

**From:** juan ovalle [mailto:jeovallec@gmail.com]

**Sent:** Tuesday, December 6, 2022 2:10 PM

**To:** Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Mayor <Mayor@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Dawn McIntosh <Dawn.McIntosh@longbeach.gov>; Council District 4 <District4@longbeach.gov>

**Subject:** Oppose -Dec. 6th Council Agenda 55. 22-1350 & 56.22-1351; 712 Baker Street

**-EXTERNAL-**

December 6<sup>th</sup>, 2022

City Council, City of Long Beach

Subject: Agenda Items 55. 22-1350 & 56.22-1351; 712 Baker Street

As a resident Western Long Beach that grew up and has lived only about a mile away from the Proposed 712 Baker St. project for over 50 years, I ask that you reject this project. Deny Zoning Changes, Deny Developer Agreement.

As a member of the Riverpark Coalition, I agree with the comments made by our attorneys, Chatten-Brown, Carstens & Mineer, in a letter submitted November 15<sup>th</sup> and attached here for your review. I would like to echo a few comments made by colleagues at RPC and add a couple of additional documents for your consideration. Remember, you have the ability to take action in favor of developing park land and a natural buffer against the cumulative effects of pollution and move towards improving the health and environment of Western Long Beach. You also have the ability to vote against the cumulative social effects caused by decades of inequity towards the working class communities of Western Long Beach, the historical Equestrian Trails and the original peoples of this land as you consider the second reading of agenda item 55. 22-1350 & 56.22-1351 and deny both of them. At the very least, you can postpone both agenda items until Council District 7 has a representative back to work from personal hardship.

On January 18, 2022, the following was part of the Parks & Rec Strategic Plan adopted by council, which you must read and perhaps even memorize. Wrigley and West Long Beach are a mainly working class community with over 80% of the population being of Hispanic and Asian descent. "The City of Long Beach released the Racial Equity and Reconciliation Initiative [RERI], an evolving report that was unanimously adopted by Long Beach City Council on June 23, 2020. The Racial Equity and Reconciliation Initiative identifies Equity Goals and Strategies that address issues of systemic racial inequality based on community feedback, national best practices, existing City data, and City Council priorities. The four key goals for the City are: GOAL 1 End systemic racism in Long Beach, in all local government and partner agencies, through internal transformation. GOAL 2 Design and invest in community safety and violence prevention. GOAL 3 Redesign police approach to community safety. GOAL 4 Improve health and wellness in the City by eliminating social and economic disparities in the communities most impacted by discriminatory practices of the past."

<https://www.longbeach.gov/park/business-operations/about/prm-strategic-plan/>

In 2003 our acting City Manager Gerald R. Miller attempted to follow through on a promise by applying for a grant to purchase and develop these 20 acres of land(see attached grant application). Today, we have a Mayor that may have acted unethically and may have violated a long tradition of Council and Mayors staying away from stating their support for a specific project until approved by Planning. In this case all members of the Planning Commission have been appointed by the Mayor himself. The Mayor wrote a letter to the Planning Commission to solidify his support for the development of this project, By the way, the developer contributed thousands of dollars to the Mayor's Congressional campaign.

Decision makers, please reject this project and do what is right for our Western Long Beach communities and protect the last remaining parcels of open land for future generations to enjoy as the riparian wetlands, trails, and forested land to act as a buffer to the unseen pollution that is reducing the lifespan of our neighbors our children and ourselves.

**Vote NO!**

Juan E. Ovalle

Riverpark Coalition

<https://www.riverparkcoalition.org/>

State of California – The Resources Agency  
**RIVERS AND MOUNTAINS CONSERVANCY**

**CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND  
COASTAL PROTECTION ACT OF 2002**

**GRANTPROJECT APPLICATION**

This Form and Required Attachments Must Be Submitted for Each Project Site

PROJECT NAME  <b>WRIGLEY HEIGHTS ACQUISITION</b>	AMOUNT OF GRANT REQUESTED <div style="text-align: right;"><b>\$5 million</b></div>				
	Estimated TOTAL PROJECT COST <i>(State Grant and other funds)</i> <div style="text-align: right;"><b>\$6.8 million</b></div>				
Grant Applicant <i>(Agency/Organization and Address)</i>  City of Long Beach Department of Parks, Recreation & Marine 2760 N. Studebaker Road Long Beach, CA 90815-1697  FAX (562) 570-3224	COUNTY Los Angeles	NEAREST CITY Long Beach			
	PROJECT ADDRESS 701 Baker Street, Long Beach				
	NEAREST CROSS STREET Wardlow Road & Magnolia				
	SENATE DISTRICT NO.  <div style="text-align: center;">25<sup>th</sup></div>	ASSEMBLY DISTRICT NO.  <div style="text-align: center;">54<sup>th</sup></div>			
Grant Applicant's Representative Authorized in Resolution  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center;"> <b>Gerald R. Miller</b>  <hr/>         Name       </td> <td style="width: 30%; text-align: center;"> <b>Acting City Manager</b>  <hr/>         Title       </td> <td style="width: 20%; text-align: center;">         (562) 570-6916  <hr/>         Phone       </td> </tr> </table>			<b>Gerald R. Miller</b> <hr/> Name	<b>Acting City Manager</b> <hr/> Title	(562) 570-6916 <hr/> Phone
<b>Gerald R. Miller</b> <hr/> Name	<b>Acting City Manager</b> <hr/> Title	(562) 570-6916 <hr/> Phone			
Person with day-to-day responsibility for Project <i>(if different from authorized representative)</i>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center;"> <b>Dennis Eschen</b>  <hr/>         Name       </td> <td style="width: 30%; text-align: center;"> <b>Manager of Planning &amp; Development</b>  <hr/>         Title       </td> <td style="width: 20%; text-align: center;">         (562) 570-3132  <hr/>         Phone       </td> </tr> </table>			<b>Dennis Eschen</b> <hr/> Name	<b>Manager of Planning &amp; Development</b> <hr/> Title	(562) 570-3132 <hr/> Phone
<b>Dennis Eschen</b> <hr/> Name	<b>Manager of Planning &amp; Development</b> <hr/> Title	(562) 570-3132 <hr/> Phone			
Brief description of Project The Wrigley Heights Acquisition project will provide for the acquisition of 20 acres of Los Angeles River front property for the future restoration of historical wetlands, passive recreation, and publicly accessible open space.					
For Development Projects Land Tenure – Project is: _____ acres:  _____ Acres owned in fee simple by Applicant  _____ Acres available under a _____ year lease  _____ Acres other interest <i>(explain)</i> _____  _____	For Acquisition Projects Project land will be <u>  20  </u> acres  _____ <u>  X  </u> Acres acquired in fee simple by Applicant  _____ Acres in other than fee simple <i>(explain)</i> _____  _____  _____				
I certify that the information contained in this Project Application form and Application requirements is accurate.					
Signed _____ <b>(Gerald R. Miller)</b> Grant Applicant's Authorized Representative as shown in Resolution		<div style="text-align: right;"> <b>2/28/03</b>  <hr/>         Date       </div>			



## Chatten-Brown, Carstens & Minter LLP

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November 14, 2022

### ***VIA E-MAIL***

City Council  
City of Long Beach  
c/o City Clerk  
411 W. Ocean Blvd.  
Long Beach CA 90802  
cityclerk@longbeach.gov

Re: Objection to River Park Residential Project, 712 Baker Street, State  
Clearinghouse No. 2021020492, City Council Meeting Agenda Item 29

Dear Honorable Mayor and Councilmembers,

On behalf of the Riverpark Coalition, we submit these comments opposing the River Park Residential Project (the Project) as proposed and the certification of the environmental impact report (EIR) prepared for the Project. Riverpark Coalition is a collection of community groups and individuals including residents of western Long Beach. This community-based coalition works to promote public-serving open space in nature-deprived areas of western Long Beach. Riverpark Coalition recently scored a victory in challenging the City's approval of a project just north of the Project site, at 3701 Pacific Place, without doing proper environmental review.

**As a preliminary matter, we strongly urge that this item be continued until the Seventh District Councilmember, Councilmember Uranga, returns from medical leave.**

Further, we oppose the Project because it shatters the potential for connective recreation space, river restoration and flood management, and continuous equestrian uses along the LA River in western Long Beach as laid out in numerous land use plans and the General Plan, and the Project EIR fails to adequately disclose these impacts.

The Project EIR also fails to disclose the Project's hazardous, water quality, air quality, noise, biological resources, and transportation and traffic safety impacts, as set forth in our September 1, 2022 letter to the Planning Commission (**Attachment 1**). We urge you to carefully review this letter and consider the issues described in it.

For all these reasons, we urge you to honor the site's long-planned use as vibrant greenspace along the LA River, and reject this Project.

**I. The Hearing on this Project Must be Continued Until the Seventh District Councilmember Returns to City Council.**

This Project is located in the Seventh District of the City of Long Beach. The Seventh District is represented by Councilmember Uranga, who is currently on medical leave. Out of fairness and respect to the Councilmember, as well as his constituents, this item must be pulled and continued until the Councilmember is able to return to the office. It is improper to hear this item during a time when the Councilmember is not available to meet with the constituents most affected by this Project and hear their concerns.

**II. The Hearing on this Project Must be Continued Until the Remedial Action Plan is Reviewed by LARWQCB, and the EIR Must be Revised and Recirculated.**

As we stated in our letter to the Planning Commission (Attachment 1, pp. 15-17), the EIR's analysis and mitigation of hazardous impacts and water quality impacts improperly relies on a deferred Remedial Action Plan ("RAP") that is still in draft form and has not been approved by the LA Regional Water Quality Control Board ("LARWQCB").

Not only has the RAP not yet been approved, it is not even fully defined. The EIR states that the RAP itself defers the preparation of a Groundwater Monitoring Plan which will specify the design and implementation of groundwater monitoring, and will include a "contingency" for in-situ groundwater remediation if LARWQCB later determines it is necessary. (FEIR App. C Section 1, IV.H-7.) Additionally, the EIR recognizes that an Operations, Maintenance, and Implementation Plan "is expected to be a component" of the LARWQCB's approval. (*Ibid.*) These mitigation measures are far too speculative and lack any specific performance criteria or commitment, and thus violate CEQA.

We strongly urge the City Council to continue this item until *after* the RAP is in final form and has been reviewed by LARWQCB, and the EIR has been revised and recirculated to provide an accurate picture of the Project's impacts and mitigation.

**III. Riverpark Coalition's Recent Successful Litigation at Pacific Place Demonstrates the Need for Adequate Environmental Review.**

The Los Angeles County Superior Court recently ruled in favor of requiring environmental review with regards to the Pacific Place Project, located just north of the Project site. Excerpts of the Court's opinion are attached as **Attachment 2**, and we

describe below how these excerpts demonstrate the need for legally adequate environmental review at this site.

The Court found that the environmental review at issue in Pacific Place failed to analyze that project's impacts on the longstanding land use plans designating the site as park space, implemented by the General Plan. (Attachment 2, pp. 446-449.)

***The same issue applies here.*** As set forth in our Planning Commission letter (Attachment 1, pp. 9-15), the site at issue in ***this*** Project also has been long designated as park space by numerous land use plans, including the RiverLink Plan, Long Beach Department of Parks, Recreation, and Marine Strategic Plan, West Long Beach Livability Implementation Plan, West Long Beach I-710 Community Livability Plan, Los Angeles River Master Plan, and Lower Los Angeles River Revitalization Plan. The General Plan requires implementation of these plans, as shown by the following implementation strategies:

- LU-M-53: Continue to implement the Long Beach I-710 Community Livability Plan aimed at incorporating and prioritizing livability improvements in the I-710 freeway corridor neighborhoods.
- LU-M-54: Continue to implement the West Long Beach Livability Implementation Plan to improve the quality of life in West Long Beach and to bring to fruition the community's vision of a healthy, vibrant and livable neighborhood through land use planning and capital improvement projects.
- LU-M-84: Increase parks and open space areas to meet the City standard of eight acres of park land for every 1,000 Long Beach residents, particularly in neighborhoods where there is a deficiency in park space.
- LU-M-85: Continue to implement and update the Department of Parks, Recreation and Marine Strategic Plan and the Open Space and Recreation Element.
- LU-M-86: Update and implement the Long Beach Riverlink Plan to create a continuous greenway of pedestrian and bike paths and linkages along the east bank of the Los Angeles River, as well as to connect to existing and future parks, open space and beaches along western portions of the City.
- LU-M-95: Reuse vacant properties as community amenities such as gardens, parks or temporary green spaces to reduce blight and safety issues, increase residents' access to needed parks and open spaces, and spur additional investment in neighborhoods.

The Court also found potential impacts to biological resources onsite, particularly in regards to special status vegetation like the southern tarplant. (Attachment 2, pp. 450-453.) In light of this ruling, and the proximity of the Project to Pacific Place and the EIR's failure to analyze southern tarplants, we believe the EIR must be revised to require preconstruction surveys and measures to protect in place any tarplant individuals found.

Finally, the Court also found potential traffic safety impacts due to the project's proximity to freeways. (Attachment 2, pp. 455-456.) The same issue applies here, and yet the Project imposes unsafe mitigation—an unsafe traffic signal. (Attachment 1, pp. 22-23.) The Project must be revised and recirculated with adequate traffic safety mitigation.

#### IV. CONCLUSION

For the foregoing reasons and the reasons we set forth in our September 1, 2022 Planning Commission Letter, the Project EIR fails to adequately analyze the Project and thus we urge you not to certify it and not to approve the Project. Moreover, this site provides a once-in-a-lifetime opportunity for a truly transformational greenspace that will greatly improve the lives of community members in western Long Beach by reducing impacts to the LA River and floodplain, creating much-needed park space, and respecting and maintaining equestrian uses. While we agree that housing—particularly **affordable** housing—must be a priority in the City, the present project will create a gated community with **only** 5% affordable units, located **on a highly contaminated site**. The current and future residents of western Long Beach deserve better, and thus we respectfully request that the City Council deny this project. Thank you for your consideration of these comments.

Sincerely,



Sunjana Supekar

#### Attachments:

- (1) September 1, 2022 Letter from Riverpark Coalition to City of Long Beach Planning Commission re 712 Baker Street.
- (2) Excerpts from October 19, 2022 Order Granting Writ of Mandate, *Riverpark Coalition et al. v. City of Long Beach*, LA Superior Court Case No. 21STCP01537.