

Communication from Public

Name: Citizens for a Better Wilmington
Date Submitted: 07/03/2019 05:17 AM
Council File No: 18-0651-S2
Comments for Public Posting: Please attach the following document to this council file

Re: Council File: 18-0652-S2

Related Council File: 18-0652

Attached please find a letter that has been addressed to the City Engineer and the City Council objecting to Council File 18-0652-S2. We object to the Bridge Home in Wilmington for the reasons stated within that letter. Furthermore, we object because in the letter addressed the Los Angeles City Council submitted June 26, 2019 from the City Engineer regarding a CEQA Notice of Exemption it erroneously states that on December 11, 2018, the City Council adopted a report from the Poverty and Homeless Committee. The claim that it was adopted is incorrect as the item was amended and no longer included adopting the locations of Wilmington and San Pedro.

We further object to this Council File as it has not been properly and completely vetted through the Poverty and Homeless Committee, there are numerous errors and omission on the supporting documentation submitted by Public Works Bureau of Engineering and there has been a lack of proper public notice as required in violation of the City Charter.

Mayor Garcetti, Councilman Joe Buscaino and City staff are pushing this project without forethought and in so doing have and sought to eliminate residents and stakeholders out of the equation. They have attempted to quell any opposition and have even sought to use a Mob mentality to silence any-objections to this project by way of the CD15 working Group started by Councilman Buscaino. In their rush to push this project through they have made grievous errors and glaring omissions in their report(s) submitted by the Bureau of Engineering dated November 30, 2018 and June 25, 2019 under the Council Files indicated above. The Department of Public Works recommended that the Council find that the project is "categorically exempt" from the provisions of the California Environmental Quality Act (CEQA), and providing supporting information showing a lack of significant environmental impacts. The supporting documentation submitted does not show this. This documentation is incomplete and flawed with mistakes regarding the property on Eubank.

Mayor Garcetti, Councilman Joe Buscaino and City staff are also misleading the public when they state that this project will be for only three years. On June 26, 2019 Council File 19-0002-S122 was received asking for a 2 year extension on the Bridge Homes.

BACKGROUND

The Original Council File number was 18-0652 and was introduced on July 3, 2018 by Councilman Joe Buscaino. In this motion he recommends three Bridge Homes in District 15. (Wilmington, San Pedro and Watts). The matter was referred to the Poverty and Homeless Committee where they approved the motion on August 1, 2018. The City Council adopted the item on August 8, 2018.

On November 29, 2018, the Bureau of Engineering submitted reports relative to the California Environmental Quality Act Notice of Exemption and City Administrative Officer report 0220-05151-0067 for the location of the Watts location at 2316 E. Imperial Highway and this information was referred to the Homeless and Poverty Committee on November 30, 2018 and was set to be heard by Poverty and Homeless Committee on December 5, 2018.

On November 30th, 2018 the Bureau of Engineering submitted a report relative to the California Environmental Quality Act Notice of Exemption for the Wilmington location at 828 Eubank.

On November 30, 2018 instead of just referring over submitted reports relative to the California Environmental Quality Act Notice of Exemption and City Administrative Officer report 0220-05151-0067 for the location at 2316 E. Imperial Highway in Watts. Wilmington and San Pedro were mistakenly referred to the Poverty and Homeless Committee in addition to the Watts project.

On December 5, 2018 despite there being a lack of quorum and despite only the Watts location being referred over, the Poverty and Homeless Committee approved all three sites. (Watts, San Pedro and Wilmington) and referred it back to the City Council for adoption.

On December 7, 2018 council adopted Watts, San Pedro and Wilmington.

On December 11, 2018 after objecting to the improper passing of the Wilmington and San Pedro projects a motion to reconsider was made and approved removing the Wilmington and San Pedro sites. This was the proper thing to do since the Wilmington and San Pedro locations were never supposed to be referred over to begin with.

On March 14, 2019 a new council Files was introduced changing the Council File Number to 18-0652-S2. This introduction was done improperly as there wasn't a Council Meeting on that day. Although the new file reference the old file. There is no information in the old file to let the public know of this change.

On June 24, 2018 City Administrative Officer Report 0220-05151-0126 was submitted and referred to the Poverty and Homeless Committee.

On June 25, 2019 a new report relative to the California Environmental Quality Act Notice of Exemption for 828 Eubank Avenue in Wilmington and was referred the Poverty and Homeless Committee on June 26, 2019

On June 28th, 2019 this item was scheduled for Council for July 3, 2019. This was done without the referral to Homeless and Poverty Committee reviewing the information that was referred.

ERRORS AND OMISSIONS AFFECTING CATEGORICAL EXEMPTION

We have reviewed the Notice of Exemption (NOE) that was prepared for the project and have many concerns with the information and lack of information in the NOE. Overall, the NOE does not provide substantial evidence as required by CEQA Guidelines §15384 to support the preparation of a Categorical Exemption per CEQA Guidelines §15301.

Our concerns are listed below. At a minimum, the NOE needs to be revised to address our concerns and provide accurate and consistent information before it is considered for adoption. As is, the NOE does not provide accurate facts and reasonable assumptions to support a fair argument

that the project would not have any significant environmental effects as required by Guidelines §15300 to support the NOE.

The key issues include the following:

1. The NOE should include a table of contents so the reader can easily find information.
2. There is no site plan to show the proposed layout of the project. A “project site plan” was included with the Notice of Exemption but it details a project site unrelated to 828 Eubank. Rather than providing proper site plan for 828 Eubank Avenue in Wilmington, showing the site boundary, site access, location of all proposed temporary structures, the location of and the number of parking spaces, including handicap spaces, proposed landscaping and the amount of landscaping, site dimensions and acreage, a legend, etc. The City has attached a site plan that appears to be for a project completely unrelated or even located in the community of Wilmington as it refers to the streets of Beacon and O’ Farrell. It is not possible to analyze a project without a proper site plan that clearly defines the project site and proposed improvements or the public to examine the design and layout of the project and make a determination if the project is feasible for the site.
3. Page 58 discusses Cumulative Impact and states there are no other planned emergency bridge homes for the homeless in Council District 15 and that the cumulative impact of these types of projects, even though there are other similar emergency temporary bridge home projects planned across the Greater Los Angeles area, will not be significant. The report fails to include the Bridge Home for 515 N Beacon Street in San Pedro and 2316 East Imperial Highway in Watts both of which have already been approved by the City Council prior to the submission of this NOE. The definition of Cumulative Impacts per Guidelines 15355, however, does not limit or restrict cumulative projects to projects that are similar to the proposed project as the NOE appears to assume. Rather, under Guidelines 15355 the definition of Cumulative Impacts “refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts”. The list of related projects at Table 16 does not include the underground pipeline project at the corner of Eubank Avenue and Anaheim Street, approximately 200 feet from the project site; the street widening project approximately 180 feet from the project site located on Eubank Avenue and Anaheim Street;

and that RVs park along Eubank Avenue as part of the City's Safe Parking program.

Temporary construction impacts associated with the pipeline project, including traffic, air quality, construction noise, etc. along with the project and the cumulative projects in Table 16 could have significant cumulative impacts that require mitigation. In short, the cumulative analysis is inadequate and arguably misleading.

4. Page 8, ZI-1195 – provide a figure showing the location of the existing on-site oil well and the location of the soil samples that were taken on-site. Identify the DOGGR requirements for any building construction on the site. The NOE states that DOGGR would be consulted should the presence of an oil well be confirmed. This statement is contrary and confusing because earlier in the NOE it states an oil well is on the site. The city should clearly know if an oil well exists on the site. If it is not known if there is an on-site oil well, the city needs to conduct the necessary investigation to determine if there is an on-site oil well and provide the DOGGR number of the well and detailed information on the status of the well. A NOE cannot be adopted with information that is not accurate.

5. Page 22, second paragraph states there are no unusual circumstances that would cause a significant effect. There is no discussion about the temporary construction traffic associated with the construction of the underground pipeline on Anaheim Street approximately 200 feet from the site that could impact the project. There is no discussion about the street widening project on Eubank Avenue and Anaheim Street approximately 180 feet from the site that could impact the project. There is no discussion about the parking and movement of RV's along Eubank Avenue adjacent to the project that is part of the City's Safe Parking program and the impact of the movement of RV's on Eubank Avenue and the project vicinity that could have safety impacts to an increase in pedestrian activity and cars into and out of the site.

6. Page 47, second to last paragraph – states that because construction activities associated with the project would result in the disturbance of more than 1 acre, compliance with the statewide NPDES storm water general permit for construction activity would be required. However, page 50 states the construction of the project would not disturb more than 1 acre, and therefore, it would not be subject to Construction General Permit requirements. The

first page of the NOE notice states the project site totals approximately 47,244 square feet, which is more than one acre by 3,684 square feet. The site plan has 138,841 square feet. Page 1 states the project site is 47,244 square feet with no definition of its acreage. These numerous material inconsistencies put into question the accuracy of the NOE and whether it can be relied upon by the public and decision makers.

7. Page 72 – the address of the project is 828 N Eubank Avenue. According to the information in Table 19, there is a hazardous liquid pipeline along the north/south project boundary. The site is in a methane zone due to the presence of subsurface methane gas from a former oil well field. The NOE does not provide any analysis or discussion of the type of hazardous liquid in the pipeline and the potential safety impacts to the project residents and staff that could be associated with a rupture and/or explosion of the pipeline. The second paragraph on page 77 states the project would have to comply with City of Los Angeles Department of Building and Safety's Ordinance No. 175790 to control methane intrusion emanating from geologic formations and provide general mitigation requirements for new structures located in either a Methane Zone or Methane Buffer Zone. However, the Categorical Exemption does not identify the mitigation measures that would be incorporated into the project and their location to comply with Ordinance No. 175790. Again, the Categorical Exemption does not provide substantial evidence (Guidelines §15384) to prove that project residents would not be impacted by methane gas.

8. Attachment I – Hazardous Materials Information - page 2 of the AECOM memorandum dated November 26, 2018 states, "According to an online review of the National Pipeline Mapping System (NPMS) public map viewer maintained by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA), hazardous liquid pipelines were identified along the eastern property boundary of the subject property parcel". However, according to Table 19 on page 70 there is a hazardous liquid pipeline along the north/south project boundary and no mention of a hazardous liquid pipeline along the eastern project boundary. The Categorical Exemption needs to accurately identify all of the pipelines both on and adjacent to the site and the liquids they are transporting and an analysis of the potential safety impacts to the future project residents

and staff should a pipeline that is on or adjacent to the site break or explode. If there is a potential for a hazardous leak and/or explosion mitigation would be required and a NOE cannot be prepared.

9. Attachment I – Hazardous Materials Information - page 4 of the AECOM memorandum. AECOM obtained an Environmental Lien and Activity and Use Limitation (AUL) Search report for the subject property parcel from EDR (see Attachment 1). According to the EDR Environmental Lien and AUL Search report, no environmental liens or AULs have been recorded on the subject property parcel. Title to the subject property parcel has been vested to the current subject property owner, Crane TLC Properties LLC, since 2004. The former oil production activities at the subject property are considered an environmental concern, in AECOM's opinion. This concern expressed by AECOM needs to be further addressed and documented in the body of the Categorical Exemption and if mitigation measures are required the city cannot prepare a NOE.

10. Attachment I – Hazardous Materials Information - page 7 of the AECOM memorandum. Conclusions - Based on the results of this limited environmental desktop review and records search, no environmental concerns were identified in connection with the subject property, except for the following: A former onsite oil well operated on the subject property between 1947 and 1981, which was properly abandoned in 1992-1993 in accordance with DOGGR requirements at that time. Known onsite features associated with the oil well included aboveground oil storage tanks, a boiler, and an oil heating room. The former oil production activities at the subject property are considered an environmental concern, in AECOM's opinion. With the former oil production activities on the site being an expressed environmental concern by AECOM, and the fact the site is located within a designated Methane Zone with no specific analysis and information in the Categorical Exemption of how the project will eliminate the potential for methane gas to exist on the site or on adjacent properties and drift onto the project site, a NOE cannot be prepared. The environmental concerns raised by AECOM have not been adequately and thoroughly addressed.

In addition to the above key points, there are numerous other issues and problems with the NOE

that need to be corrected and addressed before being considered by decision makers as listed below:

11. The project description of the Notice of Exemption states that staff will be onsite during daytime operational hours to provide services, but the next sentence states the site will be staffed 24 hours a day with security personnel. The project description needs to fully describe staffing hours, the number of staff present on the site at all times and describe the duties of the daytime staff. The staffing information lacks detailed information and confusing.

12. Global, after stating the square footage of site state the acreage.

13. Page 4 – provide a figure that shows the zoning designations for the project site and the adjacent surrounding properties.

14. Page 7 – provide a figure that shows the location of the existing sewer, storm drain and water lines that will serve the project and any required utility extensions.

15. Page 7 - explain the statement that the project will require a minor alteration of existing public utilities. The description should include the length of the required extensions of utility lines, the time necessary to construct utilities and the approximate dates of construction. If underground construction is required in Eubank Avenue the document should include information on whether or not Eubank Avenue would be closed, describe a traffic construction plan showing routes of any traffic detours, information on emergency vehicle access to the area and the project site, etc. The NOE has to provide adequate information to justify no impacts.

16. Page 7, second paragraph – explain “where the number of people using the facility will be similar”. This is unclear and confusing. Identify the number of people that currently use or occupy the site and how that number equates to the number of people that will be on-site with the project. If, according to paragraph 3 on page 1 the site is currently used as a dispatch center for the ILWU, there is a big difference if the site is only used for a total of approximately 3 hours a day compared to the project where the site will be occupied 24 hours a day by 102 homeless people plus staff. Provide information or best estimates of how many people will occupy the site, including staff.

17. Page 8, second paragraph – identify the topography of the site to justify the statement that

the site is less than 10 percent slope. Identify the amount of grading required.

18. Page 8, second paragraph – provide a figure to support the statement that grading will not take place in any officially designated zones, waterway or wetland area.

19. Page 8, third paragraph – provide a site plan that shows the proposed gardening and project landscaping.

20. Page 10, next to last paragraph – if the project site is in fact 47,244 square feet it is more than one acre in size, which is 43,560 square feet and the statement is incorrect.

21. Page 21, Table 4 – Operations Trip Generation – this table is incorrect. The table needs to show net trips, which would take into account the trips that are generated by the existing use of the site by ILWU and then deduct those trips that would be generated by the project, including staff, to yield the project's true trip generation. There is no analysis in the NOE of site access for emergency vehicles and a parking analysis to establish that the parking required by the proposed use can and will be provided on-site.

22. Page 9, ZI-1195 states there was no associated contamination after soil sampling. There is no reference to a soils report and the date of the soils report. Due to the existence of oil related businesses and underground oil pipelines adjacent to and in the immediate project vicinity, a recent soils report should have been prepared and a copy included in the appendix of the Categorical Exemption.

23. Page 9, ZI-1195 states there was a Phase I and Limited Phase II ESA performed by the Port of Los Angeles. There is no reference to these two reports in the NOE, the date of the reports, and if tests were performed specifically for the project site. Both reports should have been prepared in the last year and included in the appendix of the Categorical Exemption.

24. Page 36, last paragraph - states the project would be used as a permanent storage facility serving homeless individuals. This is confusing and misleading as the project description and the top of page 37 states the project would be a temporary shelter. There is no way to determine whether or not this facility will be a permanent or temporary as it is contradictory in nature with regards to that aspect of the project.

25. Page 61 – the list of cultural resource sites does not include the Civil War powder magazine (LAHCM 509) that is approximately 647 feet from the site. There are 8 historic places within .5 miles of the project site. The discussion of cultural resources needs to be updated and include factual information. Currently the document is not accurate and does not include information of the cultural resources known to exist in the area.

26. Appendix A – Project Description Information – Sheet A-2 – Several keynotes make references to water meter, sewer lines, water mains, fire hydrants and primary services to Beacon and O’Farrell Streets that are in San Pedro, not in Wilmington or close to the project site. The map and information do not appear to be relevant to the project per Guidelines 15384 and leads to questions about the accuracy of the NOE.

27. Appendix A – Project Description Information – Sheet A-5 – states the lot area is 138,841 square feet. It is unclear if this is the project site or another property in the general area of the project.

28. Appendix D - Noise Information - page 1 – the noise report does not state the date and time of day that noise measurements were taken and if the noise measurements were taken on a weekday, weekend, morning, afternoon, etc. Again, the information leads to questions about the accuracy of the information in the NOE.

29. Appendix D – Noise Information - page 4 – there is no figure that shows the location of the noise measurements, which is important information.

30. Attachment 1 – EDR Environmental Lien and AUL Search Report - page 4 – the APN is incorrect. Based on information earlier in the NOE the APN should be 7423-024-031. Because of the incorrect APN, the associated legal description is likely incorrect as well and leads to question the accuracy of the information provided in the NOE

31. Attachment 1 – EDR Environmental Lien and AUL Search Report – Deed Exhibit – the attached deed is for a property in Long Beach, not the project site. Once again, the NOE does not provide factual and relevant information per Guidelines §15384 and leads to question the accuracy of the information provided in the NOE.

As stated above, the NOE suffers from a wide range of deficiencies that require further study by the City Engineer's office. At a minimum, before the CEQA document can be considered for adoption by the City Council, the numerous issues above need to be addressed. As is, the NOE is grossly inadequate, inaccurate and misleading and, thus, does not meet the requirements of CEQA Guidelines §15300.

Section 15332 (Class 32)

The Department's ground for an exemption for CEQA Guidelines section 15332, which describes the "Class 32" exemption, also known as the "Infill" exemption. Section 15332 states: Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section. (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. Of these five requirements, the Bridge Housing project does not meet either subdivision (a) or (d). Therefore, this exemption does not apply. The type of project is not allowed at this location. This zoning classification only allows for a homeless shelter if it is not within 500 feet on an R Zone and when all activities are wholly inside. That is not the case as several residents are located within 500 feet and all activities are NOT wholly inside. The General and Specific plan require that all development comply fully with the zoning classification. This project is not in compliance with policy. The City attempts to justify this project by stating that because a shelter crisis was declared all restrictions are waived for projects on property owned or leased by the city. This reasoning is incorrect as the report states that the City has NOT leased the property at the time of the report and to start the project prior to the lease or purchase then it would not be an exempt from all zoning requirements. Should the City have already leased the property we rely on Subdivision (a) which is clearly intended to require full evaluation of any project that varies from the General Plan or the zoning code, any variation is in itself evidence of potentially significant impacts on the environment that are inconsistent with any "infill" exemption. The City cannot ignore this for purposes of avoiding a CEQA review. As to subdivision (d), which requires that "Approval" of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality," there is no evidence of this within the report and the City has made no showing based on substantial evidence that the project would not result in significant effects, at least as to traffic, noise and water quality.

15300.2

Section 15300.2(c) of the CEQA Guidelines states: (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Everything about this project is unusual with unusual circumstances including the report that report submitted by the Bureau of Engineering which

inadequately and incorrectly represents the project located at 828 Eubank Avenue. It can foreseeably be seen as a “reasonable possibility” of a significant effect on the environment. By the Mayor's own admission at the Venice Town Hall meeting he called Bridge Housing an “experiment”. There is no history of these types of facilities within Los Angeles. None that include such a large amount of people housed in a tent like structure with storage and pet facilities with outdoor dining areas. The stated purpose of the facility is to replace encampments in the area by providing homeless persons with a place to live. However, there is no evidence this will happen. In fact, the El Pueblo and Schraeder Bridge homes currently have encampments near them providing possible indications that these Bridge Homes are magnets for the homeless. It is apparent that the proposed facility may have a significant impact on the following environmental factors, all of which constitute unusual circumstances precluding the use of a categorical exemption under CEQA Guidelines section 15300.2(c).

CONCLUSION

Proper environmental review must be conducted through an environmental impact report. Twice the Bureau of Engineering has submitted supporting documentation in support of a CEQ Exemption and twice these reports have been inaccurate with wrong and misleading information. Proper environmental review must be conducted at this time as the City cannot be relied upon at this point to prepare an accurate report. Even if the Council ultimately adopts the project, this process allows a thorough consideration of mitigation measures or project alternatives that would reduce or eliminate impacts to the neighborhood.

Citizens For A Better Wilmington

Communication from Public

Name: Citizens for a Better Wilmington
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July 3, 2019

Los Angeles City Council

CC: Mr. Gary Moore

City Engineer

1149 S. Broadway, Suite 700

Los Angeles, CA 90015-2213

RE: Bridge Housing Project on North Eubank Avenue (CF 18-0651-S2)

California Environmental Quality Act Notice of Exemption (NOE)

Dear Mr. Moore and Council Members;

The Citizens for a Better Wilmington was formed because residents in the Wilmington are very concerned about the Bridge Housing Project and the environmental and social impacts the project will have on the community. Establishing a temporary homeless shelter at this site is irresponsible and will cause conflicts and problems with area residents. The homeless residents that will occupy the site will no doubt increase conflicts in the future with the people that live in the RVs that park along Eubank Avenue across the street from the project. We are very concerned about public safety, health hazards, and other social impacts of the project.

We have reviewed the Notice of Exemption (NOE) that was prepared for the project and have many concerns with the information and lack of information in the NOE. Overall, the NOE does not provide substantial evidence as required by CEQA Guidelines §15384 to support the preparation of a Categorical Exemption per CEQA Guidelines §15301.

Our concerns are listed below. At a minimum, the NOE needs to be revised to address our concerns and provide accurate and consistent information before it is considered for adoption. As is, the NOE does not provide accurate facts and reasonable assumptions to support a fair argument that the project would not have any significant environmental effects as required by Guidelines §15300 to support the NOE.

The key issues include the following:

1. The NOE should include a table of contents so the reader can easily find information.
2. There is no site plan to show the proposed layout of the Eubank project. Although a “project site plan” was included with the Notice of Exemption but it details a project site unrelated to 828 Eubank.

Rather than providing proper site plan for 828 Eubank Avenue in Wilmington, showing the site boundary, site access, location of all proposed temporary structures, the location of and the number of parking spaces, including handicap spaces, proposed landscaping and the amount of landscaping, site dimensions and acreage, a legend, etc. The City has attached a site plan that appears to be for a project completely unrelated or even located in the community of Wilmington as it refers to the streets of Beacon and O' Farrell. It is not possible to analyze a project without a proper site plan that clearly defines the project site and proposed improvements or the public to examine the design and layout of the project and make a determination if the project is feasible for the site.

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the location of the soil samples that were taken on-site. Identify the DOGGR requirements for any building construction on the site. The NOE states that DOGGR would be consulted should the presence of an oil well be confirmed. This statement is contrary and confusing because earlier in the NOE it states an oil well is on the site. The city should clearly know if an oil well exists on the site. If it is not known if there is an on-site oil well, the city needs to conduct the necessary investigation to determine if there is an on-site oil well and provide the DOGGR number of the well and detailed information on the status of the well. A NOE cannot be adopted with information that is not accurate.

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information in Table 19, there is a hazardous liquid pipeline along the north/south project boundary. The site is in a methane zone due to the presence of subsurface methane gas from a former oil well field. The NOE does not provide any analysis or discussion of the type of hazardous liquid in the pipeline and the potential safety impacts to the project residents and staff that could be associated with a rupture and/or explosion of the pipeline. The second paragraph on page 77 states the project would have to comply with City of Los Angeles Department of Building and Safety's Ordinance No. 175790 to control methane intrusion emanating from geologic formations and provide general mitigation requirements for new structures located in either a Methane Zone of Methane Buffer Zone. However, the Categorical Exemption does not identify the mitigation measures that would be incorporated into the project and their location to comply with Ordinance No. 175790. Again, the Categorical Exemption does not provide substantial evidence (Guidelines §15384) to prove that project residents would not be impacted by methane gas.

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10. Attachment I – Hazardous Materials Information - page 7 of the AECOM memorandum. Conclusions - Based on the results of this limited environmental desktop review and records search, no environmental concerns were identified in connection with the subject property, except for the following: A former onsite oil well operated on the subject property between 1947 and 1981, which was properly abandoned in 1992-1993 in accordance with DOGGR requirements at that time. Known onsite features associated with the oil well included aboveground oil storage tanks, a boiler, and an oil heating room. The former oil production activities at the subject property are considered an environmental concern, in AECOM's opinion. With the former oil production activities on the site being an expressed environmental concern by AECOM, and the fact the site is located within a designated Methane Zone with no specific analysis and information in the Categorical Exemption of how the project will eliminate the potential for methane gas to exist on the site or on adjacent properties and drift onto the project site, a NOE cannot be prepared. The environmental concerns raised by AECOM have not been adequately and thoroughly addressed.

In addition to the above key points, there are numerous other issues and problems with the NOE that need to be corrected and addressed before being considered by decision makers as listed below:

11. The project description of the Notice of Exemption states that staff will be onsite during daytime operational hours to provide services, but the next sentence states the site will be staffed 24 hours a day with security personnel. The project description needs to fully describe staffing hours, the number of staff present on the site at all times and describe the duties of the daytime staff. The staffing information lacks detailed information and

confusing.

12. Global, after stating the square footage of site state the acreage.

13. Page 4 – provide a figure that shows the zoning designations for the project site and the adjacent surrounding properties.

14. Page 7 – provide a figure that shows the location of the existing sewer, storm drain and water lines that will serve the project and any required utility extensions.

15. Page 7 - explain the statement that the project will require a minor alteration of existing public utilities. The description should include the length of the required extensions of utility lines, the time necessary to construct utilities and the approximate dates of construction. If underground construction is required in Eubank Avenue the document should include information on whether or not Eubank Avenue would be closed, describe a traffic construction plan showing routes of any traffic detours, information on emergency vehicle access to the area and the project site, etc. The NOE has to provide adequate information to justify no impacts.

16. Page 7, second paragraph – explain “where the number of people using the facility will be similar”. This is unclear and confusing. Identify the number of people that currently use or occupy the site and how that number equates to the number of people that will be on-site with the project. If, according to paragraph 3 on page 1 the site is currently used as a dispatch center for the ILWU, there is a big difference if the site is only used for a total of approximately 3 hours a day compared to the project where the site will be occupied 24 hours a day by 102 homeless people plus staff. Provide information or best estimates of how many people will occupy the site, including staff.

17. Page 8, second paragraph – identify the topography of the site to justify the statement that the site is less than 10 percent slope. Identify the amount of grading required.

18. Page 8, second paragraph – provide a figure to support the statement that grading will not take place in any officially designated zones, waterway or wetland area.

19. Page 8, third paragraph – provide a site plan that shows the proposed gardening and project landscaping.

20. Page 10, next to last paragraph – if the project site is in fact 47,244 square feet it is more

than one acre in size, which is 43,560 square feet and the statement is incorrect.

21. Page 21, Table 4 – Operations Trip Generation – this table is incorrect. The table needs to show net trips, which would take into account the trips that are generated by the existing use of the site by ILWU and then deduct those trips that would be generated by the project, including staff, to yield the project's true trip generation. There is no analysis in the NOE of site access for emergency vehicles and a parking analysis to establish that the parking required by the proposed use can and will be provided on-site.

22. Page 9, ZI-1195 states there was no associated contamination after soil sampling. There is no reference to a soils report and the date of the soils report. Due to the existence of oil related businesses and underground oil pipelines adjacent to and in the immediate project vicinity, a recent soils report should have been prepared and a copy included in the appendix of the Categorical Exemption.

23. Page 9, ZI-1195 states there was a Phase I and Limited Phase II ESA performed by the Port of Los Angeles. There is no reference to these two reports in the NOE, the date of the reports, and if tests were performed specifically for the project site. Both reports should have been prepared in the last year and included in the appendix of the Categorical Exemption.

24. Page 36, last paragraph - states the project would be used as a permanent storage facility serving homeless individuals. This is confusing and misleading as the project description and the top of page 37 states the project would be a temporary shelter.

25. Page 61 – the list of cultural resource sites does not include the Civil War powder magazine (LAHCM 509) that is approximately 647 feet from the site. There are 8 historic places within .5 miles of the project site. The discussion of cultural resources needs to be updated and include factual information. Currently the document is not accurate and does not include information of the cultural resources known to exist in the area.

26. Appendix A – Project Description Information – Sheet A-2 – Several keynotes make references to water meter, sewer lines, water mains, fire hydrants and primary services to Beacon and O'Farrell Streets that are in San Pedro, not in Wilmington or close to the project site. The map and information do

not appear to be relevant to the project per Guidelines 15384 and leads to questions about the accuracy of the NOE.

27. Appendix A – Project Description Information – Sheet A-5 – states the lot area is 138,841 square feet. It is unclear if this is the project site or another property in the general area of the project.

28. Appendix D - Noise Information - page 1 – the noise report does not state the date and time of day that noise measurements were taken and if the noise measurements were taken on a weekday, weekend, morning, afternoon, etc. Again, the information leads to questions about the accuracy of the information in the NOE.

29. Appendix D – Noise Information - page 4 – there is no figure that shows the location of the noise measurements, which is important information.

30. Attachment 1 – EDR Environmental Lien and AUL Search Report - page 4 – the APN is incorrect. Based on information earlier in the NOE the APN should be 7423-024-031.

Because of the incorrect APN, the associated legal description is likely incorrect as well and leads to question the accuracy of the information provided in the NOE

31. Attachment 1 – EDR Environmental Lien and AUL Search Report – Deed Exhibit – the attached deed is for a property in Long Beach, not the project site. Once again, the NOE does not provide factual and relevant information per Guidelines §15384 and leads to question the accuracy of the information provided in the NOE.

32. in the letter that was addressed to City Council dated June 25, 2019 it erroneously states that the City Council adopted a report from the Poverty and Homeless Committee relative to the Eubank project.

As stated above, the NOE suffers from a wide range of deficiencies that require further study by the City Engineer's office. At a minimum, before the CEQA document can be considered for adoption by the City Council, the numerous issues above need to be addressed. As is, the NOE is grossly inadequate, inaccurate and misleading and, thus, does not meet the requirements of CEQA Guidelines §15300.

Citizens for a Better Wilmington