

CHAPTER 4

Other CEQA Considerations

4.1 Introduction

Consistent with *CEQA Guidelines* Section 15126.2, this section summarizes the significant and unavoidable environmental impacts, growth-inducing impacts, and significant irreversible environmental changes associated with development of the proposed program. Cumulative impacts are separately discussed in Chapter 3, *Environmental Setting, Impacts, and Mitigation Measures*.

4.2 Significant and Unavoidable Impacts

CEQA Guidelines Section 15126.2(b) requires that an EIR describe any significant environmental impacts that cannot be avoided, including those effects that can be mitigated, but not reduced to a less-than-significant level. As evaluated in Chapter 3, *Environmental Setting, Impacts, and Mitigation Measures*, and summarized below, implementation of the proposed program would result in a significant and unavoidable impact related to air quality, cultural resources, and tribal cultural resources.

4.2.1 Air Quality

As discussed in Section 3.2, *Air Quality*, if all subphases of construction associated with the near-term phase were to occur concurrently (which was conservatively analyzed in the earliest possible year), maximum daily emissions from construction activities would exceed the SCAQMD regional threshold for NO_x. With implementation of mitigation measures, regional impacts would be mitigated to a less than significant level. However, as discussed in Section 3.2, *Air Quality*, of this PEIR, localized impacts to sensitive receptors at the program-level would be considered potentially significant even after incorporation of mitigation. Therefore, localized impacts from program construction pertaining to NO_x emissions would be significant and unavoidable (Impact AQ-3), if all subphases of construction associated with the near-term phase were to occur concurrently (which was conservatively analyzed in the earliest possible year). In addition, as the proposed program would have a localized impact from NO_x emissions, the proposed program would also conflict with Criterion 1 for determining the proposed program's consistency with the AQMP (Impact AQ-1 and Impact AQ-3).

4.2.2 Cultural Resources

As discussed in Section 3.4, *Cultural Resources*, there are 22 potential historical resources within or immediately adjacent to the program area, including 14 archaeological resources and 8 historical architectural resources. In addition, the Los Cerritos Wetlands is part of a potential

tribal cultural landscape identified by some tribal representatives during consultation with the CCC. Furthermore, given that the entire program area was not systematically surveyed as part of this assessment, there could be additional as-yet unidentified archaeological and historical architectural resources within the program area. As such, the proposed program would implement Mitigation Measure CUL-1 through CUL-16 to reduce impacts to historical resources by requiring qualified cultural resources personnel to conduct future project-specific studies; development of appropriate treatment for significant resources; and archaeological and Native American monitoring of ground disturbance (see Section 3.4, *Cultural Resources*, of this PEIR). However, even with implementation of these mitigation measures, impacts to historical resources and archaeological resources would be significant and unavoidable at the program level during construction of the proposed program (Impact CUL-1 and Impact CUL-2). Once specific projects are designed, additional cultural resources studies would be completed as necessary and impacts resulting from specific projects would be considered. It is possible that project-level impacts to historical and archaeological resources may be mitigated to a less than significant level. Project-level impacts would be analyzed as part of future CEQA analysis.

4.2.3 Tribal Cultural Resources

As described in Section 3.15, *Tribal Cultural Resources*, no tribal cultural resources were identified in the program area by Public Resources Code Section 21074 as either a site, feature, place, cultural landscape, or object with cultural value. However, the program area was identified as a potential tribal cultural landscape by some tribal representatives during consultation with the CCC that occurred in connection with the Los Cerritos Wetlands Oil Consolidation and Restoration Project. Implementation of Mitigation Measures CUL-1 and CUL-4 through CUL-15 would lessen the impact to archaeological resources that contribute to the significance of the tribal cultural landscape. Even with implementation of these measures, the destruction or material alteration of an archaeological resource that contributes to the landscape's significance would constitute a substantial adverse change since it would no longer be present on the landscape. Since avoidance and preservation in place of such resources cannot be guaranteed, impacts to Native American or prehistoric archaeological resources that convey the significance of the tribal cultural landscape are considered significant and unavoidable at the program level (Impact TRI-2). Once specific projects are designed, additional tribal consultation would be conducted as necessary and impacts resulting from specific projects would be considered. It is possible that project-level impacts to Native American or prehistoric archaeological resources that convey the significance of the tribal cultural landscape may be mitigated to a less than significant level. Project-level impacts would be analyzed as part of future CEQA analysis.

4.3 Growth-Inducing Impacts

CEQA Guidelines Section 15126(d) requires that an EIR include a discussion of whether a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Projects that remove obstacles to population growth (for example, a major expansion of a wastewater treatment plant that may allow for more construction in its service area, or a new freeway that may allow growth at freeway exits) and/or cause an influx of workers from outside the region are also considered

growth inducing. *CEQA Guidelines* Section 15126.2(d) also requires a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the *CEQA Guidelines* also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment (Section 15126(d)).

As described in Chapter 2, *Project Description*, the proposed program would restore wetland, transition, and upland habitats throughout the program area. This would involve remediation of contaminated soil and groundwater, grading, revegetation, construction of new public access opportunities (including trails, visitor centers, parking lots, and viewpoints), construction of flood management facilities (including earthen levees and berms, and walls), and modification of existing infrastructure and utilities. Operation of the proposed program would include vegetation maintenance, irrigation, and weeding; trash removal, as needed; inspection of perimeter levees and berms; monitoring, condition assessment, and maintenance of flood walls; operation and maintenance of existing culverts; and maintenance of bioswales.

As discussed in more detail in the Initial Study, provided in Appendix A of this Draft PEIR, the proposed program would not result in the construction of any residential uses (or any other types of uses) that could directly induce population growth in the City of Seal Beach, City of Long Beach, or the surrounding vicinity.

The proposed program would provide temporary new employment to the area during the construction activities for remediation of contaminated soil and groundwater, extensive grading, revegetation, construction of new public access opportunities (including trails, visitor centers, parking lots, and viewpoints), construction of flood management facilities (including earthen levees and berms, and walls), and modification of existing infrastructure and utilities. Construction jobs are anticipated to be filled by residents in the local area or by commuters within the larger Los Angeles Metropolitan Area.

Employment opportunities during operation of the proposed program would be mainly maintenance workers and operation of the visitors' centers and volunteers; these are not anticipated to directly increase the population or housing in the area, as positions are anticipated to be filled by local residents or regional commuters. No expansion of municipal infrastructure or public services would be required to accommodate the proposed program.

Indirect growth from extension of roads and infrastructure would not be anticipated, as the proposed program would not add any new roadways and would be served by existing infrastructure with minor proposed upgrades and connections to accommodate the proposed program.

Based on the above, construction and operation of the proposed program would not induce substantial population growth, and impacts would be less than significant.

4.4 Significant Irreversible Environmental Changes

CEQA Guidelines Sections 15126(c) and 15126.2(c) require that an EIR address any significant irreversible environmental changes that would occur should the proposed program be implemented. Resources irreversibly or irretrievably committed to a proposed action are those used on a long-term or permanent basis. This includes the use of non-renewable resources such as metal, certain types of wood, fossil fuels, aggregate, and other non-renewable natural resources. These resources are considered irretrievable in that they would be used for a proposed action when they could have been conserved or used for other purposes. Another irreversible or irretrievable commitment of resources is the unavoidable destruction of natural resources that could limit the range of potential uses of that particular environment.

The proposed program would require the consumption of non-renewable resources during the construction phase. Program development would include the following commitment of resources: fossil fuels, building materials, fuel and operational materials/resources, and transportation of goods and people to the program site. Several non-renewable resources, or renewable resources may renew so slowly as to be considered non-renewable, would be required during program construction; aggregate materials contained in concrete and asphalt including sand, gravel and stone; metals such as steel, cooper, and lead; and petrochemical construction materials such as plastics. Additionally, non-renewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the program area.

Because the proposed program would result in a small addition of permanent workers as discussed above, program operation would increase the amount of nonrenewable resources that are currently consumed within the City of Seal Beach and City of Long Beach. These resources would include fossil fuels, such as natural gas and petroleum, energy use for visitors and employees, and petroleum-based fuel for vehicle trips to and from the site. Fossil fuels would be considered the primary energy source associated with both construction and ongoing operation of the proposed program, and the existing, finite supplies of these natural resources would be incrementally reduced.

As discussed in Section 3.6, *Greenhouse Gas Emissions and Energy*, of this Draft PEIR, the proposed program would utilize construction contractors that would be in compliance with regulations including the USEPA Heavy Duty Vehicle Greenhouse Gas Regulation and the CARB ACTM that limits heavy-duty diesel motor vehicle idling. While the goal of these measures is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in energy savings in the form of reduced fuel consumption from unnecessary idling.

With regard to operation of the proposed program, the amount of energy used from transportation-related energy associated with vehicles traveling to and from the program area would not represent a substantial fraction of the available energy supply in terms of transportation fuels. The program area is surrounded by urban developed uses such that visitors to the program area would not need to travel long distances thus minimizing vehicle miles travelled. In addition,

while the proposed program is not a transportation project or a residential, commercial, or mixed-use project that would generate substantial numbers of vehicle trips, the program would provide improved public access to the wetlands both on foot and by bicycle within a populated urban area in the City of Seal Beach and City of Long Beach that would be accessible to local area residents, employees, and visitors. These recreational opportunities for City of Seal Beach and City of Long Beach residents, employees, and visitors would reduce transportation-related fuel demand by providing nearby recreational amenities, including visitor centers and trails. Furthermore, continued use of non-renewable resources during proposed program construction and operation on a relatively small scale would be consistent with regional and local growth forecasts in the area, as well as state and local goals for reductions in the consumption of such resources.

4.5 Effects Not Found to Be Significant

Section 15128 of the *CEQA Guidelines* states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the Draft EIR. Pursuant to Section 1512, such a statement may be contained in an attached copy of an Initial Study. An Initial Study was prepared for the proposed program and is included in Appendix A of this PEIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each topical area is or is not analyzed further in the PEIR. The Initial Study determined that the proposed program would result in less than significant or no impacts related to agricultural resources; conflicting with provisions of an adopted local, regional, or state habitat conservation plan; rupture of a known earthquake; strong seismic ground shaking; seismic-related ground failure; landslides; unstable unit; soils incapable of adequately supporting the use of septic tanks; airstrips or airport proximity; an adopted emergency response plan or emergency evacuation plan; physically dividing and established community; population and housing; schools; other public facilities; substantial physical deterioration of recreational facilities; and, emergency access. For further discussion of these issues and more-detailed evaluation of potential impacts, refer to the Initial Study, provided in Appendix A of this PEIR.

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