

## Appendix B

### Notice of Preparation Comment Letters

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To the Lead Agency as  
The City of Gardena

May 19, 2023

**RE: Notice of Preparation and Scoping Meeting for the City of Gardena Land Use Plan, Zoning Code & Zoning Amendment Environmental Impact Report**  
[PUBLIC COMMENT PERIOD EXTENDED to May 19, 2023](#)

Cal. Code Regs., tit. 14, § 15044 (“Any person or entity other than a responsible agency may submit comments to a lead agency concerning any environmental effects of a project being considered by the lead agency.”)

First I would like to thank the Lead Agency for extending public comments for an additional week. As the Lead Agency knows, the hearing held on this matter was closed to the public so we were not able to participate which you will please note, since your report to the state must include public comments and Gov. Code, § 65583 (“(c)(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.”)

It was not easy to find because the Lead Agency posted on their agenda page: “The City of Gardena Land Use Plan and Zoning Amendments Project proposes changes to the land use designation and zoning for parcels located throughout the City of Gardena.”

But the title of the report we were to read was named: “Review project materials for the Revised 2021-2029 Housing Element on the [Planning Projects Page](#)” Because a secret meeting and mislabeled documents are the opposite of diligent efforts, it can be presumed that this was part of the intended consideration due the public. Cal. Code Regs., tit. 14, § 15064 (“(c) In determining whether an effect will be adverse or beneficial, the lead agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the lead agency must still determine whether environmental change itself might be substantial.”) It seems the substantial impact on the environment was already determined.

“NOTICE IS HEREBY GIVEN that as Lead Agency pursuant to California Public Resources Code §21165 and State California Environmental Quality Act (CEQA) Guidelines §15050, the City of Gardena (City) **will prepare** an Environmental Impact Report (EIR)”

This interested person is concerned about specific issues that affect the physical environmental factors and admitted to harmful environmental factors that appear to be in disregard of multiple state laws as will be established by the facts as set forth below. It is understood and acknowledged that the scope of this inquiry is limited to the environmental issues and the merits

of the plan will be addressed later. Since the law requires mitigation and further requires that all concerns expressed must be supported by substantial evidence, a factual foundation based on the documented evidence must be set forth to demonstrate the concerns raised herein.

Cal. Code Regs., tit. 14, § 15064 (“(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.”)

As far as “credible” evidence, it will be admissions made by the city itself.

Please understand and be patient while this record is made, which you will no doubt find very important by the end. But since we are shooting in the dark (4) “... A lead agency shall not circulate a draft EIR for public review before the time period for responses to the notice of preparation has expired.” (Cal. Code Regs., tit. 14, § 15082) Yet were still able to hit a bull’s eye, I am sure this read will be of importance.

It will be known if these concerns were disregarded because Cal. Code Regs., tit. 14, § 15105 (“(a) The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days”) Which must be made available to the public tomorrow.

#### **FACTUAL BASIS**

“As indicated in Table 3, the proposed Project could result in the following when compared to existing conditions: • 154 fewer single-family dwelling units; • 12,167 additional multiple-family dwelling units; and • 7,544,381 fewer square feet of non-residential development.” (NOP – City of Gardena Plan Land Use & Zone Change EIR April 13, 2023, p.10)

#### **“Existing Land Uses to be Removed**

Single-Family Residential	-154
Multiple-Family Residential	-961
<b>Net New Development Potential</b>	
Single-Family Residential	-154
Multiple-Family Residential	12,167

At first it was noted as odd, that no mention was made of the level of income of these family units, but it could not be that low income will be lost and only medium to high income gained because that would be illegal and violate the California Environmental Quality Act (CEQA).

“As site-specific development proposals are not currently known, a programmatic analysis of the potential environmental impacts associated with new residential development consistent with implementation of the proposed project **was prepared in this EIR.**”

As discussed previously, the development potential is **solely based on the new residential development** that could occur with implementation of the new land use designations and the higher densities that would be associated with the proposed land use designations to resolve split-zoned parcels. The minor clean-up changes to the Gardena Zoning Map that are proposed as part of the Project would not result in new development or new development potential; rather the Zoning Map would be amended to rezone properties to match the existing uses, densities, or intensities that already occur on the property. (*Id.* at p.11)

That is a bit confusing, the city announced that it “will prepare” an EIR, but the above noted it was already prepared, “was prepared in this EIR.”

Cal. Code Regs., tit. 14, § 15082 (“(b) **Response to Notice of Preparation.** Within 30 days after receiving the notice of preparation under subdivision (a), each responsible and trustee agency and the Office of Planning and Research shall provide the lead agency with specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility that must be included in the draft EIR. (1) **The response at a minimum shall identify:** (A) The significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the Office of Planning and Research will need to have explored in the draft EIR; and (B) Whether the agency will be a responsible agency or trustee agency for the project.”) (3) **A generalized list of concerns not related to the specific project shall not meet the requirements of this section for a response.”**

The “Environmental Factors Potentially Affected” and are the focus of this complaint were generalized by the city on its NOP at p.12 included Air Quality; Energy; Greenhouse Gases Emissions; Land Use and Planning; Noise; Population and Housing; Public Services; Transportation and Traffic. Now, everybody knows that this compassionate Lead Agency cares deeply about noise, traffic increase, maintaining housing stock and overcrowding, which are all listed above, but what was not listed above was parking which the city is passionate about. Driving around looking for parking surely impacts the environment. Regardless, there are much larger issues that will be developed herein, because the city announced it is preparing an EIR, that means the Lead Agency determined there will be a negative impact on the environment.

Cal. Code Regs., tit. 14, § 15081 (“The EIR process starts with the decision to prepare an EIR. This decision will be made either during preliminary review under Section 15060 or at the conclusion of an initial study after applying the standards described in Section 15064.”)

Therefore, it is worthy of pointing out that the powers, are limited not plenary.

Cal. Code Regs., tit. 14, § 15040 (“(a) CEQA is intended to be used in conjunction with discretionary powers granted to public agencies by other laws. (b) CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws. (c) Where another law grants an agency discretionary powers, CEQA supplements those

discretionary powers by authorizing the agency to use the discretionary powers **to mitigate or avoid significant effects on the environment** when it is feasible to do so with respect to projects subject to the powers of the agency.”

Discretion was afforded to allow avoidance of environmental impact. Taking a review of the laws that are to be considered and not ignored are the following relevant issues that arise from this plan that the Lead Agency has already determined are problematic.

Cal. Code Regs., tit. 14, § 15064 (“(a) Determining whether a **project may have a significant effect plays a critical role** in the CEQA process.(1) If there is **substantial evidence**, in light of the whole record before a lead agency, that a project may have a **significant effect on the environment, the agency shall prepare a draft EIR.**”)<sup>1</sup>

(b)(1) The determination of whether a project may have a significant effect on the environment calls for **careful judgment** on the part of the public agency involved, based to the extent possible on **scientific and factual data.**”)

(c) In determining whether an effect will be adverse or beneficial, the **lead agency shall consider the views held by members of the public** in all areas affected as expressed in the whole record before the lead agency. *Before* requiring the preparation of an EIR, the lead agency must still determine whether **environmental change itself might be substantial.**

(1) A **direct physical change** in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of **direct physical changes in the environment are the dust, noise, and traffic of heavy equipment** that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An **indirect physical change** in the environment is a **physical change in the environment** which is not immediately related to the project, but which is caused indirectly by the project. ... may lead to **an increase in air pollution.**”

Cal. Code Regs., tit. 14, § 15064.3 (“(a) Purpose. This section describes specific considerations for **evaluating a project's transportation impacts.**

(b)(4) Methodology. **A lead agency has discretion** to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, **per household** or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to **reflect professional judgment based on substantial evidence.** Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs **should be documented and explained in the environmental document prepared for the**

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<sup>1</sup> Cal. Code Regs., tit. 14, § 15050 (“(c) The determination of the lead agency of whether to prepare an EIR or a negative declaration shall be final and conclusive for all persons, including responsible agencies, ”)

“NOTICE IS HEREBY GIVEN that as Lead Agency pursuant to California Public Resources Code §21165 and State California Environmental Quality Act (CEQA) Guidelines §15050, the City of Gardena (City) **will prepare an Environmental Impact Report** (EIR)”

**project.** The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”)

Cal. Code Regs., tit. 14, § 15064.7 (“**(a) A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect,** noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.

**(b) Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.** Lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064(b)(2).

**(d) Using environmental standards as thresholds of significance promotes consistency in significance determinations and integrates environmental review with other environmental program planning and regulation. Any public agency may adopt or use an environmental standard as a threshold of significance. In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less than significant, and why the environmental standard is relevant to the analysis of the project under consideration. For the purposes of this subdivision, an "environmental standard" is a rule of general application that is adopted by a public agency through a public review process and that is all of the following:**

- (1) a quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement;**
- (2) adopted for the purpose of environmental protection;**
- (3) addresses the environmental effect caused by the project; and,**
- (4) applies to the project under review.”)**

Earlier it was noted that the EIR was based on and this entire project to amend the housing element is “solely based on the new residential development” it seems like a good place to look there for the environmental violations that are established herein.

“The Housing Overlay rezone sites *can* accommodate a total of 6,586 units, including 2,636 lower income units (very low and low income) and 3,950 market-rate units (moderate and above moderate income) units.” (City of Gardena 2021-2029 Housing Element Readopted 2/15/23 p. 75; same in Revised 2021-2029 Housing Element p. 72 from July 2022) “Another way in which density may be increased in the City is through the Density Bonus Ordinance” (*id.*) “The 429 lot consolidation parcels occupy 173.9 acres and could yield a net gain of 6,128 units.” (*Id.* at p. 76 earlier at p.73) “The 686 units from entitled or pending development projects, 160 ADUs, and the potential 6,586 units resulting from implementation of the Housing Overlay could result in 7,432

units, exceeding the total RHNA allocation for Gardena by 1,697 units or 30 percent.” (*Id.* at p.77 earlier at p.74)

That is amazing that the city has allocated so much of the potential land use to assist the poor and comply with state law.

“Table V-2 presents the Housing Element’s quantified housing objectives for the 2021-2029 planning period”

Category	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
New Construction	743	742	761	894	2,595	5,735
Preservation	80	72	72	---	---	224
Conservation (Units at Risk)	70	70	140	---	---	280
Conservation (Code Enforcement)	0	50	50	100	50	250

“According to Government Code Section 65583(b), local governments’ housing elements are required to establish quantified objectives for the maximum number of housing units which can be constructed, rehabilitated, and conserved over the planning period.” (Housing Element pp. 105-106; earlier at p. 99)

But instead, the law states that the maximum number of houses that can be built as new construction for the extremely low poor people are 13% of the total, the very low poor get 13%, the low poor get 13%, the median class get 16% and the upper middle class get 45% of the opportunities for home ownership over the next decade!

According to state law, the housing element is required to list the maximum number of units that can be constructed. And it was listed under “5. Affirmatively Furthering Fair Housing” as the policy of the city to maximize housing for the upper middle class as a way to be fair. Earlier, “7,432 units, exceeding the total RHNA allocation for Gardena by 1,697 units or 30 percent.” But lot 429, “could yield a net gain of 6,128 units.” Putting the city at 13,560 units!

Very close to the report calling for new residential potential of 13,128. Very cool in deed, that is something like 42.293% complete surplus stock of housing left unused after taking care of all of the classes listed... except for one class, the upper class.

Thus the intense environmental impact about to be sustained by the city and suffered by the residents for years to come will be for the benefit of 6,239 upper middle class or upper class, which is more than the combined total allotted for above. A further review of the numbers shows

more than just changing the character of the city and adding 13,000 new cars to the traffic conditions in Gardena, forever.

“The Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area contains the following areas: Los Angeles County, CA;” the [HUD calculator](#) for median income level for all of Los Angeles is \$98,200 and county wide extremely low income limits are by number of persons in household listed as 1) \$26,500; 2) \$30,300; 3) \$34,100; 4) \$37,850. And that is not good, because in Gardena those numbers are not just extremely low, they are normal.

According to the [US Census Bureau](#) as of July 1, 2022 there were an estimated 58,843 people in Gardena, CA. Which revealed a population decrease of -3.6%, down from 61,022 since just April 1, 2020, the population per square mile is 10,469.5; of which 38.8% are foreign born, just like I was when I moved from Ukraine and landed exactly in the City of Gardena. Owner occupied housing represents 48.3% of the housing stock, of the total 20,806 households of an average of 2.89 people per household, of which 91.3% had lived in the same location for over 1 year. The **mean travel time to work 28.4 minutes**, and the median household income was \$68,413 with a per capita income of \$29,939.

Another site, the combines the census and FBI and other entities, breaks down those stats and many others, that show Gardena’s crime rate has been dropping, and shows the individual median income is just over \$30,000 as up from \$25,000 ten years ago. But of course, the city used the phrase “moderate income” not median income.

The California Department of Housing and Community Development [advises](#):  
**Income Limits**

State statutory limits are based on federal limits set and periodically revised by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Choice Voucher Program. HUD’s limits are based on surveys of local area median income (AMI). The commonly used income categories are approximately as follows, subject to variations for household size and other factors:

- Acutely low income: 0-15% of AMI
- Extremely low income: 15-30% of AMI
- Very low income: 30% to 50% of AMI
- Lower income: 50% to 80% of AMI; the term may also be used to mean 0% to 80% of AMI
- Moderate income: 80% to 120% of AMI

“Affordable housing cost” for lower-income households is defined in State law as not more than 30 percent of gross household income with variations (Health and Safety Code Section 50052.5). The comparable federal limit, more widely used, is 30 percent of gross



income, with variations. “Housing cost” commonly includes rent or mortgage payments, utilities (gas, electricity, water, sewer, garbage, recycling, green waste), and property taxes and insurance on owner-occupied housing.

The State’s Hold Harmless policy supports objectives to preserve and increase the supply of affordable rental housing. Availability of affordable rental housing benefits a broad public and households with different income levels served by affordable housing providers required to comply with Health and Safety Code (H&SC) income limits and affordable rent criteria [H&SC 50093(c)].

25 CCR § 11002 (l) “Persons and families of low or moderate income” includes any of the following:

(1) A “very low income family” is a family whose income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

(2) A “low income family” is a family whose income does not exceed 80 percent of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that income limits higher or lower than 80 percent may be established on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

(3) A “moderate income family” is a family whose income does not exceed 120 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

(4) For purposes of this section, “family” includes an elderly, handicapped, disabled, or displaced person and the remaining member of a tenant family as defined in Section 201(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 1437a).

The above regulation was obtained from the [website](#) of the Office of Administrative Law, which is significant for many reasons.

Gov. Code, § 65584 (“(4) Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code.”)

Health & Saf. Code, § 50093 (““Persons and families of low or moderate income" means persons and families whose income does not exceed 120 percent of area median income, adjusted for family size by the department in accordance with adjustment factors adopted and amended from time to time by [HUD]...”)

If any changes were intended to be declared then they would already be on file.

Health & Saf. Code, § 50093 (“For purposes of this section, the department shall file, with the Office of Administrative Law, any changes in area median income and income limits determined by the United States Department of Housing and Urban Development, together with any consequent changes in other derivative income limits determined by the department pursuant to this section. These filings shall not be subject to Article 5 (commencing with Section 11346) or Article 6 (commencing with Section 11349) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code, but **shall be effective upon filing with the Office of Administrative Law and shall be published** as soon as possible in the California Regulatory Code Supplement and the California Code of Regulations.”)

For simplicity's sake using the even number of \$30,000 moderate income is \$24,000 to \$36,000 per year; lower income is \$15,000 to \$24,000; very low income is \$9,000 to \$15,000 and extremely low income is \$4,500 to \$9,000 per year. We can infer that above moderate income is therefore \$36,000 and up. But HUD notes that county wide the extremely low income per number in household are 1) \$26,500; 2) \$30,300; 3) \$34,100; 4) \$37,850. Therefore, in Gardena the upper moderate income are the equivalent to an extremely low income family of 4.

This is where the environmental issues start to gel, because HUD places the median higher that means the city must provide an unrealistic number to its residents to even qualify for one of the 13% allotted to them.

“Of the 5.89 million renter households living in California, 1.97 million (or one in three of these households) come from the two lowest income groups—extremely low-income (ELI) and very low-income (VLI). Meanwhile, only 668,000 rental homes are affordable and available to households at these income levels, resulting in a shortfall of 1.30 million affordable rental homes (see Figure 1). In other words, 1.30 million—nearly two-thirds—of California’s lowest income households do not have access to affordable housing.”

Rosenfeld, Lindsay. [\*Demystifying California's Affordable Homes Shortfall\*](#) (4/7/20) California Housing Partnership

**The housing element woefully fails to comply with meeting the City Plan’s dictate to remove local government interference with the housing, and more important for this objection fails state law, which by the laws terms means it fails the environment.**

Gov. Code, § 65583 (“The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

**(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs.** The assessment and inventory shall include all of the following:

**(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels,** including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. **The number of extremely low income households and**

**very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.**

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.”)

The above is the very Code section cited by the city when limiting the number of houses to be made available to the very low income, which actually states the City was obligated to provide for all of their needs. Gov. Code, § 65583 (“(c)(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.”)

Gov. Code, § 65584 (“For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county.”)

(a)(2) “It is the intent of the Legislature that cities, counties, and cities and counties should undertake **all necessary actions** to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1.”

**SUMMATION.**

The city has an obligation to reduce environmental impacts and the only exception allowed is if it can be proven with actual evidence that there was no way to avoid it.

Gov. Code, § 65584 (“(3) The Legislature finds and declares that **insufficient housing** in job centers **hinders the state's environmental quality** and runs **counter to the state's environmental goals**. In particular, when Californians seeking affordable housing are **forced to drive longer distances to work**, an **increased** amount of **greenhouse gases** and other pollutants is released **and puts in jeopardy the achievement of the state's climate goals**, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.”)

The city intends at best to create great environmental damage to benefit over 6,000 upper class, and another 2,500 above median class, which county wide is extremely low income, so in reality the entire 13,000 homes are intended for the upper class just like the recent project approved for high end apartments. This is a certain fact, simply because this EIR was requested.

Gov. Code, § 65584 (“(g) Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or 65584.08 are exempt from the California Environmental Quality Act (Division 13 commencing with Section 21000) of the Public Resources Code.”)

The decision was made to not provide housing to the poor as required by Gov. Code, § 65584 and Gov. Code, § 65583 which is why the EIR was ordered to be prepared.

Cal. Code Regs., tit. 14, § 15021 (“(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.”)

The duty was obfuscated, dereliction of office replaced it, and the report to the state oversight will be reviewed as well. Gov. Code, § 65583 (“(c)(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.”)

What the Lead Agency should find most concerning is the intention behind these regulations.

Cal. Code Regs., tit. 14, § 15003 (“(d) The EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action. (People ex rel. Department of Public Works v. Bosio, 47 Cal. App. 3d 495.)

(e) The EIR process will enable the public to determine the environmental and economic values of their elected and appointed officials **thus allowing for appropriate action come election day** should a majority of the voters disagree. (People v. County of Kern, 39 Cal. App. 3d 830.)”)

(j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. (Laurel Heights Improvement Assoc. v. Regents of U.C.(1993) 6 Cal.4th 1112 and Citizens of Goleta Valley v. Board of Supervisors(1990) 52 Cal.3d 553)”)

**The decision to add 13,000 new cars to the 20,000 currently on the roads is a massive increase in traffic, but it is the decision that will force the residents to move out and drive farther to work that has caused the otherwise avoidable damage, that the city chose to skirt, that will cause the residents to realize they elected a body who serves the interests of the rich and 12,000 upper middle class and upper class that are not the people of Gardena, and the time has come to replace their rulers with people who serve them.**

Again, thank you for extending the time to respond.

Very truly,  
Mariya Wrightsman

# NATIVE AMERICAN HERITAGE COMMISSION

April 14, 2023

Governor's Office of Planning & Research

**Apr 17 2023**

## STATE CLEARINGHOUSE

Amanda Acuna  
City of Gardena  
1700 W 162<sup>nd</sup> St.  
Gardena, CA 90247

**Re: 2023040334, City of Gardena Land Use Plan, Zoning Code and Zoning Amendment, Los Angeles County**

Dear Ms. Acuna:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



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[NAHC.ca.gov](http://NAHC.ca.gov)

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a.** A brief description of the project.
  - b.** The lead agency contact information.
  - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
  - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a.** Alternatives to the project.
  - b.** Recommended mitigation measures.
  - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a.** Type of environmental review necessary.
  - b.** Significance of the tribal cultural resources.
  - c.** Significance of the project's impacts on tribal cultural resources.
  - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse



# COUNTY OF LOS ANGELES FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 881-2401  
[www.fire.lacounty.gov](http://www.fire.lacounty.gov)



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*"Proud Protectors of Life,  
the Environment, and Property"*

May 12, 2023

Amanda Acuna  
1700 West 162<sup>nd</sup> Street Unit:101  
Gardena, CA 90247

Dear Ms. Acuna:

**THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT, "THE CITY OF GARDENA LAND USE PLAN, ZONING CODE AND ZONING AMENDMENT PROJECT", SERVES AS A NOP OF AN EIR, ADVISES AND SOLICITS COMMENTS AND SUGGESTIONS. SITE-SPECIFIC DEVELOPMENT PROPOSALS ARE NOT CURRENTLY KNOWN, CITY OF GARDENA, FFER2023002025**

The Notice of Preparation of an EIR reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

### PLANNING DIVISION:

We have no comments.

For any questions regarding this response, please contact Kien Chin, at (323) 881-2404 or [Kien.Chin@fire.lacounty.gov](mailto:Kien.Chin@fire.lacounty.gov).

### LAND DEVELOPMENT UNIT:

All future development shall comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.

This project does not propose construction of structures or any other improvements at this time. Therefore, until actual construction is proposed, the County of Los Angeles Fire Department, Land Development Unit, has no comments.

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS  
ARTESIA  
AZUSA  
BALDWIN PARK  
BELL  
BELL GARDENS  
BELLFLOWER  
BRADBURY  
CALABASAS

CARSON  
CERRITOS  
CLAREMONT  
COMMERCE  
COVINA  
CUDAHY  
DIAMOND BAR  
DUARTE

EL MONTE  
GARDENA  
GLENORA  
HAWAIIAN GARDENS  
HAWTHORNE  
HERMOSA BEACH  
HIDDEN HILLS  
HUNTINGTON PARK  
INDUSTRY

INGLEWOOD  
IRWINDALE  
LA CANADA-FLINTRIDGE  
LA HABRA  
LA MIRADA  
LA PUENTE  
LAKEWOOD  
LANCASTER

LAWDALE  
LOMITA  
LYNWOOD  
MALIBU  
MAYWOOD  
NORWALK  
PALMDALE  
PALOS VERDES ESTATES  
PARAMOUNT

PICO RIVERA  
POMONA  
RANCHO PALOS VERDES  
ROLLING HILLS  
ROLLING HILLS ESTATES  
ROSEMEAD  
SAN DIMAS  
SANTA CLARITA

SIGNAL HILL  
SOUTH EL MONTE  
SOUTH GATE  
TEMPLE CITY  
VERNON  
WALNUT  
WEST HOLLYWOOD  
WESTLAKE VILLAGE  
WHITTIER

Amanda Acuna  
May 12, 2023  
Page 2

The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project. Should any questions arise, please contact Nancy Rodeheffer, FPEA II, at (323) 890-4243 or [nancy.rodeheffer@fire.lacounty.gov](mailto:nancy.rodeheffer@fire.lacounty.gov).

**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, brush clearance, vegetation management, fuel modification for Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

For any questions regarding this response, please contact Forestry Assistant, Matthew Ermino at (818) 890-5719.

**HEALTH HAZARDOUS MATERIALS DIVISION:**

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comments or requirements for the project at this time.

Please contact HHMD Hazardous Materials Specialist III, Jennifer Levenson at (323) 890-4114 or [Jennifer.Levenson@fire.lacounty.gov](mailto:Jennifer.Levenson@fire.lacounty.gov) if you have any questions.

Very truly yours,



RONALD M. DURBIN, CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

RMD:pg



May 11, 2023

Amanda Acuna, Senior Planner
City of Gardena, Community Development Department
1700 West 162nd Street
Gardena, California 90247
Phone: (310) 217-9524
E-mail: aacuna@cityofgardena.org

Subject: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Gardena Land Use Plan, Zoning Code & Zoning Amendment [SCAG NO. IGR10865]

Dear Amanda Acuna:

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the City of Gardena Land Use Plan, Zoning Code & Zoning Amendment ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG's adopted regional plans, to be determined by the lead agencies.1

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is the authorized regional agency for Intergovernmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the City of Gardena Land Use Plan, Zoning Code & Zoning Amendment in Los Angeles County. The proposed project includes amendments to the Land Use Plan and Zoning Amendment resulting in changes to the citywide development potential, including a decrease of 154 single-family units and 7,544,381 square feet of non-residential development, and an increase of 12,167 multi-family units.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the IGR Program, attn.: Annaleigh Ekman, Senior Regional Planner, at (213) 630-1427 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

1 Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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**COMMENTS ON THE NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
CITY OF GARDENA LAND USE PLAN, ZONING CODE & ZONING AMENDMENT [SCAG NO. IGR10865]**

**CONSISTENCY WITH CONNECT SOCIAL**

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with Connect SoCal.

**CONNECT SOCIAL GOALS**

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS	
Goal	Analysis
Goal #1: <i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
Goal #2: <i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

**Connect SoCal Strategies**

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

**DEMOGRAPHICS AND GROWTH FORECASTS**

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG’s 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect

SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Gardena Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	61,303	63,107	64,000	65,681
Households	6,333,458	6,902,821	7,170,110	7,633,451	21,333	22,414	22,874	23,695
Employment	8,695,427	9,303,627	9,566,384	10,048,822	29,767	30,517	30,896	32,102

**MITIGATION MEASURES**

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

**From:** Amanda Acuna <AAcuna@cityofgardena.org>  
**Sent:** Monday, May 22, 2023 7:41 AM  
**To:** sbarker@denovoplanning.com  
**Cc:** lkranitzlaw@gmail.com  
**Subject:** FW: Public comment City of Gardena Land Use Plan, Zoning Code & Zoning Amendments  
**Attachments:** Gmail - Public Comment regarding STR.pdf

Hi Starla,

We received this comment on Friday.

**Amanda Acuna**

Senior Planner | City of Gardena  
1700 West 162nd Street | Gardena CA | 90247  
Phone 310.217.6110 | [aacuna@cityofgardena.org](mailto:aacuna@cityofgardena.org)  
Website: [www.cityofgardena.org](http://www.cityofgardena.org)

---

**From:** Vera Povedina <vera.povedina@gmail.com>  
**Sent:** Friday, May 19, 2023 3:43 PM  
**To:** Amanda Acuna <AAcuna@cityofgardena.org>  
**Subject:** Public comment City of Gardena Land Use Plan, Zoning Code & Zoning Amendments

Caution! This message was sent from outside your organization.

Good day,

I want to express my deepest concern regarding the new Land Use Plan, Zoning Code & Zoning Amendments. Just a few months ago the Mayor and all Councilmembers were devastated by the potential negative effect of Short Term Rental properties to our city and our community. Allegedly it will increase traffic, noise pollution, crime rates and will change the character of our residential neighborhood. They felt a threat to the greater good of all citizens from 74 different properties located in different parts of the City and with a 100% occupancy (that never goes over 80% on average) would create a traffic of 74 cars. And the city is already suffering and suffocating and no one can find a parking space and all the problems will be resolved by the harshest restrictions on STR.

What do we see now?  
Plan to build additional 5,735 dwelling units in the next 6 years concentrated in a few focused areas is approved. Using current statistical data for the city ( 60,937 people, 21,982 units, 2.77 people per unit now) you plan to increase the population of the City of Gardena by 15,898 people, about 25% and to add an estimated 8,600 of cars). What are you going to do with all that noise, air pollution, crime, risks of fire? Construction noise and pollution?  
What are you going to do with infrastructure?  
You will build parkings lots for overnight, I get it but what about parking everywhere else?  
Will you build new roads and widen the one we have for commuting?  
Water/gas/electricity/internet supply?  
How about schools and pre/post child care? Parks and sport facilities?  
I haven't seen any new parcels for that.



I would love to see City`s mitigation plan for all of that, the budget of that mitigation and who and how is going to finance that.

My Public comment regarding proposed STR regulations is also attached.

With best regards,

Vera Pövetina

Air National Guard Military member, SSgt

Contractor Budget Analyst for Space Systems Command

Citizen of Gardena and proud host

With best regards,

Vera Pövetina

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