

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
STATEMENT OF SUPPORT  
ENVIRONMENTAL COMPLIANCE DETERMINATION  
901 De Forest Avenue  
Application No. 1807-12  
March 7, 2019**

Section 15162 of the California Environmental Quality Act (CEQA) establishes when subsequent Environmental Impact Reports (EIRs) or negative declarations shall be prepared. The Project proposes to construct a 9,680-square-foot stormwater treatment facility and associated piping and landscaping improvements at 901 De Forest Avenue in the Light Industrial (IL) zone. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the overall Long Beach Municipal Stormwater Treatment (LB-MUST) Project. The IS/MND was distributed to public agencies and made available for public review and comment for a CEQA-required 30-day review period that started on July 31, 2017 and ended on August 29, 2017. Comments were received during the review period. The Long Beach City Council carried out the approval of the overall LB-MUST Project on January 23, 2018.

The IS/MND provided mitigation measures addressing potential impacts related to aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, noise, population and housing, and transportation/traffic.

Pursuant to CEQA Section 15162, when a EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record that additional analysis is required. As stated in the following analysis, the proposed project would be consistent with the adopted IS/MND and no new impacts would occur. Therefore, no subsequent environmental analysis is warranted under CEQA.

**CEQA Section 15162:**

**(a) WHEN AN EIR HAS BEEN CERTIFIED OR A NEGATIVE DECLARATION ADOPTED FOR A PROJECT, NO SUBSEQUENT EIR SHALL BE PREPARED FOR THAT PROJECT UNLESS THE LEAD AGENCY DETERMINES, ON THE BASIS OF SUBSTANTIAL EVIDENCE IN THE LIGHT OF THE WHOLE RECORD, ONE OR MORE OF THE FOLLOWING:**

**(1) SUBSTANTIAL CHANGES ARE PROPOSED IN THE PROJECT WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS;**

The IS/MND analyzed the treatment facility as a multi-level, 30-foot high, 10,000 square-foot building. The proposed LB MUST building would be a 30-foot high, 9,680-square-foot building in the same location analyzed in the IS/MND. Therefore, the project would be consistent with the size, height, location, use, and materials analyzed in the IS/MND. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

**(2) SUBSTANTIAL CHANGES OCCUR WITH RESPECT TO THE CIRCUMSTANCES UNDER WHICH THE PROJECT IS UNDERTAKEN WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS; OR**

The IS/MND was prepared, circulated, and adopted in 2017/2018, and no changes have occurred related to site or project circumstances that would result in additional environmental impacts. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

**(3) NEW INFORMATION OF SUBSTANTIAL IMPORTANCE, WHICH WAS NOT KNOWN AND COULD NOT HAVE BEEN KNOWN WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME THE PREVIOUS EIR WAS CERTIFIED AS COMPLETE OR THE NEGATIVE DECLARATION WAS ADOPTED, SHOWS ANY OF THE FOLLOWING:**

**(A) THE PROJECT WILL HAVE ONE OR MORE SIGNIFICANT EFFECTS NOT DISCUSSED IN THE PREVIOUS EIR OR NEGATIVE DECLARATION;**

The IS/MND was prepared, circulated, and adopted in 2017/2018, and no information indicates that new significant impacts would occur that were not previously analyzed. All potential impacts were determined to be mitigated to a less than significant level in the IS/MND analysis. The mitigation measures will remain in effect for the proposed project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

**(B) SIGNIFICANT EFFECTS PREVIOUSLY EXAMINED WILL BE SUBSTANTIALLY MORE SEVERE THAN SHOWN IN THE PREVIOUS EIR;**

The IS/MND was prepared, circulated, and adopted in 2017/2018, and no information indicates that previously examined impacts would become more severe with implementation of the project. All potential impacts were determined to be mitigated to a less than significant level in the IS/MND analysis. The mitigation measures will remain in effect. No new significant environmental

effects or a substantial increase in the severity of previously identified environmental effects would occur.

**(C) MITIGATION MEASURES OR ALTERNATIVES PREVIOUSLY FOUND NOT TO BE FEASIBLE WOULD IN FACT BE FEASIBLE, AND WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS OF THE PROJECT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE; OR**

All potential impacts were determined to be mitigated to a less than significant level in the IS/MND analysis. No project alternatives were required. The mitigation measures will remain feasible and in effect for the project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

**(D) MITIGATION MEASURES OR ALTERNATIVES WHICH ARE CONSIDERABLY DIFFERENT FROM THOSE ANALYZED IN THE PREVIOUS EIR WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS ON THE ENVIRONMENT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE.**

All potential impacts were determined to be mitigated to a less than significant level in the IS/MND analysis. No new mitigation is required to reduce potential impacts further than previously analyzed. The mitigation measures will remain feasible and in effect for the project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.