



MONTEREY PARK
FOCUSED GENERAL
PLAN UPDATE
FINAL ENVIRONMENTAL
IMPACT REPORT

State Clearinghouse Number:
2001-01-1074
August 2019



City of Monterey Park

Final Environmental Impact Report for the Monterey Park Focused General Plan Update

State Clearinghouse No. 2001011074
August 6, 2019

This document is designed for double-sided printing to conserve natural resources.

Table of Contents

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

List of Tables

Table 1-1	Growth Projections, 2019-2040	1-5
Table 2-1	DEIR Comments	2-1

1.0 INTRODUCTION

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

- (1) The **Draft EIR** circulated for a 48-day public agency and public review and comment period beginning on June 10, 2019 and ending on July 25, 2019. A Notice of Availability was sent to government agencies, neighboring cities, and non-governmental interested parties. The City's Notification Mailing List for the DEIR is provided in Section 4.0 (Public Circulation) of this FEIR.
- (2) This **Final EIR document** includes a list of all commenters on the Draft EIR during the Draft EIR public review period, the responses of the City to all environmental points raised through the written communications, and revisions to the Draft EIR (presented as errata pages) in response to comments. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in the Draft EIR.

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

Availability of EIR Materials

All materials related to preparation of this EIR are available for public review on the City of Monterey Park website (www.montereypark.ca.gov) and at the following locations:

City of Monterey Park
City Hall
320 W. Newmark Avenue
Monterey Park, California 91754

City of Monterey Park
Public Library
318 S. Ramona Avenue
Monterey Park, California 91754

Project Description

The City of Monterey Park proposes a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of the focused update is to ensure land use policies allow the City to attract

investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities.

Ensuring the Monterey Park 2040 General Plan Update reflects the diverse priorities and needs of the community, the General Plan program used a variety of community engagement strategies to gather input. The community participation program included:

General Plan Advisory Committee (GPAC)

The GPAC consisted of 11 community members and five alternates, all appointed by the City Council. The GPAC convened four times and focused on the following:

- March 11, 2019 – General Plan purpose, Asset/Challenges/Opportunities/Vision discussion
- April 1, 2019 – Stakeholder interview results, Conditions Influencing Monterey Park Planning (market, physical constraints, land use patterns, circulation), Areas of Stability and Change discussion and mapping exercise
- April 15, 2019 – Focus Areas (“areas of change”), Focus Areas’ possible land use alternatives, Cherry Blossom Festival planning
- May 6, 2019 – Community engagement input summaries (Community Survey and Cherry Blossom Festival), land use alternatives adjustments based on community input, and endorsement of preferred land use alternatives

Stakeholder Interviews

A series of stakeholder interviews were conducted between March 6, 2019 and March 20, 2019. The interviews’ purpose was twofold: inform community members about the Monterey Park 2040 General Plan Update and gather input regarding Monterey Park’s strengths, challenges, and opportunities. Invitations to participate were extended to 26 local organizations/community groups and City Council members.

Monterey Park 2040 Website and Social Media

The project website, www.montereypark2040.org, provides information about the General Plan update process and schedule, involvement opportunities, latest news, community engagement summaries, and draft plans and other technical documents prepared for the General Plan update and its environmental review process. The website can be viewed in English, simplified Chinese, and Spanish. The website provides an opportunity for people to sign up for additional information. In addition to the website, the General Plan program has a Facebook account, a twitter account (MPGP2040), and two hashtags (#MontereyPark2040 and #MPGP2040). Upcoming events, “going on now” messages, and other communications are “e-blasted” through the accounts.

Community Survey/Intercepts

A written 11-question community survey was conducted from March 20, 2019 through May 31, 2019. The survey (available in English, simplified Chinese, and Spanish) asks: what characteristics and elements make Monterey Park special, what characteristics and elements would the community like to see more of, what type of housing should be

provided, how do people get around (mobility modes) now and how would they like to get around in the future, how Monterey Park should change, and what should the future Monterey Park look like. The survey was available on the Monterey Park 2040 website, and in the Monterey Park Bruggemeyer Library, Langley Senior Center, and Monterey Park City Hall. In addition, General Plan team members conducted and distributed surveys at six locations: Langley Senior Center, Bruggemeyer Library, ELAC, Monterey Park Farmers' Market, Monterey Park's LA Fitness, and the Cherry Blossom Festival. Approximately 260 surveys were completed/submitted.

Cherry Blossom Festival

During the April 27 and April 28, 2019 Cherry Blossom Festival, approximately 600 participants were asked to provide their opinions regarding land use alternatives in the Focus Areas. Participants were asked to review land use descriptions and photographs representing possible building types/heights/density. Participants applied stickers to vote/express their opinions. Display boards were translated into simplified Chinese and Spanish.

Preferred Land Use Public Meeting and Environmental Scoping Meeting

On May 6, 2019, the City hosted a public meeting to present the General Plan's technical findings (existing land use analysis and market analysis), community engagement activities and findings, and the proposed preferred land use alternative. Community members' questions and comments were noted. In addition, an environmental scoping meeting was conducted. Community members' comments focused on traffic, water infrastructure and supply, noise, and parking.

Project Objectives

The proposed amendment to the Land Use Element is a community-driven process designed to reflect local values and needs. The City-stated objectives of the General Plan Land Use Element update are listed below.

1. Encourage economic investment and revitalization within the City's Focus Areas.
2. Create new housing opportunities for a full range of housing types and to increase housing affordability.
3. Encourage infill development within underutilized areas of the City.
4. Accommodate job-generating land uses in order to increase employment in the City.
5. Accommodate commercial/retail uses in order to expand the City's tax base.

Growth Projections

Table 1-1 summarizes the growth anticipated through the 2040 planning horizon year. This scenario assumes that existing low-density residential neighborhoods would experience limited redevelopment activity given the built-out nature of Monterey Park and the fact that the amended Land Use Element would not change density limits in residential zones; accessory dwelling units would account for the limited level of growth.

Most development activity would occur in the Focus Areas described in the Draft EIR. This development would consist of redevelopment of existing commercial and industrial properties with mixed-use developments (where permitted) and transition of aging properties to more intense uses permitted by land use policy. The General Plan update also includes a Regulating Plan, which identifies the maximum allowed building height and floor-area ratios (intensity and massing of buildings) within the Focus Areas. The Regulating Plan also identifies where active street fronts (e.g., pedestrian-friendly building orientation and transparent store fronts) are required within the mixed-use areas and where buildings need to transition down in height to be more compatible with adjoining low-density residential neighborhoods.

City of Monterey Park Discretionary Approvals

Implementation of the Focused General Plan Update would require, but is not limited to, the following discretionary approvals by the City of Monterey Park:

- Certification of the Final EIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Adoption of the Amended General Plan Land Use Element
- Discretionary review as necessary, including CEQA review, for future individual public and private development proposals in the Planning Area

Other Government Agency Approvals

Future individual public and private development proposals in the General Plan area would be expected to also require review or approvals from other jurisdictional agencies, including, but not limited to:

- South Coast Air Quality Management District (SCAQMD)
- California Department of Transportation (CalTrans)
- Los Angeles Regional Water Quality Control Board (RWQCB)

**Table 1-1
Growth Projections, 2019-2040**

Type		City			Sphere of Influence			Planning Area		
		Existing (2019)	Proposed (2040)	Difference	Existing (2019)	Proposed (2040)	Difference	Existing (2019)	Proposed (2040)	Difference
Total Population¹		64,240	75,442	+11,202	4,648	5,139	+491	68,888	80,581	+11,693
Dwelling Units	Single-Family Units	12,219	12,039	-180	1,269	1,429	+160	13,488	13,468	-20
	Multi-Family Units	8,746	12,582	+3,836	248	248	0	8,994	12,830	+3,836
	Total	20,965	24,621	+3,656	1,517	1,677	+160	22,482	26,298	+3,816
Total Employees		31,532	34,206	+2,674	58	113	+55	31,590	34,320	+2,730
Building Square Feet	Commercial	5,705,938	6,315,919	+609,981	35,554	45,505	+9,951	5,741,492	6,361,424	+619,932
	Office	5,249,764	6,136,066	+886,302	2,400	0	-2,400	5,252,164	6,136,066	+883,902
	Industrial	2,025,800	1,786,058	-239,742	---	--	--	2,025,800	1,786,058	-239,742
	Hospital	1,188,400	1,188,400	0	---	--	--	1,188,400	1,188,400	0
	Total	14,169,902	15,426,443	+1,256,541	37,954	45,505	+7,551	14,207,856	15,471,948	+1,264,092
Hotel/Motel Rooms	Hotel	520	1,182	+662	--	--	--	520	1,182	+662
	Motel	207	152	-55	--	--	--	207	152	-55
	Total	727	1,334	+607	--	--	--	727	1,334	+607

Source: Monterey Park and MIG, 2019

¹ Please note that a rate of 3.06 persons per dwelling unit was used to estimate population increase associated with new dwelling units. The 3.06 person per dwelling unit rate is based on California Department of Finance, Demographic Research Unit, Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2018, with 2010 Benchmark, (2018).

2.0 Response to Comments

The Draft EIR was circulated for 48-day public review and comment period beginning June 7, 2019 and ending on July 25, 2019. A Notice of Availability was sent to government agencies, neighboring cities, and non-governmental interested parties. The City's Notification Mailing List is provided in Section 4.0 Public Circulation of this FEIR. Three comment letters were received, all from public agencies.

The correspondences listed in Table 2-1 (DEIR Comments) were submitted to the City of Monterey Park concerning the DEIR. Written responses to comments follow.

**Table 2-1
DEIR Comments**

ID	Agency/Individual	Date
A	South Coast Air Quality Management District	July 25, 2019
B	Sanitation Districts of Los Angeles County	July 24, 2019
C	California Department of Transportation	July 22, 2019

COMMENT LETTER A – SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SUN)



SENT VIA E-MAIL AND USPS:

July 25, 2019

stewasart@montereypark.ca.gov

Samantha Tewasart, Senior Planner

City of Monterey Park,

Community and Economic Development Department

320 W. Newmark Avenue

Monterey Park, CA 91754

Draft Environmental Impact Report (Draft EIR) for the Proposed Monterey Park Focused General Plan Update (SCH No.: 2001011074)

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

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to update the City of Monterey Park (City) General Plan Land Use Element to remove growth control zoning and create land use policies to attract economic and housing development (Proposed Project). The Proposed Project encompasses 4,270 acres of the City of Monterey Park, which is bounded by Interstate 10 to the north, the City of Rosemead to the east, State Route 60 to the south, and Interstate 710 to the west. The Proposed Project anticipates a net growth of 3,816 residential units and 1,264,092 square feet of non-residential uses throughout the planning horizon year of 2040¹.

A-1

South Coast AQMD Staff's Summary of Air Quality Analysis

Although the Proposed Project would not directly result in construction of any development or infrastructure, future development implementing the Proposed Project could result in potentially significant air quality impacts. Therefore, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds.

The Lead Agency quantified construction emissions based on the assumption that a maximum of 10 percent of the Proposed Project's anticipated net growth could be under construction in any given year². The Lead Agency found that the Proposed Project's construction emissions would exceed South Coast AQMD's regional construction air quality CEQA significance threshold for VOCs at 140 pounds per day (lbs/day), while all other unmitigated regional and localized emissions would be less than significant³. With the implementation of Mitigation Measure (MM) AQ-2A, which requires use of coatings that meet 10 grams of VOC per liter, regional VOC emissions would be reduced to below the level of significance at 25 lbs/day⁴.

A-2

The Lead Agency also found the Proposed Project's net operational emissions in 2040 by quantifying the operations of the existing land uses under 2040 growth conditions compared to the operations of the Proposed Project's land uses under 2040 growth conditions⁵. Based on the analysis, the Lead Agency

¹ Draft EIR, Section 3 Project Description, Table 3-4 Growth Projections, 2019 - 2040, Page 3-21.

² *Ibid.* Section 4.3 Air Quality, Page 4.3-23 through 4.3-27.

³ *Ibid.* Pages 4.3-25 through 4.3-26.

⁴ *Ibid.*

⁵ *Ibid.* Pages 4.3-27 through 4.3-31.

Samantha Tewasart

July 25, 2019

found that the Proposed Project's unmitigated regional operational emissions would exceed South Coast AQMD's regional operational air quality CEQA significance threshold for NOx at 119 lbs/day, while all other unmitigated regional and localized emissions would be less than significant⁶. With the implementation of MMs AQ-2B through AQ-2D, the Proposed Project's NOx emissions would remain significant and unavoidable at 119 lbs/day⁷. MMs AQ-2B through AQ-2D require, among others, implementation of the Residential and Non-Residential Voluntary Measures from the CalGreen Code and a travel demand management program for commercial and industrial projects greater than 25,000 square feet⁸. Additionally, the Lead Agency discussed South Coast AQMD rules that may be applicable to the Proposed Project, such as Rule 403 – Fugitive Dust, which includes additional requirements for large operations⁹, and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities¹⁰.

A-2

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the Air Quality Analysis. Construction and operational activities implementing the Proposed Project may overlap over the 20-year implementation period. Therefore, the Lead Agency should evaluate a development scenario with overlapping construction and operational activities. Additionally, to support the implementation of the Lead Agency's General Plan Update Policies 4.3 through 4.5, South Coast AQMD staff recommends that the Lead Agency include a requirement in this programmatic CEQA document for individual, freeway adjacent projects with sensitive receptors, such as residential developments, to conduct a project-specific health risk assessment (HRA) analysis in subsequent, project-level CEQA analyses to disclose potential health risks and implement health risk reduction strategies. Furthermore, since the Proposed Project will be implemented over a period of 20 years, South Coast AQMD staff recommends adopting a new mitigation measure requiring periodic, performance standards-based technology review. Please see the attachment for more information.

A-3

Conclusion

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

A-4

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.* Pages 4.3-31 through 4.3-33.

⁹ South Coast AQMD Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹⁰ South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.

2.0 *Response to Comments*

Samantha Tewasart

July 25, 2019

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC190611-03
Control Number

Samantha Tewasart

July 25, 2019

ATTACHMENT

Air Quality Analysis – Overlapping Construction and Operational Impacts

1. When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. Based on a review of the Air Quality Analysis, South Coast AQMD staff found that the Lead Agency did not analyze a scenario where construction emissions overlap with operational emissions. Since implementation of the Proposed Project is expected to occur over a period of 20 years, an overlapping construction and operation scenario may be reasonably foreseeable, unless the Proposed Project includes requirement(s) that will prohibit overlapping construction and operational activities. To conservatively analyze a worst-case impact scenario that is reasonably foreseeable at the time the Draft EIR is prepared, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions from the overlapping years, and compare the combined emissions to South Coast AQMD's air quality CEQA operational thresholds of significance to determine the level of significance in the Final EIR.

A-5

Health Risk Assessment (HRA) Analysis and Risk Reduction Strategies

2. Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of South Coast AQMD's concern about the potential public health impacts of siting sensitive land uses, such as residential uses, within close proximity of freeways, South Coast AQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

The Lead Agency is committed to General Plan Update Policies 4.3 through 4.5¹¹, which encourage new development that reduces disproportionate and compounding community health risks, integrates greening buffers in neighborhoods adjacent to nearby freeways, and ensures the long-term sustainability of the City's air quality and resident health. Additionally in the Draft EIR, the Lead Agency discussed the County of Los Angeles Department of Public Health's *Air Quality Recommendations for Local Jurisdictions*¹² and the California Air Resources Board's *Air Quality and Land Use Handbook*¹³, both of which recommend a buffer of at least 500 feet between freeways and sensitive land uses.

A-6

To facilitate the implementation of the General Plan Policies 4.3 through 4.5, and to be consistent with the existing state and regional recommendations, South Coast AQMD staff recommends that the Lead Agency require individual, freeway adjacent (e.g. within 500 feet) projects that will include sensitive receptors (e.g. residential developments, schools, daycares, hospitals, etc.) to conduct a project-specific health risk assessment (HRA) analysis¹⁴ in subsequent, project-level CEQA analyses to disclose the potential health risks to sensitive receptors living and/or working adjacent to

¹¹ Draft Monterey Park Land Use and Urban Design Element. Page 41.

¹² Los Angeles Department of Public Health *Air Quality Recommendations for Local Jurisdictions*. Accessed at: <http://www.publichealth.lacounty.gov/eh/docs/AQinFreeways.pdf>

¹³ California Air Resources Board *Air Quality and Land Use Handbook: A Community Health Perspective* Accessed at: <https://www3.arb.ca.gov/ch/handbook.pdf>

¹⁴ South Coast AQMD. "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis." Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

freeways¹⁵. This requirement will demonstrate that the Lead Agency has adequately addressed the Proposed Project's health risks in this programmatic CEQA document and that a project-level HRA analysis will be completed in a later stage to facilitate the purpose and goal of CEQA on public disclosure of health impacts to future sensitive receptors living and/or working adjacent to freeways. Further, the Lead Agency should consider incorporating the following strategies to reduce exposures by people living and/or working near freeways in the Final EIR.

Health Risk Reduction Strategies for Implementing General Plan Update Policies 4.3 through 4.5

- a) The Lead Agency should consider the use of high efficiency or enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better in buildings within 500 feet of freeways to ensure the maximum reduction of health risks from exposures to diesel particulate matter (DPM) emissions from vehicles and trucks traveling on the nearby freeways (e.g., Interstate 10, Interstate 710, and State Route 60¹⁶). South Coast AQMD staff recommends that the Lead Agency require subsequent projects that will include sensitive receptors to install enhanced filtration units as a project design feature that must be verified during occupancy inspection prior to the issuance of an occupancy permit.
- b) Enhanced filtration systems have limitations. In a study that South Coast AQMD conducted to investigate filters¹⁷, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the building tenants. It is typically assumed that the filters operate 100 percent of the time while sensitive receptors are indoors, and the environmental analysis does not generally account for the times when the sensitive receptors have windows or doors open or are in common space areas of a project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to DPM emissions.
- c) Because of the limitations, South Coast AQMD staff recommends that the Lead Agency provide additional details regarding the ongoing, regular maintenance of filters in the Final EIR. To facilitate a good faith effort at full disclosure and provide useful information to future sensitive receptors who will live and/or work in proximity to freeways, the Lead Agency should require subsequent projects with sensitive receptors living and/or working within 500 feet of freeways to include the following information, at a minimum, in the project-level CEQA documents:
 - Disclosure potential health impacts to prospective sensitive receptors from living and/or working in close proximity to freeways or other sources of air pollution and the reduced effectiveness of air filtration systems when windows are open and/or when sensitive receptors are outdoors (e.g., in the common usable open space areas);

¹⁵ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA analysis, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

¹⁶ Draft EIR, Chapter 3 - Project Description, Page 3-1.

¹⁷ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>

Samantha Tewasart

July 25, 2019

- Identify the responsible implementing and enforcement agency, such as the Lead Agency, to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
- Identify the responsible implementing and enforcement agency such as the Lead Agency, to ensure that enhanced filtration units are inspected and maintained regularly;
- Disclose the potential increase in energy costs for running the HVAC system;
- Provide information to sensitive receptors living and/or working at the Proposed Project on where MERV filters can be purchased;
- Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
- Identify the responsible entity (e.g. future residents, Homeowner’s Associations (HOAs), or property managers) for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if tenants and/or residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide or project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- Develop a City-wide or project-specific process for evaluating the effectiveness of the enhanced filtration units.

A-6

Additional Recommended Mitigation Measure – Performance Standards-Based Periodic Technology Review

3. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse impacts. Since the Proposed Project would be implemented over a 20-year period, the Lead Agency should take this opportunity to incorporate a periodic, technology review of both off-road and on-road construction and operational equipment that will be used during the life of the Proposed Project. South Coast AQMD staff recommends that the Lead Agency develop project-specific or agency-wide strategies to foster and facilitate the deployment of the lowest emissions technologies as they become available. This may include incorporating a periodic, performance standards-based technology review, or developing other comparable strategies or tools, to periodically assess equipment availability, equipment fleet mixtures, and best available emissions control devices. The deployment should include technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies or best available control technologies (BACTs) that are expected to become more readily available over the life of the Proposed Project. A technology review should also incorporate an appropriate timeline/schedule for the assessment that will also be supportive of emissions reductions goals being implemented at local, regional, state, and federal levels (e.g. South Coast AQMD’s AQMPs and other air quality and public health goals). If the technology review identifies that cleaner equipment and fleets have become available, the Lead

A-7

2.0 *Response to Comments*

Samantha Tewasart

July 25, 2019

Agency should commit to incorporating this new technology into the Proposed Project to further reduce the Proposed Project's emissions. South Coast AQMD staff encourages the Lead Agency to involve the public and interested parties, such as the South Coast AQMD and the California Air Resources Board, in developing an appropriate process and performance standards for technology review.

A-7

ID	Response to Comment Letter A- South Coast Air Quality Management District
A-1	The SCAQMD correctly summarizes the proposed project and its characteristics that were evaluated in the Draft EIR. No further response is required for this comment.
A-2	The SCAQMD's summary of the Draft EIR's air quality analysis is correct. No further response is required for this comment.
A-3	The City has reviewed the information and comments provided in the SCAQMD's attachment and determined the information provided by the SCAQMD does not change the proposed project, its setting, the conclusions of the environmental analysis, or the mitigation requirements for the project. Please refer to Response to Comments A-5 to A-7 below for detailed responses to comments in the SCAQMD attachment.
A-4	The City has prepared good faith, reasoned responses to the SCAQMD comments on the Draft EIR and has provided the SCAQMD with a copy of these responses pursuant to CEQA.
A-5	<p>As explained on page 4.3-22 of the Draft EIR, since the Monterey Park General Plan would not authorize any immediate or specific development project, specific information is not available for construction activities, which would be determined by market demand. Nonetheless, to disclose the potential level of emissions that could occur with a likely construction project, the Draft EIR (Section 4.3.4) presents construction emissions based on a maximum of 10 percent of the General Plan's planned growth could occur in a single year, which is approximately twice the average annual level of development necessary to reach the realistic 2040 horizon year build-out conditions contained in the General Plan. As shown in Table 4.3-8, the primary pollutants of concern would be ROG and NOx; however, after implementation of Mitigation Measure AIR-2, ROG emissions would be reduced to below the SCAQMD's established ROG construction threshold of 75 lbs/day (see Table 4.3-9). NOx emissions would remain significant and unavoidable.</p> <p>It is not possible to know the size, type, location, timing, or number of projects under construction at any given time. The number of different permutations that could occur with respect to construction activity is innumerable. Since this EIR is a Program EIR for a project that would be implemented over a 21-year period, and at this time there are no specifics that can be known with respect to future scale, timing, and duration of individual construction activities, attempting to estimate future emissions that could occur would be an exercise in speculation. Especially since construction emissions are temporary and, at least for smaller projects, short in duration. Furthermore, the SCAQMD does not have an established threshold or methodology for accounting for temporary and short-term construction emissions within the context of the evaluation of permanent, long-term operational standards. In fact, the SCAQMD has separate and distinct thresholds of significance for construction (i.e., short-term emissions) and operational, (i.e., long-term emissions), because these activities have different emissions profiles, and the EIR appropriately compares each individual activity to the corresponding threshold.</p> <p>It should be also be noted that when development projects are submitted for review by the City that potential construction and operational air quality impacts would be required to be addressed pursuant to CEQA and, if necessary, mitigated. Therefore, potential impacts would be adequately addressed when individual development projects are proposed and mitigation provided as necessary to comply with CEQA.</p>

ID	Response to Comment Letter A- South Coast Air Quality Management District
A-6	<p>Consistent with the California Supreme Court ruling on <i>California Building Industry Association v. Bay Area Air Quality Management District</i> (2015) Cal.4th (Case No. S213479), the Court held that "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the <i>project's</i> impact on the environment - and not the <i>environment's</i> impact on the project - that compels an evaluation of how future residents or users could be affected by exacerbated conditions." Consistent with case law, the City is not required to conduct project-specific health risk assessment analysis in subsequent, project-level CEQA analyses to disclose potential health risks to sensitive receptors living and/or working adjacent to freeways. Nonetheless, the City has made a good faith effort in the Draft EIR's air quality chapter to disclose existing health risks in the City associated with pollution (see pages 4.3-11 and 4.3-12 of the Draft EIR).</p> <p>On pages 5 and 6 of the SCAQMD's comment letter, recommendations are provided that City should require that buildings within 500 feet of freeways include high efficiency or enhanced filtrations units, such as Minimum Efficiency Report Value (MERV) 13 or better. At the top of page 3-17 of the Draft EIR, it is explained that the proposed General Plan identifies "Focus Areas" that represent the areas within the City where the majority of development growth is anticipated through the 2040 planning horizon year. These changes, depicted in Exhibit 3-5 (page 3-25), could include the siting of new sensitive land uses in mixed use developments within 500 feet of freeways. The City will fully enforce the 2019 California Building Code, set to go into effect on January 1, 2020, which requires high-rise multifamily dwellings within 500 feet of busy roadways (more than 100,000 ADT) to use HVAC systems and filters with an MERV of 13. The City concurs that enhanced filtration systems have limitations, particularly as filters are used and are reduced in effectiveness; however, the City is limited in its capacity to monitor all sensitive land uses within 500 feet of freeways or busy roadways (with more than 100,000 ADT) to ensure enhanced filtration units are replaced on a frequent basis. In addition, an action such as this (e.g., setting a city-wide or project specific criteria for assessing progress in installing and replacing enhanced filtrations units beyond that required by the California Building Code, as suggested in the SCAQMD comment letter) is outside of the scope and purview of the Draft EIR.</p> <p>The City is committed to implementing General Plan Policies 4.3 through 4.5, has evaluated the proposed General Plan Update consistent with CEQA and CEQA case law, and will fully enforce the 2019 California Building Code. On an individual project basis, the City has the ability to include conditions of approval to require regular replacement of air filters in rental units. (The ability to require such for owner-occupied units is difficult.)</p>
A-7	<p>The SCAQMD comment letter asserts that CEQA requires all feasible mitigation measure that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significance adverse impacts. To that end, the SCAQMD recommends the City, "develop project-specific or agency-wide strategies to foster and facilitate the deployment of the lowest emissions technologies as they become available."</p>

ID	Response to Comment Letter A- South Coast Air Quality Management District
	<p>The City's General Plan Resource Element Goal 5, Policies 5.2, 5.7, and 5.8 (Draft EIR Section 4.3.2; page 4.3-16 and 4.3-17) are similar in nature to this recommendation, and would result in appropriate, project-specific, contemporary performance standards. Thus, mitigation is not required.</p> <p><i>Goal 5: Improve air quality for future generations of Monterey Park residents.</i> <i>Policy 5.2: Review zoning regulations annually to identify whether revisions are required to accommodate and encourage the use of alternative-fuel vehicles (for example, electric cars).</i> <i>Policy 5.7: Promote energy conservation and recycling by the public and private sectors.</i> <i>Policy 5.8: Integrate air quality planning with land use and transportation planning.</i></p> <p>Although the SCAQMD comment letter goes on to recommend specific performance metrics (e.g., zero and near-zero emission technologies or best available control technologies, technological review, etc.), limiting or restricting on- or off-road fleets is not considered feasible without having project-specific information that indicates such restrictions are necessary, proportionate to potential impacts, and capable of being reasonably implemented given the specific characteristics of a project. In addition, the recommendation is not appropriate because a technological review of equipment/vehicles in and of itself does not reduce emissions and is not mitigation. Further, the recommendation is vague (e.g., "develop project-specific or agency-wide strategies" that "may include") and not supported by facts that indicate this is a feasible mitigation measure for the City. The recommendations note that many strategies "are expected to become more readily available over the life the Proposed Project;" therefore, project-specific review is the best point in time to incorporate the latest performance standards.</p> <p>Finally, the Draft EIR (see page 4.3-28) indicates vehicles are the primary source of potential NOx emissions, and the City will have little to no direct control over the vehicle fleet associated with a development project. Thus, a report that shows battery electric vehicles or other alternatively powered vehicles are feasible doesn't mean the City can require these types of vehicles be required for a project (e.g., residential or commercial development).</p>

COMMENT LETTER B – COUNTY SANITATION DISTRICTS OF LOS ANGELES (RAZA)



**COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY**

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

GRACE ROBINSON HYDE
Chief Engineer and General Manager

July 24, 2019

Ref. DOC 5183776

Ms. Samantha Tewasart
Senior Planner
Community and Economic
Development Department
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

Dear Ms. Tewasart:

**DEIR Response to
the City of Monterey Park Focused General Plan Update**

The Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on June 10, 2019. The proposed project is located within the jurisdictional boundaries of Districts Nos. 2 and 15. Previous comments submitted by the Districts in correspondence dated May 9, 2019 (copy enclosed) still apply to the subject project with the following comment:

- **Wastewater, page 4.19-2, bullet points** – The LCWRP currently processes an average flow of 21.7 mgd; the LBWRP currently processes an average flow of 12.7 mgd; and the JWPCP currently processes an average flow of 261.1 mgd.

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

DOC 5238192.D0215

ID	Response to Comment Letter B - Sanitation Districts of Los Angeles County
B-1	This comment has been noted. This comment does not address analysis or conclusions contained in the Draft EIR. Changes based on information provided in this comment letter, and the District's correspondence dated May 9, 2019, were made to the Draft EIR and can be found in the Errata section of this Final EIR.

COMMENT LETTER C – CALIFORNIA DEPARTMENT OF TRANSPORTATION (EDMONSON)

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 7 – Office of Regional Planning
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
TTY 711
www.dot.ca.gov



Making Conservation
a California Way of Life.

July 22, 2019

Ms. Samantha Tewasart, Senior Planner
City of Monterey Park
Community and Economic Development Department
320 W. Newmark Avenue
Monterey Park, CA 91754

RE: Monterey Park Focused General Plan
Update – Draft Environmental Impact
Report
SCH # 2001011074
GTS # 07-LA-2019-02564
Vic. LA-10/PM: 23.991
LA-710/PM: 26.113
LA-60/PM: R 7.119

Dear Ms. Samantha Tewasart:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project's Draft Environmental Impact Report (DEIR). The proposed project is a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of updating the Land Use Element is to ensure land use policies allow the City to attract investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities. The City of Monterey Park is the lead agency under CEQA.

After reviewing the DEIR, Caltrans has the following comments:

1. The Project will impact the following intersections located near the I-710/East Cesar E. Chavez Avenue interchange that are not included in the DEIR:
 - a. N. Ford Boulevard/Northbound I-710 off-ramp and New York Street
 - b. East Cesar E Chavez Ave and the SB I-710 on-ramp
2. To mitigate Project impacts at the above locations, the City of Monterey Park should coordinate with the appropriate neighboring cities to develop mitigation measures.

Also, for future developments considered in the City of Monterey Park, please continue to include Caltrans in the review process.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Ms. Samantha Tewart
July 22, 2019
Page 2 of 2

If you have any questions regarding these comments, please contact project coordinator Emily Gibson, at Emily.Gibson@dot.ca.gov and refer to GTS# 07-LA-2019-02564.

Sincerely,



MIYA EDMONSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

ID	Response to Comment Letter C - California Department of Transportation
C-1	<p>The traffic impact analysis did not analyze every intersection within the project area and its environs, which is a typical approach for program-level environmental impact reports. Instead, it focused on analyzing direct gateway locations, freeway ramps, and intersections that provide direct access to and from the City. Based on this approach, the referenced intersections near the I-710/E. Cesar E. Chavez Avenue interchange (N. Ford Boulevard/Northbound I-710 Off-Ramp & New York Street, and Cesar E. Chavez Avenue & SB I-710 On-Ramp) are not considered to be primary gateways into and out of the City and did not warrant evaluation under this Program EIR.</p> <p>The approach taken with the traffic impact analysis is appropriate and consistent with a “program-level” CEQA project such as the General Plan update where project-level information about the specific land use type, scale, timing, and location of subsequent site-specific development proposals cannot be known over the 20-year timeframe of the plan. Future site-specific development proposals in the vicinity of the referenced intersections would, in accordance with CEQA and the CEQA guidelines, be required to analyze the project-specific traffic impacts and, as necessary, provide mitigation at the referenced intersections for such impacts.</p> <p>In addition, it is important to consider the earlier Caltrans response letter (dated May 15, 2019) that was submitted in response to the Notice of Preparation for this EIR. In the NOP response letter Caltrans indicates its intent, in compliance with SB 743 and the CEQA Guidelines to transition to a Vehicle Miles Travelled (VMT). The letter states in part:</p> <p>“Caltrans is moving towards replacing Level of Service (LOS) with Vehicle Miles Traveled (VMT) when evaluating traffic impact. For any future project we encourage the Lead Agency to integrate transportation and land use in a way that reduces VMT and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths and achieve a high level of non-motorized travel and transit use.”</p> <p>In fact, the City of Monterey Park will adopt, for purposes of CEQA analysis, VMT methodology and criteria to evaluate transportation impacts, consistent with the SB 743 requirements to have these items in place by July 1, 2020. In addition, the focused General Plan update contains several features that will reduce VMT and associated GHG emissions reductions through concentration of new development in several focus areas throughout the City and intensification of employment generating use within these areas.</p> <p>In addition, the Caltrans NOP letter notes that, after their review of the NOP, that they “do not expect approval to result in a direct adverse impacts to the existing State transportation facilities.” Possibly this conclusion is based on the fact that, once the City establishes VMT methodology and criteria for evaluating project level traffic impacts, traffic analysis under CEQA will no longer be based on a LOS analysis paradigm.</p>

3.0 ERRATA

This section identifies revisions to the Monterey Park Focused General Plan Update Draft EIR to incorporate clarifications prepared in response to comments on the Focused General Plan Update Draft EIR or minor errors corrected through subsequent review. Additions are shown in underline. Deletions are shown in ~~striketrough~~.

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

Draft EIR Volume I – Section 4.15 (Public Services)

The following revisions are made to Section 4.15.1, page 4.15-1 to provide clarifying information with respect to fire protection services:

Fire services are provided in the Planning Area by the Monterey Park Fire Department (City of Monterey Park, 2019a); the department has three stations. Station 61, Department headquarters, (350 W. Newmark Ave.) has one deputy chief vehicle, one Quint (an apparatus that serves both as an engine and ladder truck), and an one engine, one CalOES engine, and a rescue ambulance. Station 61 currently has nine sworn staff per day. Station 62 (2001 S. Garfield Ave.) has one engine and ~~an~~ one rescue ambulance, and currently has five sworn staff per day. Station 63 (704 Monterey Pass Road) has one engine and one urban search and rescue vehicle, and currently has three sworn staff per day. According to the City of Monterey Park GPU Existing Conditions Atlas (2019b), response times range from 8-14 minutes with an average of 10 minutes. The City requires new residential and non-residential developments to pay fire services development impact fees.

Draft EIR Volume I – Section 4.15 (Public Services)

The following revisions are made to Section 4.15.4, page 4.15-7:

Implementation of the proposed Focused General Plan Update would not directly or immediately create the need for any new or expanded fire protection facilities because the project does not authorize any specific development project or construction activities. However, the projected new development for the Project's 2040 time projection would result in population and employment increases, thus may result in a potential increase in demand for fire services.

According to communications with officials at the Monterey Park Fire Department, Station 62 is currently in the process of a rebuild to address capacity issues. In addition, Stations 61 and 63 are currently operating at capacity with current staffing levels. According to the Department, high-rise development that resulted from the Focused

General Plan Update would lead to an increase in quint operations from three sworn staff members to four sworn staff members and one additional fire inspector per day for firefighting operations associated with high-rise buildings. Also, increases in population that could be expected from higher density development would lead to an increase in rescue ambulance calls and a need for an increase in rescue ambulance staffing. As such, Station 61 would need to be remodeled to house additional staff for increased quint operations, and Station 63 would need to be completely rebuilt to house an additional rescue ambulance and two rescue ambulance staff. In total, it is estimated the Monterey Park Fire Department would need to increase staff levels by four staff members to account for the increased demand that would occur as a result of complete buildout of the General Plan Area.

If a fire facility is to be expanded or constructed, the fire facility would undergo a development review process and be subject to environmental review pursuant to CEQA. The environmental review would address site-specific CEQA-related issues and, specifically, physical changes resulting from fire station expansion, construction of new fire stations, or trenching needed for fire flow and water supply. Mitigation would be identified, if necessary, to reduce impacts related to fire and emergency service facilities expansion or new construction, as mandated by CEQA and implemented by the City through its review procedures. Additionally, any developments in the City are required to pay developmental impact fees for fire services; these fees would be used to pay for any new or expanded fire services in the Planning Area and will offset the potential incremental demand for services resulting from Project Implementation.

Draft EIR Volume I – Section 4.19 (Utilities and Service Systems)

The following revisions are made to Section 4.19.1, page 4.19-2 in response to a comment letter on the DEIR received from the Sanitation Districts of Los Angeles County (LACSD) :

The Sanitation Districts of Los Angeles County (LACSD) treats the wastewater generated in the Planning Area. The District serves 73 cities and unincorporated areas; the system currently treats 510 million mgd. Wastewater is conveyed to the following plants: (1) Los Coyotes Water Reclamation Plant (LCWRP), (2) Long Beach Water Reclamation Plant (LBWRP); ~~and~~ (3) Joint Water Pollution Control Plant (JWPCP); and (4) Whittier Narrows Water Reclamation Plant (WNWRP). According to the City of Monterey Park 2015 UWMP, LACSD estimates 80 gallons per person per day of wastewater generation within LACSD's service area, resulting in an estimated 4.5 million mgd of wastewater.

The following summarizes the existing capacity at the ~~three~~ four wastewater treatment plants that serve the Planning Area:

- The LCWRP provides primary, secondary, and tertiary treatment for up to 37.5 mgd. The plant currently treats an average of ~~20.99~~ 21.7 mgd (Sanitation Districts of Los Angeles County [LACSD], 2018).

- The LBWRP provides primary, secondary, and tertiary treatment for up to 25 mgd. The plant currently treats an average of ~~44.13~~ 12.7 mgd (LACSD, 2018).
- The JWPCP provides both primary and secondary treatment for ~~approximately 256~~ up to 400 mgd. The facility ~~has a total permitted capacity~~ currently treats an average of 400 261.1 mgd (LACSD, 2018).
- The WNWRP provides primary, secondary, and tertiary treatment for up to 15 mgd. The plant currently treats an average of 9.1 mgd (LACSD, 2018).

4.0 PUBLIC CIRCULATION

Availability and Distribution

The Notice of Preparation (NOP) was submitted on April 16, 2019 to the State Clearinghouse for distribution to State agencies on the standard notification list maintained by the City of Monterey Park Planning Division. The Notice of Availability (NOA) was distributed to all agencies on the standard notification list maintained by the Monterey Park Planning Division via certified mail (see below) and was posted to the County of Los Angeles Registrar-Recorder/County Clerk and published with the *Monterey Park Progress* beginning on June 10, 2019 and ending on July 25, 2019. The NOA was sent to 10 government agencies, three neighboring cities, and eight non-governmental interested parties. The NOA and Notice of Completion (NOC) were both mailed to the State Clearinghouse for distribution to State agencies. Notification was also submitted to local Native American Tribal Governments in accordance with CEQA statutes, guidelines, and Assembly Bill (AB) 52.



NOTICE OF PREPARATION

DATE: April 12, 2019

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

LEAD AGENCY: City of Monterey Park
Community and Economic Development Department
320 W. Newmark Avenue
Monterey Park, CA 91754

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the City of Monterey Park Focused General Plan Update and Title 21 Amendment

The City of Monterey Park (City) will be the Lead Agency and will prepare a Draft Environmental Impact Report (DEIR) for a focused update of the Monterey Park General Plan and an amendment to Title 21 - Zoning of the Municipal Code ("project") described below. We are interested in your agency's views as to the appropriate scope and content of the DEIR's environmental information pertaining to your agency's statutory responsibilities related to the project. We will need the name of a contact person for your agency. For interested individuals, we would like to be informed of environmental topics of interest to you regarding the project.

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

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

The scoping meeting will be conducted on May 7, 2019 6:00 p.m. at the City of Monterey Park City Council Chambers located at 320 W. Newmark Avenue Monterey Park, CA 91754.

To allow for the 30-day review of this NOP, the comment period closes on **May 13, 2019**.

Please send your comments to:

Samantha Tewasart, Senior Planner
Community and Economic Development Department
320 W. Newmark Avenue
Monterey Park, CA 91754
stewasart@montereypark.ca.gov
(626) 307-1324



Samantha Tewasart
Senior Planner

April 12, 2019

Date

Project Description:

Monterey Park proposes a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of updating the Land Use Element is ensure land use policies allow the City to attract investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities. The Land Use Element update is a community-driven process designed to reflect local values and needs, with desired the outcome being meaningful results and actions.

Per Chapter 21.42 (Voter Approval of Changes) of the Zoning Code (Title 21 of the Monterey Park Municipal Code), voter approval is required for amendments to the Land Use Element that revise permitted “use of land” other than provisions contained in the current Land Use element. This code provision has been in place since the 1980s and reflects prior community desire to control growth. With a new vision for welcoming development that has positive economic impact, the City proposes to amend Title 21 to delete Chapter 21.42. Both this proposed Title 21 amendment and the comprehensive Land Use Element update will be subject to voter approval.

Development Capacity:

The Monterey Park planning area encompasses approximately 4,270 acres (not including street rights-of way), with 3,980 acres in the City and 289 acres in the sphere of influence. Most of the development in the incorporated City limits is residential (2,438 acres), which accounts for approximately 62 percent of the City’s total land area. (The sphere of influence 81 percent residential.) Table 1 summarizes existing land use distribution within the City, the sphere of influence, and the combined planning area.

Table 2 summarizes the anticipated capacity for development through the 2040 planning horizon year. This scenario assumes that existing residential neighborhoods will experience limited redevelopment activity given the built-out nature of Monterey Park and the fact that the amended Land Use Element would not change density limits in residential zones; accessory dwelling units would account for the limited level of growth. Most development activity would occur in the focus areas identified in Figure 3. This would consist of redevelopment of existing commercial and industrial properties with mixed-use developments (where permitted) and transition of aging properties to more intense uses permitted by land use policy.

Table 1: Land Use Distribution by Acres (2019)

Land Use Categories	City		Sphere of Influence		Planning Area	
	Acres	Percent	Acres	Percent	Acres	Percent
Single-Unit	1,876	47.1%	202	69.7%	2,078	48.7%
Multi-Unit	561	14.1%	31	10.8%	592	13.9%
Mobile Home Parks	1	0.0%	-	0.0%	1	0.0%
Residential Care Facilities	4	0.1%	3	1.2%	7	0.2%
Mixed-Use	7	0.2%	-	0.0%	7	0.2%
General Commercial	172	4.3%	2	0.6%	174	4.1%
Offices	194	4.9%	1	0.4%	195	4.6%
Hotel/Motels	8	0.2%	1	0.2%	9	0.2%
Light Industrial	143	3.6%	-	0.0%	143	3.3%
Parking Lots and Structures	16	0.4%	-	0.0%	16	0.4%
Hospital and Medical	7	0.2%	-	0.0%	7	0.2%
Public Facilities	313	7.9%	1	0.4%	314	7.4%
Utilities	64	1.6%	10	3.4%	74	1.7%
Schools	74	1.9%	-	0.0%	74	1.7%
East Los Angeles College (ELAC)	77	1.9%	-	0.0%	77	1.8%
Nursery	14	0.4%	14	4.8%	28	0.7%
Closed Landfill (OpenSpace)	148	3.7%	-	0.0%	148	3.5%
Golf Course	47	1.2%	-	0.0%	47	1.1%
Parks and Recreation	105	2.6%	-	0.0%	105	2.5%
Religious Institutions	24	0.6%	0	0.1%	24	0.6%
Vacant Lands	125	3.1%	24	8.4%	149	3.5%
Grand Total	3,980	100.0%	289	100.0%	4,270	100.0%

Source: Los Angeles County Assessor, Urban Footprint (Core Logic), and MIG, 2019.

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

Table 2: Maximum Development Potential

Type	City		Sphere of Influence		Planning Area		
	Existing (2019)	Proposed (2040)	Existing (2019)	Proposed (2040)	Existing (2019)	Proposed (2040)	
Total Population	59,064	64,342	5,469	6,629	64,533	70,971	
Dwelling Units	Single-Family Units	15,866	15,776	1,456	1,606	17,322	17,382
	Multi-Family Units	4,199	7,855	59	159	4,258	8,014
	Total	20,065	23,631	1,515	1,765	21,580	25,396
Total Employees	25,857	36,273	510	680	26,367	36,953	
Building Square Feet	Commercial	5,679,967	6,249,385	19,704	26,800	5,699,671	6,276,185
	Office	7,045,799	7,852,362	344,760	413,712	7,390,559	8,266,074
	Public Facilities/Schools	6,301,566	6,931,723	--	--	6,301,566	6,931,723
	Industrial	1,137,640	980,673	--	--	1,137,640	980,673
	Total	20,164,972	22,014,143	364,464	440,512	20,529,436	22,454,655

Source: Monterey Park and MIG, 2019.

Required Approvals:

Implementation of the proposed project will require the following discretionary actions via the City Council and voter approval:

City Council

- Certification of the Final EIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Referral to voters of updated Land Use Element and Title 21 amendments

Voter Approval

- Approval of updated Land Use Element
- Approval of Title 21 amendments

Program EIR:

The City of Monterey Park has determined that the proposed General Plan update and Title 21 amendments will require preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). The Program EIR is an environmental review document being prepared by the City in compliance with CEQA to evaluate the environmental impacts resulting from Land Use Element implementation and to recommend mitigation measures to avoid or reduce any identified significant impacts. The Program EIR also is intended to help the City review future project proposals pursuant to Section 15168 (Program EIR) of the CEQA Guidelines.

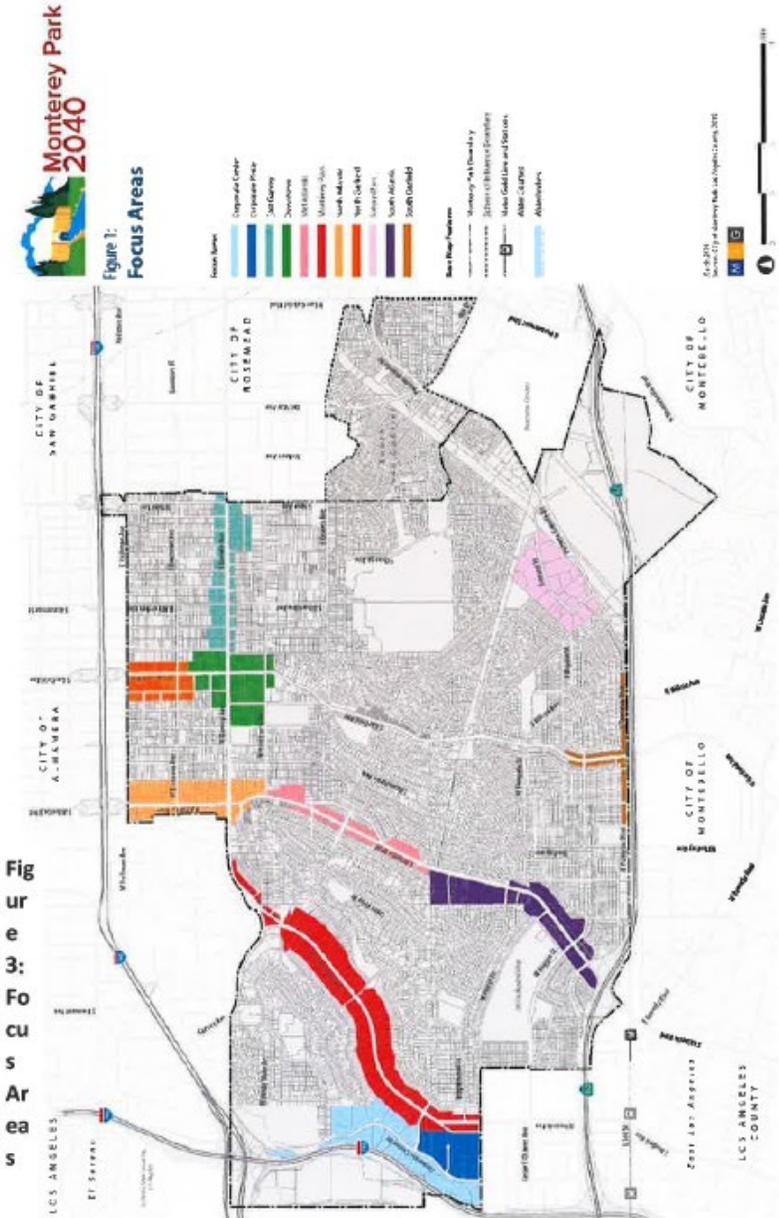


Figure 3: Focus Areas

4.0 Public Circulation

The following environmental topics will be evaluated in the EIR at a programmatic level:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Notice of Completion

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

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

SCH #

Project Title: Monterey Park Focused General Plan Update and Title 21 Amendment

Lead Agency: City of Monterey Park Contact Person: Samantha Tewasart
 Mailing Address: 320 W. Newmark Avenue Phone: 626.307.1324
 City: Monterey Park Zip: 91754 County: Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Monterey Park
 Cross Streets: Entire City Zip Code: 91754
 Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: 4,270 (City and SOI)
 Assessor's Parcel No.: All in City Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: SR-60, I-10, I-710 Waterways: None
 Airports: None Railways: Metro Light Rail Schools: _____

Document Type:

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

Local Action Type:

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

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Waste Treatment: Type _____ MGD
 Educational: _____ Hazardous Waste: Type _____
 Recreational: _____ Other: All
 Water Facilities: Type _____ MGD

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

All General Plan designations and zoning districts

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

Monterey Park proposes a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of updating the Land Use Element is ensure land use policies allow the City to attract investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities. The Land Use Element update is a community-driven process designed to reflect local values and needs, with desired the outcome being meaningful results and actions. The project also proposes deletion of Per 21.42 (Voter Approval of Changes) of the Zoning Code (Title 21 of the Monterey Park Municipal Code).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in. Revised 2010

Reviewing Agencies Checklist

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

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

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

Starting Date April 16, 2019 Ending Date May 15, 2019

Lead Agency (Complete if applicable):

Consulting Firm: <u>MIG, Inc.</u>	Applicant: <u>City of Monterey Park</u>
Address: <u>537 S. Raymond Avenue</u>	Address: <u>320 W. Newmark Avenue</u>
City/State/Zip: <u>Pasadena, CA 91105</u>	City/State/Zip: <u>Monterey Park CA 91754</u>
Contact: <u>Laura Stetson</u>	Phone: <u>626.307.1324</u>
Phone: <u>626.744.9872</u>	

Signature of Lead Agency Representative: _____ **Date:** _____

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

Revised 2010

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

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

SCH# 2001011074

Project Title: Monterey Park Focused General Plan Update

Lead Agency: City of Monterey Park Contact Person: Samantha Tewasart
 Mailing Address: 320 W. Newmark Ave. Phone: 626-307-1315
 City: Monterey Park Zip: 91754 County: Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Monterey Park
 Cross Streets: Multiple Zip Code: 91754
 Longitude/Latitude (degrees, minutes and seconds): 34 ° 03 ' 44.89" N / 118 ° 07 ' 22.03" W Total Acres: 4,270
 Assessor's Parcel No.: Multiple Section: Multiple Twp.: Multiple Range: Multiple Base: SB
 Within 2 Miles: State Hwy #: I-10, I-710, & SR-60 Waterways: N/A
 Airports: N/A Railways: Metrolink Schools: Multiple

Document Type:

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

Local Action Type:

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

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: _____ Waste Treatment: Type _____ MGD _____
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD _____ Other: Residential, Commercial, Institutional, Open Space

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Multiple

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

The City of Monterey Park proposes a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of updating the Land Use Element is to ensure land use policies allow the City to attract investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities. Ensuring the Monterey Park 2040 General Plan Update reflects the diverse priorities and needs of the community, the General Plan program uses a variety of community engagement strategies to gather input. The Land Use Element identifies the planned land use designations for the entire City, city-wide land use and urban design goals and policies, and Focus Area land use and urban design goals and policies.

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

Revised 2010

Reviewing Agencies Checklist

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input checked="" type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>7</u> | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>8</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input checked="" type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>5</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | Other: _____ |
| <input type="checkbox"/> Health Services, Department of | Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

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

Starting Date June 10, 2019 Ending Date July 25, 2019

Lead Agency (Complete if applicable):

Consulting Firm: <u>MIG, Inc.</u>	Applicant: <u>City of Monterey Park</u>
Address: <u>1500 Iowa Ave.</u>	Address: <u>320 W. Newmark Ave.</u>
City/State/Zip: <u>Riverside, CA 92507</u>	City/State/Zip: <u>Monterey Park, CA 91754</u>
Contact: <u>Lisa Brownfield</u>	Phone: <u>626-307-1315</u>
Phone: <u>626-744-9872</u>	

Signature of Lead Agency Representative:  **Date:** June 7, 2019

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

Revised 2010

Notice of Availability



NOTICE OF COMPLETION AND AVAILABILITY

CITY OF MONTEREY PARK FOCUSED GENERAL PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT SCH: 2001-01-1074

Date: June 7, 2019

Project Title: Focused General Plan Update

Project Location: City of Monterey Park, California, and areas of unincorporated Los Angeles County within the City of Monterey Park's Sphere of Influence

Lead Agency: City of Monterey Park

Contact Person: Samantha Tewasart, Senior Planner
City of Monterey Park Community and
Economic Development Department
320 W. Newmark Avenue
Monterey Park, California 91754
stewasart@montereypark.ca.gov

Public Review Period: June 10, 2019 – July 25, 2019

Planning Commission Public Hearing Date during comment period:
June 25, 2019 – 7:00 p.m.
Monterey Park City Hall
Council Chambers
320 W. Newmark Avenue
Monterey Park, California 91754

Project Description: The City of Monterey Park proposes a focused update to the General Plan consisting solely of revisions to the Land Use Element, last comprehensively updated in 2001. The purpose of updating the Land Use Element is to ensure land use policies allow the City to attract investment and development consistent with its vision, and to facilitate economic growth and creation of new housing opportunities.

Document Availability: The Draft EIR, Public Draft Focused General Plan Update, and related documents are available for review at:

4.0 Public Circulation

- Community and Economic Development Department – Planning Division at City Hall, 320 West Newmark Avenue, Monterey Park, California 91754
- Monterey Park Bruggemeyer Library, 318 South Ramona Avenue, Monterey Park, California 91754
- Langley Senior Citizen Center, 400 West Emerson Avenue, Monterey Park, California 91754
- <https://www.montereypark.ca.gov/1251/General-Plan-Update--Monterey-Park-2040>
- <https://www.montereypark2040.org/>

Where to Send Comments: Members of the public and interested agencies and individuals are invited to provide comments on the Draft EIR. All written comments should be provided to the City at the following address during the 45 day public review period.

Samantha Tewart, Senior Planner
City of Monterey Park Community and
Economic Development Department
320 W. Newmark Avenue
Monterey Park, California 91754
stewart@montereypark.ca.gov

Significant Environmental Impacts: Implementation of the Project would result in the potentially significant impacts related to the following environmental topics, which could be reduced to a less-than-significant level with the identified mitigation measures: biological resources; cultural resources; hydrology and water quality; noise; tribal cultural resources; and utilities and service systems. Significant unavoidable impacts were identified for the following topics: air quality; greenhouse gas emissions; noise; and transportation.

Hazardous Materials: There are sites within the City of Monterey Park that contain hazardous waste pursuant to California Government Code Section 65962.5.

Standard NOA Distribution Notification Mailing List

Notice of Preparation (NOP) Distribution List	Monterey Park Bruggemeyer Library Attn: Circulation Desk 318 South Ramona Avenue Monterey Park, CA 91754	Miya Edmonson, IGR Caltrans District 7 100 South Main Street, Mail Slot 16 Los Angeles, Ca 90012
Harland R. Jeché, Unit Chief Southern California Cleanup Operations Dept. of Toxic Substances Control 1011 North Grandview Avenue Glendale, CA 91201	Los Angeles County Department of Regional Planning Attn: Environmental Director 320 West Temple, 13 th Floor Los Angeles, CA 90012	Suk Chong, County of Los Angeles Department of Public Works Land Development Division P.O. Box 1460 Alhambra, CA 91801
Ruth I. Frazen, Engineering Tech Planning & Property Mgmt Section Los Angeles County Sanitation Districts 1955 Workman Mill Road Whittier, CA 90601-1400	Steve Smith, Program Supervisor CEQA Section South Coast Air Quality Management District 21865 East Copley Drive Diamond Bar, CA 91765-4182	Director of Development Services City of Alhambra 111 South First Street Alhambra, CA 91801
Director of Planning and Community Development City of Montebello 1600 West Beverly Boulevard Montebello, CA 90640	Los Angeles County Registrar- Recorder/County Clerk Attn: Gina Morla, Environ Filings 12400 E. Imperial Highway Norwalk, CA 90650	Director of Community Development City of Rosemead 8838 East Valley Boulevard Rosemead, CA 91770
Monterey Park Chamber of Commerce 700 El Mercado Avenue Monterey Park, CA 91754	Alhambra School District Attn: Superintendent Scanlon Center – District Office 15 West Alhambra Road Alhambra, CA 91801	Wendy Phillips Los Angeles RWQCB 320 West 4 th Street, Suite 200 Los Angeles, CA 90013
Jeffery Smith, AICP Southern California Association of Governments 818 West Seventh Street, 12 th Floor Los Angeles, CA 90017	State of California Native American Heritage Commission 1550 Harbor Boulevard, Suite 100 Sacramento, CA 95691 Attn: Katy Sanchez	Sandonne Goad, Chairperson Gabrielino-Tongva Nation 106 ½ Judge John Aiso Street, #231 Los Angeles, CA 90012
Gabrielino-Tongva Tribe Linda Candelaria, Chairperson 80839 Camino Santa Juliana Indio, CA 92203	Anthony Morales, Chairperson Gabrielino/Tongva San Gabriel Band of Mission Indians P. O. Box 693 San Gabriel, CA 91778	Andrew Salas, Chairperson Gabrielino Band of Mission Indians – Kizh Nation 910 North Citrus Avenue Covina, CA 91722
Gabrielino Tongva Indians of California Tribal Council Robert F. Dorame, Chairman P.O. Box 490 Bellflower, CA 90707	Gabrielino-Tongva Tribe Charles Alvarez, Councilmember 23454 Vanowen Street West Hills, CA 91307	

AB-52 Distribution Notification /Consultation

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.MontereyPark.ca.gov



City Council
Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 10, 2019

VIA FACSIMILE (916) 657-5390

State of California
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Re: SB 18 Consultation List, General Plan Update
City of Monterey Park, Los Angeles County, CA

The City of Monterey Park will amend its General Plan. The City is initiating consultation with Native American Tribes on the SB 18 Consultation List in accordance with the statutory requirements of Senate Bill 18 (Chapter 905, Statutes of 2004).

Please provide the names of appropriate tribes and contact persons on the SB 18 Consultation List, including addresses, telephone and facsimile numbers (with e-mail addresses, if applicable) at your earliest convenience, so we can commence Native American consultation. We would appreciate limiting our recommended contacts to groups who are culturally affiliated with the specific project area, and not include all contacts for San Bernardino County, if possible.

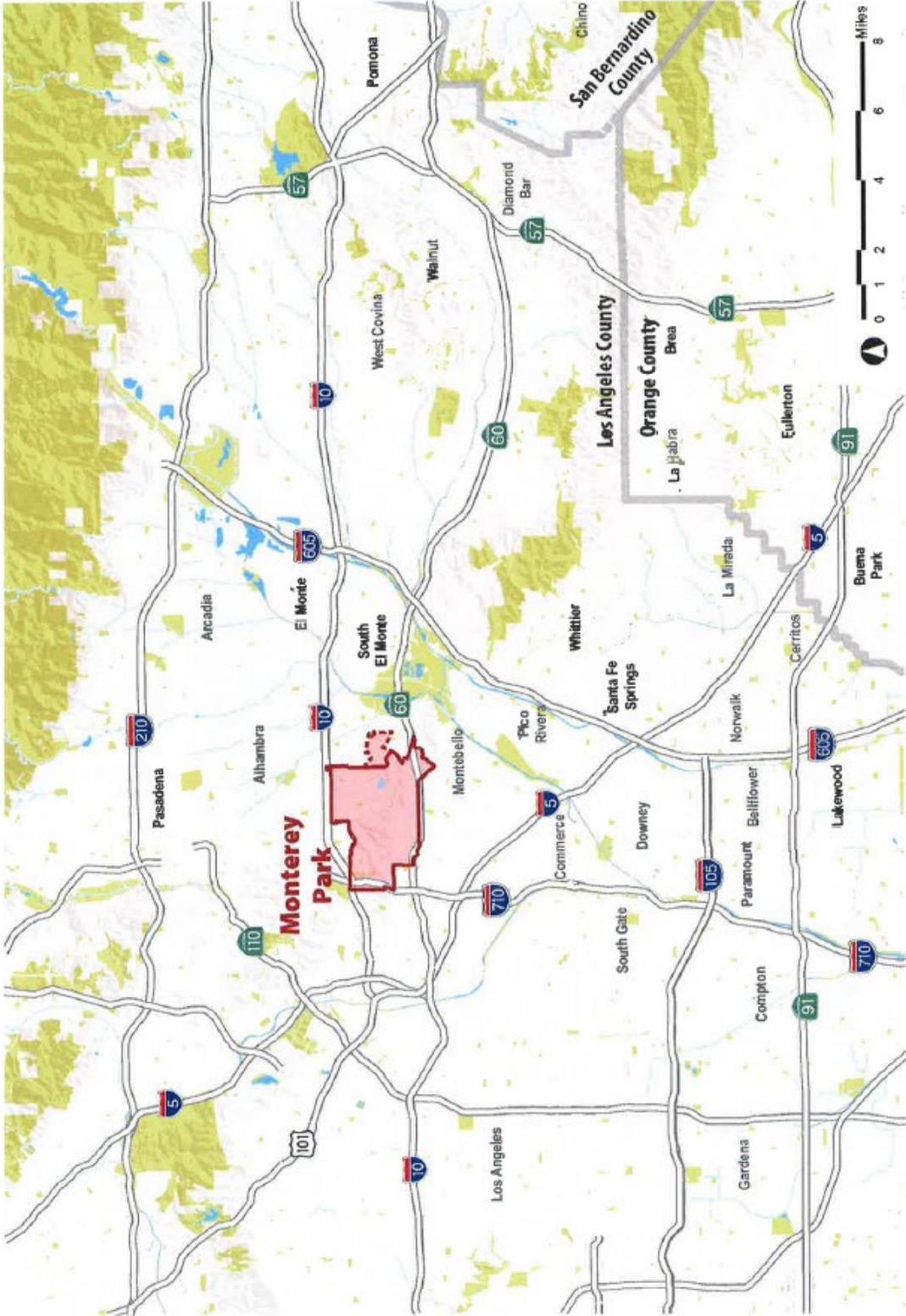
Please contact me if you have any questions at stewart@montereypark.ca.gov or (626) 307-1324.

Sincerely,

A handwritten signature in black ink, appearing to read "Samantha Tewart", is written over a circular stamp or seal.

Samantha Tewart
Senior Planner

Pride in the Past • Faith in the Future



CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.MontereyPark.ca.gov



City Council
Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 10, 2019

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1999 Avenue of the Stars, Suite 1100
Los Angeles, CA 90067-4618

Re: Opportunity for Consultation
City of Monterey Park General Plan Update

Dear Ms. Linda Candelaria, Chairwoman:

The City of Monterey Park is contacting you to offer an opportunity to consult with your tribe at the outset of the City of Monterey Park General Plan's update, in accordance with Government Code 65352.3(a)(2). If you or any members of your tribe are interested in a consult, please contact me within 90 calendar days. Our planning team is happy to provide additional information about the grant, the sustainable community plan process, and your opportunity to participate in the community plan's development.

Please contact me if you have any questions at stewasart@montereypark.ca.gov or (626) 307-1324.

Sincerely,



Samantha Tewart
Senior Planner

Pride in the Past • Faith in the Future

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.MontereyPark.ca.gov



City Council
Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 10, 2019

Gabrielino Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairman
P. O. Box 693
San Gabriel, CA 91778

Re: Opportunity for Consultation
City of Monterey Park General Plan Update

Dear Mr. Anthony Morales, Chairman:

The City of Monterey Park is contacting you to offer an opportunity to consult with your tribe at the outset of the City of Monterey Park General Plan's update, in accordance with Government Code 65352.3(a)(2). If you or any members of your tribe are interested in a consult, please contact me within 90 calendar days. Our planning team is happy to provide additional information about the grant, the sustainable community plan process, and your opportunity to participate in the community plan's development.

Please contact me if you have any questions at stewasart@montereypark.ca.gov or (626) 307-1324.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Tewart", is written over a faint, circular watermark or background.

Samantha Tewart
Senior Planner

Pride in the Past • Faith in the Future

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.MontereyPark.ca.gov



City Council
Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 10, 2019

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P. O. Box 86908
Los Angeles, CA 90086

Re: Opportunity for Consultation
City of Monterey Park General Plan Update

Dear Mr. Sam Dunlap, Chairperson:

The City of Monterey Park is contacting you to offer an opportunity to consult with your tribe at the outset of the City of Monterey Park General Plan's update, in accordance with Government Code 65352.3(a)(2). If you or any members of your tribe are interested in a consult, please contact me within 90 calendar days. Our planning team is happy to provide additional information about the grant, the sustainable community plan process, and your opportunity to participate in the community plan's development.

Please contact me if you have any questions at stewasart@montereypark.ca.gov or (626) 307-1324.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Tewasart", is written over a faint, circular stamp or watermark.

Samantha Tewasart
Senior Planner

Pride in the Past • Faith in the Future

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.MontereyPark.ca.gov



City Council
Peter Chan
Mitchell Ing
Stephen Lam
Hans Liang
Teresa Real Sebastian

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

April 10, 2019

Gabrieleno Band of Mission Indians-Kizh Nation
Andrew Salas, Chairperson
P.O. Box 693
Covina, CA. 91723

Re: Opportunity for Consultation
City of Monterey Park General Plan Update

Dear Mr. Andrew Salas, Chairperson:

The City of Monterey Park is contacting you to offer an opportunity to consult with your tribe at the outset of the City of Monterey Park General Plan's update, in accordance with Government Code 65352.3(a)(2). If you or any members of your tribe are interested in a consult, please contact me within 90 calendar days. Our planning team is happy to provide additional information about the grant, the sustainable community plan process, and your opportunity to participate in the community plan's development.

Please contact me if you have any questions at stewasart@montereypark.ca.gov or (626) 307-1324.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Tewasart", is written over a faint circular stamp.

Samantha Tewasart
Senior Planner

Pride in the Past • Faith in the Future

4.0 Public Circulation



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION
Historically known as The San Gabriel Band of Mission Indians /Gabrialino Tribal Council
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

City of Monterey Park
Community and Economic Development Department
320 W. Newmark Avenue
CA, 91754

April 17, 2019

Re: AB52 Consultation request for Notice of Preparation of a Draft Environmental Impact Report for the City of Monterey Park Focused General Plan Update and Title 21 Amendment

Dear Samantha Tewasart,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission (NAHC), ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. For this reason, the NAHC will always refer the lead agency to the respective Native American Tribe of the area. The NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and can provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area.

Additionally, CEQA now defines Tribal Cultural Resources (TCRs) as their own independent element separate from archaeological resources. Environmental documents shall now address a separate Tribal Cultural Resource section which includes a thorough analysis of the impacts to only Tribal Cultural Resources (TCRs) and includes independent mitigation measures created with Tribal input during AB-52 consultations. As a result, all mitigation measures, conditions of approval and agreements regarding TCRs (i.e. prehistoric resources) shall be handled solely with the Tribal Government and not through an Environmental/Archaeological firm.

In effort to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 910 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email admin@gabrielenoindians.org to schedule an appointment.

*** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view their videos at: <http://calarpa.ca.gov/Tribal/Training/>, or <http://nahc.ca.gov/2015/12/ab-52-tribal-training/>.*

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Pared, treasurer |

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer |

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com

4.0 Public Circulation

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code §6254.10.

3. The result of the Sacred Lands File (SLF) check conducted through the NAHC. The request form can be found at <http://nahc.ca.gov/wp-content/uploads/2015/08/Local-Government-Tribal-Consultation-List-Request-From-update.pdf>.
4. Any ethnographic studies conducted for any area including all or part of the APE; and
5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand will help to facilitate the consultation process.

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

If you have any questions or need additional information, please contact me at my email address: steven.quinn@nahc.ca.gov.

Sincerely,



Steven Quinn
Associate Governmental Program Analyst

Attachment

STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION
 Cultural and Environmental Department
 1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691 Phone (916) 373-3710
 Email: nahc@nahc.ca.gov
 Website: <http://www.nahc.ca.gov>
 Twitter: @CA_NAHC



May 17, 2019

Samantha Tewasart
 City of Monterey Park
 320 W. Newmark Avenue
 Monterey Park, CA 91754

RE: SCH# 2001011074 Monterey Park Focused General Plan Update and Title 21 Amendment, Los Angeles County

Dear Ms. Tewasart:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

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

AB 52

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
 - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPA.pdf

4.0 Public Circulation

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Steven.Quinn@nahc.ca.gov.

Sincerely,



Steven Quinn
Associate Governmental Program Analyst

cc: State Clearinghouse

