

Setting the Record Straight with Riverpark Coalition

We appreciate Riverpark's right to ask questions, but the group has made inaccurate statements. Please read the facts below and judge for yourself:

Major Riverpark Claim:

- *To ensure public safety this project should require an Environmental Impact Report (EIR)*

The Facts:

- An EIR is only required where a project will have a *significant and unavoidable impact*, which the Project will NOT have as determined by the City of Long Beach as Lead Agency with oversight from the Department of Toxic Substances Control (DTSC)
- The public safety process undertaken - a "Mitigated Negative Declaration" (MND) - was a comprehensive effort led by the City of Long Beach with oversight from the California Department of Toxic Substances Control (DTSC) and authorized by the California Environmental Quality Act (CEQA).
- The CEQA and MND process has required extensive 3rd party studies on potential environmental, traffic, pollution, paleontological, biological resources and cultural resource impacts, among others
- From these independent studies and recommendations from the City and DTSC, plan modifications were made and mitigation measures proposed to protect human health and safety and the environment before, during, and after construction INCLUDING auditing and long term site monitoring
- While normally an EIR takes longer to finish and requires more preparation than an MND, the Project's MND and supporting studies – 15 months in the making – have taken every bit as long, required as much effort, study and design, and involved similar risk and cost as an EIR
- This is the first combined, comprehensive site redevelopment and clean-up plan approved by the City of Long Beach, the DTSC, and the Long Beach Planning Commission
- The MND involved an opportunity for public review and comment similar to public review and comment an EIR entails
- Finally - we have a tremendous incentive to make the site safe - this is our future headquarters!

Response to Riverpark's inaccurate presentation of the MND, the proposed remediation, and our project:

***False Claim #1** - The Development has not been fully entitled, yet the developer has already been allowed to grade the site flat and remove all vegetation.*

Fact #1 - No grading has occurred. Only environmental investigation and soil study via a surcharge program to confirm the feasibility of the proposed development and remediation took place. All vegetation needing protection will remain protected.

***False Claim #2** - The developer has been allowed to build a 15' mound of dirt for the purposes of compacting the soil called surcharging (they call it a test) that is commonly done after the permit for construction, which has not yet been issued.*

Fact #2 - "Surcharging" is an effective method to assess the stability and suitability of the soil to support proposed improvements. It is not a part of construction. We have received no project approval or construction permit.

***False Claim #3** - The Department of Toxic Substances Control (DTSC) has not completed its study of the site, and held its only public meeting after the grading. Yet grading had by then already spread contaminated dust into our neighborhood.*

Fact #3 - No grading has occurred. Contamination has not been spread. Dozens of investigations have been conducted at the site since 1986; DTSC has overseen onsite environmental investigations since 2005. Roux Associates, our environmental consultant, conducted comprehensive environmental investigations of the shallow cover soils on the site between August 2019 and February 2020. These investigations included drilling at 49 locations throughout the site and collecting and analyzing soil and soil vapor samples to confirm the results of previous investigations and to assess risk to workers and the general public during future construction and development activities. The results of Roux's investigations were documented in two separate reports, (1) Final Site Assessment Plan and report of Findings (March 13, 2020) and (2) Site Assessment Plan and Report of Findings Addendum for the Tookey Parcel (May 18, 2020) that were submitted to and approved by the DTSC. The potential risks to workers and the general public identified through risk assessment were quantified and mitigation was proposed in the Draft Response Plan, which DTSC released for public review and comment on October 29, 2020. DTSC will provide a written response to each public comment, and has the authority to revise the Response Plan in response to public comments. During soil surcharge testing, the extensive site data it produced was used to excavate and segregate two shallow, isolated areas where metals exceeded conservative risk thresholds. This was performed prior to any earth movement on the site in accordance with DTSC guidance and the Site's Soil Management Plan.

***False Claim #4** - No analysis of the new traffic patterns caused by the proposed development has been conducted, nor how traffic will impact our already poor air quality.*

Fact #4 - Traffic studies have been prepared by expert traffic engineers, reviewed by the City of Long Beach Planning Department, and show the project will have “a less than significant transportation impact”. An expert consulting firm also prepared a detailed air quality study that concluded based on air emissions data and air quality modeling that “the project would not result in a significant air quality impact after implementation of recommended mitigation measures set forth in the MND” which will be incorporated into the project as and when the City Council adopts the MND and approves the project.

False Claim #5 - Potential contamination due to undersized storm drainage system has not been adequately studied or addressed, bringing overland toxic contaminants and increased flooding to homes south of the 405 fwy with imminent risk to the immediate area.

Fact #5: A comprehensive, sophisticated storm drain system has been designed by a California licensed civil engineer to comply with the City of Long Beach Low Impact Development requirements and the County of Los Angeles Drainage Manual. This includes a state-of-the art onsite stormwater retention and treatment system with additional costs of \$2,500,000 to \$3,000,000 that are included in our plans. This system will ensure that no such harmful substances would migrate off-site and no such flooding of homes or risk to the immediate area will occur.

False Claim #6 - *The 50,000-ton surcharge pressing down on the abandoned oil wells and active pipelines might be releasing toxic substances that we won't know for years to come.*

Fact #6 - We hired a 3rd party firm, Carl Kim Geotechnical, Inc. (CKG), that specializes in measuring and projecting potential impacts from surcharges. This expert concluded that, as properly designed and implemented, the surcharge testing would occur safely and not cause any release of hazardous materials or waste. CKG shared its findings with DTSC; this consultant's recommendations were incorporated into the surcharge program; and no such release occurred during this program's implementation.

False Claim #7 - *No study or analysis of likely significant tribal artifacts and/or cultural resources that are present and could be harmed or lost during [development has occurred].*

Fact #7 - We engaged LSA, a 44 year old, 180 employee firm specializing in CEQA and Archaeological & Cultural Resource Studies. In April of 2020, LSA conducted an extensive cultural, including tribal cultural, resources study and submitted its analysis and findings, as attached to the MND, which notes that “The field survey did not identify any cultural resources in the project site.” Furthermore, all outreach and notifications to several tribes occurred in compliance with CEQA's requirements. The Gabrieleno Band of Mission Indians – Kizh Nation requested to be on site to monitor project-related construction activities, and tribal monitors were on site daily in September and October 2020 during the surcharge program with no tribal artifacts or cultural resources discovered. **We anticipate that tribal monitors would be on site if the City approves the project and adopts the MND and as and when construction activities occur.**
