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RESOLUTION NO. RES-21-0034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING AND CERTIFYING MITIGATED NEGATIVE DECLARATION (MND07-20); ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVING THE PACIFIC PLACE PROJECT LOCATED AT 3701 PACIFIC PLACE, LONG BEACH

WHEREAS, the subject Project is commonly known as the Pacific Place Project;

WHEREAS, pursuant to California Public Resources Code Section 21067 and the State CEQA Guidelines (Cal. Code Regs., Tit. 14 Sec. 15000 et seq.), Section 15051, the City of Long Beach is the lead agency for the proposed Project;

WHEREAS, the City prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND)(MND07-20) which reflects the independent judgment of the City as to the potential environmental impacts of the Pacific Place Project (Project). Said Project is more particularly described in the IS/MND and the City Council Staff Report and supporting documentation accompanying this Resolution, which Project description and supporting documentation, including the IS/MND and Staff Report, are incorporated herein by this reference as though set forth in full, word for word;

WHEREAS, the Draft IS/MND was circulated for public review and comment and all actions required to be taken by applicable law related to the preparation, circulation, and review of the Mitigated Negative Declaration have been taken;

WHEREAS, the Final IS/MND, that includes the Mitigation Monitoring and Reporting Program (MMRP), was prepared pursuant to CEQA Guidelines and in accordance with the State of California Public Resources Code;

WHEREAS, on December 17, 2020, the Planning Commission held a

1 properly noticed public hearing on the Project at which time all interested parties had the  
2 opportunity to present evidence and be heard. Thereafter, the Planning Commission  
3 adopted, approved and certified the Mitigated Negative Declaration as being compliant  
4 with the California Environmental Quality Act (CEQA) and further approved those land use  
5 entitlements within the jurisdiction of the Planning Commission including a Site Plan  
6 Review, Standards Variance, Conditional Use Permit and Lot Merger. The Planning  
7 Commission further recommended that the City Council find that the adopted Mitigated  
8 Negative Declaration MND07-20 adequately analyzed the potential environmental  
9 impacts of the Project, including the proposed Zone Change from the Light Industrial (IL)  
10 Zoning District to the Commercial Storage (CS) Zoning District;

11 WHEREAS, the Project, as conditioned, was approved by the Planning  
12 Commission on December 17, 2020, and was subsequently appealed in due course to the  
13 City Council by Ann Cantrell and Anna Christensen representing Sierra Club Los Cerritos  
14 Wetlands Task Force; Corliss Lee representing Citizens About Responsible Planning;  
15 Juan E. Ovalle representing Riverpark Coalition; Renee Lawler representing Historic  
16 Equestrian Trail Association of So Cal; and Robert Gill representing Los Cerritos  
17 Neighborhood Association;

18 WHEREAS, on April 13, 2021, the City Council held a properly noticed  
19 public hearing on the Project and the appeals submitted by Ann Cantrell and Anna  
20 Christensen representing Sierra Club Los Cerritos Wetlands Task Force; Corliss Lee  
21 representing Citizens About Responsible Planning; Juan E. Ovalle representing Riverpark  
22 Coalition; Renee Lawler representing Historic Equestrian Trail Association of So Cal; and  
23 Robert Gill representing Los Cerritos Neighborhood Association, at which time all  
24 interested parties, including members of the public, had the opportunity to present  
25 evidence and be heard;

26 WHEREAS, at said public hearing the City Council, after a staff analysis and  
27 public comment related to the Project, independently reviewed and analyzed all relevant  
28 staff reports, both written and oral, together with public comment and the Initial

1 Study/Mitigated Negative Declaration and made its decision to adopt the Mitigated  
2 Negative Declaration for the Pacific Place Project in light of the record as a whole, as set  
3 forth in these findings.

4 NOW, THEREFORE, the City Council of the City of Long Beach does  
5 hereby find, determine and resolve that:

6 Section 1. The foregoing recitals are true and correct.

7 Section 2. The City Council has reviewed and considered the Mitigated  
8 Negative Declaration for the Project, together with any comments received during the  
9 public review process, and the City Council finds that the Mitigated Negative Declaration  
10 reflects the independent judgment of the City of Long Beach; and that the Initial Study/  
11 Mitigated Negative Declaration has disclosed that all potential environmental effects from  
12 the Project will be less than significant with the incorporation of mitigation measures, and  
13 that there is no substantial evidence that the Project will have a significant effect on the  
14 environment as so mitigated

15 Section 3. The City Council hereby adopts Mitigated Negative Declaration  
16 MND07-20, as presented to the City Council at the above described public hearing, having  
17 reviewed and considered the information contained in said Mitigated Negative Declaration  
18 prior to deciding whether to approve the proposed Pacific Place Project. The Mitigated  
19 Negative Declaration has been thoroughly reviewed and analyzed by the City's staff, the  
20 Planning Commission, and the City Council. The draft documents circulated for public  
21 review reflect the City's own independent judgment, and the Mitigated Negative  
22 Declaration as approved and certified by this Resolution also reflects the independent  
23 judgment of the City Council.

24 Section 4. The City Council hereby adopts the Mitigation Monitoring and  
25 Reporting Program set forth in the Mitigated Negative Declaration, attached hereto as  
26 Exhibit "A" and incorporated herein by this reference, as the Mitigation Monitoring and  
27 Reporting Program (MMRP) for the Pacific Place Project. The City Council finds that the  
28 Mitigation Monitoring and Reporting Program has been prepared in accordance with

1 CEQA and the State CEQA Guidelines, and directs the Director of Development Services  
2 to oversee the implementation of the MMRP, and further directs that each Mitigation  
3 Measure become a condition of Project approval.

4 Section 5. The City Council hereby directs the Director of Development  
5 Services to file a Notice of Determination within five (5) working days after approval of the  
6 Project by the City Council.

7 Section 6. The Director of Development Services shall make the project  
8 plans and other related materials that constitute the record of the proceedings upon which  
9 this decision is based available at Long Beach City Hall, Developmental Services  
10 Department, Planning Bureau, Current Planning Division, 411 W. Ocean Boulevard, 3<sup>rd</sup>  
11 Floor, Long Beach, CA 90802.

12 Section. 7. Consistent with Public Resources Code Section 21081.6(a)(2),  
13 the documents which constitute the record of proceedings for approving this Project are  
14 located in the Developmental Services Department, Planning Bureau, Current Planning  
15 Division, 411 W. Ocean Blvd., 3rd Floor, Long Beach, CA 90802. The custodian of these  
16 records is Alexis Oropeza, Current Planning Officer.

17 Section 8. The City Council hereby further denies the Appeals of Ann  
18 Cantrell and Anna Christensen representing Sierra Club Los Cerritos Wetlands Task  
19 Force; Corliss Lee representing Citizens About Responsible Planning; Juan E. Ovalle  
20 representing Riverpark Coalition; Renee Lawler representing Historic Equestrian Trail  
21 Association of So Cal; and Robert Gill representing Los Cerritos Neighborhood  
22 Association, as the appeals lack merit because, among other things, the environmental  
23 review was appropriate and prepared in accordance with the California Environmental  
24 Quality Act (CEQA) and the State CEQA Guidelines. The decision of the Planning  
25 Commission is upheld (sustained) and the Pacific Place Project is approved together with  
26 all of the various land use entitlements as set forth in the Staff Report submitted to the City  
27 Council by its Planning staff in connection with the hearing conducted by the City Council  
28 on April 6, 2021, including the Ordinance approving a zone change from Light Industrial

1 (IL) to Commercial Storage (CS) Zoning District.

2 Section 9. This resolution shall take effect immediately upon its adoption  
3 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

4 I hereby certify that the foregoing resolution was adopted by the City Council  
5 of the City of Long Beach at its meeting of April 13, 2021 by the following  
6 vote:

7 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,  
8 Mungo, Austin, Richardson.  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 Noes: Councilmembers: Uranga.  
12 \_\_\_\_\_

13 Absent: Councilmembers: None.  
14 \_\_\_\_\_

15 Recusal(s) Councilmembers: Saro.  
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21 City Clerk

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**EXHIBIT "A"**

**Mitigation Monitoring and Reporting Program**

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
<b>AIR QUALITY</b>				
AIR-1	Prior to the issuance of each grading permit	For the Artesia parcels, prior to the issuance of each grading permit, the City or its designee shall provide construction plans and specifications demonstrating that, onsite equipment used for construction of the Project shall be required to meet a minimum of Tier 3 or equivalent off-road engine emissions standards. Tier 4 compliant engines can also be used, which would further reduce emissions, but are not required.	City of Long Beach Planning	
<b>BIOLOGICAL RESOURCES</b>				
BIO-1	Prior to project construction	<p>For the Artesia Parcels, a survey for special status plant species shall be conducted during their peak blooming period and prior to construction activities to determine the extent which southern tarplant occurs in the survey area. If any of this species is observed, the population shall be avoided, if possible. If the population would be impacted, mitigation may be required depending on the number of individuals that would be impacted as compared to the number known in the project region. Mitigation for special status plants could consist of collection of seed or salvage of individuals prior to project construction. For southern tarplant, the Applicant shall ensure that one of the following two mitigation alternatives be implemented to offset potential impacts to the southern tarplant:</p> <ul style="list-style-type: none"> <li>• Provided the following mitigation opportunity exists, Artesia Acquisition Company, LLC, (Developer) will pay a specified in-lieu fee to a conservation agency or other similar entity as part of a mitigation bank program (or equivalent conservation program) for the permanent preservation and conservation of the southern tarplant. The amount of the in-lieu fee will be determined in consultation between the Developer and the applicable conservation agency/entity and will be based on a 1:1 mitigation ratio, or no net loss of southern tarplants.</li> <li>• In the absence of the preceding mitigation alternative, the Developer will preserve in place those southern tarplant individuals not to be impacted by the proposed project and will translocate those southern tarplant individuals to be impacted to a suitable location, which will be determined by the Developer in collaboration with the Project Biologist. This mitigation alternative will require the preparation of a detailed Southern Tarplant Mitigation/Translocation Plan (Plan) by the Project Biologist, who will be a qualified biologist, having demonstrated past project experience with the southern tarplant and preferably translocation of the southern tarplant. At a minimum, the Plan will address the goals/objectives of the mitigation, locations of the translocation "donor" and "receptor" sites, mechanism or instrument for permanent preservation of the translocation receptor site, implementation of the translocation tasks (e.g., topsoil salvage and possibly seed collection), monitoring of the receptor site, maintenance activities (e.g., weed abatement), performance standards, and documentation. The</li> </ul>	City of Long Beach Planning	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
		Developer and the California Environmental Quality Act (CEQA) Lead Agency (i.e., the City of Long Beach [City]) will review and approve the Plan prior to the start of project construction. This Plan will ensure no net loss of southern tarplant individuals, and topsoil salvage and/or seed collection will occur prior to any ground-disturbance activities.		
BIO-2	Prior to project construction	For the McDonald Trust Parcels, a survey for special status plant species shall be conducted during their peak blooming period and prior to construction activities to determine whether the following species occur in the survey area: southern tarplant, Coulter's saltbush, Parish's brittlescale, lucky morning-glory, decumbent goldenbush, Coulter's goldfields, prostrate vernal pool navarretia, and San Bernardino aster. If any of these species are observed, the population shall be avoided, if possible. If the population would be impacted, mitigation may be required depending on the number of individuals that would be impacted as compared to the number known in the project region. Crotch's bumble bee activity and the presence of ground nests. If a ground nest is observed, it will be protected in place until it is no longer active as determined by a Biologist.	City of Long Beach Planning	
BIO-3	Prior to construction activities	For the McDonald Trust Parcels, a survey for Crotch's bumble bee shall occur prior to construction activities during the Crotch's bumble bee active period (i.e., March to July). The survey will be a visual survey conducted by a qualified Biologist (i.e., one with experience in the identification of bee species). The Biologist will search for Crotch's bumble bee activity and the presence of ground nests. If a ground nest is observed, it will be protected in place until it is no longer active as determined by a Biologist. Unless a determination has been made by CDFW that the Crotch's bumble bee will not be listed as a special status species, the Applicant shall consult with CDFW to obtain a take permit for Crotch's bumble bee.	City of Long Beach Planning	
BIO-4	Prior to vegetation removal or commencement of construction activities or outside the peak nesting season (between September 1 and January 31)	In order to avoid impacts on nesting birds, construction shall be scheduled to begin outside the peak nesting season (i.e., between September 1 and January 31), if feasible. If construction activities must occur during the peak nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey should be conducted by a qualified Biologist within three days prior to vegetation removal or commencement of construction activities. If the Biologist finds an active nest within or adjacent to the construction area, the Biologist will identify an appropriate protective buffer zone around the nest depending on the sensitivity of the species, the nature of the construction activity, and the amount of existing disturbance in the vicinity.	City of Long Beach Planning	



**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
BIO-5	Prior to the removal of trees	<p>A. An acoustic survey and exit counts shall occur prior to removal of trees (at any time of year) to determine if they are being used by bats. These surveys should begin at least 30 minutes prior to sunset and should continue until at least an hour after sunset. If bats are roosting in the trees, avoidance and minimization measures would be recommended to minimize effects on roosting bats. The specific exclusion measures recommended would be based on the results of the acoustic survey.</p> <p>B. To avoid impacts on maternity roosts, tree removal shall occur outside the bat maternity season if feasible and in a manner that does not impede construction activities (i.e., April through August). Trees that are being used by roosting bats and those within 200 feet of an active roost will not be removed during the maternity season in order to avoid impacts on an active maternity roost, which may include juvenile bats that cannot fly, if feasible and in a manner that does not impede construction activities.</p> <p>C. A qualified bat Biologist shall be present during removal of palm trees. During removal of palm trees, dead palm fronds should be removed prior to felling the tree. To the greatest extent possible, the drop distance of palm fronds should be minimized to minimize the potential for injury of bats that may be roosting in the fronds. The Biologist will examine the palm fronds immediately following their removal for torpid (dormant) bats.</p>	City of Long Beach Planning	
<b>CULTURAL RESOURCES</b>				
CULT-1	During excavation activities	<p>In the event that cultural (archaeological) resources are inadvertently unearthed during excavation activities, the contractor shall immediately cease all earth disturbing activities within a 100-foot radius of the area of discovery. The Project Applicant/Developer shall retain a qualified professional archaeologist, subject to approval by the lead agency, to evaluate the significance of the find and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.</p>	City of Long Beach Planning	
<b>GEOLOGY AND SOILS</b>				
GEO-1	Before issuance of a grading permit for proposed development of the McDonald Trust parcels	<p>The owner and project proponent of development of the McDonald Trust parcels shall be solely responsible for implementing this Mitigation Measure. Before issuance of a grading permit for proposed development of the McDonald Trust parcels, the City of Long Beach or the future Project applicant shall have a geotechnical investigation report (Investigation) conducted for the McDonald Trust parcels. The Investigation shall include sampling and testing of subsurface soil samples; a determination of suitability of site soils for supporting the proposed structure and other improvements; recommendations for grading, site preparation, and foundation design based on identified properties of subsurface site soils; a fault investigation including subsurface investigation in conformance with the Alquist-Priolo Earthquake Fault Zoning Act; a liquefaction analysis conforming with the Seismic Hazards Zoning Act; and analyses addressing other geologic hazards per the standard of care for a geotechnical investigation (e.g., expansive soils).</p>	City of Long Beach Planning	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
		The Investigation report shall be sign-stamped by a California professional geologist or registered geotechnical engineer.		
GEO-2	Before issuance of a grading permit	After grading details are finalized and topographic information is available for the subject low-lying areas abutting the Artesia parcels, and before issuance of a grading permit by the City of Long Beach, the Project geotechnical engineer shall verify the magnitude of lateral displacement that could occur onsite. The geotechnical engineer shall prepare an addendum to the geotechnical investigation report for the Artesia parcels including any recommendations needed to minimize hazards from lateral displacement; and submit the addendum to City of Long Beach Development Services for review.	City of Long Beach Planning	
GEO-3	Prior to the issuance of any grading permit	<p>Prior to the issuance of any grading permit, the Project Applicant/Developer shall provide written evidence to the City of Long Beach that a qualified Paleontologist has been retained to observe grading activities and to salvage and catalog fossils as necessary. The Paleontologist shall be present at the pre-grade conference; shall establish procedures for paleontological resource surveillance; and shall establish, in cooperation with the Project Applicant/Developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the Paleontologist shall determine appropriate actions to ensure proper exploration and/or salvage.</p> <p>Upon completion of grading and excavation activities, the paleontologist shall submit a monitoring report to the City. The report shall include the period of inspection; a catalog and analysis of the fossils found; and the present repository of the fossils.</p> <p>The Project Applicant/Developer shall be responsible for making arrangements for the preparation of excavated material to the point of identification. In addition, the Project Applicant/Developer shall offer excavated finds for curatorial purposes to the City of Long Beach on a first refusal basis. The Project Applicant/Developer shall also be responsible for paying curatorial fees. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the City.</p>	City of Long Beach Planning	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
HAZ-1	Before issuance of a issuance of a building permit	Before issuance of a issuance of a building permit by the City of Long Beach, the applicant for the Artesia parcels shall have a qualified environmental professional prepare an RP outlining site remediation, engineering controls, future operation and monitoring (O&M) activities, and administrative controls to allow for commercial/industrial development of the site. Engineering controls reduce exposures of hazardous materials to future occupants; examples are vapor barriers and sub-slab venting systems. Administrative controls restrict future land uses and activities onsite to limit exposures to future occupants; for instance, land use covenants prohibiting residential, school, and day care uses.	City of Long Beach Planning	
HAZ-2	Before issuance of a Certificate of Occupancy	Before issuance of a Certificate of Occupancy by the City of Long Beach, the Owner or Developer of the McDonald Trust Parcels shall have a qualified environmental professional conduct a Phase I Environmental Site Assessment of the McDonald Trust parcels in accordance with American Society for Testing and Materials (ASTM) E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and 40 Code of Federal Regulations (CFR) Part 312 Standards and Practices for All Appropriate Inquiries.	City of Long Beach Planning	
HAZ-3	Before issuance of a Certificate of Occupancy	If the Phase I ESA required under Mitigation Measure HAZ-2 identifies recognized environmental conditions on or affecting the McDonald Trust parcels, then, before issuance of a Certificate of Occupancy by the City of Long Beach, the Owner or Developer of the McDonald Trust Parcels shall have a qualified environmental professional conduct a Phase II Environmental Site Assessment consisting of soil and soil vapor sampling and testing; in addition to groundwater sampling and testing, if recommended by the Phase I ESA; and a human health hazard assessment.	City of Long Beach Planning	
HAZ-4	Before issuance of a Certificate of Occupancy	If the Phase II ESA identifies contaminants in soil and/or soil vapor exceeding environmental screening levels for commercial use, then, before issuance of a Certificate of Occupancy by the City of Long Beach, the Owner or Developer of the McDonald Trust Parcels shall have a qualified environmental professional prepare and implement a RAP, a RAW or an RP specifying site remediation, engineering controls, future operation and monitoring (O&M) activities, and/or administrative controls to allow for commercial/industrial development of the site. For each contaminant the Response Plan shall specify how some combination of hazardous materials remediation, engineering controls, operation and monitoring (O&M) activities, and/or administrative controls would reduce exposures to Project construction workers and Project operational workers to below concentrations specified in regulatory action levels for each respective contaminant.	City of Long Beach Planning	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
HAZ-5	Before issuance of a Certificate of Occupancy	The City shall not issue a Certificate of Occupancy for development on the McDonald Trust parcels until any regulatory agency involved has issued a document approving that the RAP, the RAW or the RP, as the case may be, has been implemented in conformance with that agency's requirements (for instance, a No Further Action determination by the Department of Toxic Substances Control).	City of Long Beach Planning	
<b>NOISE</b>				
MM NOI-1	Before issuance of grading permits for proposed development of the Artesia parcels and McDonald Trust Parcels	<p>Prior to issuance of grading permits for proposed development of the Artesia parcels and the McDonald Trust parcels, the Project Applicant shall demonstrate that the contracts for the General Contractor and subcontractors, as appropriate, contain the following provisions:</p> <ol style="list-style-type: none"> <li>1. Noise-generating construction activities shall be limited to the hours specified in the Long Beach Municipal Code, Section 8.80.202.</li> <li>2. Equipment and material staging areas and vehicle maintenance areas shall be located on the western portion of the site as far as practicable from sensitive receptors.</li> <li>3. All construction equipment shall be equipped with manufacturer's specified or better mufflers.</li> <li>4. Stationary construction equipment, such as generators, welders, and compressors, shall be oriented so that the loudest noise is directed away from sensitive receptors.</li> <li>5. Residents within 300 feet of the Project site and the Los Cerritos School shall be notified of the planned construction and construction schedule at least two weeks prior to the start of construction. The notice shall provide a contact for submitting complaints about excessive construction noise.</li> </ol>	City of Long Beach Planning	
MM NOI-2	Prior to approval of plans through plan check for the Artesia parcels self-storage building	Prior to approval of plans through plan check for the Artesia parcels self-storage building, the Applicant shall provide evidence that the HVAC units noise complies with the requirements of Section 8.80.200 of the Long Beach Municipal Code.	City of Long Beach Planning	
MM NOI-3	Prior to approval of plans through plan check for the Artesia parcels carwash	Prior to approval of plans through plan check for the Artesia parcels carwash, the Applicant shall provide evidence that the carwash and mechanical room complies with the requirements of Section 8.80.160 of the Long Beach Municipal Code.	City of Long Beach Planning	
MM NOI-4	Prior to approval of plans through plan check for the McDonald Trust parcels warehouse	Prior to approval of plans through plan check for the McDonald Trust parcels warehouse, the Applicant shall post signs at the north truck parking area that limits truck idling to one truck at a time and idling time to less than five minutes. The Applicant shall also post signs at the north parking area requiring refrigerated trucks or other trucks with internal combustion auxiliary power systems to park in the truck parking area west of the warehouse. All sign locations shall be clearly shown on project plans.	City of Long Beach Planning	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
MM NOI-5	Prior to approval of plans through plan check for the McDonald Trust parcels self-storage building	Prior to approval of plans through plan check for the McDonald Trust parcels self-storage building, the Applicant shall provide evidence that the HVAC units noise complies with the requirements of Section 8.80.200 of the Long Beach Municipal Code.	City of Long Beach Planning	
<b>TRIBAL CULTURAL RESOURCES</b>				
TRIB CULT-1	During the construction phases that involve ground disturbing activities	The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both ancestrally affiliated with the project area and approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the Native American Heritage Commission's (NAHC) Tribal Contact list for the area of the project location. This list is provided by the NAHC. A Native American monitor shall be retained by the Lead Agency or owner of the Project to be on site to monitor all project-related, ground-disturbing construction activities (i.e., boring, grading, excavation, potholing, trenching, etc.). A monitor associated with one of the NAHC recognized Tribal governments which have commented on the Project shall provide the Native American monitor. The monitor/consultant will only be present onsite during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The onsite monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.	City of Long Beach Planning	
TRIB CULT-2	Upon discovery of any tribal cultural or archaeological resources	Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians—Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the Project while evaluation and, if necessary, additional protective mitigation takes place (CEQA Guidelines Section 15064.5 (f)). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources.		

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
TRIB CULT-3	Upon discovery of any tribal cultural or archaeological resources	Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.	City of Long Beach Planning	
TRIB CULT-4	Upon discovery of human remains	Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.	County Coroner	
TRIB CULT-5	Upon discovery of human remains	<p>Upon discovery of human remains, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).</p> <ul style="list-style-type: none"> <li>• If the Gabrieleno Band of Mission Indians—Kizh Nation is designated MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.</li> </ul>	County Coroner	

**PACIFIC PLACE PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure No.	Timing	Measure	Responsible for Monitoring	Completion
		<ul style="list-style-type: none"> <li>• Prior to the continuation of ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</li> </ul> <p>Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <ul style="list-style-type: none"> <li>• Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.</li> </ul>		