



City of Torrance, Community Development Department
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990
Draft Mitigated Negative Declaration

Danny E. Santana, Director

2555 W. 190th Street Industrial Warehouse Project

Project Title:	2555 W. 190 th Street Industrial Warehouse Project Comstock Development (St Paul Properties Inc.) Environmental Assessment – EAS20-01001 Conditional Use Permit – CUP20-01003 Division of Lot – DIV20-01003
Lead Agency:	City of Torrance 3031 Torrance Boulevard Torrance, CA 90503
Lead Agency Contact:	Oscar Martinez Planning and Environmental Manager (310) 618-5990
Project Proponent:	Comstock Development 2301 Rosecrans Avenue, Suite 1150 El Segundo, CA 90245
Project Location:	2555 W. 190 th Street (APN: 4090-021-032 through -034) Torrance, CA 90504
Project Description:	The proposed project consists of the demolition of an approximately 160,000 square-foot vacant office building and construction of one industrial warehouse building totaling 305,550 square feet on a 13.29-acre site. As proposed, the project will require a Conditional Use Permit to allow the construction of the industrial warehouse building; and a Division of Lot to consolidate three existing parcels into one to locate the property entirely on one parcel, resulting in a Floor Area Ratio that will not exceed 0.60.
Determination:	Based on the information contained in the Initial Study prepared for the project, the City of Torrance finds that there is no substantial evidence that the project may have a significant effect on the environment, beyond the impacts previously identified and analyzed in the 2009 General Plan Environmental Impact Report, because the mitigation measures described herein would be incorporated as part of the proposed project. The 2009 General Plan EIR is a program EIR and identifies the potential unavoidable significant adverse impacts from long-term development in the City. The City of Torrance proposes to adopt a Mitigated Negative Declaration.

Mitigation Measures Incorporated into the Project to Avoid Significant Effects:

CULTURAL RESOURCES

CR-1: In the event that any archaeological materials are encountered during construction activities, all activities must be suspended in the vicinity of the find. An archaeologist shall be obtained and empowered to halt or divert ground disturbing activities, coordinate with Native American Tribal or Band monitors interested in monitoring the remaining onsite grading and excavation activities and establish a Cultural Resources Treatment and Monitoring Agreement between the property owner and participating Band or Tribe. Such agreement must include terms for compensation for on-site monitoring and address the treatment and final disposition of any tribal cultural resources, sacred sites and human remains that are discovered during project grading and excavation. Said agreement must be instituted and completed before ground-disturbing activities can recommence



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in the area of the find to allow for the recovery of the find. The archaeologist shall describe the find in a professional report which shall receive reasonable wide distribution. Any recovered finds shall be prepared to the point of identification. The property owner shall relinquish ownership of all Native American cultural resources to the appropriate local Tribe or Band for treatment and disposition. If determined to be of non-Native American scientific/historical value, recovered materials shall be deposited with a local institution with facilities for their proper curation, analysis, and display. Final disposition and location of the non-Native American recovered materials shall be determined by the City of Torrance.

- CR-2:** If human remains of any kind are found during construction, the requirements of CEQA Guidelines Section 15064.5(e) and Assembly Bill 2641 shall be followed. According to these requirements, all construction activities must cease immediately, and the Los Angeles County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Natural American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants (MLD) to be consulted regarding treatment and/or reburial of the remains. If an MLD cannot be identified, or the MLD fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the Native American human remains and associated grave goods shall be buried with appropriate dignity on the property in a location not subject to further subsurface disturbance.

GEOLOGY AND SOILS

- GEO-1:** In the event that any unique paleontological resources or geographic features are encountered during construction activities, all activities must be suspended in the vicinity of the find. A paleontologist shall be obtained and empowered to halt or divert ground disturbing activities and monitor the remaining onsite grading and excavation activities. The paleontologist shall describe the find in a professional report which shall receive reasonable wide distribution. Any recovered finds shall be prepared to the point of identification. Recovered materials shall be deposited with a local institution with facilities for their proper curation, analysis, and display. Final disposition and location of recovered materials shall be determined by the City of Torrance.

NOISE

- N-1:** During all project excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers.
- N-2:** The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- N-3:** Equipment shall be shut off and not left to idle when not in use.
- N-4:** The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction
- N-5:** Jackhammers, concrete saws, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors.
- N-6:** The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.



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- N-7:** Caution should be utilized if vibratory equipment such as vibratory rollers, or other similar vibratory equipment, are utilized within 16 feet or large bulldozers within five (5) feet of the portion of the northern property line that lies adjacent to the existing commercial building.
- N-8:** The use of vibratory equipment such as vibratory rollers, or other similar vibratory equipment, is prohibited within seven (7) feet of the northern property line that lies adjacent to the existing commercial building.

TRIBAL CULTURAL RESOURCES

TCR-1: Retain a Native American Monitor/Consultant: Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the Lead Agency prior to the issuance of any permit necessary to commence a ground disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the Tribal monitor approved by the Consulting Tribe and a qualified archaeologist if one is present. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue in other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. 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.

TCR-2: Unanticipated Discovery of Tribal Cultural and Associated Funerary Objects: 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 PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the



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remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC and PRC 5097.98 shall be followed.

TCR-3: Resource Assessment & Continuation of Work Protocol: Upon discovery of human remains, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 100 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

TCR-4: Tribal Procedures for Burials and Funerary Remains: If the Gabrieleno Band of Mission Indians – Kizh Nation is designated as the MLD, the Koo-nas-gna Burial Policy shall be implemented. 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 burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to 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.

TCR-5: Treatment Measures: Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will 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 should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the re-mains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.



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TCR-6: Professional Standards: Native American and Archaeological monitoring during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of TCR's shall be taken. The Native American monitor must be approved by the Gabrieleno Band of Mission Indians-Kizh Nation. Principal personnel for Archaeology must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California.