



Los Cerritos Wetlands Land Trust
for Long Beach and Seal Beach

PO Box 30165
Long Beach, CA 90853

562-293-3011
www.lcwlandtrust.org

Mr. Derek Burnham
Senior Planner
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

Dear Mr. Burnham,

As you know from our previous comments, the Los Cerritos Wetlands Land Trust believes that the RDEIR for the proposed Second + PCH project fails to meet CEQA alternatives requirements. We believe this because the range of alternatives selected for discussion in the DEIR does not focus on alternatives that “avoid or substantially lessen one or more of the significant effects.” Rather, the DEIR limits its alternatives discussion to variations of the No Project Alternative and variations of the Proposed Project. Although the DEIR states that “the process of selecting project alternatives to be analyzed in this EIR included an identification of the significant effects associated with the Second + PCH project,” (DEIR, p. V-2) the alternatives presented do not reflect that consideration. The variations are not tailored to achieve CEQA’s objective of avoiding specifically identified impacts. Nor does the DEIR describe how the selection of alternatives took into consideration the project’s specific impacts.

Alternative 1, the No Project/No Development Alternative, assumes no change from the current land use on the site. The DEIR takes the curious position that the No Project/No Development Alternative will result in impacts greater than the proposed project’s, some less than significant, others “potentially significant”. For example, the DEIR states that “impacts to views under this [No Project/No Development] Alternative would be greater than under the proposed project but still less than significant.” (DEIR, p. V-15) The text goes on to state that the No Project/No Development Alternative’s impacts would be greater than the proposed project because “the project site would not be improved with a unified mixed-use development with enhanced architectural and extensive landscaping elements.” (ibid) These statements are misguided, as the preparers of the DEIR have lost sight of a fundamental principal of impact assessment, namely, that impacts are evaluated based on the anticipated change in conditions over existing conditions. The No Project/No Development Alternative would not change existing conditions in terms of views or visual quality of the site. It would therefore have no impact, significant or otherwise, on views or visual quality. The DEIR substitutes its own non-CEQA method of evaluation through its assertion that the failure to enhance the site somehow constitutes an impact. This evaluation disregards both the requirement to evaluate impacts against changes in baseline conditions and the requirement to apply significance thresholds, two fundamental

requirements of CEQA. In formulating its assessment around artificially introduced criteria, the DEIR ceases to serve as an information document and becomes a misinformation document. It has departed from its proper role of seeking out the environmentally superior alternative and resorted to a role of promoting the alleged benefits of the project, first seen in the DEIR's Project Description.

Alternative 2, which is inappropriately named the No Project/Existing Zoning Alternative would maximize development under existing zoning. The inclusion of this alternative in the discussion runs counter to any intelligible strategy to focus on alternatives that avoid or substantially lessen the project's significant impacts. In fact, a basic understanding of the traffic conditions in the project vicinity makes it clear that an increase in commercial square footage over existing conditions will impact key intersections at the PM peak and Saturday midday peak periods during which intersections are already heavily impacted. Not only does the DEIR's focus on this alternative not serve a reasonable strategy to avoid impacts, it seems to serve the strategy of providing a straw-man alternative to make the proposed project appear more desirable. Moreover, the alternative is inappropriately named. It is not a No Project alternative, and its name wrongly implies that a project that is consistent with the current zoning is tantamount to no project at all, or worse, a project with severe traffic impacts. A more earnest discussion would have sought to identify a project whose scale, intensity and type of land use would result in effects that fall below the thresholds of significant impacts incurred by the proposed project.

The remaining alternatives, A through D, similarly lack any strategic orientation toward avoiding the impacts identified elsewhere in the DEIR, rather they merely represent incremental variations on the project as a menu of varying development intensities that have no direct link to impact avoidance. As a result, the entire Alternatives discussion is a scattershot of alternatives that have little or no chance of achieving the main objective of the DEIR, identification of an environmentally superior alternative.

A more strategic approach, and one that is aligned with CEQA's objectives, would be to select alternatives based on their ability to avoid significant impacts of the project. The DEIR identifies significant effects in five broad areas:

- (1) Air Quality
- (2) Land Use and (3) Planning
- (4) Traffic and (5) Circulation

Air Quality

The DEIR identifies five air quality impacts; the first three seem most likely to be avoidable through a reduced project.

1. Short-term construction-related regional emissions of NO_x exceed thresholds even with mitigation. See Table IV.B-4 of DEIR. Site preparation/excavation and building foundation both exceed daily threshold for NO_x of 100 lbs per day. Can both of these fall below threshold if intensity of development is reduced (e.g., towers are removed so excavation diminishes and foundations are reduced)?

2. Regional operational emissions exceed the SCAQMD daily emission thresholds for VOC, NO_x, CO and PM₁₀. See Table IV.B-6 of DEIR. Mobile sources are greatest contributor, by far.

3. Significant and unavoidable impacts with regard to AQMP consistency (because of the above).
4. Exceeds SCAQMD localized construction threshold for PM10
5. Cumulative significant impact with regard to GHG emissions.

Land Use & Planning

The Second + PCH project, as it is currently proposed, is inconsistent with the General Plan and zoning for the area, which limits height to 35 feet. The proposed scale and intensity, which are inconsistent with the General Plan and zoning, lead to physical impacts related to Air Quality and Traffic & Circulation. Strictly speaking, there are three impacts: intensity, height and the proposed residential land use.

Traffic and Circulation

Analysis commissioned by the Los Cerritos Wetlands Land Trust and conducted by Darnell & Associates (<http://www.darnell-assoc.com>) targeted the project's specific impacts and therefore focused on alternatives that substantially lessen or avoid impacts in accordance with CEQA. From that analysis we learned that as many as 5 impacted intersections identified in the DEIR as significant and unavoidable (even with mitigation measures) can be avoided through strategic project redesign. These avoidance-oriented alternatives provide evidence for a range of available alternative projects that would avoid from one to five significant traffic impacts.

The significant PM peak hour impact at the 2nd Street/Bay Shore Intersection can be avoided with a 30 percent reduction in the project's proposed retail component.

Two significant traffic impacts can be avoided with a project alternative that eliminates the residential component and reduces the proposed retail component by 30 percent. This alternative would avoid the PM peak hour impact at the 2nd Street/Bay Shore Avenue Intersection and the AM peak hour impact at the 2nd Street/Studebaker Road Intersection. This alternative also has the potential to avoid all of the significant land use impacts identified in the DEIR – related to inconsistency with General Plan designations and zoning, building height, development intensity and residential use.

Five significant traffic impacts can be avoided with a project alternative that eliminates the residential component and reduces the proposed retail component by 50 percent. They are:

- **Impacts are avoided at the PCH/7th Street Intersection (both PM peak and Saturday Midday, thus eliminating all of the project's impacts at this intersection);**
- **2nd Street/Bay Shore Avenue Intersection (PM peak hour);**
- **2nd Street/PCH Intersection (AM peak hour);**
- **2nd Street/Studebaker Road Intersection (AM peak hour).**

This alternative would almost certainly avoid all of the significant land use impacts identified in the DEIR.

One significant impact can be avoided with a project alternative that reduces the proposed retail component by 30 percent and converts another 56,000 square feet of retail to 140 hotel rooms (bringing the total number of hotel rooms to 240 and leaving a total proposed retail component of 78,033 square feet). This alternative successfully avoids a significant PM peak hour impact at the 2nd Street/Bay Shore Avenue Intersection.

As many as four significant traffic impacts can be avoided with an alternative that reduces the retail component by 50 percent and converts another 56,000 square feet of retail to 140 hotel rooms (bringing the total number of hotel rooms to 240 and leaving a total proposed retail component of 39,739 square feet). This alternative would successfully avoid the project's impacts to the PCH/7th Street Intersection and the 2nd Street/Bay Shore Intersection, eliminating both the PM peak hour impacts and Saturday Midday impacts at both intersections, thus entirely avoiding all traffic impacts at these two intersections.

These avoidance oriented alternatives suggest that there are many available alternatives, including combinations and variations of those listed above, that are environmentally superior to the project as it is currently proposed.

We share the result of this research with you with the hope that it will be of use as you consider alternatives to Second + PCH and that it will inform staff's recommendation to the Planning Commission. Moreover, it is our hope that, working together, the City and the Los Cerritos Wetlands Land Trust can jointly move forward with a process that will result in a set of well-founded criteria that will allow reasonable redevelopment not only at the corner of 2nd Street and PCH, but elsewhere within the SEADIP area. We believe that development within SEADIP should meet the city's own adopted criteria of low intensity development that is consistent in mass and height with the surrounding area. We, the Los Cerritos Wetlands Land Trust, would like to work with the City to update SEADIP in a way that involves the community and takes into account the impacts of traffic, height and intensity, as well as land use types appropriate for the area and the requirements of the Coastal Act. It would be a win-win to find development scenarios that would be economically viable and result in an updated SEADIP and would guide future development and growth in this important area affecting fragile wetlands.

Sincerely,

Elizabeth Lambe
Executive Director
Los Cerritos Wetlands Land Trust

Cc: Councilmember Gary DeLong
Ms. Amy Bodek, Director of Development Services

