteorological and pollutant concentration data provided by this station are sufficient to characterize potential construction and operational impacts. As concluded in the Draft EIR, the construction of the proposed Project would result in short-term localized PM₁₀ impacts for sensitive receptors in close proximity to the Project site. An additional SCAQMD air monitoring station closer to Carson is beyond the scope of this EIR.

RESPONSE 27-16

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The comment reflects the contents of the Draft EIR which has evaluated the Project's full range of potential impacts pursuant to CEQA. The Draft EIR identified significant impacts during Project operation on Visual Quality, on Traffic (significant impacts at one intersection and three freeway segments), and Air Quality (regional emissions only). The Draft EIR also concluded that Project construction would result in air quality and noise impacts. The analyses of the Project's impacts were performed pursuant to CEQA Guidelines and all feasible mitigation measures were identified to reduce Project impacts. Numerous mitigation measures address and reduce the level of the Project's impacts. It should be noted that the construction impacts are relatively short-term and temporary. Impacts from construction and related exceedances of the City noise standards is common with large construction projects such as the proposed Project. The significant impact on Visual Quality arises due to the conversion of the site from an undeveloped to a developed appearance, an impact that would occur with any development of the Project site. While Project development would result in the aforementioned unavoidable significant impacts, it is also important to note that the Project would result in a number of benefits for the City and its residents. Please refer to the Project's Statement of Overriding Consideration for additional information regarding the benefits of the Project.

RESPONSE 27-17

The illustrative site plan included in the Draft EIR indicates six Project access points: three serving the development district north of Del Amo Boulevard (a primary access point signalized on Del Amo Boulevard opposite the Stamps Drive entrance to the Project site to the south, one unsignalized right-turn-in/right-turn-out on Del Amo Boulevard, and one unsignalized right-turn-in/right-turn-out access point on Main Street) and three serving the development districts south of Del Amo Boulevard (Stamps Drive primary signalized access point on Del Amo Boulevard, Lenardo Drive signalized access to Avalon Boulevard and I-405 freeway ramps, and Lenardo Drive signalized access to Main Street). Subsequent to preparation of the Draft EIR, the Applicant has agreed to provide an additional driveway serving the development districts south of Del Amo Boulevard. This seventh access point would be located west of Stamps Drive, would provide right-turn-in/right-turn-out access to Del Amo Boulevard, and would connect Del Amo Boulevard with Lenardo Drive.

RESPONSE 27-18

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. With regard to monitoring, DTSC would require the Applicant to submit a comprehensive community monitoring program. The monitoring program would be conducted during remedial activities to make sure the community is protected. The monitoring would occur along the site boundary of the former landfill and all chemicals of concern would be monitored. This monitoring program would be at least as stringent as the requirements established under applicable SCAQMD Rules. Notwithstanding, the following is also offered to further assist the Commission in understanding the Project's key air quality mitigation measures.

Mitigation Measure G-1 requires general contractors to implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The fugitive dust program, due to its importance with regard to reducing PM₁₀ impacts to off-site uses, has been incorporated as a mitigation measure which assures its implementation via the Project's Mitigation Monitoring and Reporting Program. Mitigation Measures G-1 through G-12 are (1) intended to implement requirements of SCAQMD Rule 403 (Fugitive Dust) and (2) set forth a program of air pollution control strategies designed to reduce the proposed Project's air quality impacts to the extent feasible.

In addition, the Project's general contractor is required to appoint a SCAQMD certified Dust Control Supervisor with the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all SCAQMD Rule 403 requirements. SCAQMD Rule 403 requires that a dust control supervisor is (1) identified that is employed by or contracted with the property owner or developer; (2) is on the site or available on-site within 30 minutes during working hours; (3) has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all

SCAQMD Rule requirements; and (4) has completed the AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class.

Specific SCAQMD Rule 403 requirements to ensure the program is implemented include the following: (1) submit a fully executed Large Operation Notification (Form 403N) to the Executive Officer of the SCAQMD within 7 days of qualifying as a large operation; (2) include, as part of the notification, the name(s), address(es), and phone number(s) of the person(s) responsible for the submittal, and a description of the operation(s), including a map depicting the location of the site; (3) maintenance of daily records to document the specific dust control actions taken, and the maintenance of such records for a period of not less than three years; and to make such records available to the Executive Officer of the SCAQMD upon request; and (4) install and maintain Project signage that meets the minimum standards of the Rule 403 Implementation Handbook, prior to initiating any earthmoving activities.

RESPONSE 27-19

Potential construction vibration impacts were thoroughly analyzed in Section IV.H, Noise, of the Draft EIR. As concluded in the Draft EIR, potential impacts related to deep dynamic compaction (DDC) and pile driving were concluded to be less than significant with the implementation of Mitigation Measures H-2 and H-3. Further, while pile driving is considered to have a significant noise impact (due to the frequency of occurrences, rather than the extent of the noise levels), the vibration from pile driving activities would be less than significant. Specifically, the off-site residential uses including, but not limited to, the nearby mobile home parks would be located at a sufficient distance (greater than 75 feet) from any potential pile driving activity so that vibration from such activities would be below the peak particle velocity threshold of 0.2 inch/sec. In addition, the vibration associated with pile driving would be substantially reduced due to the lower density of material on site (i.e., waste with soil cover versus compact soils with rock) and the intervening Torrance Lateral (i.e., impeding transmission of surface waves and higher-amplitude motion from pile driving).

To further protect off-site sensitive receptors (i.e., mobile and single-family homes), the Draft EIR recommends the implementation of a pilot program regarding DDC operations, which has been included as Mitigation Measures H-2 and H-3 in the Draft EIR. These measures have been revised to also address vibration impacts from pile driving; see Section III, Corrections and Additions, Subheading IV.H, of the Final EIR. The purpose of the pilot program, as amended via the Final EIR, is to assure that less than significant vibration impacts to off-site uses and/or facilities would occur. Under the pilot program the Applicant would install vibration monitors at the following locations: (1) along the Project's fenceline opposite the off-site residential uses located to the south and southwest of the Project site (i.e., within the Project site), and (2) along the far side of the Torrance Lateral Channel in line with the monitors placed within the Project site itself. Monitoring of construction vibrations would occur at the onset of development activities. Based on

an initial set of testing, limits would be established on the level of vibration causing activities. With the implementation of this program, vibration levels near the western and southern boundaries of the Project site would not exceed the 0.2-inch-per-second PPV significance threshold for fragile structures, such as the off-site mobile homes, and a less than significant short-term vibration impact to the existing mobile home residences along the Project site boundary would occur.

Notwithstanding, a Condition of Approval has been established for the Project which would hold the developer responsible for any damage that may occur to off-site residential uses, including the nearby mobile and single-family homes from Project construction activities.

RESPONSE 27-20

The monitors of the Project's Mitigation Measures (inclusive of the enforcement agency, the monitoring agency and the monitoring phase) are listed in the Project's Mitigation Monitoring and Reporting Program. This Program was included in the Draft EIR as Volume II, Appendix B. The Program, as amended, is included in Section II of the Final EIR.

RESPONSE 27-21

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The comment refers to conditions in areas surrounding the Project site, which are not part of the proposed Project, but may be considered as context for the Project.

RESPONSE 27-22

Localized impacts from the proposed Project are thoroughly analyzed in Section IV.G, Air Quality, of the Draft EIR. As shown in Table 38 on page 386 of the Draft EIR, localized impacts would be less than significant for all pollutant thresholds with the exception of PM₁₀. These significance thresholds were established for sensitive receptors (e.g., people with pre-existing conditions, elderly, and children) to determine if mitigation measures are required. As construction of the proposed Project would result in a localized PM₁₀ impact, Mitigation Measures G-1 through G-12 were provided to reduce the level of this impact to the extent feasible. However, localized PM₁₀ impacts would remain significant and unavoidable. In response to this unavoidable and significant impact, the Applicant is performing further study to determine whether other feasible mitigation measures might be available e.g., the relocation of buildings, further enhanced air filtration systems, etc.

RESPONSE 27-23

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The Carson Marketplace Specific Plan calls for improvement of the sidewalks along both sides of Del Amo

Boulevard. The Specific Plan for the Project requires 5-foot wide sidewalks with adjacent 5-foot wide parkways on both sides of Del Amo Boulevard, as illustrated in the Draft EIR on Section 3 of Figure 20 on page 190 of the Draft EIR. The intent of Mitigation Measure C-2 is simply to ensure that sidewalks are not closed for reconstruction on both sides at the same time and that at least one of the sidewalks remains open for use at all times during construction.

RESPONSE 27-24

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-2 for a response to this comment.

RESPONSE 27-25

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-3 for a response to this comment.

RESPONSE 27-26

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-4 for a response to this comment.

RESPONSE 27-27

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-5 for a response to this comment.

RESPONSE 27-28

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-6 for a response to this comment.

RESPONSE 27-29

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment Nos. 14-7 and 14-8 for a response to this comment.

RESPONSE 27-30

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-9 for a response to this comment.

RESPONSE 27-31

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-10 for a response to this comment.

RESPONSE 27-32

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-11 for a response to this comment.

RESPONSE 27-33

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-13 for a response to this comment.

RESPONSE 27-34

A similar comment was included in the letter of Ms. Rita Boggs which is included in the Final EIR as Letter No. 14. As such, please refer to Response to Comment No. 14-14 for a response to this comment.

RESPONSE 27-35

This testimony of Ms. Rita Boggs is similar to a comment presented in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-15 for a response to this comment. The comment regarding allowance of residential development is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project.

RESPONSE 27-36

A similar comment was included in the letter of Ms. Rita Boggs which is included in the Final EIR as Letter No. 14. As such, please refer to Response to Comment No. 14-16 for a response to this comment.

RESPONSE 27-37

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-17 for a response to this comment.

RESPONSE 27-38

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-18 for a response to this comment.

RESPONSE 27-39

The issues raised in this portion of Ms. Rita Boggs' testimony are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 14-19 for a response to this comment.

RESPONSE 27-40

The City of Carson and Caltrans are cooperating on a project to reconfigure and improve the ramps at the I-405/Avalon Boulevard interchange. The proposed improvements at the Avalon Boulevard/I-405 interchange include the following:

- Lenardo Drive would be extended east to Avalon Boulevard, intersecting Avalon Boulevard at the approximate location of the existing I-405 southbound ramps.
- The I-405 southbound on-/off-ramps that currently intersect with Avalon Boulevard would be realigned and reconfigured to intersect with Lenardo Drive at a new signalized intersection west of Avalon Boulevard.
- A new I-405 southbound on-ramp is proposed as an east leg to the new Avalon Boulevard/Lenardo Drive intersection.
- The I-405 northbound off-ramp would be reconfigured to allow left-turn movements to southbound Avalon Boulevard.

The Draft EIR traffic study incorporated the effect of the proposed interchange improvements in the analysis of future traffic conditions and Project impacts.

RESPONSE 27-41

Section IV.H of the Draft EIR analyzes the Project's potential noise impacts during Project construction as well as during Project operations. Temporary sound barriers during construction

have been included in the Draft EIR as a mitigation measure. Specifically, Mitigation Measure H-1(3) requires "effective temporary sound barriers to be used and relocated, as needed, whenever construction activities occur within 150 feet of residential property, to block line-of-site between the construction equipment and the noise-sensitive receptors (i.e., residential uses located on the west and south of the Project site).

Section IV.H of the Draft EIR concludes that the Project's operational noise impacts would be less than significant. As such, a permanent wall is not proposed along the perimeter of the Project site. The conclusion of a less than significant operational noise impact is in part due to Mitigation Measure H-5 which requires that all parking lots near residential areas be located a minimum of 150 feet from an off-site residential use unless a minimum eight-foot wall is provided along the property boundary to limit noise levels associated with parking lot activities. In addition, Mitigation Measure H-6 requires all parking structures near residential areas be located a minimum of 150 feet from an off-site residential use unless the exterior wall of the parking structure that faces the off-site residential use is a solid wall or provides acoustical louvers (or equivalent noise reduction measures). In addition, with implementation of Mitigation Measures H-7 through H-10 (limitation of delivery hours, noise insulation for proposed uses, and requirement for additional noise studies for any future proposed noise intensive uses), operational noise impacts to the existing off-site residential uses located to the south and west of the Project site, as well as on-site residential development, would be reduced to less than significant levels. Please note that development of the Project site would also provide some noise-attenuation/shielding characteristics from I-405 traffic noise to the area, particularly for residential uses located south and west of the Project site.

RESPONSE 27-42

The Specific Plan specifies maximum height limits for buildings as well as Project lighting. It also places restrictions on the scale, brightness, direction and shielding for all permanent lighting installations. Height limits for the commercial buildings and light poles vary as a function of building size and/or location on the Project site. The tallest commercial buildings that could occur across from the residential units south and southwest of the Project site, as shown in the Applicant's Illustrative Plan, is 32 feet with increases for architectural features to 42 feet over 30% of the elevation and 52 feet for another 30% of the elevation. If the Applicant were to relocate the hotel or the theater along the southern/southwestern edge of the site, from the currently proposed locations they could be taller. Theaters can reach a height of 60 feet, with increases for architectural features to 70 feet for 30% of the elevation and 80 feet for 20% of the elevation. Hotels, located elsewhere on the Project site, could reach a height of 75 feet with increases for architectural features to 79 feet for 30% of the elevation and 85 feet for 15% of the elevation. However, pursuant to Mitigation Measure B-1, if the hotel or theater were to relocate along the Torrance Lateral, adjacent to residential uses, they would be required to have a 250-foot setback, to reduce the impacts of their taller heights.

The heights of the light poles vary in stages across six zones extending from the southern/southwestern Project edge. No light poles are allowed in Zone 1. Allowed heights increase incrementally to 20 feet, 30 feet, 40 feet and 50 feet, respectively at a distance of 120 feet from the Project edge. Beyond 240 feet there is no height limit. The lighting standards are such that lighting must be shielded and directed on-site to avoid impacts on neighboring residential uses.

Pursuant to Mitigation Measure H-1, construction activities would be restricted to the hours of 7:00 A.M to 8:00 P.M. Monday through Saturday. Thus, the potential effects of construction lighting would be limited. However, lighting that would occur, prior to 8:00 P.M., and perhaps security lighting after 8:00 P.M. is expected to be directed on-site. Potential impacts of construction lighting would be reduced somewhat due to the horizontal distance between the residential units, and the location of most building locations behind an 8-foot to 17-foot berm. The potential impacts of the Project's building heights and lighting are analyzed in Section IV.B of the Draft EIR. As indicated, Project impacts associated with building heights, and lighting, as mitigated, would be less than significant.

RESPONSE 27-43

Mitigation Measure H-4 requires that a Construction Relations Officer be retained and funded by the Applicant, and approved by the Development Services General Manager, to act as a liaison with neighbors and residents concerning on-site construction activity. As part of this mitigation measure, the Applicant shall establish a 24-hour telephone construction hotline which would be staffed between the hours of 8:00 A.M. and 5:00 P.M. on a daily basis throughout the Project's entire construction period for the purposes of answering questions and resolving disputes with adjacent property owners. Furthermore, the hotline number shall be posted on site.

RESPONSE 27-44

As of this date, the exact signage for the Project has not been designed. However, the Specific Plan for the Project establishes a Signage Program intended to announce the presence of the Carson Marketplace and help users navigate the site. The Signage Program includes specific standards regarding the number, size and design of on-site signing so to limit the visual impact of the signs. The Specific Plan also presents a Conceptual Sign Location Plan and Illustrative Designs. Although specific signs are not yet proposed, the Specific Plan allows for two freeway icon signs (maximum height of 70 feet) and 10 freeway monument signs (maximum height of 35 feet) along the edge of the I-405 Freeway. Freeway message board signs would require further discretionary review. The Specific Plan's Sign Program is described in Section II, Project Description of the Draft EIR, and the impact of the potential signage on the visual quality of the area is analyzed in Section IV.B, Visual Quality (page 197).

RESPONSE 27-45

The anticipated construction schedule for the Project is presented in Section II. Project Description of the Draft EIR. As described therein, construction is expected to commence in the spring of 2006 with occupancy of the Project by the end of 2010, a time period of approximately five years.

RESPONSE 27-46

Issues raised by Mr. Lesley in this testimony regarding known faults and their proximity to the site and the surrounding area are similar to those Mr. Lesley raised in his comment letter. As such, please refer to Response to Comment No. 22-2 for additional information. Furthermore, landfills similar to the former Cal Compact landfill contain methane and other landfill gases. Methane is produced by naturally-occurring bacteria that are consuming (degrading) organic material. Due to their physical and chemical properties, methane gas and other volatile chemicals have a tendency to migrate upwards, rather than downwards. Methane and other landfill gases would be extracted from the landfill by numerous below ground, horizontal and vertical wells permanently located throughout the site. This landfill gas extraction and treatment system would be operated continuously. In addition, a landfill cap composed of specially manufactured, synthetic geomembrane would cover all areas where waste is located. This synthetic geomembrane (system) landfill cap would create an impermeable barrier that blocks the migration of methane and other landfill gases before they reach land surface.

RESPONSE 27-47

See Response to Comment No. 27-46 regarding methane and other landfill gases and other volatile organic chemicals. The proposed remediation system refinements are designed to mitigate landfill gas impacts primarily include the following systems:

- A landfill gas extraction and treatment system to remove gases from within the waste and treat those gases within an enclosed system mitigating atmospheric impacts. The extraction system would consist of 1000s of feet of chemical-resistant, flexible, sealed, plastic pipe connected to blowers, instruments, gages, and monitors. The extracted gases would be conveyed to a central treatment facility and in so doing prevent an atmospheric discharge.
- An impermeable landfill cap constructed above all waste which would further block gas migration and discharges into the atmosphere and improve the landfill gas extraction system's efficiency.
- Compacted soil residing on top of the impermeable landfill cap would protect the landfill cap and further reduce the gases ability to reach land surface.

- In the unlikely event gases reach land surface, building protection systems beneath all buildings would further detect and block gas migration from entering the buildings.

These systems would provide multiple and redundant protection for both the atmosphere and occupants as compared to current site conditions. These systems would also be designed and constructed to withstand settlement and future seismic events. In addition, these systems would be operated, maintained, repaired as necessary, and monitored for the life of the Carson Marketplace project under the oversight of the DTSC as Administering Agency.

RESPONSE 27-48

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The Draft EIR evaluates the relationship between the proposed Project and the existing regulations in Section IV.A, Land Use, of the Draft EIR. Specifically, that analysis addresses existing zoning regulations and density in Subsection 3.c.(2).(a).iii, Zoning. As described therein, the Project approval would replace existing zoning designations with zoning provisions of the Specific Plan. The Draft EIR concludes that changing the zoning on the Project site would not have a significant impact with regard to the City's regulatory framework for a number of reasons that address a large range of City policies, and regulatory requirements. With regard to the Project's density, the Draft EIR states, on page 152:

“It may be noted that the Project's Specific Plan standards for residential density would be greater than the residential densities allowed elsewhere in the City; 60 units per acre versus 25 units per acre. Increased housing density at the Project site would support numerous City Policies that aim to increase the number and types of housing opportunities within the City. The Project's higher density housing would not occur within an existing neighborhood and would therefore not contrast with adjacent housing stock, or conflict with existing zoning standards aimed at limiting impacts on existing housing stock. The increased density would occur in an area that is suited for higher density development due to its Freeway accessibility. Further, the increased density would support the Project's mixed use objectives. As the density/FAR limits would be established through a Specific Plan, the Project would not have any effect on zoning restrictions that are applicable to off site locations. By adding limitations on the amount of development and specific density/(FAR) limitations, the Project's Specific Plan would add new limitations to development, and would therefore be compatible with the City's existing zoning provisions.”

RESPONSE 27-49

The Draft EIR determined that 3,238 parking spaces would be required for the Project's residential uses if the City's General Development Standards were to be applied (see Table 24 on page 256 of the Draft EIR). This includes parking spaces for both residents and guests and assumes 500 one-bedroom residential units and 1,050 two-bedroom residential units.

RESPONSE 27-50

There are no deed restrictions that currently apply to the Project site. In the DTSC-1995 approved RAP, residential scenarios were not evaluated. Therefore, at that time it was anticipated that deed restrictions would be put in place that would preclude residential use. As residential use is now proposed, DTSC would establish appropriate land use restrictions based on applicable data, information and analysis, including, but not limited to, a post-remedial health risk assessment. Prior to occupancy, a deed restriction would be established precluding those land uses deemed inappropriate for the Project site by DTSC. The recording of the deed restriction is intended to put all potential buyers of the property on notice of the deed restrictions, which would remain in force regardless of future property transactions.

The remediation of the 157-acre landfill (i.e., Development Districts 1 and 2) is being implemented in compliance with Remedial Action Order No. HSA87/88-040, which was issued by DTSC in 1988. The RAP for the Upper OU was approved by DTSC in 1995 and the RAP for the Lower OU was approved by DTSC in 2005. Via these RAPs, potential health effects due to air emissions relative to on-site commercial and industrial activities have been previously concluded by the DTSC to be less than significant.

DTSC is responsible for evaluating health and safety issues related to the proposed residential development within Development District 1. DTSC provided a letter dated February 9, 2005 indicating that the "DTSC believes the concepts presented for the proposed development are appropriate at a conceptual level and could be protective of human health and safety, however, as is common for all projects under DTSC's authority, more detailed plans are necessary before DTSC can make such a final determination" (see Appendix E-3 of the Draft EIR). As such, DTSC would not allow residential development to occur until the Agency concludes that the development would be implemented in a manner that is protective of human health and the environment. Thus, no further analysis of this issue is required in this document as the proposed residential development could not occur within Development District 1 without a determination from DTSC that such development could occur without an adverse impact on the health of future residents due to on-site air emissions.

As indicated in Section IV.D, Hazards and Hazardous Materials, of the Draft EIR, the Final (DTSC approved) RAP for the Upper and Lower OUs would be implemented as part of the Project.

The primary remedial action objective is to provide protection for human health and the environment. At a conceptual level, DTSC has indicated that elevated residential use is appropriate. DTSC's indication that residential development within Development District No. 1 is appropriate at a conceptual level was based upon the following factors:

- the age and character of the landfill;
- an analysis of the conceptual design and construction quality assurance details for the landfill cap provided by the Applicant;
- the consideration that data indicates that the landfill gas occurrence in this portion of the landfill is less than in other areas of the landfill;
- the conceptual refinements to the landfill gas collection and treatment system;
- the detailed concepts for a building protection system;
- the conceptual podium design which features elevated residential units;
- the redundancies and multiple layers of protection that are anticipated and integrated into the conceptual design for the landfill cap, landfill gas collection and treatment systems, and the building protection systems;
- the fact that a post-remediation risk assessment (including confirmation sampling) would be performed to ensure that the systems that were designed to be protective of human health and the environment indeed are realizing all objectives after construction and for a period of Project operations;
- the ability to certify that all remedial/protection/monitoring systems are fully operational and performing as designed prior to providing its approval for building occupancy;
- the conceptual gas monitoring and detection systems;
- the conceptual long-term operation and maintenance program;
- DTSC's continued involvement with review and approval before any alterations of the remedial systems; and
- the institutional controls that would be reviewed and approved by DTSC prior to formal approval.

In addition, DTSC will require detailed plans in order to make a final determination that elevated residential use is protective of human health and safety. Following construction of the remedial systems and a sufficient period of operation of the remedial systems, DTSC would:

- evaluate remedial system performance data collected by the Applicant;
- evaluate confirmation sampling of media (soil and air);
- evaluate a post-remediation risk assessment prepared by the Applicant; and
- when all are sufficient and acceptable to DTSC, would certify that the systems are performing as designed and intended.

DTSC's certification would be one of the necessary requirements for the City to issue any Certificate of Occupancy for buildings within the development. Following certification by the DTSC, 5-year reviews of all remediation systems would also be completed to ensure long-term protection of human health and the environment.

In addition, the proposed remediation system refinements would have a number of redundancies built into the various remediation systems in order to provide protection in the event of a failure of a system. Table 29 on page 289 of the Draft EIR provides an explanation of what would be done to eliminate or minimize impacts in the unlikely event that any of these potential upset scenarios occurred. Due to the redundancy of the systems, multiple and simultaneous failures would have to occur to create the potential for impacting human health or the environment. The likelihood of such multiple, simultaneous, and complete system failures are very low.

Finally, since the release of the Draft EIR, a Human Health Risk Evaluation Report (HRE) has been prepared by Tetra Tech, Inc. and submitted to DTSC for review. The HRE generally describes how anticipated construction controls, remediation systems, monitoring, and corrective actions would be used to protect construction workers, the surrounding community and future occupants and sets forth a proposed approach and methodology for evaluating potential risks. Among other things, the proposed approach includes collection of additional data and preparation of a post-remedial risk assessment. Following completion of the remedy, DTSC would review and approve the post-remedial risk assessment. Furthermore, and most importantly, DTSC would not allow occupancy to occur until it is satisfied that the end users are adequately protected from potential risks. In addition, the submittal of the HRE is a clear demonstration that the Applicant is moving forward to obtain DTSC approval of the requested modifications and the development of elevated residential uses on the portion of the site that was previously used as a landfill.

RESPONSE 27-51

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. It is anticipated that the Project would be funded by the developer. The remediation of the former landfill on the 157-acre portion of the Project site will be funded with financial support via Tax Increment Bonds issued by or on behalf of the Carson Redevelopment Agency (CRA) and/or Community Facility Bonds issued by the City of Carson in accordance with their standard procedures. The issuance of bonds by the CRA and/or City would occur subsequent to the current entitlement process. DTSC would review and approve all financial assurance documents provided by the Applicant for all remedial systems. The Applicant would be required to provide financial assurances to guarantee the long-term operations and maintenance of the remedial systems.

RESPONSE 27-52

The commentator expresses concern regarding additional traffic that may travel through and impact the study area if Del Amo Boulevard were to become a continuous route from Placentia and Anaheim Hills on the east through Torrance “to the beach.”

The City of Torrance is planning to construct the missing segment of Del Amo Boulevard in the City of Torrance between Crenshaw Boulevard and Maple Avenue (approximately three miles west of the Project site) and this project is currently under design. At present, however, there is no project in development to construct the missing segment of Del Amo Boulevard in unincorporated Los Angeles County and the City of Los Angeles between Vermont Avenue and Western Avenue (approximately one mile west of the Project site), and such a project was therefore not included in the cumulative analysis in the Draft EIR.

If extension of Del Amo Boulevard to complete the missing segment between Vermont Avenue and Western Avenue were to be pursued at some future time by either the City or County of Los Angeles, appropriate environmental reviews would be required at that time to analyze potential impacts of the extension regarding increased traffic flows to/from and on Del Amo Boulevard.

RESPONSE 27-53

The Draft EIR does not reach the conclusion suggested in this comment that the street is going to stop the contamination. Section IV.D, Hazards and Hazardous Materials, address the contamination that is present within the former Cal Compact Landfill site as well as any contamination that may be present within the portion of the Project site that is located north of Del Amo Boulevard.

Regarding potential air quality impacts from Interstate 405 on future proposed residential uses, a health risk assessment was performed and is detailed in Section IV.G, Air Quality, of the

Draft EIR. As detailed therein, the assessment followed SCAQMD recommended procedures and evaluated toxic air contaminant emissions from sources within one-quarter mile of the proposed on-site residential locations (e.g., San Diego Freeway (I-405)). Interstate 110 is located more than one-quarter mile from the proposed residential uses and was therefore excluded from further analysis.

The results of the analysis are provided in Table 42 on page 401 of the Draft EIR. The probability of cancer risk from TAC sources within one-quarter mile of the proposed on-site residential locations is above the 10 in one million threshold. Freeway truck traffic is the largest source (refer to Appendix F of the Draft EIR for further discussion). Following a conservative guideline for a receptor exposure scenario, which assumes that a resident would experience a 24-hour/day, 365 days/year exposure outdoors (not indoors) at the same concentration over a lifetime of 70 years, the resultant estimated probability of cancer risk is up to 349 cases in one million for the maximum on-site receptor scenario (i.e., the mobile receptor location where the highest probability of cancer risk would occur). This conclusion is based on a very conservative set of assumptions as to the extent of the exposure that would be experienced by an individual residing within the Project site. While the assumptions are very conservative in their nature, they are consistent with established protocols endorsed by the SCAQMD. It is important to note that most of the City of Carson is located in an area where the estimated probability of cancer risk is between 500 and 750 cancers per million.¹¹ Thus, the health risk assessment performed for the Project site, with respect to risks related to freeway operations, demonstrates that the Project site is also within already existing risk levels. It is noteworthy that these results for a planned development near a freeway in Southern California are not uncommon. Nevertheless, based on an analysis which assumes constant 24 hours a day, 365 days a year of outdoor exposure, the Project would result in locating sensitive receptors within an area of cancer risk in excess of the SCAQMD significance threshold of 10 in one million. In response to this impact, mitigation measures are recommended. Furthermore, it should also be noted that the cancer risk from Interstate 405 would not be substantially different across the Project site and would exceed the SCAQMD 10 in one million threshold regardless of a 500 foot buffer. In fact, the cancer risk would exceed the SCAQMD 10 in one million threshold approximately 18,000 feet from the freeway.

Mitigation Measure G-25 recommends that the Project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 12 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. An air filtration system with a 12 MERV would reduce particles in the range of 1 to 3 microns by a minimum of 80 percent. This mitigation measure would reduce the possibility of cancer risk to residential uses substantially, but impacts would remain significant and unavoidable. The Applicant is performing further study to determine whether other feasible

¹¹ <http://www.arb.ca.gov/toxics/cti/hlthrisk/cncrinhl/riskmapviewfull.htm>.

mitigation measures might be available; e.g., the relocation of buildings, further enhanced air filtration systems, etc.

RESPONSE 27-54

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. Please refer to Response to Comment Nos. 27-47 and 27-50 for details regarding the ongoing maintenance of adequate protections to human health and the environment.

RESPONSE 27-55

The comment addresses procedural issues for the Planning Commission and raises no environmental issues. It may be noted that the comment documents public meetings and opportunities to provide comments on the Draft EIR, and involvement of the public. No further response is required.

RESPONSE 27-56

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and decision makers prior to any approval action on the proposed Project. The comment of Commissioner Hudson was also presented in writing in Letter 11. Please refer to Response to Comment No. 11-3 for a response to this comment. As indicated in this comment, and revised EIR text, the fire station adjacent to the Alternative Site is a beneficial attribute associated with the Alternative Site.

RESPONSE 27-57

Appendix J of the Draft EIR provides an economic study of the potential economic, and resulting potential physical affects, of the proposed Project. While an analysis specific to the South Bay Pavilion was not performed separately in this study, vacancy levels for the three regional malls (South Bay Pavilion, Del Amo Mall and the South Bay Galleria) in the market area was found to be very low at less than 1%. Within a 2.5 mile radius of the Project Site, centers greater than 100,000 square foot had an estimated vacancy rate of 0.3 percent.

Therefore, it is expected that the South Bay Pavilion, which is undergoing sizable renovations with a major new anchor (Target) and additional inline shops, would continue to remain competitive in the marketplace. It should be noted that the developer of the proposed Project also owns the South Bay Pavilion and is undertaking major renovations at that location as noted above.

RESPONSE 27-58

Please see Response No. 27-50 above regarding safety of the proposed residential uses on the site.

RESPONSE 27-59

DTSC would review and approve all financial assurance documents provided by the Applicant for all remedial systems. The Applicant would be required to provide financial assurances to guarantee the long-term operations and maintenance of the remedial systems.

RESPONSE 27-60

The Project applicant is required to comply with SCAQMD Rule 403 (Fugitive Dust) and Mitigation Measures G-1 through G12 which are intended to implement the requirements of SCAQMD Rule 403 (Fugitive Dust) and to set forth a program of air pollution control strategies designed to reduce the proposed Project's air quality impacts to the extent feasible. In addition to specific requirements provided in SCAQMD Rule 403, the Applicant shall ensure that all construction vehicle tires shall be washed at the time these vehicles exit the Project site and all fill material carried by haul trucks shall be covered by a tarp or other means.

RESPONSE 27-61

It is anticipated that the Project would be funded by the developer. The remediation of the former landfill on the 157-acre portion of the Project site will be funded with financial support via Tax Increment Bonds issued by or on behalf of the Carson Redevelopment Agency (CRA) and/or Community Facility Bonds issued by the City of Carson in accordance with their standard procedures. The issuance of bonds by the CRA and/or City would occur subsequent to the current entitlement process.

Letter No. 28

Public Works Commission Meeting for December 12, 2005

Agenda Item No. 8B, Carson Marketplace Draft EIR, Traffic Circulation and Parking Section

28-1

Commissioner Parno recused himself from consideration of this matter due to conflict of interest as he is an employee with Watson Land Company.

Ms. Torres advised that Commissioner Cabanatan was not able to attend this evening's meeting due to illness, but highlighted Commissioner Cabanatan's concern with the following issue:

28-2

Noted his concern regarding the safety of accessibility of the driveways during an emergency situation, such as fire, and with enforcement action that needs to be taken or hinder people from leaving or entering the Marketplace. Again, concerns with the driveway issues, accessibility to the Marketplace.

Traffic Engineer Garland briefly presented staff report, noting this matter was continued from the November 15, 2005, Public Works Commission meeting in order to give the Commissioners ample time to review the DEIR materials. He pointed out that the Public Works Commission may address any issue in the DEIR, but stated the Commission's primary focus is with respect to traffic and public works issues; and advised that those comments will then be forwarded to the consultants for responses. He introduced the preparer of the traffic report, Tom Gaul of Kaku Associates, noting he would answer the Commission's questions if requested.

28-3

Commissioner Cottrell: What formula is used to determine the number of handicapped parking spaces at this location?

Traffic Engineer Garland: The City's Municipal Code has a formula for parking spaces. It deals with all parking spaces as well as the number of handicapped spaces that would have to be provided within a private property, and that would apply to this development. At this point in time, the development plans are not far enough along that we have parking lots drawn out with a number of spaces, precise locations, and the number of handicapped spaces. We're not that far along in the process. Once the City's developer gets to that point, there is a formula that the City has, as well as the ADA requirements; the number of handicapped parking spaces must comply with those rules.

28-4

Commissioner Schaffer: One important thing is signage. I think that big signs directing people to the freeway exits would be very important for traffic flow. Support big signs at all the exits and entrances, indicating direction to various streets and freeways once inside the Marketplace.

28-5

Commissioner Schaffer: I didn't find anything in the part of the report that we have gone through about service roads. Are there going to be service roads besides the entrances for the public?

Mr. Gaul: Separate driveways? I don't think so. Again, the drawings at this point are conceptual. The current schematic design they have, the service vehicles would enter and exit the site at the same driveways as any other vehicle, but will presumably have separate roads accessing the back of the buildings in addition to that.

28-5
(Cont)

Commissioner Schaffer: Handicapped parking, the parking design is important.

Commissioner Schaffer: I think we need more entrances and exits into and out of the Marketplace. I suppose the Avalon area is only going to allow one, but I think more on Del Amo, maybe even another one on Main Street.

Commissioner Schaffer: The other item is transit services, the bus routes. Planning Commissioner Hudson was at our last meeting, and she made several points that I am going to submit to you. She has also submitted them in writing to Ron Winkler. She's an expert on bus routes.

28-6

Commissioner Schaffer: I'm trusting all the modifications proposed for the intersections on the perimeter are studied and make sense.

Traffic Engineer Garland: One of the components of the EIR was to analyze up to 27 intersections around the area that would be impacted by the project traffic, look at conditions with and without the project and determine from that analysis whether improvements would be required.

28-7

Commissioner Schaffer: I personally live close to this proposed development. I sure hope something does get built there. How noisy is it going to be? Are you going to be driving pylons?

Carson Marketplace rep, Dennis Reyling: During construction?

Commissioner Schaffer: Yes.

Mr. Reyling: A good part of the EIR deals with construction mitigation having to do with noise and other issues of noise, vibration, dust, everything else. We will be conducting onsite testing to determine -- yes, there will be pylon driving, being that it's on a landfill. The buildings must be supported on pylons because you have to go down to good, solid geostucture below in order to support those buildings. That will involve driving quite a few pylons on this site. The intent is to minimize any impact on the surrounding neighborhoods. And they will actually be doing some pilot testing prior to the construction in order to record exactly what the safe levels of vibration are -- and working under all the appropriate regulations and following the rules required. We're to minimize impact on the adjoining neighborhoods.

28-8

Traffic Engineer Garland: You may submit written comments up until December 15, 2005.

28-9

LETTER NO. 28

Public Works Commission Meeting
December 12, 2005

RESPONSE 28-1

The comment raises procedural issues and does not raise environmental issues.

RESPONSE 28-2

The illustrative site plan included in the Draft EIR indicates six Project access points: three serving the development district north of Del Amo Boulevard (a primary access point signalized on Del Amo Boulevard opposite the Stamps Drive entrance to the Project site to the south, one unsignalized right-turn-in/right-turn-out on Del Amo Boulevard, and one unsignalized right-turn-in/right-turn-out access point on Main Street) and three serving the development districts south of Del Amo Boulevard (Stamps Drive primary signalized driveway on Del Amo Boulevard, Lenardo Drive signalized access to Avalon Boulevard and I-405 freeway ramps, and Lenardo Drive signalized access to Main Street). Subsequent to preparation of the Draft EIR, the Applicant has agreed to provide an additional driveway serving the development districts south of Del Amo Boulevard. This seventh access point would be located west of Stamps Drive, would provide right-turn-in/right-turn-out access to Del Amo Boulevard, and would connect Del Amo Boulevard with Lenardo Drive.

The seventh access point would provide an additional access alternative for ingress to or egress from the Project site should one or more of the Project access points be blocked due to an emergency.

Also, in the unlikely event that some type of emergency were to require complete evacuation of the Project site, there would be four access points with up to 11 turning lanes exiting the south side of the Project site (Districts 1 and 2) and three access points with five turning lanes exiting the north side of the site (District 3). Based on the shared parking analysis contained in the Draft EIR, it is estimated that about 9,600 vehicles may be parked in Districts 1 or 2 and about 500 vehicles in District 3 during the worst-case peak Saturday afternoon during the peak month of December that may wish to exit (assuming all vehicles associated with the commercial uses would evacuate but only one vehicle per residential unit would evacuate). It is estimated that the 11 exiting lanes serving the south side would be sufficient to allow evacuation of the Project site in approximately one hour presuming that emergency personnel were present to direct and facilitate traffic flows exiting the site.

RESPONSE 28-3

The comment addresses procedural matters and raises no environmental issues.

RESPONSE 28-4

Formulae provided in the City of Carson's Municipal Code would be used to determine the number of handicapped parking spaces to be provided. These requirements would be applied at the time detailed Project development plans are known and submitted to the City for approval.

RESPONSE 28-5

The signage issue raised in this portion of Ms. Schaffer's verbal comments are also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 12-1 for a response to this comment. The service road issue raised in this portion of Ms. Schaffer's testimony is also reiterated in her comment letter on the Draft EIR. As such, please refer to Response to Comment No. 12-2 for a response to this comment.

The portion of the comment that addresses handicapped parking, follows up on the previous comment. Please refer to the Response to Comment No. 28-4 regarding handicapped parking. The portion of the comment that addresses Project access points supports a comment made earlier in the meeting. Please see Response to Comment No. 28-2 regarding additional Project access points.

RESPONSE 28-6

The comments presented by Commissioner Hudson have been included in the Final EIR as Letter 10. Please see Responses 10-1 through 10-7.

RESPONSE 28-7

The comment provides information about the analysis in the Draft EIR. The Draft EIR traffic study evaluated 27 intersections in the vicinity of the proposed Project. The Draft EIR concluded that the Project would have a significant impact on operating conditions at 12 intersections and proposed mitigation measures at each of these locations. Mitigation measures were proposed to reduce impacts to the extent feasible. After mitigation, there would be a residual significant impact at only one of the intersections. The traffic study and the proposed mitigation measures were reviewed by City staff prior to publication of the Draft EIR.

RESPONSE 28-8

Project features and mitigation measures (e.g., limitation of construction hours, temporary sound barriers, pile driver noise shields, exhaust silencers or mufflers, ongoing monitoring during deep dynamic compaction and pile driving activities, building orientation, etc.) have been incorporated into the project to reduce potential noise impacts to the extent feasible. However, construction activities would continue to increase the daytime noise levels at nearby noise-sensitive uses by more than the 5-dBA significance threshold. As such, noise impacts during construction would be considered significant and unavoidable. Furthermore, noise impacts during pile driving

were concluded to be significant due to the frequency with which this impact is going to occur and the circumstance in which this impact cannot be mitigated given the construction techniques that are required for the Project site.

RESPONSE 28-9

This comment addresses procedural matters and raises no environmental issues. No further response is required.



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