



Intex Corporate Office and Fulfillment Center

Findings of Fact

State Clearinghouse Number: 2023040345

prepared by

City of Long Beach

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1 Introduction

The following findings are made for the Environmental Impact Report (EIR) State Clearinghouse Number 2023040345 (SCH No. 2023040345) for the proposed Intex Corporate Office and Fulfillment Center (also referred to as the “proposed project” or “project”). The EIR analyzes the significant and potentially significant environmental impacts that may occur due to the proposed project.

The project site is located on a vacant property directly across Via Oro Avenue from the current Intex Recreation Corporation building at 4001 Via Oro Avenue in the City of Long Beach. The project site is relatively flat with an area of 26.47 acres. The parcels on which the project site is located have Assessor Parcel Numbers of 7310-015-034, 7310-015-019, and 7310-015-023.

The project site is in the “I” (Industrial) Place Type of the City’s newly adopted (December 2019) General Plan Land Use Element and is located on “Ownership Parcel B” in Subarea I of the West Long Beach Business Parks Planned Development District (PD-26). The proposed project would not require amendments to the City’s General Plan or the Long Beach Municipal Code (LBMC).

The proposed project includes the construction of a new 60-foot-tall, 517,437 square foot (sf) combination warehouse and distribution center with accessory offices. Goods would be imported via the nearby Port of Los Angeles and Port of Long Beach, sorted and stored on-site, and then distributed nationally from the project site.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, if a Final EIR identifies significant environmental impacts, a project may not be approved until the lead agency makes written findings regarding each of the significant effects. The three possible findings identified in CEQA Guidelines Section 15091(a) are:

- Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

CEQA Guidelines Section 15092(b) provides that no agency shall approve a project for which an EIR was prepared unless either:

- The project approved will not have a significant effect on the environment, or
- The agency has eliminated or substantially lessened all significant effects where feasible as and determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to overriding concerns.

1.1 EIR Process

The City of Long Beach issued a Notice of Preparation (NOP) on April 14, 2023, and made the NOP available for review and comment for a 30-day period closing on May 15, 2023. The NOP was distributed to city, county, state and federal agencies, other public agencies, and various interested private organizations and individuals. The NOP was also submitted to the State Clearinghouse for distribution to state and responsible and trustee agencies. Seven comment letters or e-mails were received during the review period. The NOP and comments received are included in Appendix A of the Final EIR.

Based upon comments, the City's preliminary evaluation of the probable effects of the proposed project and a thorough review of the comments on the NOP, it was determined that the Draft EIR should assess environmental impacts relative to the following 13 resources:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The Draft EIR also included other CEQA sections, including an Executive Summary, Introduction, Project Description, Analysis of Long-Term Effects, Cumulative Impacts (discussed within each of the resource sections), Effects Found Not to be Significant, and Alternatives.

The Draft EIR was circulated for a 60-day public review period (July 30, 2024, through September 27, 2024) in accordance with Section 15087 of the CEQA Guidelines. 14 comment letters were received during the public review period and are responded to in Section 2, *Response to Comments*, of the Final EIR.

2 Project Description

The proposed project includes the construction of a new 60-foot-tall, 517,437 square foot (sf) combination warehouse and distribution center with accessory offices. The currently undeveloped project site encompasses two parcels on 26.47 gross acres (26.34 net acres). Goods would be imported via the nearby Port of Los Angeles and Port of Long Beach, sorted and stored on-site, and then distributed nationally from the project site. Refer to Table 2-1 in Section 2, *Project Description*, for the full summary of the proposed project's components.

The project site would be developed with 570 parking stalls and 174 loading/trailer parking spaces, all in an open surface parking field. Access to the project site would be via five driveways: one 40-foot-wide driveway at each of the proposed cul-de-sacs on Carson Street and West Via Plata Street providing access to the loading docks and other areas on the eastern side of the property; two 28-foot-wide driveways providing access to the western side of the property from Via Oro Avenue; and one 28-foot-wide driveway providing access to the southern side of the property from Carson Street. All solid waste would be stored in trash enclosures with recycle bins that would be locked when not in use. The proposed project would include signage posted around the project site to indicate entrances and activity nodes, prohibit loitering and trespassing, and warn of surveillance on the site. The proposed project would also include security cameras dispersed throughout the project site. The proposed project site plan is shown in Figure 2-4 of Section 2, *Project Description*.

A major component of the proposed project is the requested street vacation of Via Alcalde Avenue. This right-of-way, once vacated, would become part of the site to be used for vehicle and truck parking and for on-site truck turning and maneuvering. A year-long effort by the project applicant and the City's Public Works Department in conjunction with Caltrans and Metro (LACMTA) has resulted in a determination that the vacation would be feasible and satisfactory to all parties involved.

Another component of the proposed project is a variety of trees and shrubs that would be added to the project site. A total of 103 street trees would be located in the public right-of-way on all sides of the project site and 138 parking lot trees would be dispersed throughout the site. The Arborist Report and Tree Protection Plan completed for the proposed project in March 2023 by Rincon Consultants estimated that there are 207 trees on the project site (including 168 trees in the public right-of-way and 39 trees within the privately-owned project site) and that the proposed project would require removal of 139 trees within the project site, while retaining 39 trees with minor impacts, and one tree with a major impact.

There currently is no natural gas service provided at the project site. As further described in conditions of approval, the proposed project is required to incorporate full carbon/electricity generation offset by including solar panels. This would preclude the use of natural gas for operation of the proposed project. The proposed project would connect to existing electrical lines operated by Southern California Edison. The project would connect to existing water and sewer lines operated by the Long Beach Utilities Department¹.

¹ Gas service was formerly provided by the Long Beach Energy Resources Department; and water, reclaimed water, and sewer service were provided by Long Beach Water Department; but as a result of a recent City Charter amendment these departments have been combined and are now known as the Long Beach Utilities Department.

2.1 Project Objectives and Benefits

The proposed project includes the following objectives:

- Improve the efficiency of Intex's business operations by consolidating the company's warehousing, distribution, and office operations (including its current operations in Fontana, California and locally at 4001 Via Oro Avenue and 1665 Hughes Way) into a single location
- Develop the currently vacant project site with a project that would be consistent with the intended use of the site as reflected in its zoning and General Plan PlaceTypes (land use designation)
- Improve the efficiency of the flow of cargo from the Ports of Long Beach and Los Angeles to Intex's new consolidated warehouse and corporate headquarters (project) and subsequent national distribution of products from this location
- Improve circulation around, into, and out of the project site and improve the safety and aesthetics of the project area by vacating Via Alcalde Avenue in the eastern portion of the project site
- Implement a project that will provide high quality design, materials, and operational methods to promote sustainability, energy, and water conservation and healthy workplaces
- Enhance the City's economy and tax base by developing the currently vacant property with improvements that will generate increased property taxes, employment, and economic activity

2.2 Required Approvals

In accordance with Sections 15050 and 15367 of the State CEQA Guidelines, the City is the designated Lead Agency for the proposed project and has principal authority and jurisdiction for CEQA actions and project approval. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by a proposed project.

The proposed project would require approvals by the Long Beach Planning Commission and approvals and adoption by the Long Beach City Council, including the following discretionary approvals:

- Site Plan Review: approval by the Planning Commission
- Lot Merger: approval by the Planning Commission or Zoning Administrator
- Street Vacation General Plan Conformity Finding for Via Alcalde Avenue: finding by Planning Commission (completed August 6, 2020)
- Right-of-Way Vacation for Via Alcalde Avenue: approval by the City Council following project approval and EIR certification by Planning Commission

In addition, ministerial permits, including grading permits, building permits, and public works permits, would be issued by the City to allow site preparation and construction of the proposed project and off-site improvements and project infrastructure connections.

No responsible or trustee agencies have been identified for the proposed project.

3 Issues Addressed in the EIR

Based on the analysis presented in the NOP and the information provided in the comments to the NOP, the following environmental topics were analyzed in the Draft EIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use/Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

During preparation of the Draft EIR, it was determined that the project would have a less than significant impact or no impact associated with the following resource topics:

- Air Quality
- Energy
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Utilities and Service Systems

4 Findings of Significant Impacts, Required Mitigation Measures, and Supporting Facts

The Draft EIR concluded that environmental issue areas with potentially significant impacts were Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, and Tribal Cultural Resources. Impact categories that had potentially significant impacts are listed below. For each of these issues, the findings, mitigation measures, and supporting facts are presented below.

The Draft EIR analysis determined that mitigation would not be required under the following thresholds, as potential project impacts would be less than significant:

- Air Quality
- Energy
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Utilities and Service Systems

Discussion of Air Quality, Energy, Hazards and Hazardous Materials, Land Use and Planning, Noise, Public Services, Transportation, Utilities and Service Systems are not discussed further in this section of the document.

4.1 Biological Resources

4.1.1 Nesting Raptors and Migratory Birds

- **Potential Impact.** The proposed project contains suitable nesting, roosting, and foraging habitat for bird and raptor species protected by the MBTA and CFGC Sections 3503, 3503.5, and 3513, including the ornamental, non-native trees on and adjacent to the project site.
- **Finding.** The project site was determined to not contain suitable habitat to support burrowing owls.
- **Facts in Support of Finding.** Potential project impacts to nesting birds and raptors during construction include direct impacts, through harm or mortality to individuals or destruction of nests; and indirect impacts, through excessive noise or dust that disrupt nesting behaviors and/or failure of a nest. Therefore, the project site is considered suitable for nesting, roosting, and foraging habitat for birds and raptors and mitigation is required.

The proposed project would include the following mitigation measure:

BIO-1 Pre-Construction Nesting Bird Surveys

The following is required to maintain compliance with CFGC Sections 3503 and 3503.5 and the MBTA with respect to nesting birds:

- If construction activities take place during the bird nesting season (generally February 1 through August 31, but variable based on seasonal and annual climatic conditions), nesting bird surveys shall be performed by a qualified biologist (a biologist with experience with avian species in the Los Angeles County region) and within seven days prior to project activities to determine the presence/absence, location, and status of any active nests on-site and within 100 feet of the site
- If nesting birds are found on-site, a construction buffer of appropriate size (as determined by the qualified biologist) shall be implemented around the active nests and demarcated with fencing or flagging. If ground/burrow nesting birds are identified, demarcation materials that do not provide perching habitat for predatory bird species shall be used. Nests shall be monitored at a minimum of once per week by the qualified biologist until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete, and all the young have fledged and are capable of surviving independently of the nest. If project activities must occur within the buffer, they shall be conducted at a distance that will prevent project-related disturbances, as determined by the qualified biologist

If no nesting birds are observed during pre-construction surveys and construction continues at the site without substantial delays (i.e. pause in activity of more than seven days) during the nesting season, no further actions are necessary. If the proposed project is phased or construction activities stop for more than seven days, a subsequent pre-construction nesting bird survey shall be conducted prior to each phase of construction, if initiated during the bird breeding season.

Mitigation Measures BIO-1 would ensure that nesting bird surveys shall be conducted prior to each phase of construction, if initiated during the bird breeding season. With implementation of mitigation, impacts to nesting raptors and migratory birds would be **less than significant**.

4.2 Cultural Resources

4.2.1 Archaeological Resources

- **Potential Impact.** The Los Angeles River is located approximately 0.25-mile east of the project site and Compton Creek is located approximately 0.50-mile northwest of the project site. These permanent water sources increase the likelihood of subsurface archaeological resources within the project site, as prehistoric communities would have utilized these water sources for their livelihood. Therefore, the project site is considered sensitive for buried archaeological resources.
- **Finding.** The cultural resources study conducted for the project did not identify evidence of archaeological resources within or adjacent to the project site. During the pedestrian survey, the archaeologist observed heavy disturbance throughout the project site from various types of modern disturbances including an existing berm and chain link fence, modern landscaping, the

dumping of landscape vegetation, and the plowing/disking of the vacant lot. Historical aerial imagery indicates that this disturbance has been constant for at least the past 30 years.

- **Facts in Support of Finding.** The proposed project would include the following mitigation measures to reduce potential impacts related to archaeological resources:

CUL-1 Worker's Environmental Awareness Program

A qualified archaeologist shall be retained to conduct a Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archeology (National Park Service [NPS] 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.

CUL-2 Periodic Archaeological Spot Checks

A qualified archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall conduct archaeological spot checks beginning at depths of three (3) feet and below to determine if construction excavations have exposed or have a high probability of exposing archaeological resources. After the initial Archaeological Spot Check, further periodic checks shall be conducted at the discretion of the qualified archaeologist. If the qualified archaeologist determines that construction excavations have exposed or have a high probability of exposing archaeological artifacts, full-time archaeological monitoring will be required.

CUL-3 Unanticipated Discovery of Cultural Resources

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the resource. If the discovered resources are tribal cultural resources, Mitigation Measures TCR-1 and TCR-2 in Section 4.12, *Tribal Cultural Resources*, of this EIR shall be followed. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of CCR Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).

Mitigation Measures CUL-1 through CUL-3 would reduce potential impacts to archaeological resources to a less than significant level and would effectively mitigate the project's impacts to these resources through the recovery, identification, and treatment of archaeological resources. With implementation of mitigation, impacts related to archaeological resources would be **less than significant**.

4.3 Geology and Soils

4.3.1 Liquefaction

- **Potential Impact.** The project site is within a mapped liquefaction zone pursuant to the CGS, the project must adhere to measures consistent with established practice that will reduce seismic risk to acceptable levels pursuant to Public Resources Code Section 2693. Therefore, the project is considered susceptible to liquefaction.
- **Finding.** The Geotechnical Investigation (Appendix I) of the Final EIR found that groundwater was present on the project site approximately 43 feet below the surface. However, standard penetration tests performed on soil borings collected from the project site during the Geotechnical Investigation indicate that the underlying deposits are generally dense. Given the soil conditions and depth to groundwater found at the project site, the Geotechnical Investigation concluded that the potential for liquefaction occurring on the project site is low. In addition, The Geotechnical Investigation found that the geologic materials beneath the project site generally consist of dense sand, silty sand, and sandy silt. Accordingly, the potential for seismic settlement is remote.
- **Facts in Support of Finding.** The proposed project would include the following mitigation measures to reduce potential impacts related to liquefaction on the project site:

GEO-1 Foundation Considerations

If subterranean construction is planned, footings should automatically extend into the firm natural soils. For preliminary design, it may be assumed that footings carried into the firm natural soils may be designed to impose a net dead plus live load pressure of 4,000 pounds per square foot.

Either driven friction piling or drilled cast-in-place concrete piling may be used; the lengths of drilled piling would be restricted to about 40 feet below the existing grade due to water. For preliminary design, it may be assumed that a 12-inch-square prestressed concrete driven pile, 40 feet long, will develop a downward capacity of about 180 kips. A 24-inch-diameter drilled cast-in-place concrete pile, 30 feet long, will develop a downward capacity of about 120 kips, and a 40 feet long pile will develop a downward capacity of about 180 kips. Shorter piles will have to be used if a basement is planned in order to keep the tips of the drilled piles within 40 feet of the present ground surface and above the ground water level.

GEO-2 Excavation

Conventional earth-moving equipment may be used. If the necessary space is available, temporary unsurcharged excavations may be sloped back at 3/4:1 (horizontal to vertical) in lieu of using shoring.

GEO-3 Grading

To provide support for floor slabs and walks on grade, the existing fill materials and disturbed natural soils should be excavated and replaced with properly compacted fill. The on-site soils, less debris and organic matter within fill deposits, would be suitable for use in compacted fills.

GEO-4 Floor Slab Support

The building floor slabs may be supported on grade. No special requirements are anticipated. Where a capillary break is considered necessary, the floor slabs may be supported on a layer of gravel or on an impermeable membrane.

Mitigation Measures GEO-1 through GEO-4 would reduce the proposed project's potential impacts related to liquefaction. With implementation of these mitigation measures, the proposed project would not pose a significant impact to liquefaction and impacts would be **less than significant**.

4.4 Greenhouse Gas Emissions

4.4.1 Consistency with Applicable Plans and Policies

- **Potential Impact.** The City of Long Beach LB-CAP is a qualified GHG reduction plan consistent with the requirements of CEQA Guidelines Section 15183.5. Proposed project GHG emissions would be less than significant if it can be demonstrated that the proposed project would be consistent with the LB-CAP's Consistency Checklist.
- **Finding.** The proposed project would be consistent with the LB-CAP Checklist, 2022 Scoping Plan, SCAG's 2020-2045 RTP/SCS, and the City's General Plan. Therefore, the proposed project would be consistent with State and local policies for reducing GHG emissions.
- **Facts in Support of Finding.** The proposed project would include the following mitigation measures to reduce potential impacts related to liquefaction risks on the project site:

GHG-1 Greenhouse Gas Emissions Reduction Actions

The proposed project would incorporate Tier 1 GHG emissions reduction actions to demonstrate consistency with the LB-CAP Checklist for new developments. The proposed project would incorporate the following actions:

- a. The applicant/developer shall install onsite renewable energy systems or shall participate in SCE Green Rate (100 percent carbon-free electricity) to supply 100 percent carbon-free electricity to the project site. A combination of onsite and offsite energy supply with 100 percent carbon-free electricity can be used to satisfy the LB-CAP's zero-carbon electricity requirement
- b. The applicant/developer shall provide short and long-term bicycle parking for at least five percent of motorized vehicle capacity and nothing less than CalGREEN requirements, whichever is more restrictive
- c. The applicant/developer shall incorporate electric vehicle parking spaces consistent with LBMC 18.47.050 and CALGreen Section 5.106.5.3—Electric vehicle (EV) charging. At least twenty percent of all parking spaces shall be EV capable spaces (EVCS) (114 out of 570 total parking spaces) and at least 25 percent of these EVCS (29 out of 114 EVCS) must be equipped with charging stations

- d. The applicant/developer shall comply with the City's of Long Beach TDM Ordinance for nonresidential development of 100,000 square feet by the following:
 - A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers
 - Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development
 - If determined necessary by the City to mitigate the project impact, bus stop improvements must be provided. The City will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops
 - Safe and convenient access from the external circulation system to bicycle parking facilities on-site
- e. The applicant/developer shall utilize electric lawn and gardening equipment for all landscaping activities
- f. The applicant/developer shall implement waste GHG emissions reduction actions by the following:
 - Comply with all Mandatory Construction & Demolition (C&D) Recycling Program Requirements, including Section 18.67.100
 - Provide substantial storage, collection, and loading of recyclables in a manner that is convenient and safe for all users of the building. Ensure there are sufficient sizes and amount of collection containers for recyclables. Containers must be kept clean, be clearly labeled, and are co-located next to any other solid waste receptacles. Ensure sufficient pick up of collection containers to meet the needs of the occupants
 - Provide proper storage, collection, and loading of organics in a manner that is convenient and safe for all users of the building. Ensure there are sufficient sizes of collection containers for organics. Containers must be kept clean, be clearly labeled, and are co-located next to any other solid waste receptacles. Ensure sufficient pick up of collection containers to meet the needs of the occupants
 - The proposed project shall include space for multi-stream collection containers for both recycling and organics in any location where a solid waste container is traditionally housed. This includes both outdoor collection containers serviced by a waste hauler or indoor collection containers utilized by occupants. The proposed project must provide educational material and training to occupants and tenants in how to properly separate recyclables from all other solid waste and place recyclables in a separate container designated for recycling and organics
 - Ensure that all occupants and tenants of the proposed project separate recyclables from all other refuse and place recyclables in a separate container designated for recycling and composting
 - Ensure containers are audited annually to ensure proper service levels and to check for contamination. Report findings back to occupants within 30 days and to the City as requested

- Work with waste hauler to provide educational material to tenants at least on an annual basis
- Provide compliance data to the City as required for any current auditing program

With incorporation of Mitigation Measure GHG-1, the proposed project would incorporate Tier 1 measures that are required for projects to be consistent with the LB-CAP Checklist, which aims to reduce Long Beach’s GHG emissions by 40 percent below 1990 levels by 2030 and to achieve net carbon neutrality by 2045. Therefore, GHG impacts associated with the proposed project would be less than significant.

4.5 Tribal Cultural Resources

4.5.1 Unidentified Tribal Cultural Resources

- **Potential Impact.** Earthmoving activities associated with the proposed project could expose previously undiscovered subsurface archaeological resources that may be considered tribal cultural resources and could be adversely affected by the project construction.
- **Finding.** No tribal cultural resources have been identified from AB 52 consultation efforts. However, unidentified tribal cultural resources could adversely be affected by project construction. Following implementation of mitigation measures TCR-1 and TCR-2, impacts would be less than significant.
- **Facts in Support of Finding.** The proposed project would include the following mitigation measures to reduce potential impacts to tribal cultural resources:

TCR-1 Gabrieleño Band of Mission Indians—Kizh Nation (Kizh Nation) Tribal Consultation Measures

Prior to issuance of a grading permit for the project, the Permittee shall retain a Gabrieleño Band of Mission Indians—Kizh Nation (Kizh Nation) tribal monitor to provide Native American tribal monitoring of ground-disturbing activities. Ground-disturbing work requiring Native American tribal monitoring shall adhere to the following requirements established by the consulting Tribe:

1. Retain a Gabrieleño Band of Mission Indians—Kizh Nation Monitor Prior to Commencement of Ground-Disturbing Activities.
 - A. The Permittee shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to whichever is earlier: the commencement of any ground-disturbing activity or the issuance of any permit necessary to commence a ground-disturbing activity.

- C. The monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Kizh Nation. Monitoring logs shall identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitoring logs shall be provided to the Permittee/lead agency upon written request to the Kizh Nation.
 - D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the Permittee/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh Nation to the Permittee/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh Nation TCRs.
 - E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh Nation monitor and/or the Kizh Nation archaeologist. The Kizh Nation shall recover and retain all discovered TCRs in the form and/or manner the Kizh Nation deems appropriate, in the Kizh Nation’s sole discretion, and for any purpose the Kizh Nation deems appropriate, including for educational, cultural, and/or historic purposes.
2. Unanticipated Discovery of Human Remains and Associated Funerary Objects.
- A. 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 Public Resources Code Section 5097.98, are also to be treated according to this statute.
 - B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain 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 they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
 - C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code Sections 5097.98(d)(1) and (2).
 - D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh Nation determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination

(along with any other mitigation measures the Kizh Nation monitors and/or archaeologist deems necessary) (*State CEQA Guidelines* Section 15064.5(f)).

- E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
 - F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.
3. Procedures for Burials and Funerary Remains:
- A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Kizh Nation, 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.
 - B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
 - C. The prepared soil and cremation soils shall 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. Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.
 - D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall 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 shall be posted outside of working hours. The Kizh Nation shall 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.
 - E. In the event preservation in place is not possible despite good faith efforts by the Permittee, before ground-disturbing activities may resume on the project site, the Permittee shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.
 - F. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within 6 months of recovery. The site of reburial/ repatriation shall be on the project site but at a location agreed upon between the Kizh Nation and the Permittee at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

- G. The Kizh Nation shall work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Kizh Nation, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery-related forms of documentation shall be approved in advance by the Kizh Nation. If any data recovery is performed, once complete, a final report shall be submitted to the Kizh Nation and the NAHC. The Kizh Nation does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

TCR-2 *Gabrieliño Tongva Indians of California (GTIOC) Tribal Consultation Measures*

Prior to issuance of a grading permit for the project, the Permittee shall retain a Gabrieliño Tongva Indians of California (GTIOC) tribal monitor to provide Native American tribal monitoring of ground-disturbing activities. Ground-disturbing work requiring Native American tribal monitoring shall adhere to the following requirements established by the consulting Tribe:

1. Gabrieliño Tongva Indians of California (GTIOC) Native American Monitor
 - A. A qualified and certified indigenous tribal member of the Gabrieliño Tongva Indians of California (GTIOC) shall provide professional Native American Monitoring required for the ground-disturbing activity on the site. Ground disturbances including but not limited to the removal of asphalt/cement/slurry, trenching, boring, excavation, auguring, grubbing, tree removal, grading and drilling shall be monitored. The Tribal Monitor shall only be required on site when these ground-disturbing activities occur.
 - B. The GTIOC monitor shall be responsible for observing all mechanical and hand labor excavations to include paddle scrapers, blade machines, front-end loaders, backhoe, boring and drill operations as well as hydraulic and electric chisels. Associated work using tools such as picks and other non-electric or gasoline tools that are not regarded as mechanical shall be monitored for their soil disturbances.
 - C. Soils that are removed from the work site are considered culturally sensitive and are subject to inspection. These soils whether placed in a dump truck or spots piles are to be inspected. The monitor shall temporarily hold excavations until a determination is made on the sensitivity of the of the soil. If the soils are sensitive, an archaeological monitor shall verify the find and notify the site supervisor.
 - D. The GTIOC monitor may make recommendations during the course of the project when a cultural area has been impacted. The GTIOC monitor shall be authorized to halt or redirect excavation activities to another area as an assessment is made. Both archaeological and GTIOC shall work together to ensure that the area is warranted as being culturally sensitive before a determination is made. Avoidance and directing an alternative route from this culturally sensitive area is highly recommended.
 - E. Any artifacts associated within the site that are not associated with any burials are subject to collection by the designated archaeologist for purposes of data and information vital for their final report. The GTIOC monitor does not collect artifacts for any reason. Unauthorized removal of artifacts will jeopardize sites orientation and successful data recovery. Only a qualified archaeologist shall remove artifacts for their reports. The landowner shall work with the GTIOC monitor to ensure that a proper repository is established. A final report shall be issued to the cultural consultant by the archaeological company.

- F. It is the sole responsibility of the GTIOC monitor to provide the client with a written daily field report that includes photos of his/her accounting of the soil disturbances of the daily activities. This perspective of the daily activities by the GTIOC monitor shall enhance the information gathered by the field archaeologist. The daily report shall include observations the GTIOC visually observed on the project site at the beginning of each workday (i.e., weather conditions, overnight disturbances).
- 2. Archaeological Survey
 - A. If a culturally sensitive area is identified, an archaeological survey must be completed before any movement of soil (to include hand shoveling, grading or excavation) takes place. The survey must be conducted by a qualified archaeologist who is knowledgeable and experienced in working in the Gabrieliño Tongva geographical area. If an archaeologist has little or no experience in the Gabrieliño Tongva territory, a qualified, experienced Gabrieliño Tongva cultural consultant shall assist in the archaeological survey.
 - 3. Treatment Plan for Human Discovery
 - A. If any archaeological or paleontological, or cultural deposits, are discovered, including but not limited to skeletal remains and grave related artifacts, artifacts of traditional cultural, religious, or spiritual sites, or any other artifacts relating to the use or habitation sites, all construction shall cease within at least 50 feet of the discovery and halted until the proper authorities are contacted. Authorities, to include the county coroner and law enforcement, shall evaluate and make a determination and a formal review of the find. The county coroner has the legal responsibility for determining whether or not the remains are native indigenous people.
 - B. If it is established that the remains are of native indigenous people, the Native American Heritage Commission (NAHC) shall be contacted by the coroner under the California Health and Safety Code (Senate Bill 297, Chapter 1492, Statutes of 1982 and Section 7050.50). A Most Likely Descendant (MLD) shall be assigned by the NAHC to ensure the ancestor(s) is treated with dignity and respect (Public Resources Code Section 5097.98). A certified osteologist shall be retained to verify the human remains' authenticity and work to help remove the ancestor(s) from the site area with the discretion and advice of the MLD. The GTIOC monitor(s) assigned to the project shall assist the osteologist and archaeological monitors in the recovery process. The MLD shall determine where the ancestors shall be housed pending a final decision for the reinterment of the ancestor(s).
 - 4. Recovery and Reburial Procedures
 - A. Specific methods of recovery and reburial procedures have been developed and adopted by the Gabrieliño Tongva Indians of California and are required to adhere to when recovering Gabrieliño Tongva remains. Conditions may arise where altering some of these guidelines shall be considered. Consultation with the MLD and the GTIOC monitor(s) assigned to the site should then be scheduled to determine other procedures that may be acceptable to the Gabrieliño Tongva Nation.

Excavation

- 1. Consultation between the MLD and the archaeological firm must take place before the recovery of the remains and during the process of extraction.

2. A 50-foot perimeter for each uncovered burial shall be required to safeguard further destruction until the area is examined for additional remains and associated grave goods.
3. In the event blade machines are operating in an adjacent area, a maximum of 2-inch cuts or less shall be permitted in all cultural areas.
4. If more than one area is being excavated for extraction of remains simultaneously, an additional GTIOC must be required. Each excavated burial shall be monitored exclusively.
5. Wooden tools are preferred for the process of recovery; electric chisels and other power tools should be avoided.
6. If remains are pedestaled, they shall be placed on plywood for removal. If remains cannot be pedestaled due to soil conditions, remains shall be carefully placed in cloth bags.
7. Soils adjacent to burials shall be saved for reburial in plastic containers.
8. No photography (both film and digital) or video is allowed to be taken of the remains or the site. Drawings of remains are permitted to retain the orientation of the ancestors for reinterment purposes only. Coroner photographs of the remains may not be published for any purpose.

Testing

1. DNA testing cannot be undertaken.
2. No invasive testing which would compromise the integrity of the remains is permitted.
3. Macroscopic analysis is permitted.
4. Any associated grave goods (such as shell) may be used for dating purposes of each burial.
5. When remains are unearthed, 1-foot X 1-foot test pits will be allowed to establish the extent of the burial area when necessary.
6. All windrows within a 50-foot area must be screened (either wet or dry).

Storage

1. Natural cotton bags and sheeting or cotton drop cloths shall be used to store remains until the time of reinterment. Deer or other native hides may be used to cover the bagged and wrapped remains until the reburial and may become the burial wrapping.
2. Bone fragments are also subject to be bagged in cotton.
3. Until the scope of the project is completed, storage of ancestors shall be done in close proximity to the location of excavation or a protected area must be provided by the landowner or archaeologist.

Reburial

1. Efforts shall be made to keep the remains within the same location or in close proximity to the removal site as possible. It is preferable to repatriate the remains within a 0.50-mile radius of the original grave site. If it is not possible to identify a

proper location within the 0.50-mile radius, a secure location will be valued over distance.

2. If the preponderance of remains is uncovered in or excavated from one area, the reinterment should be in that area.
3. The reburial site should offer the best long-term protection against any additional disturbances.
4. Each reburial requires approximately 4 feet X 5.5 feet when fully articulated and should be at a depth of 6–10 feet. The purpose of this depth is to ensure difficulty in disturbing the reburial and to allow adequate room for capping if necessary.
5. Any isolated bone fragments uncovered on site may be buried together in an individual burial pit with indigenous animal skins, seaweed, or the cotton cloth used for all bagged fragments.
6. All associated grave goods and artifacts along with soils shall be buried together with the ancestors.
7. No drawings of any other images of ancestral remains may be used for publication without consultation and the approval of the GTIOC monitors and appointed MLD for the site.

Costs

1. The landowner(s) shall be responsible for all costs related to the proper storage and reburial of remains excavated on their property to include all burial materials as required in these procedure guidelines.
2. The landowner(s) shall be financially responsible for providing reburial plots that are acceptable by the MLD.

With incorporation of Mitigation Measure TCR-1 and TCR-2, the evaluation of unanticipated potential tribal cultural resources, should they be discovered, implementation of Mitigation Measures TCR-1 and TCR-2 would reduce impacts on tribal cultural resources to a less than significant level. Therefore, impacts to tribal cultural resources associated with the proposed project would be **less than significant**.

5 Mitigation Monitoring and Reporting Program

Pursuant to Public Resources Code Section 21081.6, the City has adopted a detailed mitigation and monitoring reporting program (MMRP) for the proposed project. The program is designed to ensure that all mitigation measures provided in Section 4, *Findings of Significant Impacts, Required Mitigation Measures, and Supporting Facts*, are implemented on a timely basis as the proposed project is implemented. The MMRP is located in Appendix A of this document.

6 Effects Found Not to be Significant

CEQA Guidelines Section 15128 require that an EIR contain a brief statement disclosing the reasons why various possible significant effects of the project were found not to be significant, and therefore would not be discussed in detail in the EIR. As discussed in the Initial Study and Section 1 *Introduction* of this EIR, the following issue areas do not require mitigation and would not be significantly impacted by the project, and are therefore not discussed further in detail in this EIR.

- Aesthetics
- Agricultural Resources
- Hydrology and Water Quality
- Mineral Resources
- Population and Housing
- Recreation
- Wildfire

7 Findings Regarding Feasible Alternatives

CEQA Guidelines Section 15126.6(a) requires that an EIR “describe a range of reasonable alternatives to the project, or to the location of this project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.”

The alternatives to the proposed project are assessed in Chapter 6, *Alternatives*, of the Draft EIR in terms of their ability to meet the objectives of the proposed project and eliminate or reduce its significant environmental effects. The following alternatives were considered and analyzed in the EIR:

- Alternative 1: No Project
- Alternative 2: Reduced Intensity

7.1 Alternative One: No Project

Alternative One assumes that the improvements included in the proposed project would not be implemented and the site would remain in its present condition, as a vacant, undeveloped field. Leaving the site as undeveloped land also would be inconsistent with the City’s General Plan policies and objectives for the Industrial PlaceType, as described in the General Plan. Implementation of the No Project alternative would not preclude future development on the site. Any future development projects proposed on the site would be subject to at least the same level of discretionary review as required of the proposed project. The No Project Alternative would avoid almost all impacts of the proposed project’s environmental impacts but would result in greater impacts to transportation and land use and planning.

- **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
- **Facts in Support of Findings.** Under Alternative One, the improvements included in the proposed project would not be implemented and the site would remain in its present condition, as a vacant, undeveloped field. Leaving the site as undeveloped land would also be inconsistent with the City’s General Plan policies and objectives for the Industrial PlaceType, as described in the General Plan. This alternative would not meet the objectives of the proposed project because it would not improve the efficiency of Intex’s business operations; develop the currently vacant project site; improve the efficiency of the flow of cargo from the Ports of Long Beach and Los Angeles; improve circulation around, into and out of the project site and improve the safety and aesthetics of the project area; implement a project that will provide high quality design, materials, and operational methods to promote sustainability, energy, and water conservation and healthy workplaces; or enhance the City’s economy and tax base by developing the currently vacant property with improvements that will generate increased employment, economic activity, and property taxes.

7.2 Alternative Two: Reduced Intensity

Alternative Two assumes the amount of development included for the proposed project would be reduced. A 50 percent reduction in total square footage, including square footage of warehouse and office uses and parking spaces would result in a reduction from 560,039 sf of total floor area to 271,619.5 sf of floor area; a reduction 543,239 sf of industrial uses to 271,260 sf; a reduction of 16,800 sf of office uses to 8,400 sf; and a reduction from 570 auto stalls, 10 accessible stalls, and 174 trailer stalls to 285 auto stalls, 5 accessible stalls, and 87 trailer stalls. This alternative would reduce any potentially significant impacts, reduced with mitigation that is associated with the proposed project such as traffic, noise, and air quality impacts.

- **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
- **Facts in Support of Findings.** Alternative Two would meet some but not all of the project objectives. This alternative would not meet the projects' objective of consolidating the company's operations into a single location because the reduced development intensity of this alternative would be too small to accommodate the operations of Intex's three current operation sites. Additionally, the reduced development intensity of this alternative would make it too small to meet the other project objectives of improving the efficiency of the Ports of Long Beach and Los Angeles through a larger, consolidated site and enhancing the City's employment, economy, and tax base as effectively as the proposed project. Alternative Two would reduce some of the impacts of the proposed project, increase impacts related to land use and planning and transportation (specifically VMT), and would have a similar level of impacts in all other impact areas.

Appendix A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code [PRC] Section 21081.6). This mitigation monitoring and reporting program is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure in the Final Environmental Impact Report, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Biological Resources							
BIO-1 Pre-construction Nesting Bird Surveys							
<p>The following is required to maintain compliance with CFGC Sections 3503 and 3503.5 and the MBTA with respect to nesting birds:</p> <ul style="list-style-type: none"> If construction activities take place during the bird nesting season (generally February 1 through August 31, but variable based on seasonal and annual climatic conditions), nesting bird surveys shall be performed by a qualified biologist (a biologist with experience with avian species in the Los Angeles County region) and within seven days prior to project activities to determine the presence/absence, location, and status of any active nests on-site and within 100 feet of the site If nesting birds are found on-site, a construction buffer of appropriate size (as determined by the qualified biologist) shall be implemented around the active nests and demarcated with fencing or flagging. If ground/burrow nesting birds are identified, demarcation materials that do not provide perching habitat for predatory bird species shall be used. Nests shall be monitored at a minimum of once per week by the qualified biologist until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete, and all the young have fledged and are capable of surviving independently of the nest. If project activities must occur within the buffer, they shall be conducted at a distance 	<p>If construction occurs during the bird nesting season, verify that nesting bird surveys are completed and conducted by a qualified biologist.</p> <p>If nests are found, field verify that the avoidance buffer is maintained until the birds have fledged the nest and are foraging on their own.</p> <p>Nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults.</p>	<p>If construction activities take place during the bird nesting season, nesting bird surveys shall be performed within seven days prior to project activities.</p> <p>If required, monitoring would occur.</p>	<p>If required, nesting bird surveys once.</p> <p>If required, monitoring once a week for the duration of nesting.</p>	City of Long Beach Planning/Zoning Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
that will prevent project-related disturbances, as determined by the qualified biologist							
<p>If no nesting birds are observed during pre-construction surveys and construction continues at the site without substantial delays (i.e. pause in activity of more than seven days) during the nesting season, no further actions are necessary. If the proposed project is phased or construction activities stop for more than seven days, a subsequent pre-construction nesting bird survey shall be conducted prior to each phase of construction, if initiated during the bird breeding season.</p>							
Cultural Resources							
CUL-1 Worker's Environmental Awareness Program							
A qualified archaeologist shall be retained to conduct a Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archeology (National Park Service [NPS] 1983). Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, the regulatory environment, and the proper protocol for treatment of the materials in the event of a find.	Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to construction by a qualified archaeologist.	Training shall be conducted prior to construction commencement.	Once	City of Long Beach Planning/Zoning Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Com- pliance Verifi- cation Initial	Com- pliance Verifi- cation Date	Com- pliance Verifi- cation Comments
CUL-2 Periodic Archaeological Spot Checks							
A qualified archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall conduct archaeological spot checks beginning at depths of three (3) feet and below to determine if construction excavations have exposed or have a high probability of exposing archaeological resources. After the initial Archaeological Spot Check, further periodic checks shall be conducted at the discretion of the qualified archaeologist. If the qualified archaeologist determines that construction excavations have exposed or have a high probability of exposing archaeological artifacts, full-time archaeological monitoring will be required.	Archaeological spot checks beginning at depths of three (3) feet and below shall be conducted. After the initial check, periodic checks shall be conducted, and if deemed necessary, full-time archaeological monitoring.	Prior to, and during, project construction activities.	Initial Archaeological Spot Check once. Periodic checks, as required. If required, full-time archaeological monitoring.	City of Long Beach Planning/ Zoning Bureau			
CUL-3 Unanticipated Discovery of Cultural Resources							
In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the resource. If the discovered resources are tribal cultural resources, Mitigation Measures TCR-1 and TCR-2 in Section 4.12, Tribal Cultural Resources, of this EIR shall be followed. If the qualified archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the	Halt of ground-disturbing activities if archaeological resources found within 50 feet of the find. If deemed necessary, Mitigation Measures TCR-1 and TCR-2 shall be followed and archaeological testing for CRHR eligibility shall be completed. If required, a data recovery plan shall be prepared. The City shall review and approve the treatment plan and archaeological testing as appropriate.	During ground-disturbing activities and if required, during project construction.	Periodically, as needed	City of Long Beach Planning/ Zoning Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>physical nature and characteristics of the resource, per the requirements of CCR Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).</p>							
Geology and Soils							
GEO-1 Foundation Considerations							
<p>If subterranean construction is planned, footings should automatically extend into the firm natural soils. For preliminary design, it may be assumed that footings carried into the firm natural soils may be designed to impose a net dead plus live load pressure of 4,000 pounds per square foot.</p> <p>Either driven friction piling or drilled cast-in-place concrete piling may be used; the lengths of drilled piling would be restricted to about 40 feet below the existing grade due to water. For preliminary design, it may be assumed that a 12-inch-square prestressed concrete driven pile, 40 feet long, will develop a downward capacity of about 180 kips. A 24-inch-diameter drilled cast-in-place concrete pile, 30 feet long, will develop a downward capacity of about 120 kips, and a 40 feet long pile</p>	During subterranean construction, footings shall extend into firm natural soils.	If subterranean construction is planned.	Once	City of Long Beach Building and Safety Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
will develop a downward capacity of about 180 kips. Shorter piles will have to be used if a basement is planned in order to keep the tips of the drilled piles within 40 feet of the present ground surface and above the ground water level.							
GEO-2 Excavation							
Conventional earth-moving equipment may be used. If the necessary space is available, temporary unsurcharged excavations may be sloped back at 3/4:1 (horizontal to vertical) in lieu of using shoring.	If deemed necessary, conventional earth-moving equipment may be used.	During project construction.	Once	City of Long Beach Building and Safety Bureau			
GEO-3 Grading							
To provide support for floor slabs and walks on grade, the existing fill materials and disturbed natural soils should be excavated and replaced with properly compacted fill. The on-site soils, less debris and organic matter within fill deposits, would be suitable for use in compacted fills.	Replacement of existing soils with properly compacted fill in the case of providing support for floor slabs and walks on grade.	During project construction.	Once	City of Long Beach Building and Safety Bureau			
GEO-4 Floor Slab Support							
The building floor slabs may be supported on grade. No special requirements are anticipated. Where a capillary break is considered necessary, the floor slabs may be supported on a layer of gravel or on an impermeable membrane.	Support of floor slabs on grade may be required.	During project construction.	Once	City of Long Beach Building and Safety Bureau			
Greenhouse Gas Emissions							
GHG-1 Implementation of Climate Action Plan Measures							
The proposed project would incorporate Tier 1 GHG emissions reduction actions to demonstrate consistency with the Long Beach CAAP Checklist for new developments. The proposed project would incorporate the following actions: a. The applicant/developer shall install onsite renewable energy systems or shall participate in SCE Green Rate (100 percent carbon-free	Review the project plans to ensure the incorporation of the Tier 1 GHG emissions reduction actions for which consistency with the Long Beach CAP Checklist.	Prior to issuance of grading permits.	Once	City of Long Beach Building and Safety Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>electricity) to supply 100 percent carbon-free electricity to the project site. A combination of onsite and offsite energy supply with 100 percent carbon-free electricity can be used to satisfy the CAAP's zero-carbon electricity requirement</p> <p>b. The applicant/developer shall provide short and long-term bicycle parking for at least five percent of motorized vehicle capacity and nothing less than CalGREEN requirements, whichever is more restrictive</p> <p>c. The applicant/developer shall incorporate electric vehicle parking spaces consistent with LBMC 18.47.050 and CALGreen Section 5.106.5.3—Electric vehicle (EV) charging. At least twenty percent of all parking spaces shall be EV capable spaces (EVCS) (114 out of 570 total parking spaces) and at least 25 percent of these EVCS (29 out of 114 EVCS) must be equipped with charging stations</p> <p>d. The applicant/developer shall comply with the City's of Long Beach TDM Ordinance for nonresidential development of 100,000 square feet by the following:</p> <ul style="list-style-type: none"> ▪ A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers ▪ Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development ▪ If determined necessary by the City to mitigate the project impact, bus stop improvements must be provided. The City will consult with the local bus service providers in determining appropriate 							

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>improvements. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops</p> <ul style="list-style-type: none"> ▪ Safe and convenient access from the external circulation system to bicycle parking facilities on-site <p>e. The applicant/developer shall utilize electric lawn and gardening equipment for all landscaping activities</p> <p>f. The applicant/developer shall implement waste GHG emissions reduction actions by the following:</p> <ul style="list-style-type: none"> ▪ Comply with all Mandatory Construction & Demolition (C&D) Recycling Program Requirements, including Section 18.67.100 ▪ Provide substantial storage, collection, and loading of recyclables in a manner that is convenient and safe for all users of the building. Ensure there are sufficient sizes and amount of collection containers for recyclables. Containers must be kept clean, be clearly labeled, and are co-located next to any other solid waste receptacles. Ensure sufficient pick up of collection containers to meet the needs of the occupants ▪ Provide proper storage, collection, and loading of organics in a manner that is convenient and safe for all users of the building. Ensure there are sufficient sizes of collection containers for organics. Containers must be kept clean, be clearly labeled, and are co-located next to any other solid waste receptacles. Ensure 							

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>sufficient pick up of collection containers to meet the needs of the occupants</p> <ul style="list-style-type: none"> ▪ The proposed project shall include space for multi-stream collection containers for both recycling and organics in any location where a solid waste container is traditionally housed. This includes both outdoor collection containers serviced by a waste hauler or indoor collection containers utilized by occupants. The proposed project must provide educational material and training to occupants and tenants in how to properly separate recyclables from all other solid waste and place recyclables in a separate container designated for recycling and organics ▪ Ensure that all occupants and tenants of the proposed project separate recyclables from all other refuse and place recyclables in a separate container designated for recycling and composting ▪ Ensure containers are audited annually to ensure proper service levels and to check for contamination. Report findings back to occupants within 30 days and to the City as requested ▪ Work with waste hauler to provide educational material to tenants at least on an annual basis ▪ Provide compliance data to the City as required for any current auditing program 							

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Tribal Cultural Resources							
TCR-1 Gabrieleño Band of Mission Indians—Kizh Nation (Kizh Nation) Tribal Consultation Measures							
<p>Prior to issuance of a grading permit for the project, the Permittee shall retain a Gabrieleño Band of Mission Indians—Kizh Nation (Kizh Nation) tribal monitor to provide Native American tribal monitoring of ground-disturbing activities. Ground-disturbing work requiring Native American tribal monitoring shall adhere to the following requirements established by the consulting Tribe:</p> <ol style="list-style-type: none"> 1. Retain a Gabrieleño Band of Mission Indians—Kizh Nation Monitor Prior to Commencement of Ground-Disturbing Activities. <ol style="list-style-type: none"> A. The Permittee shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to whichever is earlier: the commencement of any ground-disturbing activity or the issuance of any permit 	<ul style="list-style-type: none"> ▪ Ensure a Kizh Nation monitor is present during ground-disturbing activities. ▪ Ensure the designated procedures are followed in the case of unanticipated discovery of human remains and associated funerary objects. 	Prior to issuance of a grading permit and during construction grading activities.	Periodically during initial grading and excavation activities.	City of Long Beach Planning/Zoning Bureau			

Mitigation Measure	Action Required	Timing	Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
	necessary to commence a ground-disturbing activity.						
C.	The monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Kizh Nation. Monitoring logs shall identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitoring logs shall be provided to the Permittee/lead agency upon written request to the Kizh Nation.						
D.	On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the Permittee/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh Nation to the Permittee/lead agency that no future, planned construction activity and/or development/construction phase at the						

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	project site possesses the potential to impact Kizh Nation TCRs.						
E.	Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh Nation monitor and/or the Kizh Nation archaeologist. The Kizh Nation shall recover and retain all discovered TCRs in the form and/or manner the Kizh Nation deems appropriate, in the Kizh Nation's sole discretion, and for any purpose the Kizh Nation deems appropriate, including for educational, cultural, and/or historic purposes.						
2.	Unanticipated Discovery of Human Remains and Associated Funerary Objects.						
A.	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 Public Resources Code Section 5097.98, are also to be treated according to this statute.						
B.	If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt						

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	and shall remain 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 they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.						
C.	Human remains and grave/burial goods shall be treated alike per California Public Resources Code Sections 5097.98(d)(1) and (2).						
D.	Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh Nation determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh Nation monitors and/or archaeologist deems necessary) (<i>State CEQA Guidelines</i> Section 15064.5(f)).						
E.	Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution						

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<p>agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p>F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p> <p>3. Procedures for Burials and Funerary Remains:</p> <p>A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Kizh Nation, 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.</p> <p>B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p>C. The prepared soil and cremation soils shall 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.</p>							

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	Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.						
D.	In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall 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 shall be posted outside of working hours. The Kizh Nation shall 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.						
E.	In the event preservation in place is not possible despite good faith efforts by the Permittee, before ground-disturbing activities may resume on the project site, the Permittee shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.						
F.	Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within 6 months of recovery. The site of reburial/ repatriation shall be on the project site but at a location agreed						

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<p>upon between the Kizh Nation and the Permittee at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>G. The Kizh Nation shall work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Kizh Nation, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery-related forms of documentation shall be approved in advance by the Kizh Nation. If any data recovery is performed, once complete, a final report shall be submitted to the Kizh Nation and the NAHC. The Kizh Nation does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>							
TCR-2 Gabrieliño Tongva Indians of California (GTIOC) Tribal Consultation Measures							
<p>Prior to issuance of a grading permit for the project, the Permittee shall retain a Gabrieliño Tongva Indians of California (GTIOC) tribal monitor to provide Native American tribal monitoring of ground-disturbing activities. Ground-disturbing work requiring Native American tribal monitoring shall adhere to the following requirements established by the consulting Tribe:</p> <p>1. Gabrieliño Tongva Indians of California (GTIOC) Native American Monitor</p> <p>A. A qualified and certified indigenous tribal member of the Gabrieliño Tongva Indians of California (GTIOC) shall provide</p>	<ul style="list-style-type: none"> Ensure a GTIOC monitor is present during ground-disturbing activities. Review monitoring logs. Review archaeological survey if a culturally sensitive area is identified. Review the treatment plan if any archaeological, paleontological, or cultural deposits are discovered. 	Prior to issuance of a grading permit and during construction grading activities.	Periodically during initial grading and excavation activities.	City of Long Beach Planning/Zoning Bureau			

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<p>professional Native American Monitoring required for the ground-disturbing activity on the site. Ground disturbances including but not limited to the removal of asphalt/cement/slurry, trenching, boring, excavation, auguring, grubbing, tree removal, grading and drilling shall be monitored. The Tribal Monitor shall only be required on site when these ground-disturbing activities occur.</p> <p>B. The GTIOC monitor shall be responsible for observing all mechanical and hand labor excavations to include paddle scrapers, blade machines, front-end loaders, backhoe, boring and drill operations as well as hydraulic and electric chisels. Associated work using tools such as picks and other non-electric or gasoline tools that are not regarded as mechanical shall be monitored for their soil disturbances.</p> <p>C. Soils that are removed from the work site are considered culturally sensitive and are subject to inspection. These soils whether placed in a dump truck or spots piles are to be inspected. The monitor shall temporarily hold excavations until a determination is made on the sensitivity of the of the soil. If the soils are sensitive, an archaeological monitor shall verify the find and notify the site supervisor.</p> <p>D. The GTIOC monitor may make recommendations during the course of the project when a cultural area has been impacted. The GTIOC monitor shall be authorized to halt or redirect excavation activities to another area as an</p>	<ul style="list-style-type: none"> Ensure the recovery and reburial procedures are followed in the case of unanticipated discovery of GTIOC remains. 						

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assessment is made. Both archaeological and GTIOC shall work together to ensure that the area is warranted as being culturally sensitive before a determination is made. Avoidance and directing an alternative route from this culturally sensitive area is highly recommended.							
E. Any artifacts associated within the site that are not associated with any burials are subject to collection by the designated archaeologist for purposes of data and information vital for their final report. The GTIOC monitor does not collect artifacts for any reason. Unauthorized removal of artifacts will jeopardize sites orientation and successful data recovery. Only a qualified archaeologist shall remove artifacts for their reports. The landowner shall work with the GTIOC monitor to ensure that a proper repository is established. A final report shall be issued to the cultural consultant by the archaeological company.							
F. It is the sole responsibility of the GTIOC monitor to provide the client with a written daily field report that includes photos of his/her accounting of the soil disturbances of the daily activities. This perspective of the daily activities by the GTIOC monitor shall enhance the information gathered by the field archaeologist. The daily report shall include observations the GTIOC visually observed on the project site at the beginning of each workday (i.e., weather conditions, overnight disturbances).							

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2. Archaeological Survey							
A. If a culturally sensitive area is identified, an archaeological survey must be completed before any movement of soil (to include hand shoveling, grading or excavation) takes place. The survey must be conducted by a qualified archaeologist who is knowledgeable and experienced in working in the Gabrieliño Tongva geographical area. If an archaeologist has little or no experience in the Gabrieliño Tongva territory, a qualified, experienced Gabrieliño Tongva cultural consultant shall assist in the archaeological survey.							
3. Treatment Plan for Human Discovery							
A. If any archaeological or paleontological, or cultural deposits, are discovered, including but not limited to skeletal remains and grave related artifacts, artifacts of traditional cultural, religious, or spiritual sites, or any other artifacts relating to the use or habitation sites, all construction shall cease within at least 50 feet of the discovery and halted until the proper authorities are contacted. Authorities, to include the county coroner and law enforcement, shall evaluate and make a determination and a formal review of the find. The county coroner has the legal responsibility for determining whether or not the remains are native indigenous people.							
B. If it is established that the remains are of native indigenous people, the Native American Heritage Commission (NAHC) shall be contacted by the coroner under							

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<p>the California Health and Safety Code (Senate Bill 297, Chapter 1492, Statutes of 1982 and Section 7050.50). A Most Likely Descendant (MLD) shall be assigned by the NAHC to ensure the ancestor(s) is treated with dignity and respect (Public Resources Code Section 5097.98). A certified osteologist shall be retained to verify the human remains' authenticity and work to help remove the ancestor(s) from the site area with the discretion and advice of the MLD. The GTIOC monitor(s) assigned to the project shall assist the osteologist and archaeological monitors in the recovery process. The MLD shall determine where the ancestors shall be housed pending a final decision for the reinterment of the ancestor(s).</p>							
<p>4. Recovery and Reburial Procedures</p> <p>A. Specific methods of recovery and reburial procedures have been developed and adopted by the Gabrieliño Tongva Indians of California and are required to adhere to when recovering Gabrieliño Tongva remains. Conditions may arise where altering some of these guidelines shall be considered. Consultation with the MLD and the GTIOC monitor(s) assigned to the site should then be scheduled to determine other procedures that may be acceptable to the Gabrieliño Tongva Nation.</p>							

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Excavation:							
1. Consultation between the MLD and the archaeological firm must take place before the recovery of the remains and during the process of extraction.							
2. A 50-foot perimeter for each uncovered burial shall be required to safeguard further destruction until the area is examined for additional remains and associated grave goods.							
3. In the event blade machines are operating in an adjacent area, a maximum of 2- inch cuts or less shall be permitted in all cultural areas.							
4. If more than one area is being excavated for extraction of remains simultaneously, an additional GTIOC must be required. Each excavated burial shall be monitored exclusively.							
5. Wooden tools are preferred for the process of recovery; electric chisels and other power tools should be avoided.							
6. If remains are pedestaled, they shall be placed on plywood for removal. If remains cannot be pedestaled due to soil conditions, remains shall be carefully placed in cloth bags.							
7. Soils adjacent to burials shall be saved for reburial in plastic containers.							
8. No photography (both film and digital) or video is allowed to be taken of the remains or the site. Drawings of remains are permitted to retain the orientation of the ancestors for reinterment purposes only. Coroner photographs of the remains may not be published for any purpose.							

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Testing:							
1. DNA testing cannot be undertaken.							
2. No invasive testing which would compromise the integrity of the remains is permitted.							
3. Macroscopic analysis is permitted.							
4. Any associated grave goods (such as shell) may be used for dating purposes of each burial.							
5. When remains are unearthed, 1-foot X 1-foot test pits will be allowed to establish the extent of the burial area when necessary.							
6. All windrows within a 50-foot area must be screened (either wet or dry).							
Storage:							
1. Natural cotton bags and sheeting or cotton drop cloths shall be used to store remains until the time of reinterment. Deer or other native hides may be used to cover the bagged and wrapped remains until the reburial and may become the burial wrapping.							
2. Bone fragments are also subject to be bagged in cotton.							