



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 27, 2021

SUBJECT: Conditional Use Permit (CUP) No. 1106-20
Design Overlay Review (DOR) No. 1842-20

**APPLICANT /
PROPERTY OWNER:** Equilon Enterprises LLC
DBA: Shell Oil Products US and Shell Oil Company
Attention: Nader Soliman
20945 South Wilmington Avenue
Carson, CA 90810

REQUEST: Consider adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of Site Plan and Design Review No. 1842-20 and Conditional Use Permit No. 1106-20 for the installation of a compressed natural gas (CNG) dispensing station at an existing ethanol loading facility

PROPERTY INVOLVED: 20945 South Wilmington Avenue

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Thomas			Monteclaro
		Vice-Chair Palmer			Thomas
		Diaz			Rashad
		Guerra			
		Huff			Alt. Alt. Alt.

Item No. 5A

I. Introduction

Applicant

Equilon Enterprises LLC
DBA: Shell Oil Products US and
Shell Oil Company
Attention: Nader Soliman
20945 South Wilmington Avenue
Carson, CA 90810

Property Owner

Same as applicant

II. Project Description

Equilon Enterprises LLC d/b/a Shell Oil Products US and Shell Oil Company (Equilon), represented by Nader Soliman, requests approval of CUP No. 1106-20 and DOR 1842-20 for the installation of a compressed natural gas (CNG) dispensing station at an existing ethanol loading facility to enable the conversion of seven delivery trucks from diesel fuel to renewable CNG fuel. The CNG station would serve on-site existing truck traffic only and would not be open to the public.

Carson Municipal Code Section 9141.1 (Uses Permitted in Industrial Zones) states automobile service stations require a conditional use permit.

Carson Municipal Code Section 9172.23 (Site Plan and Design Review) requires Planning Commission review of projects within the Design Overlay District having a construction valuation of \$50,000 or more.

Founded in 1912, Shell Oil Company, a subsidiary of Royal Dutch/Shell Petroleum Inc., is one of North America's leading producers of oil, gas, and petrochemicals. Shell products include oils, fuels, and car services as well as exploration, production, and refining of petroleum products. To meet growing global energy demand and limit CO₂ emissions, Shell Oil Company is producing more, cleaner-burning natural gas for industries, homes and businesses, and fuel for trucks and ships as an alternative to diesel and heavy fuel oil.

III. Project Site and Land Uses

The subject property is located in the MH-D (Manufacturing, Heavy; Design review) zone and is designated Heavy Industrial under the Land Use Element of the General Plan. The subject property is located north of 213th Street, south of Del Amo Boulevard and west of Wilmington Avenue.

Land uses surrounding the proposed project include light industrial and residential uses to the north and south, heavy industrial uses to the east and light industrial and regional commercial uses to the west.

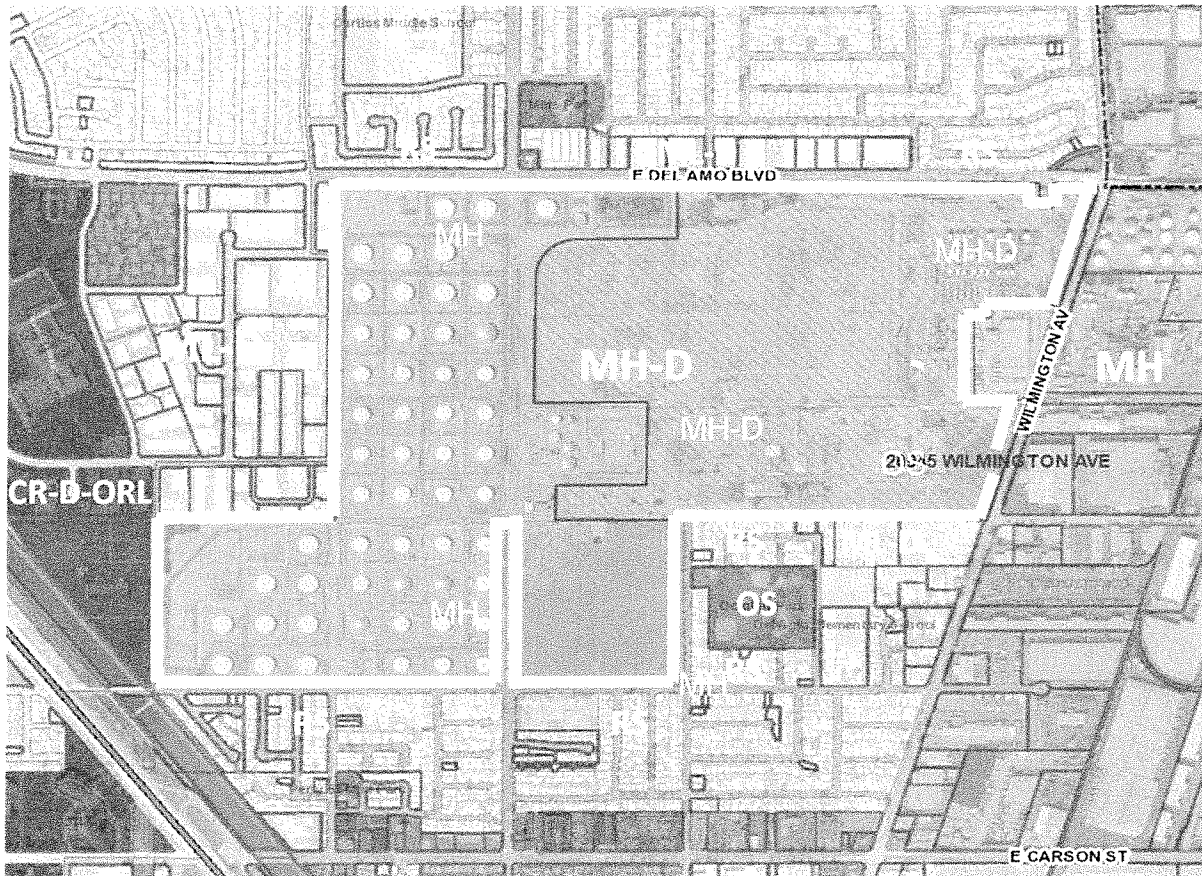


Figure (a) Project Site in context to surrounding zoning.

The following table provides a summary of information regarding the project site:

Site Information	
General Plan Land Use	Heavy Industrial
Zone District	MH-D (Manufacturing, Heavy; Design Review)
Site Size	448 acres
Present Use and Development	Fuel distribution facility
Surrounding General Plan / Zoning	North: Light Industrial (LI) / Manufacturing Light – Design Review (ML-D) and Low Density Residential (LDR) / Residential Single-family (RS) South: Light Industrial (LI) / Manufacturing Light – Design Review (ML-D) and Low Density Residential (LDR) / Residential Single-family (RS) East: Heavy Industrial (HI) / Manufacturing Heavy (MH) and Residential Open Space (ROS) / Open Space (OS) West: Regional Commercial (RC) / Commercial Regional – Design Review – Organic Refuse Landfill (CR-D-ORL) and Manufacturing Light – Design Review (ML-D)
Access	Ingress/Egress: Wilmington Avenue

IV. Analysis

Site History

The Shell Carson Distribution Complex was originally built in 1924 as a refinery. In 1992, the refinery was decommissioned and dismantled. In 2002, Conditional Use Permit No. 522-01 and Design Overlay Review No. 764-01 were approved for the operation of an ethanol unloading facility and the site currently operates as a fuel distribution facility, receiving and distributing petroleum and renewable fuels throughout Southern California via pipeline and truck deliveries.

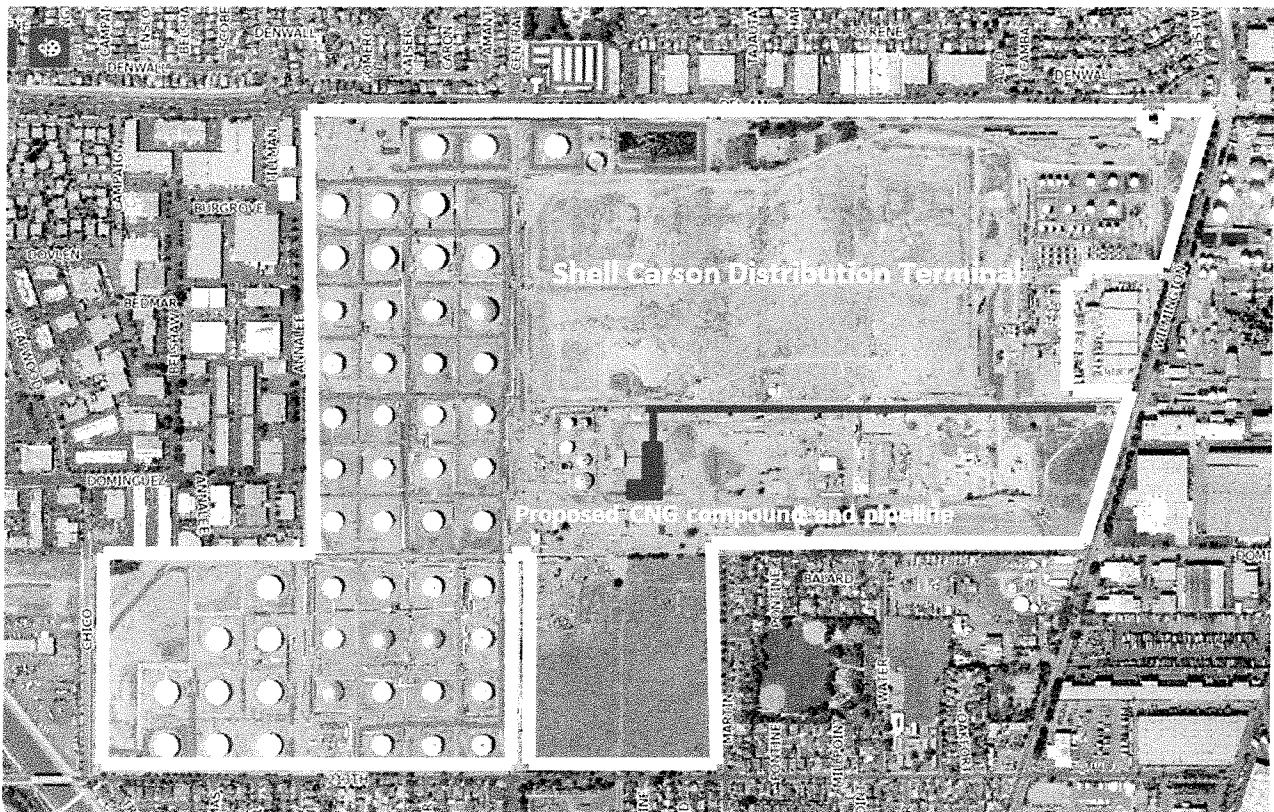


Figure (b) Project Site

Site Plan

The CNG dispensing station would include three CNG dispensers, a 20-foot-tall canopy over the dispensers, and a CNG system compound that would include two compressors, one dryer, and three CNG storage tanks. The CNG facility would be supported by a new, approximately 3,200-foot-long aboveground natural gas pipeline that would be installed largely on an existing aboveground pipe rack located on the property.

Construction activities will take place within the Shell facility. The majority of the proposed CNG station and pipeline will be located in the central portion of the facility.

Access / Parking & Traffic

The new dispensing station will have access from Wilmington Avenue. The existing internal driveway will provide full access to the new dispensing station and is already designed to meet Fire Department requirements.

The project is designed to be in compliance with requirements set forth in DOR 764-01. The ethanol truck traffic to and from the terminal is regulated by the DOR, and the current limit is a maximum of 210 trucks per day, with a maximum annual average of 195 trucks per day. Additionally, all ethanol tanker trucks are mandated to exit the facility onto Wilmington Avenue heading north to Del Amo Boulevard and then east to Alameda Street, avoiding residential areas. Because the project would only enable the conversion of seven existing delivery trucks from diesel fuel to renewable CNG fuel, and because the DOR limits the number of trucks that can enter the facility, the project would not increase the number of trucks coming to the project site on a daily basis.

Fencing

No new fencing is proposed for the property. Existing fencing include 6 to 10 feet- tall chain-link fencing with barb wire, screened with fence slats, landscaping or elevated above retaining walls.

Building and Architecture

No new buildings are proposed for the property. A 2,700 square-foot, 20-foot-tall canopy would be constructed over the dispensers.

Signage

No new signage is proposed for the property.

V. CFD/DIF Discussion

Based on the adopted CFD, the project is exempt and the adopted IDIF is not applicable to this project due to the scope of work not including the development of buildings or truck parking.

VI. Zoning and General Plan Consistency

The proposed project is consistent with the standards of the Manufacturing, Heavy (MH) zoning designation and Heavy Industrial General Plan land use designation. The proposed project is replacing an existing permitted use and would reduce the amount of petroleum (diesel fuel) used on site.

VII. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study (IS) and Draft Mitigated Negative Declaration (MND) was prepared and circulated for public review from March 11, 2021 through April 9, 2021. On March 9, 2021, a Notice of Intent to Adopt a Mitigated Negative Declaration ("NOI") was posted with the City Clerk, LA County Clerk, Carson Library, on-site, and sent to responsible agencies. An electronic copy of the documents were also posted on the Planning Division website (<https://ci.carson.ca.us/CommunityDevelopment/shellCNG.aspx>).

Per the IS/MND, with incorporation of the proposed mitigation measures, the project would have no potentially significant impacts on the environment. Mitigation measures were proposed related to Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, and Tribal Cultural Resources.

Comments were received requesting additional information and notification of future public actions. At the close of the review period, the California Department of

Transportation, LA County Sanitation District, South Coast Air Quality Management (SCAQMD), LA County Fire Department, and LA County Department of Public Works - Land Development Division submitted comments. The comments did not require the MND to be substantially revised, and did not reveal any evidence that the project may have a significant effect on the environment which cannot be mitigated or avoided. As such, no recirculation of the MND nor preparation of an EIR was/is required pursuant to CEQA.

All of the comments received during the public review period are addressed in the Final MND, also available at the link above, and all proposed mitigation measures are included in the proposed Conditions of Approval for the project (COAs # 26, 27, 28, 29 and 30)).

VIII. Public Notice

Notice of public hearing was published in the newspaper on April 8, 2021. Notices were mailed to property owners and occupants within a 750-foot radius and posted to the project site by April 8, 2021. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

The applicant was unable to host a community meeting due to the COVID-19 health crisis. Alternatively, on March 19, 2021, the applicant mailed comment notices to properties within a 750-foot radius of the proposed project. The notices described the project, requested community feedback and shared a link to view the site plan and renderings on the City's website. To date, no comments on the proposed project have been received by the City Planning Department.

IX. Recommendation

That the Planning Commission:

ADOPT Resolution No. 21-____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING DESIGN OVERLAY REVIEW NO. 1842-20 AND CONDITIONAL USE PERMIT NO. 1106-20, FOR THE INSTALLATION OF A COMPRESSED NATURAL GAS (CNG) DISPENSING STATION AT AN EXISTING ETHANOL LOADING FACILITY AT 20945 SOUTH WILMINGTON AVENUE".

X. Exhibits

1. Draft Resolution
 - A. *Legal Description*
 - B. *Conditions of Approval*
2. IS/MND, NOI, Final MND:
(<https://ci.carson.ca.us/CommunityDevelopment/shellCNG.aspx>)
3. Development Plans

Prepared by: Max Castillo, Assistant Planner

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 21-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING DESIGN OVERLAY REVIEW NO. 1842-20 AND CONDITIONAL USE PERMIT NO. 1106-20, FOR THE INSTALLATION OF A COMPRESSED NATURAL GAS (CNG) DISPENSING STATION AT AN EXISTING ETHANOL LOADING FACILITY AT 20945 SOUTH WILMINGTON AVENUE

WHEREAS, on October 6, 2020, the Department of Community Development received an application from the applicant, Nader Soliman, on behalf of Equilon Enterprises LLC doing business as Shell Oil Products and Shell Oil Company for real property located at 20945 South Wilmington Avenue and legally described in Exhibit “A” attached hereto, requesting approval of Design Overlay Review No. 1842-20 and Conditional Use Permit No. 1106-20, for the installation of a compressed natural gas (CNG) dispensing station at an existing ethanol loading facility; and

WHEREAS, on March 11, 2021, pursuant to the California Environmental Quality Act (CEQA), an Initial Study and draft Mitigated Negative Declaration (MND) was prepared and made available for public review from March 11, 2021 to April 9, 2021. A Notice of Intent to Adopt A Mitigated Negative Declaration (“Notice of Intent”) was posted with the City Clerk, LA County Clerk, Carson Library, on-site, and sent to responsible agencies. An electronic copy of the document was also posted on the City’s website: (<https://ci.carson.ca.us/CommunityDevelopment/shellCNG.aspx>).

WHEREAS, on March 19, 2021, as the applicant was unable to host a community meeting due to the COVID-19 health crisis, alternatively, the applicant mailed comment notices to properties within a 750-foot radius of the proposed project. The notices described the project, requested community feedback and shared a link to view the site plan and renderings on the City’s website at <https://ci.carson.ca.us/CommunityDevelopment/shellCNG.aspx>.

WHEREAS, on April 8, 2021, a Notice of Planning Commission public hearing was published in a newspaper of general circulation, and posted onsite and mailed to property owners and properties within a 750-foot radius of the project site.

WHEREAS, on April 19, 2021, the Final Mitigated Negative Declaration (MND and Mitigation Monitoring and Reporting Program (MMRP) for the project, incorporating comments received during the public comment period on the draft MND, was published on the City’s website.

WHEREAS, on April 27, 2021, the Planning Commission opened the duly noticed public hearing on the application and continued the public hearing to May 11, 2021.

WHEREAS, on May 11, 2021, the Planning Commission conducted a duly noticed public hearing on the application, during which it considered the MND and MMRP, staff report, proposed

resolution and conditions of approval, other relevant documentation submitted, and all public comment and other testimony submitted at the hearing.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and the same are incorporated herein by reference.

SECTION 2. The Planning Commission finds as follows:

1. With respect to Site Plan and Design Review No. 1842-20, for the installation of a compressed natural gas (CNG) dispensing station at an existing ethanol loading facility:
 - a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed CNG dispensing station is compatible with the surrounding uses.
 - b) The proposed project is currently compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area. Due to the project's central location within the Shell Carson Distribution Complex, the low height of the project components, presence of intervening features, and existing perimeter screening around the Shell Carson Distribution Complex, the project will not be visible from public viewpoints and would not degrade the existing visual character of the site or adversely impact the aesthetics of the surrounding area.
 - c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. The project site is located on two arterial streets: Wilmington Avenue and Del Amo Boulevard. The project site is located within close proximity of the 405 Freeway. The development will have pedestrian and vehicular accessibility via the main entry point located at Wilmington Avenue. The existing driveways and interior vehicular circulation are designed to meet the Fire Department turning radius requirements, as well as truck and vehicular traffic.
 - d) All signage associated with this project will comply with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness and restraint in signing graphics and color.
 - e) The project will not be developed in phases.
2. With respect to Conditional Use Permit No. 1106-20, for the installation of a compressed natural gas (CNG) dispensing station at an existing ethanol loading facility:
 - a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed CNG dispensing station is compatible with the surrounding areas.
 - b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development, which will only occupy a small fraction of the subject property within which it will be located (the Shell Carson Distribution Complex).

- c) The proposed development will have adequate street access and traffic capacity, and also adequate capacity for parking. One existing vehicular and pedestrian access point will provide ingress and egress to the site.
- d) The County Fire Department has reviewed the proposed project and concludes that adequate water supply exists to meet current and anticipated fire suppression needs.
- e) The proposed project will be compatible with the intended character of the area. The proposed project will not significantly change the character of the existing use on the subject property (the Shell Carson Distribution Complex), which is designated and zoned as heavy industrial. The proposed CNG dispensing station and associated aboveground pipeline and equipment will be located in the central portion of the Shell Carson Distribution Complex, and due to the low height of the project components, presence of intervening features, and existing perimeter screening around the Shell Carson Distribution Complex, the project will not be visible from public viewpoints and will not degrade the existing visual character of the site or adversely impact the aesthetics or intended character of the surrounding area.
- f) Approval of Conditional Use Permit No. 1106-20 complies with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 9172.21 (Conditional Use Permit) of the Carson Municipal Code.

SECTION 3. The Planning Commission further finds that:

- a) The Mitigated Negative Declaration for the project, including the MMRP (collectively, "MND") has been prepared and considered in compliance with CEQA, and contains all required contents pursuant to 14 CCR §15071. The MND analyzes, without limitation, the construction of a CNG dispensing station and associated aboveground pipeline and equipment at the existing Shell Carson Distribution Terminal located within the Shell Carson Distribution Complex.
- b) The Notice of Intent was prepared and issued in compliance with CEQA Guidelines Section 15072.
- c) The MND was prepared by a consultant working with City Planning staff and was reviewed and analyzed independently by the City, including its Planning staff and the Planning Commission.
- d) Publication and public circulation of the Draft MND complied with the requirements of CEQA, including CEQA Guidelines Section 15073. The Draft MND reflected the independent judgment of the City, and was made available for public review for the required period of time. Comments were received during the public review period, all of which have been addressed and incorporated in the Final MND and MMRP. No "substantial revision," within the meaning of CEQA Guidelines Section 15073.5, was needed to the Draft MND after the public comment period, and as such, no recirculation was required pursuant to CEQA Guidelines Section 15073.5. Additionally, the public review period did not reveal any substantial evidence in light of the whole record that the project as proposed may have a significant effect on the environment which cannot be mitigated or avoided.
- e) The Planning Commission, which is the decision-making body of the City for the project (subject to appeal to the City Council), has reviewed and considered the MND together with the comments received during the public review process. The MND reflects the independent judgment and analysis of the City as lead agency. The Planning Commission finds, on the basis of the whole record before it (all of which is on file with the City's Planning Division and incorporated herein by reference), (including the initial study and

the comments received), that there is no substantial evidence that the proposed project will have a significant effect on the environment.

- f) The mitigation measures set forth in the MMRP (as contained in the Final MND) are feasible and are included within the project conditions of approval attached hereto as Exhibit "B" (condition no's. 26-30), and shall become binding on the applicant/permittee via their inclusion therein. All environmental impacts of the proposed project, as assessed pursuant to the MND and as mitigated pursuant to the MMRP and project conditions of approval, will be mitigated to the maximum extent feasible and below a level of significance.

SECTION 4. Based on the findings set forth in this Resolution, including without limitation those set forth in Section 3, the Planning Commission hereby adopts the MND, including the Mitigation Monitoring and Reporting Program (MMRP). A notice of determination shall be filed with the County Clerk of the County of Los Angeles in accordance with CEQA, including CEQA Guidelines Section 15075.

SECTION 5. Site Plan and Design Review No. 1842-20 and Conditional Use Permit No. 1106-20 comply with the City's Zoning Ordinance and General Plan and are consistent with the intent of Article IX, Chapter 1, Section 9172.21 (Conditional Use Permit) and Section 9172.23 (Site Plan and Design Review) of the Carson Municipal Code.

SECTION 6. Based on the findings set forth in this Resolution, including without limitation those set forth in Section 2, the Planning Commission hereby approves Site Plan Design Review No. 1842-20 and Conditional Use Permit No. 1106-20 subject to the Conditions of Approval set forth in Exhibit "B" attached hereto and incorporated herein by reference.

SECTION 7. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 8. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 11th day of May, 2021.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: PARCEL 1: (APNS: 7318-018-002, 7318-018-006 AND 7327-002-021) THAT PORTION OF THE 1326.58 ACRE TRACT OF LAND ALLOTTED TO SUSANA DOMINGUEZ, IN THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN CASE NO. 3284 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH ALL OF LOT 26 OF TRACT NO. 4054, AS SHOWN ON MAP RECORDED IN BOOK 44 PAGES 39, 40 AND 41 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALSO TOGETHER WITH A PORTION OF PERRY STREET, 50.00 FEET WIDE, AS SHOWN ON THE MAP OF SAID TRACT NO. 4054, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 26 OF SAID TRACT NO. 4054; THENCE ALONG THE NORTH LINE OF SAID TRACT NO. 4054, SOUTH 89°49'40" WEST 10.00 FEET TO THE WEST LINE OF THE LAND DESCRIBED IN A CORPORATION GRANT DEED TO SHELL OIL COMPANY RECORDED MARCH 30, 1966 AS INSTRUMENT NO. 1139 IN BOOK D3254, PAGES 95 AND 96 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID WEST LINE NORTH 0°14'46" WEST 2714.39 FEET TO A POINT ON THE SOUTHERLY LINE OF DEL AMO BOULEVARD, 108.00 FEET WIDE, AS SHOWN ON COUNTY SURVEYOR'S MAP NO. B-617 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER OF SAID COUNTY, SAID SOUTHERLY LINE BEING ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 2446.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 0°22'28" WEST; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 0°14'46", AN ARC LENGTH OF 10.51 FEET; THENCE NORTH 0°07'42" WEST 4.00 FEET; THENCE NORTH 89°52'18" EAST 2514.01 FEET TO THE NORTHWEST CORNER OF PARCEL 2 OF CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 116-99, RECORDED MAY 10, 1999 AS INSTRUMENT NO. 99-0843155 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE LEAVING SAID SOUTH LINE OF DEL AMO BOULEVARD AND CONTINUING ALONG THE FOLLOWING LINES OF SAID PARCEL 2: SOUTH 0°26'01" EAST 451.01 FEET; THENCE SOUTH 89°33'59" WEST 750.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE 471.24 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE TANGENT TO SAID CURVE SOUTH 00°26'01" EAST 1015.45 FEET; THENCE NORTH 89°33'59" EAST 845.00 FEET; THENCE SOUTH 00°26'01" EAST 664.04 FEET; THENCE SOUTH 89°33'59" WEST 672.50 FEET; THENCE SOUTH 00°26'01" EAST 282.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL 2, BEING A POINT IN THE NORTH LINE OF SAID TRACT NO. 4054; THENCE ALONG SAID NORTH LINE SOUTH 89°49'40" WEST 1010.90 FEET

TO THE NORTHEAST CORNER OF SAID LOT 26; THENCE ALONG THE EXTERIOR LINES OF SAID LOT 26, SOUTH 00°17'00" EAST 382.08 FEET; THENCE SOUTH 89°40'10" WEST 660.00 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 26 AND THE WESTERLY PROLONGATION THEREOF TO THE CENTERLINE OF SAID PERRY STREET; THENCE ALONG SAID CENTERLINE NORTH 00°17'00" WEST 383.90 FEET TO THE NORTHERLY BOUNDARY LINE OF SAID TRACT 4054; THENCE THEREON NORTH 89°49'40" EAST 15.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM, THAT PORTION OF SAID LAND, ALL (100%) OF THE OIL, GAS, PETROLEUM, AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP, OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, IN AND UNDER OR RECOVERABLE FROM SAID REAL PROPERTY; AND, ALL (100%) OF THE WATER ON OR UNDER SAID REAL PROPERTY, TOGETHER WITH ALL RIGHT TO EXTRACT, REMOVE, OR PUMP THE SAME WITHOUT RIGHT OF ENTRY UPON THE SURFACE OF SAID REAL PROPERTY OR WITHIN THE UPPER 500 FEET MEASURED VERTICALLY FROM THE NATURAL SURFACE OF SAID REAL PROPERTY, AS RESERVED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK D-2250, PAGE 752 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM, ALL RIGHT, TITLE AND INTEREST IN AND TO ANY OIL, GAS, AND OTHER MINERALS (INCLUDING, WITHOUT LIMITATION, HELIUM, LIGNITE, SULPHUR, PHOSPHATE AND OTHER SOLID, LIQUID AND GASEOUS SUBSTANCES), REGARDLESS OF THE NATURE THEREOF AND WHETHER SIMILAR OR DISSIMILAR BUT ONLY TO THE EXTENT ANY OF THE FOREGOING IS IN ITS NATURAL STATE AND NATURAL LOCATION AND NOT SUBJECT TO THE DOMINION AND CONTROL OF ANY PERSON, AND, UPON THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO GRANTEE, THE RIGHT TO EXPLORE FOR, DEVELOP AND PRODUCE SAME, AS WELL AS THE RIGHT TO LEASE SUCH PORTION OF THE PROPERTY HEREBY RESERVED FOR SUCH PURPOSES, AND ALL MINERAL AND ROYALTY RIGHTS WHATSOEVER IN, ON, UNDER AND PERTAINING TO THE PROPERTY; BUT GRANTOR, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE NO RIGHT TO USE, OR RIGHT OF INGRESS TO OR EGRESS FROM ANY PART OF THE SURFACE OF THE PROPERTY FOR EXPLORATION AND PRODUCING PURPOSES, EXCEPT WITH RESPECT TO (I) CURRENT ACTIVITIES AT AND ANY EXISTING CONTRACTUAL OR LEASEHOLD RIGHTS GRANTED TO THIRD PARTIES AND (II) ANY ADDITIONAL ACTIVITIES WHICH HAVE BEEN CONSENTED TO IN WRITING BY GRANTEE, WHOSE CONSENT SHALL NOT BE UNREASONABLY WITHHELD. EXCEPT AS SET FORTH IN THE PRECEDING SENTENCE, ANY OIL AND GAS DRILLING OPERATIONS, SHALL BE CONDUCTED BY MEANS OF WELLS, THE SURFACE LOCATIONS OF WHICH ARE ON OTHER LANDS AND WHICH MAY BE DRILLED INTO AND BOTTOMED IN OR UNDER THE PROPERTY. GRANTOR SHALL

EXERCISE ITS RIGHTS UNDER THE FOREGOING MINERAL, OIL AND GAS RESERVATION SO AS NOT TO DISTURB ANY IMPROVEMENTS, INSTALLATIONS, PETROLEUM OR OTHER PRODUCTS CONTAINED IN SUCH IMPROVEMENTS OR INSTALLMENTS OR SURFACE ACTIVITIES ON THE PROPERTY. GRANTOR IS TO RECEIVE AND RETAIN ALL BONUSES, RENTALS AND ROYALTIES PAYABLE UNDER ANY SUCH MINERAL, OIL AND GAS LEASE OR LEASES,

GRANTOR MAY ASSIGN, TRANSFER, SELL OR CONVEY SUCH OIL, GAS AND MINERAL RESERVATION TO ANY PERSON, CORPORATION, PARTNERSHIP OR OTHER ENTITY.

AS RESERVED IN DEED RECORDED APRIL 4, 2000 AS INSTRUMENT NO. 00-0498131 AND RE-RECORDED MAY 11, 2001 AS INSTRUMENT NO. 01-0816622, BOTH OF OFFICIAL RECORDS.

PARCEL 2: (APN: 7318-018-007 OLD; 7318-018-008 NEW AND 7326-001-004 OLD; 7326-001-005 NEW)

A PORTION OF THE 1326.58 ACRE TRACT OF LAND ALLOTTED TO SUSANA DOMINGUEZ, IN THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN CASE NO. 3284 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH LOT 57 OF TRACT NO. 4054, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF SAID TRACT RECORDED IN BOOK 44 PAGES 39, 40 AND 41 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SAID TRACT NO. 4054, SAID POINT BEING 375.90 FEET EAST OF THE WEST LINE OF VERA STREET, 50 FEET WIDE AS SHOWN ON SAID TRACT, THENCE NORTH 00°26'01" WEST, 282.00 FEET; THENCE NORTH 89°33'59" EAST 672.50 FEET; THENCE NORTH 00°26'01" WEST, 664.04 FEET; THENCE SOUTH 89°33'59" WEST 845.00 FEET; THENCE NORTH 00°26'01" WEST, 1015.45 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 300.00 FEET, THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE 471.24 FEET THROUGH A CENTAL ANGLE OF 90°00'00"; THENCE TANGENT TO SAID CURVE NORTH 89°33'59" EAST 750.00 FEET; THENCE NORTH 00°26'01" WEST, 451.01 FEET TO THE SOUTH LINE OF DEL AMO BOULEVARD, 104.00 FEET WIDE, AS SHOWN ON COUNTY SURVEYOR'S MAP NO B-617 ON FILE IN THE OFFICE OF THE COUNTY ENGINEER OF SAID COUNTY, THENCE ALONG SAID SOUTH LINE NORTH 89°52'18" EAST, 2700.76 FEET TO THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN A CORPORATION GRANT DEED RECORDED JULY 2, 1973 AS INSTRUMENT NO 430, OFFICIAL RECORDS OF SAID COUNTY, THENCE ALONG THE EXTERIOR LINES OF SAID PARCEL SOUTH 00°07'42" EAST, 200.00 FEET, THENCE NORTH 89°52'18" EAST, 100.00 FEET, THENCE NORTH 00°07'42" WEST, 200.00 FEET TO THE SAID SOUTH

LINE OF DEL AMO BOULEVARD, THENCE ALONG SAID SOUTH LINE OF DEL AMO BOULEVARD NORTH 89°52'18" EAST, 92.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1949.92 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE 215.92 FEET THROUGH A CENTRAL ANGLE OF 6°20'40" TO A POINT OF COMPOUND CURVE WITH A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 27.00 FEET, THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE 44.87 FEET THROUGH A CENTRAL ANGLE OF 95°13'12" TO A COMPOUND CURVE TANGENT TO LAST SAID CURVE, CONCAVE WESTERLY HAVING A RADIUS OF 950.00 FEET, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 93.86 FEET THROUGH A CENTRAL ANGLE OF 5°39'38" TO A POINT OF ITS TANGENCY WITH THE WESTERLY LINE OF WILMINGTON STREET AS DEDICATED TO THE CITY OF CARSON, IN A DEED RECORDED MAY 22, 1987 AS INSTRUMENT NO 87-815031, OFFICIAL RECORDS, THENCE ALONG SAID WESTERLY LINE SOUTH 17°05'48" WEST, 253.54 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE SOUTH 17°05'51" WEST, 641.64 FEET; THENCE LEAVING SAID WESTERLY LINE NORTH 72°54'09" WEST, 89.54 FEET; THENCE SOUTH 89°34'34" WEST, 25.00 FEET; THENCE SOUTH 00°25'26" EAST, 14.78 FEET; THENCE SOUTH 89°34'34" WEST, 387.70 FEET; THENCE SOUTH 00°25'26" EAST, 105.65 FEET; THENCE SOUTH 89°34'34" WEST, 126.06 FEET; THENCE SOUTH 00°25'26" EAST, 659.65 FEET; THENCE NORTH 89°34'34" EAST, 327.16 FEET, TO THE BEGINNING OF A TANGENT 30.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72°28'43", A DISTANCE OF 37.95 FEET; THENCE RADIAL TO SAID CURVE SOUTH 72°54'09" EAST, 35.50 FEET TO A POINT ON THE WESTERLY LINE OF WILMINGTON AVENUE AS DEDICATED TO THE CITY OF CARSON, IN A DEED RECORDED MAY 22, 1987 AS INSTRUMENT NO. 87-815031, OF OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY LINE, SOUTH 17°05'51" WEST, 1,026.62 FEET TO THE NORTH LINE OF SAID TRACT NO. 4054; THENCE ALONG SAID NORTH LINE OF SAID TRACT NO. 4054, SOUTH 89°49'40" WEST, 2,228.01 FEET, TO THE NORTHEAST CORNER OF SAID LOT 57 OF SAID TRACT NO. 4054; THENCE ALONG THE EASTERLY LINE OF SAID LOT 57, SOUTH 00°17'00" EAST 376.69 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE ALONG THE SOUTH LINE OF SAID LOT 57, SOUTH 89°40'10" WEST 635.00 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 57; THENCE ALONG THE WESTERLY LINE OF SAID LOT 57 NORTH 00°17'00" WEST 378.44 FEET, TO THE NORTHWEST CORNER OF SAID LOT 57; THENCE ALONG THE NORTHERLY LINE OF SAID TRACT 4054, SOUTH 89°49'40" WEST, 309.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LAND IS SHOWN AS PARCEL 1 OF LOT LINE ADJUSTMENT NO. 287-19 CERTIFICATE OF COMPLIANCE RECORDED JULY 23, 2019 AS INSTRUMENT NO. 20190718431 OFFICIAL RECORDS.

FOR CONVEYANCING PURPOSES ONLY: APN 7318-018-002; 7318-018-006 AND 7327-002-021; 7318-018-007 AND 7326-001-004

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 1106-20
DESIGN OVERLAY REVIEW NO. 1842-20**

I. GENERAL CONDITIONS

1. Conditional Use Permit No. 1106-20 and Design Overlay Review No. 1842-20 shall become null and void two years following the effective date of its approval unless a building permit has been issued or a time extension has been approved by the Planning Manager. A building permit issued in accordance with this condition shall be maintained in valid status in accordance with applicable laws and regulations until it is completed/finished; failure to do so shall result in Conditional Use Permit No. 1106-20 and Design Overlay Review No. 1842-20 becoming null and void upon expiration or invalidity of the building permit. This condition does not supersede an individual time limit for performance of specific conditions or improvements.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. Developer shall submit two revised sets of plans (including Site Plan & Elevations) incorporating all the Conditions of Approval to be reviewed and approved by the Planning Division.
4. Developer shall comply with all city, county, state and federal regulations applicable to this project.
5. Any substantial project revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. A modification of these conditions, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
8. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the Developer has been given written notice to cease such violation and has failed to do so for a period of thirty days.
9. Precedence of Conditions. If any of these Conditions of Approval alter a commitment made by the Developer in another document, the conditions enumerated herein shall take

precedence unless superseded by the Entitlement Agreement, which shall govern over any conflicting provisions of any other approval.

10. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
11. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefor, or work may cease on the Project.
12. Indemnification. The applicant, property owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, “Claims”) against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors’ operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees’ associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors’ consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City’s estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys’ fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

II. AESTHETICS

13. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division
14. Graffiti shall be removed from all areas within twenty-four (24) hours of written notification by the City of Carson, including graffiti found on perimeter walls and fences. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought

before the Planning Commission for review and further consideration of site modification (i.e. fencing, landscaping, chemical treatment, etc.).

III. LIGHTING

15. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
16. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

IV. PARKING/TRAFFIC

17. All driveways shall remain clear. No encroachment into driveways shall be permitted.
18. All areas used for movement, parking, loading, or storage of vehicles shall be paved and clearly marked and in accordance with Section 9162.0 of the Zoning Ordinance.

V. BUILDING AND SAFETY DIVISION

19. Applicant shall submit development plans for plan check review and approval.
20. Developer shall obtain all appropriate building permits and an approved final inspection for the proposed project.
21. Prior to issuance of building permit, proof of worker's compensation and liability insurance for Developer must be on file with the Los Angeles County Building and Safety Division.

VI. FIRE DEPARTMENT

22. The final revised plans for the proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements prior to issuance of Building Permits.

VII. ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

23. All necessary street dedications and street improvements shall not apply due to the exceptions stated on CMC § 9161.2, with exceptions to the following items:
 - a. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - b. A construction permit is required for any work to be done in the public right-of-way.
 - c. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to issuance of permit by Engineering Division
 - d. Proof of Worker's Compensation and Liability Insurance shall be submitted to the City prior to issuance of any permit by Engineering Division.
 - e. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
 - f. The Developer shall submit an electronic copy of **approved** plans (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*), to the City of Carson – Engineering Division, prior to the issuance of construction permits.

24. Per the City's Traffic Engineer:

- a. Traffic control measures would be implemented in accordance with the California Manual on Uniform Traffic Control Devices to reduce hazards to both workers and motorists during construction.

VIII. BUSINESS LICENSE

25. All parties involved in the subject project including but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.

IX. MITIGATION MEASURES

26. *Biological Resources*

- a. MM-BIO-1: Prior to construction, a qualified biologist shall conduct a pre-construction survey within 30 days of the project start date to identify special-status species, including Crotch bumble bee, southern tarplant, burrowing owl, and roosting bats, within the Biological Study Area (BSA) of the immediate project site. The qualified biologist shall remain alert for the presence of any other special-status species. If a special-status species is detected during pre-construction surveys, avoidance buffers shall be established, and biological monitoring shall be conducted during construction activities to avoid impacts to these resources. Project construction may occur outside the avoidance buffer, and a biological monitor will not be required. If work is required within the buffer area, a qualified biologist will be present to facilitate resource avoidance. The biologist and any other site visitors must adhere to all site HSSE (Health, Safety, Security, Environmental) rules including COVID precaution measures.
- b. MM-BIO-2: If construction activities are scheduled to occur between February 15 and September 1 (i.e., nesting bird season), a nesting bird survey shall be conducted within 7 days prior to the start of construction to detect active nests for birds protected by the Migratory Bird Treaty Act and special-status avian species with potential to occur, including, but not limited to, Cooper's hawk, California horned lark, and loggerhead shrike. If special-status species or nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code are detected within the Biological Study Area (BSA) during pre-construction surveys, avoidance buffers shall be established. Project construction may occur outside the avoidance buffer without a biological monitor present. If construction activities within the avoidance buffer are required, then a biological monitor shall be required for the duration of those activities during construction activities to avoid impacts to these resources. The biologist and any other site visitors must adhere to all site HSSE (Health, Safety, Security, Environmental) rules including COVID precaution measures.

27. *Cultural Resources*

- a. MM-CUL-1: A qualified archaeological monitor shall be present for excavation activities that extend 3 feet or more below current ground surface (e.g., precast concrete trenches beneath the existing driveways and canopy footings). The archaeological monitor shall have the authority to stop ground-disturbing activities to assess any discoveries made in the field. As construction continues, the qualified monitor may recommend that monitoring be reduced if, at the maximum depth of ground disturbance, it is determined that the subsurface has previously been disturbed or otherwise shows no evidence of being sensitive for cultural resources. Monitors must adhere to all site HSSE (Health, Safety, Security, Environmental) rules. Monitors will need to be available with 3 business days' notice of when ground disturbance will occur.

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist can evaluate the significance of the find and determine whether additional study is warranted. If the resources are determined to be Native American in origin, Native American tribes who consider the project area to be within their Tradition Use Area shall be consulted on the significance of the find and appropriate treatment. Depending on the significance of the find under the California Environmental Quality Act (CEQA) and the CEQA Guidelines (California Public Resources Code, Section 21082; 14 CCR 15064.5[f]), the qualified archaeologist may exhaust the data potential of the find through the process of field level recordation and then allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.

- b. MM-CUL-2: If human remains are discovered during construction of the project, California Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner shall be contacted. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of discovery, the appropriate treatment and disposition of the human remains.

Pursuant to California Public Resources Code Section 5097.98, if the remains are thought to be Native American, the County Coroner shall notify the Native American Heritage Commission, which shall then notify the most likely descendent. At this time, the person who discovered the remains shall contact the City of Carson (City) so that the City may work with the most likely descendent on the respectful treatment and disposition of the remains. Additional provisions of the California Public Resources Code Section 5097.98 are to be followed as applicable.

28. **Geology and Soils.** MM-GEO-1: In the event that paleontological resources (fossil remains) are exposed during construction activities for the project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology's 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the resource. All recommendations shall be made in accordance with the Society of Vertebrate Paleontology's 2010 guidelines and shall be subject to review and approval by the City of

Carson. Work in the area of the find may only resume upon approval of a qualified paleontologist.

29. ***Hazards and Hazardous Materials.*** MM-HAZ-1: Prior to the start of grading or soil excavation, a Construction Contaminated Soils Management Plan (SMP) that addresses the identification, sampling, characterization, handling, segregation, storage, and disposal of contaminated soils in compliance with local, state, and federal regulations shall be prepared and implemented. The SMP shall contain a pre-excavation sampling plan and state the mechanism(s) used to identify impacted soils during the actual excavations. A communication and notification process shall be included in the SMP to ensure the appropriate agency or agencies are notified in accordance with local, state, and federal requirements.

30. ***Tribal Cultural Resources.*** MM-TCR-1: Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill 52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Carson Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area.

The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.

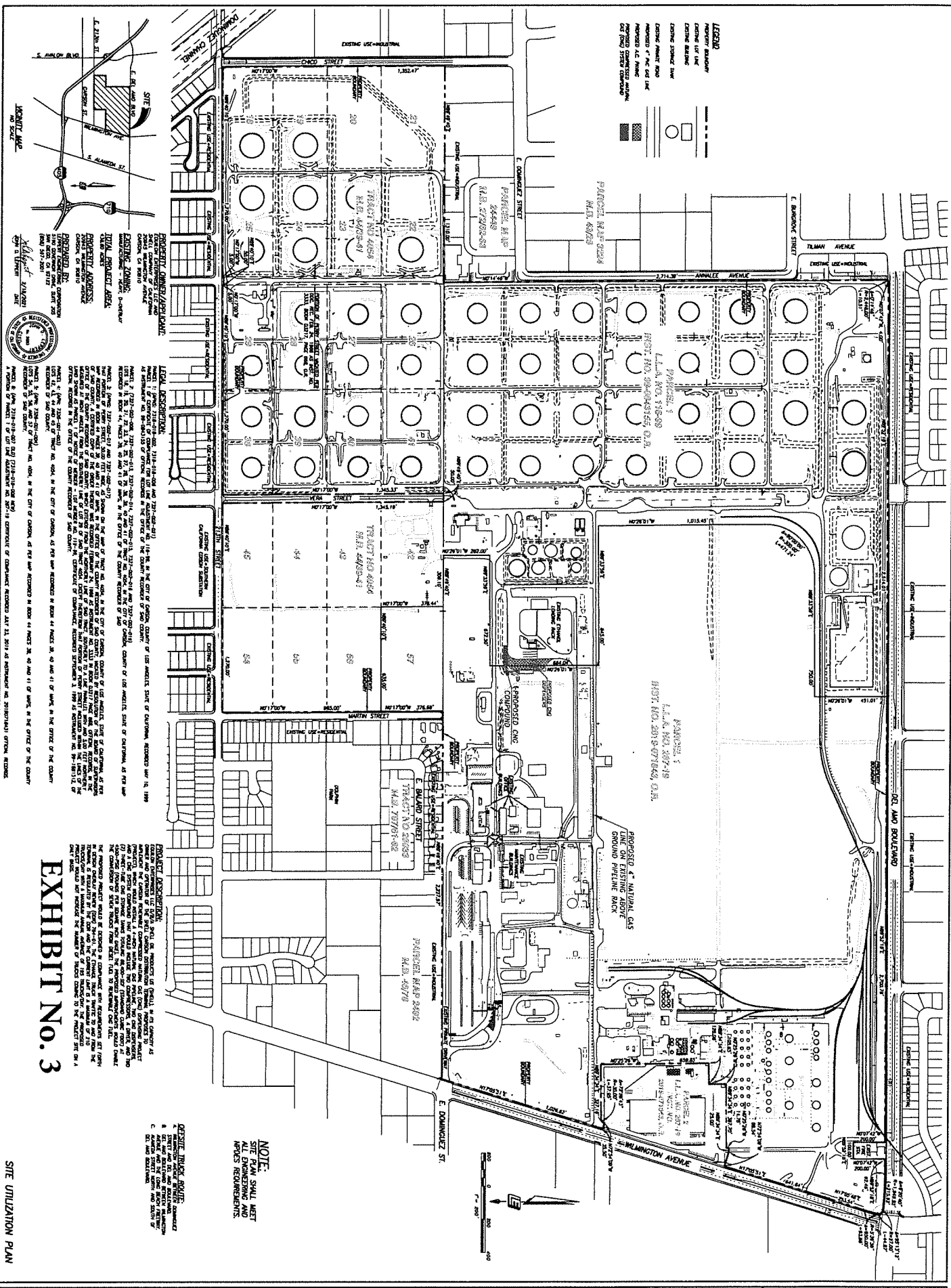
Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes.

If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).

If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding

sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

The tribal monitor and any other site visitors must adhere to all site HSSE (Health, Safety, Security, Environmental) rules including COVID precaution measures.



LEGEND

- PROPERTY BOUNDARY
- EXISTING STRUCTURE
- EXISTING TANK
- EXISTING PIPELINE
- PROPOSED STRUCTURE
- PROPOSED TANK
- PROPOSED PIPELINE
- PROPOSED NATURAL GAS STORAGE FACILITY WITH GROUND PIPELINE RACK
- PROPOSED STORAGE TANK
- PROPOSED STORAGE TANK
- PROPOSED STORAGE TANK

PROJECT OVERVIEW/DESCRIPTION:
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 PROJECT AREA: [Area description]
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY

LEGAL DESCRIPTION:
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY

PROJECT DESCRIPTION:
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY

NOTE:
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY

EXHIBIT No. 3

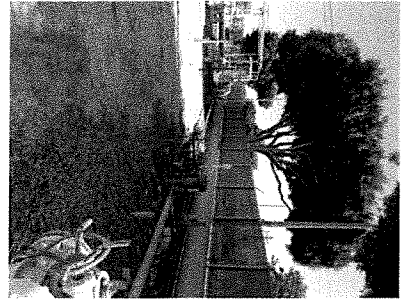
SITE UTILIZATION PLAN

REVISIONS

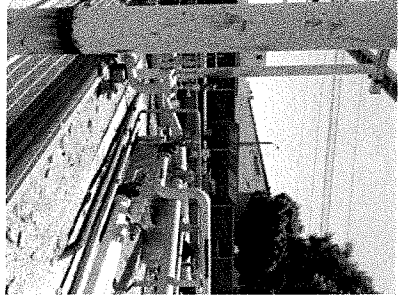
NO.	DATE	DESCRIPTION
1	06/17/20	ISSUE FOR PERMITTING
2	06/17/20	ISSUE FOR PERMITTING
3	06/17/20	ISSUE FOR PERMITTING
4	06/17/20	ISSUE FOR PERMITTING
5	06/17/20	ISSUE FOR PERMITTING

CONDITIONAL USE PERMIT FOR:
 SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
 CARSON, CALIFORNIA

SITE PHOTOS



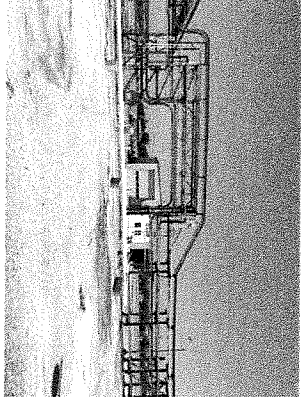
1 APPROXIMATE LOCATION OF CONNECTION TO SOUTH NATIONAL GAS MAIN NORTH WILMINGTON, NEW JERSEY



2 EASTERN TERMINUS OF EXISTING PIPE RACK HEADER



3 EXISTING DRIVEWAY CROSSING IN A PRECAST TRENCH WITH GRANITE COVERING, VIEW EAST



4 EXISTING EAST/WEST PIPE RACK THAT WILL CONNECT THE 4-INCH NATURAL GAS LINE VIEW NORTH

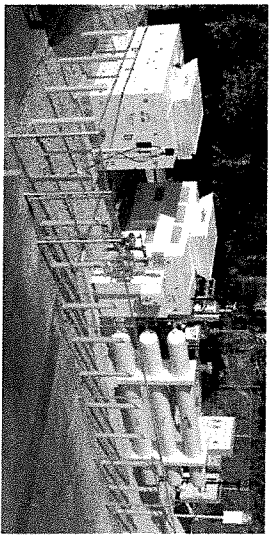


5 LOCATION OF TWO CNG DISPENSERS AND ADDITIONAL PAVEMENT, VIEW EAST

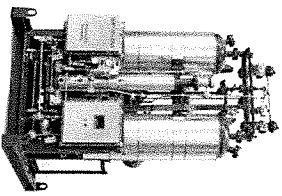


6 LOCATION OF CNG COMPOUND, VIEW SOUTHWEST

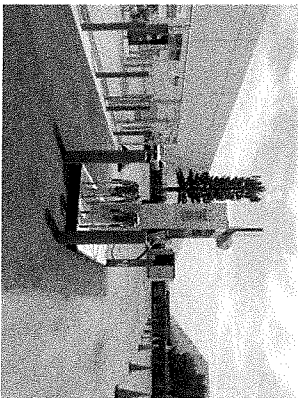
CNG EQUIPMENT PHOTOS



TYPICAL CNG SYSTEM COMPOUND, 2 COMPRESSORS AND 3 TANKS

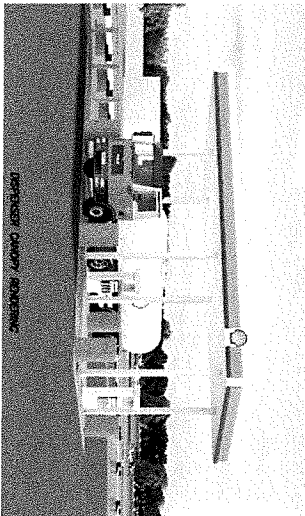
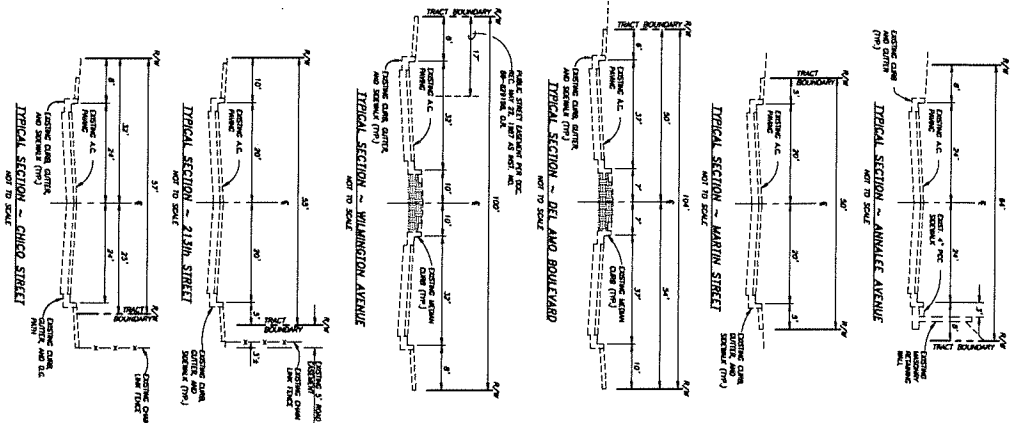


CNG TRAILER, LOCATED IN THE CNG SYSTEM COMPOUND



TYPICAL CNG DISPENSER

TYPICAL SECTIONS OF EXISTING ADJACENT STREETS



DISPENSER CANOPY ROOFING

CONDITIONAL USE PERMIT FOR:
SHELL CARSON TERMINAL - COMPRESSED NATURAL GAS FACILITY
CARSON, CALIFORNIA



REVISIONS	NO.	DATE	BY
1	10/27/08		
2	11/10/08		
3	1/2/09		
4	1/2/09		
5	1/2/09		
6	1/2/09		
7	1/2/09		
8	1/2/09		
9	1/2/09		
10	1/2/09		
11	1/2/09		
12	1/2/09		
13	1/2/09		
14	1/2/09		
15	1/2/09		
16	1/2/09		
17	1/2/09		
18	1/2/09		
19	1/2/09		
20	1/2/09		
21	1/2/09		
22	1/2/09		
23	1/2/09		
24	1/2/09		
25	1/2/09		
26	1/2/09		
27	1/2/09		
28	1/2/09		
29	1/2/09		
30	1/2/09		
31	1/2/09		
32	1/2/09		
33	1/2/09		
34	1/2/09		
35	1/2/09		
36	1/2/09		
37	1/2/09		
38	1/2/09		
39	1/2/09		
40	1/2/09		
41	1/2/09		
42	1/2/09		
43	1/2/09		
44	1/2/09		
45	1/2/09		
46	1/2/09		
47	1/2/09		
48	1/2/09		
49	1/2/09		
50	1/2/09		
51	1/2/09		
52	1/2/09		
53	1/2/09		
54	1/2/09		
55	1/2/09		
56	1/2/09		
57	1/2/09		
58	1/2/09		
59	1/2/09		
60	1/2/09		
61	1/2/09		
62	1/2/09		
63	1/2/09		
64	1/2/09		
65	1/2/09		
66	1/2/09		
67	1/2/09		
68	1/2/09		
69	1/2/09		
70	1/2/09		
71	1/2/09		
72	1/2/09		
73	1/2/09		
74	1/2/09		
75	1/2/09		
76	1/2/09		
77	1/2/09		
78	1/2/09		
79	1/2/09		
80	1/2/09		
81	1/2/09		
82	1/2/09		
83	1/2/09		
84	1/2/09		
85	1/2/09		
86	1/2/09		
87	1/2/09		
88	1/2/09		
89	1/2/09		
90	1/2/09		
91	1/2/09		
92	1/2/09		
93	1/2/09		
94	1/2/09		
95	1/2/09		
96	1/2/09		
97	1/2/09		
98	1/2/09		
99	1/2/09		
100	1/2/09		