# OTD Parcel Wetlands Feasibility Study

May 15, 2010

# **Prepared for:**



Los Cerritos Wetlands Authority

100 N. Old San Gabriel Canyon Road Azusa, CA 91702

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# Contents

Acronyms	<b>iii</b>
1.0 Introduction	1
1.1 Project Objective	1
1.2 Scope of Work	2
1.3 Los Cerritos Wetlands	2
1.3.1 History	2
1.3.2 Major Stakeholders	3
1.3.3 Ecology and Restoration	5
2.0 The OTD Parcel	8
2.1 Site Information	9
2.2 Environmental History	9
2.2.1 Former Land Uses	9
2.2.2 Site's Recognized Environmental Conditions & Areas of Potential Concerns	.11
2.2.3 Soil and Water Organic and Inorganic Contamination	. 12
2.2.4 Allowable Current Uses	. 14
2.3 Ecological Observations	. 16
2.3.1 Wetlands Delineations	. 16
2.3.2 Floral and Faunal Observations	. 16
2.4 Anthropogenic Observations	. 20
2.4.1 Access Driveway Improvements	. 20
2.4.2 Illegal Site Access	. 20
2.4.3 Debris	. 20
2.4.4 Adjacent Parcel Use	. 20
2.4.5 Law Enforcement	. 21
2.4.6 Traffic	. 21
3.0 Feasibility of Land Use Alternatives	. 22
3.1 Possible Land Use Options	. 22
3.1.1 Land Uses Eliminated from Consideration	. 22
3.1.2 Land Uses Included in Proposed Alternatives	. 23
3.2 Proposed Land Use Alternatives	. 24
3.2.1 Methods of Evaluation	. 24
3.3 Evaluation of Proposed Land Use Alternatives	. 25
3.3.1 Alternative #1 – Sell Property	. 25
3.3.2 Alternative #2 – Exclusive Wetlands Habitat	. 31
3.3.3 Alternative #3 – Restoration Staging Area	. 37
3.3.4 Alternative #4 – Limited Public Use Facility	.42
3.3.5 Alternative #5 – Wetlands Interpretive Center	. 47
3.3.6 Multifaceted Alternative – Phased Use Plan	. 53
4.0 Conclusions	. 56
4.1 Overall Alternative Evaluation Scores	. 56
4.2 Alternative's Estimated Costs	. 57
4.3 Recommendations for Interim Site Use	. 58
5.0 References Cited	. 60

#### List of Tables

Table 1. List of LCWA conservation target species	6
Table 2. Native plant communities appropriate for restoration in the LCWA Conservation Area	7
Table 3. History of OTD Parcel ownership and operation	8
Table 4a. Floral species observed at OTD Parcel	17
Table 4b. Faunal species observed at OTD Parcel	18
Table 5. Tree species abundance on OTD Parcel perimeter berm	19
Table 6. Cost estimates for Alternative #1: Sell Property	28
Table 7. Comparison of beneficial uses offered by alternatives	30
Table 8. Comparison of alternatives benefitting LCWA conservation species	30
Table 9. Cost estimates for Alternative #2: Exclusive Wetlands Habitat	33
Table 10. Cost estimates for Alternative #3: Restoration Staging Area	39
Table 11. Cost estimates for Alternative #4: Limited Public Access Facility	44
Table 12. Cost estimates for Alternative #5: Wetlands Interpretive Center	49
Table 13. Cost estimates for Multifaceted Alternative: Phased Use Plan	54
Table 14. Evaluation scores for proposed land use alternatives	57

#### **List of Figures**

Figure 1. Aerial outlining LCWA Conservation Area and location of OTD Parcel	3
Figure 2. Major land owners in and around the LCWA Conservation Area	5
Figure 3. Historic etching of wetlands area in 1895	10
Figure 4. Series of four historical photos	11
Figure 5. Map of water and soil samples	12
Figure 6. SEADIP Map	15
Figure 7. Alternative #1- Sell Property Conceptual Design	26
Figure 8. Potential purchasable properties	27
Figure 9. Alternative #2 - Exclusive Wetlands Habitat Conceptual Design	32
Figure 10. Availability of equivalent suitable land for freshwater wetlands	36
Figure 11. Alternative #3 - Restoration Staging Area Conceptual Design	38
Figure 12. Availability of equivalent suitable land for restoration staging	41
Figure 13. Alternative #4 – Limited Public Access Facility Conceptual Design	43
Figure 14. Availability of equivalent suitable land for limited public use facility	46
Figure 15. Alternative #5 – Wetlands Interpretive Center Conceptual Design	48
Figure 16. Fault line map	51
Figure 17. Availability of equivalent suitable land for wetlands interpretive center	52
Figure 18. Availability of equivalent suitable land for phased land use plan	55

#### Exhibits

- Exhibit A Los Cerritos Wetlands Species List
- Exhibit B Certificate of Acceptance and Parcel map
- Exhibit C Department of Toxic Substances Control Letter
- Exhibit D Site Photos
- Exhibit E Robertson and Associates Land Appraisal Report
- Exhibit F Water Board Beneficial Uses List
- Exhibit G Constraints to Restoring Salt Marsh
- Exhibit H Proposed Plant Palettes

# Acronyms

ABP	Alamitos Bay Partners
AC	acres
ACOE	United States Army Corps of Engineers
AES	AES Powerplant
AOPC	area of potential concern
AST	above ground storage tanks
BGS	below ground surface
Cal-EPA	California Environmental Protection Agency
CCA	California Coastal Act
CCC	California Coastal Commission
CDFG	California Department of Fish & Game
CDOGGR	California Division of Oil, Gas & Geothermal Resources
CEQA	California Environmental Equality Act
CNPS	California Native Plant Society
CSULB	California State University, Long Beach
CY	cubic yards
DPW	City of Long Beach Department of Public Works
DTSC	Department of Toxic Substances Control
DWP	Los Angeles County Department of Water of Power
EA	each
EPA	Environmental Protection Agency
EPTC	Edison Pipeline and Terminal Company
ERM	effects range medium
ESA	environmental site assessment
ESL	effects range low
FE	Federally Endangered
FOCL	Friends of Colorado Lagoon
IIRMES	Institute for Integrated Research on Materials, Environment and Society
IUCN	International Union for Conservation of Nature
LBC	City of Long Beach
LBPD	Long Beach Police Department
LCP	Local Coastal Plan
LCW	Los Cerritos Wetlands
LCWA	Los Cerritos Wetlands Authority
LCWLT	Los Cerritos Wetlands Land Trust
LCWS	Los Cerritos Wetlands Stewards
LEL	lower explosive limit
LLC	limited liability company
LS	lump sum

NI P-NI	$M = ff = 4 + 0$ $N_{1}^{1} = 1 = 1$
Man	Morrat & Nichol
MG Zone	Industrial Zone
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Association
OC	Orange County
OTD	Offer to Dedicate
РСН	Pacific Coast Highway
PD	Planned Development
PPM	parts per million
PRG	Preliminary Remediation Goals
REC	recognized environmental condition
RMC	Rivers and Mountains Conservancy
SB	City of Seal Beach
SCC	California State Coastal Conservancy
SCCWRP	Southern California Coastal Water Research Project
SCE	Southern California Edison
SE	State Endangered
SEADIP	Southeast Area Development and Improvement Plan
SGR	San Gabriel River
SLC	State Lands Commission
STLC	soluble threshold limit concentrations
SVOC	semi-volatile organic compound
SWRCB	State Water Resources Control Board
TTLC	total threshold limit concentrations
USGS	United States Geological Survey
VOC	Volatile Organic Compounds
YRS	years

## **1.0 Introduction**

In February 2006 a joint powers agreement was adopted among the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC), State of California Coastal Conservancy (SCC), City of Long Beach (LBC), and City of Seal Beach (SB). The agreement established the Los Cerritos Wetlands Authority (LCWA). The purpose of the Authority is to provide for a comprehensive program of acquisition, protection, conservation, restoration, maintenance and operation and environmental enhancement of the Los Cerritos Wetlands area consistent with the goals of flood protection, habitat protection and restoration, and improved water supply, water quality, groundwater recharge and water conservation. The Authority has the ability to acquire and own real property, although it does not have the power of eminent domain. A second major purpose of the Authority is to conduct restoration planning and implement that restoration.

This feasibility study offers advice to the LCWA with determining the best land use for one of their currently owned properties. Tidal Influence and its partners are dedicated to supporting the execution of LCWA's mission at this study site and throughout the Los Cerritos Wetlands. Our Co-Principals, Eric Zahn and Taylor Parker, are always available to assist LCWA staff and are committed to providing consultation in all matters regarding the Los Cerritos Wetlands.

### **1.1 Project Objective**

The objective of this study is to aid the decision making process by determining the feasibility of 5 land use alternatives for best utilization of a 5.11-acre parcel owned by the Los Cerritos Wetlands Authority (LCWA). This parcel is located on the northeast corner of Studebaker road and 2<sup>nd</sup> Street in Long Beach, California and commonly referred to as the 'Edison Parcel' or 'Offer To Dedicate (OTD) Parcel.' The land was officially acquired by the LCWA on May 2<sup>nd</sup>, 2007 and since this acquisition there has been limited utilization of this real estate and zero data generated about its value as wetlands or other beneficial uses.

With Los Cerritos Wetlands (LCW) being such an intricate and contentious conservation effort, each piece of the puzzle needs to be properly analyzed to determine how it will best fit into a comprehensive restoration plan. To make this determination Tidal Influence and its partners have developed a report that documents the historical and existing environmental conditions of the study site; presents a current real estate appraisal; and proposes 5 land use alternatives including 4 conceptual designs for the use of the property towards the LCWA's mission. The land use alternatives have been analyzed for feasibility based on their estimated cost, potential beneficial uses, potential habitat value, existing environmental constraints, and the availability of land for an equivalent use within the LCW Complex. Based on those findings the report makes suggestions for a land use alternative that will lead to the best utilization of the land and proper management in the interim.

### **1.2 Scope of Work**

- i) Improvement of site access and security by restoring driveway/gateway.
- ii) Completion of site resource surveys of ecological communities, geological/soil resources, human impacts, and neighboring parcel use.
- iii) Development and analytical comparison of 5 land use alternatives. Additionally the alternative analysis will include a recommendation section, prioritizing the alternatives and determining which are the least cost feasible alternatives.

### **1.3 Los Cerritos Wetlands**

### 1.3.1 History

Los Cerritos Wetlands have been sought by conservation organizations for over three decades. The greater Los Cerritos Wetlands complex (LCW Complex) at the mouth of San Gabriel River once included the historic reaches of Alamitos Bay to the southwest, extended northward to Alamitos Mesa (the current location of California State University, Long Beach), and eastward to Anaheim Landing (the current location of Heron Pointe housing development). Agriculture and ranching were the primary activities around the perimeter of the marsh in the late 1800's, followed by oil production in the 1920's and the development of marine facilities in the 1960's. Pre-development, this estuary contained about 2,400 acres of coastal wetlands habitat composed of an estimated 1,887 acres of tidal marshes and sloughs plus several hundred acres of alkali and wet meadows (Stein et. al, 2007; State Coastal Conservancy, 1982).

Urbanization and industrialization had reduced the acreage of wetlands habitat within the LCW Complex to an estimated 188.5 acres by the early 1980's, an over 90% loss (State Coastal Conservancy, 1982). According to a State Coastal Conservancy report written in 1982 by Jens Sorenson and Associates this remaining acreage was composed of 41.5 acres of tidal wetlands and 147 acres of non-tidal wetlands. The non-tidal wetlands were made up of 56 acres of salt marsh, 83 acres of seasonal impoundments, 4 acres of perennial impoundments and 4 acres of fresh/brackish marsh. These data likely have shifted since their collection; however, a comprehensive wetlands delineation of the LCW Complex has not recently occurred due to private ownership restrictions.

Regardless of its condition, the entirety of open space within the LCW Complex is valuable for conservation. Currently, what wetlands acreage that remains is encompassed within less than 500 acres of undeveloped open space that falls within the LCWA's Conservation area outlined in **Figure 1**. Much of this open space is actively utilized for oil pumping operations and is zoned for light industrial or other development uses.



Figure 1. Aerial outlining LCWA Conservation Area and location of OTD Parcel

### **1.3.2 Major Stakeholders of Los Cerritos Wetlands**

**Surrounding Land Owners/Lessees:** Eleven major land owners hold title for land within the LCWA's conservation area or bordering properties owned by the LCWA (**Figure 2**).

- 1. <u>Jeff Berger and Tom Dean</u> (through a number of different Limited Liability Companies [LLCs]), hereafter referred to as Berger-Dean Own frontage properties in Long Beach intended for development or land swap, and operate land for mineral extraction. Largest private land owner in the area.
- 2. <u>Hellman Property LLC</u> Owns and operates land in Seal Beach for mineral extraction. Owns 100 acres of wetlands deed restricted property.
- 3. <u>LCWA</u> Owns land for the intention of wetlands conservation and leases mineral extraction operations to Signal Hill Petroleum Inc.

- 4. <u>Bryant-Dakin LLC</u> Owns frontage properties in Long Beach intended for development.
- 5. <u>Plains All American LP</u> Owns and operates oil storage and pipeline facility adjacent to the OTD Parcel.
- 6. <u>County of Orange</u> Uses land for storm water management purposes.
- 7. <u>County of Los Angeles</u> Dept. of Water and Power; Dept. of Public Works Owns and uses land for storm water management purposes and for power generation
- 8. <u>AES</u> Owns and operates Alamitos generating station.
- 9. <u>Sean Hitchcock</u> Owns frontage property in Long Beach with the announced intentions of building soccer fields and related ancillary facilities.
- 10. <u>State Lands Commission</u> Owns frontage property in Seal Beach with intentions of commercial development or land swap.
- 11. <u>Alamitos Bay Partners</u> Owns frontage property in Long Beach intended for residential development and leases mineral extraction operations to The Termo Company.

**Public Interest groups:** Los Cerritos Wetlands Land Trust, Los Cerritos Wetlands Stewards, Friends of Colorado Lagoon, Save Our Beach, El Dorado Chapter of Audubon Society

**Regulatory/Resource Agencies:** California Coastal Commission (CCC) ; California Division of Oil, Gas & Geothermal Resources (CDOGGR); U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), U.S. Army Corp of Engineers (ACOE), National Oceanic and Atmospheric Administration (NOAA), U.S. Environmental Protection Agency (EPA), California Environmental Protection Agency (Cal-EPA), Department of Toxic Substances Control (DTSC)

**Research Institutions:** California State University Long Beach (CSULB); Institute for Integrated Research on Materials, Environment, and Society (IIRMES); Southern California Coastal Water Research Project (SCCWRP)



Figure 2. Major land owners in and around the LCWA Conservation Area

### **1.3.3 Ecology and Restoration of Los Cerritos Wetlands**

A variety of conservation target species have been identified within the LCWA's conservation area including several state and federally endangered species, as well as plant species identified for protection by the California Native Plant Society (CNPS) and target species identified by 'Green Visions' for the RMC (**Table 1**). The remaining wetlands and uplands within the LCW Complex have been documented to provide habitat for 118 native species of birds, a majority of which are coastal dependant species and/or migratory species. Other regionally native wildlife that have been documented include 25 species of marine invertebrates, 13 species of marine fish, 6 species of amphibians and reptiles, and 4 species of mammal. The degraded portions of coastal salt marsh, freshwater marsh and alkali meadow plant communities that remain are composed of at least 33 species of native wetland plants, while the degraded upland areas are composed of at least 11 coastal sage scrub and coastal strand plant species. Innumerable non-native plant species have invaded the upland and wetland fringes throughout Los Cerritos Wetlands. A complete flora and faunal list is found in **Exhibit A**.

LCWA Target Species	LCW	SE	FE	Other status
1 Salt Marsh Birds Beak		Х	х	CNPS list 1-B2
2 Southern Tar Plant	х			CNPS list 1-B1
3 Estuary Sea-Blite	х			CNPS list 1-B2
4 Wholly Sea-Blite	х			CNPS list 4.2
5 Salt Marsh Wandering Skipper	х			sensitive endemic species
6 Salt Marsh Tiger Beetles	х			sensitive endemic species
7 Tidewater Goby		Х	Х	
8 Green Sea Turtle	х			Federally Threatened; IUCN endangered
9 California Least Tern	х	Х	Х	
10 Light-Footed Clapper Rail		Х	Х	
11 Western Snowy Plover				Federally Threatened
12 California Brown Pelican	х			delisted FE & SE 2009
13 Peregrine Falcon	х			delisted FE & SE 2009
14 Belding's Savannah Sparrow	х	Х		
15 California Gnatcatcher				Federally Threatened
16 Least Bell's Vireo		Х	х	
17 Loggerhead Shrike	х			Green Visions target species
18 Western Harvest Mouse	х			sensitive species
19 Coyote	Х			Green Visions target species
Total	13	6	5	

**Table 1.** A list of LCWA conservation target species and their presence at Los Cerritos Wetlands (LCW) as well as their conservation status (SE = State Endangered; FE = Federally Endangered).

Due to the drastic reduction in available habitat area, the richness of species that depend on coastal wetlands, and the heavily developed area surrounding this study site, the creation of new habitat or restoration of degraded habitat anywhere within the LCW Complex will benefit local and regional natural ecosystems. As many as nine different plant communities are appropriate to restore within the LCWA Conservation Area and suitable areas currently exist to establish all of these desirable plant communities (**Table 2**). Due to its rarity, whenever it is feasible and cost effective full-tidal coastal salt marsh habitat should be given highest restoration priority. However, many constraints now exist within the LCWA Conservation Area that may restrict the feasibility or appropriateness for the establishment of certain habitat types in certain areas, even if that habitat type historically existed in that area. These constraints are especially evident with tidal wetlands restoration. Roadways, residential/industrial/commercial developments, flood controls levees, and oil operations fragment and border the remaining restorable parcels and restrict the ability to convey seawater to its historic reaches. These hindrances require deft decision making when determining the most optimal and effective ecological enhancements for each parcel of land.

Plant community	<b>Community Description</b>
Eelgrass Beds	Subtidal Marine Wetlands
Lower Salt Marsh	Intertidal Marine Wetlands
Middle Salt Marsh	Intertidal Marine Wetlands
Upper Salt Marsh	Intertidal Marine Wetlands
Alkali Meadow	Non-tidal, Saline Wetlands
Freshwater Marsh	Non-tidal, Freshwater Wetlands
Marsh-Upland Transition	Wetlands-Upland Ecotone
Coastal Sage Scrub	Upland
Coastal Strand	Upland

**Table 2.** Native plant communities appropriate for restoration within the LCWA Conservation Area.

Optimally, the remaining native plant and animal species in a degraded habitat will influence what habitat type should be restored in a certain area. In this situation, small-scale ecological enhancements may only be required to restore a desired habitat type. Unfortunately, areas exist within the LCWA Conservation Area which have been so heavily altered from their historical condition and fragmented from other natural areas, that a desired habitat type is unrecognizable. This is the case we face with the subject site of this wetlands feasibility study. The LCWA's OTD Parcel holds no resemblance to its historical condition. This site's recent environmental history is filled with alteration and industrial use. Nevertheless, this parcel holds great value to the LCWA.

The potential for creation of wetlands does exist for the OTD Parcel, but will require creative ways of reversing the historical degradation and conveying water to the site, which may be costly. The following sections of this report will explore the environmental history of the OTD Parcel; offer several alternatives for its future use; and discuss the feasibility and cost effectiveness of the proposed land use alternatives.

# 2.0 The OTD Parcel

Owners of the study site have participated in a variety of different land uses throughout its history (**Table 3**). Understanding the site's background and existing conditions assists in determining the feasibility of future use(s).

Timeframe	Ownership/Lessees	Activity on Site	Physical Description
Pre-Bixby	Marshland owned by several ranchers	Wildlife followed by Ranching	Marshland
1881-1955	Bixby Family	Ranching/Industry	Originally Marshland that became degraded
1925	Oil and Gas Leased to Standard Oil Company	Oil Operations/Industry	Degraded marsh; Industrial site
1948	Oil and Gas Leased to Continental Oil	Oil Operations/Industry	Degraded marsh; Industrial site
1951	Surface rights inherited by Ernest A. Bryant and Alan Chickering as trustees under the will or Susanna Bixby Bryant	Oil Operations/Industry	Industrial site
1951	Mineral rights acquired by SCE		Industrial site
1955	Oil and gas Leased to The Texas Company	Oil Operations/Industry	Industrial site
1956-2001	Surface and mineral rights owned by SCE	SCE Started operations of Alamitos Station	Berm formed along perimeter and vegetated with trees.
1963	Los Angeles County	Granted Easement for Westminster Avenue	Southern portion of property developed into roadways
1965	Los Angeles County	Granted Easement for Studebaker Road	Western portion of property developed into roadways
1997	Surface rights leased by Intra-American Foundation & Drilling Company, Inc	Laydown area and Maintenance Facility	Industrial; 3 modular offices, two steel storage containers and a lay-down area of equipment
2001	SCE	Irrevocable Offer To Dedicate Feet Title Recorded	No Change
2007-present	Los Cerritos Wetlands Authority	None	No Change

Table 3.	History	of OTD	Parcel	ownership	and o	operation
Lance J.	I II Story	U UID	I arcor	ownersnip	and	poration.

### 2.1 Site Information

**Location:** The parcel driveway is located at the geographic coordinates N 33°45.644, W 118 ° 06.218. The northeast corner of the lot is at the signalized 'T' intersection of Second Street and Studebaker Road in Long Beach, CA. **Exhibit B** contains the Filed Certificate of Acceptance which includes a parcel location description developed by KCT CONSULTANTS, INC. Under the Supervision of: Marissa Crowther PLS No. 6152 on May 28<sup>th</sup> 2004.

Shape: basically rectangular

Gross Area: 222,590 square feet; 5.11 acres

**Net Area:** 177,250 square feet; 4.07 acres (study site area). This area is minus about 1 acre that is now public roadways.

Zoning: PD-1, subarea 19-SEADIP planned development with industrial uses in subarea 19

**Lot Line:** Subject site is a portion of Parcel #3 of the City of Long Beach Lot Line adjustment #3704-09. Furthermore, the subject site is a portion of Los Angeles County Assessors parcel ID No. 7237-019-006, a 56.38±acre parcel. Note: Approval by the City of Long Beach, Los Angeles County, and California Coastal Commission will likely be required to obtain an official lot split for future use of parcel.

**Easements:** County of Los Angeles maintains a permanent easement of about a one acre for both Studebaker Road and 2<sup>nd</sup> Street. Southern California Edison maintains an easement to the power lines throughout the property.

### **2.2 Environmental History**

By request of the California Coastal Conservancy, prior to the land being transferred, Southern California Edison (SCE) produced Phase I and Phase II Environmental Site Assessments (ESAs). These reports were completed by CH2MHILL in July 2000 and December 2004 respectively. Much of the environmental history provided below is based on the findings of these assessments as well as from historic maps and anecdotal knowledge.

### 2.2.1 Former land uses

**Pre-Disturbance:** According to historical maps this site was composed entirely of full-tidal salt marsh. Previous to being altered the site's 5.11 acres were fed by a tidal slough originating from Alamitos Bay (**Figure 3**). The first landowner of record was a Spanish foot soldier, Manuel Nieto who received the land in 1790 through a 300,000 acre land grant as part of his retirement. Nieto and the following land owners utilized the area for ranching and agriculture, but the impacts on the local wetlands are not well documented. In 1881, in partnership with Jotham Bixby and I.W. Hellman, John Bixby was able to acquire the property. Bixby continued ranching practices until oil was discovered in the 1920's promoting more profitable industrial uses of the historic wetlands-ranching areas. This facilitated increased parcel division and sale.



**Figure 3.** Historic etching of wetlands areas in 1895 with current urban overlay. Study site is outlined in yellow.

**Industrial:** According to aerial photos, the site was filled by 1927, graded by 1938, and prepped for industrial use by 1953. The Phase 1 & 2 ESAs state that the site was developed in 1956 by Southern California Edison when they started operation of the 'Alamitos Station.' As part of the industrialization of the property, a berm was built around the parcel and, based on a 1973 aerial photo, can be seen unvegetated (**Figure 4**). Recent aerial photos depict the site as barren with a heavily vegetated ten foot high berm surrounding the property. In its current design, the property has been utilized as an area for offices, maintenance of equipment, storage for 55-gallon drums, an aboveground storage tank and a lay-down area for industrial equipment.



Figure 4. Series of four historical photos (dated 1927, 1938, 1953, 1973) with study site outlined in yellow

### 2.2.2 Site's Recognized Environmental Conditions & Areas of Potential Concerns

The Phase 1 ESA conducted in July 2000 focused on identifying 'recognized environmental conditions' (REC) and 'areas of potential concern' (AOPC). Three AOPC's were identified:

1. <u>Drums Storage Area</u>: Nine 55-gallon drums containing petroleum product were identified in the southwest corner of the site. No staining or leaks were observed around the drums. These drums were situated on pallets in a dirt area with no secondary containment. Due to the potential for a hazardous material to have impacted surface soils in the vicinity of the drum storage area, this area is an AOPC.

2. <u>Maintenance Area</u>: Leaking equipment and soil staining were observed in the southwest corner of the site in an area that was being used for vehicle maintenance. Due to the potential for petroleum releases to have impacted surface soils in the vicinity of the maintenance area, this area is an AOPC.

3. <u>Discarded Battery Area</u>: An area of discarded batteries was located in the southwest corner of the site. Due to the potential for battery acids and lead to have impacted the soil, this area is an AOPC.

All three AOPC's recommended further investigation and sampling in the area. This was achieved within the scope of the Phase 2 ESA.

#### 2.2.3 Soil and Water Organic and Inorganic Contamination

The southwest corner of the parcel containing the three AOPC's as identified in the Phase 1 ESA of July 2000 was studied as part of the Phase 2 ESA in December 2004. For the Phase 2 ESA, 13 direct-push soil borings were advanced throughout the site and a total of 47 soil samples were collected for laboratory analysis as well as water samples from four areas (**Figure 5**). The water table level was found at 12-15 foot below ground surface (bgs).



Figure 5. Map of water and soil samples taken by CH2MHill as part of the Phase II ESA

Based on the results of this site investigation, the following 5 conclusions were made:

1. Concentrations of VOC, SVOC, chlorinated pesticide, and PCB did not exceed the following industrial screening criteria: 'preliminary remediation goals (PRGs), 'total threshold limit concentrations' (TTLC), and 10 times 'soluble threshold limit concentration' (STLC). Overall the study site's soil is minimally impacted.

2. Arsenic was the only analyte for which concentrations exceeded the industrial PRGs. However, it should be noted that in California background concentrations of several metals, particularly arsenic, often exceed industrial PRGs, as reported by the Kearney Foundation (1996). Additionally, one soil sample, collected at 5 feet bgs and at a location considered representative of background conditions, exhibited a lead concentration that exceeded 10 times the STLC.

3. Lead concentration in one sample and nickel and vanadium concentrations in another sample exceeded the TTLC screening criteria. However, concentrations of lead, nickel, and vanadium for the deeper samples at these two locations were below the TTLC screening criteria.

4. Soil gas concentrations for VOCs did not exceed the conservative shallow soil gas 'environmental screening levels' (ESLs) for the commercial/industrial land use scenario published by the San Francisco Bay Area California Regional Water Quality Control Board (CRWQCB; 2007). Thus, the VOCs detected in soil gas samples would not pose a significant impact to indoor air at a future onsite building. Hydrogen sulfide gas was not detected in the 10 soil gas samples (including one duplicate) collected at the site. Methane concentrations in soil gas samples were several orders of magnitude below the 'lower explosive limit' (LEL) of 5 percent (50,000 parts per million [ppm]).

5. No VOCs or SVOCs were detected in groundwater samples collected at the site.

These conclusions determine that most analytes were under industrial use PRGs. Further, the Department of Toxic Substances Control stated in a May 2005 letter (**Exhibit** C) that "Based on the information provided, DTSC concurs with the report in that the site is suitable for commercial/industrial use." The DTSC letter further states:

"A deed restriction which prohibits the site from sensitive uses such as residential, hospitals, public or private schools, and day care centers for children, should be prepared for the site. If the land use were to change then additional characterization and/or remediation would be required."

### **2.2.4 Allowable current uses**

**Local Coastal Plan (LCP) zoning restrictions:** The intention of the study site's LCP, (a.k.a. Southeast Area Development and Improvement Plan [SEADIP]) (**Figure 6**), is to provide "for a total community of residential, business and light industrial uses integrated by an extensive system of parks, open space, and trails." SEADIP is carved into 33 subareas each with specific development and use standards.

There are general provisions under SEADIP that apply to all subareas, regardless of parcel zoning. Those that directly apply to the study site are as follows:

**General Provisions** 

1. Offices shall be oriented toward open space, green belts and water whenever possible...

4. Minimum of thirty percent of the site shall be developed and maintained as usable open space...All buildings shall be set back a minimum of 20 ft from all public streets.

8. All developments shall be open and inviting to the public...

9. All development shall be designed to be in harmony with the character and quality of the area.

10. Developers shall construct public open space, trails, pathways and bicycle trails... [so that] they will be generally accessible to the public.

•••

12. Public views to water areas and public open spaces shall be maintained and enhanced to the maximum extent possible. 13. Adequate landscaping...shall be provided to create a park-like setting for the entire area.

14. No additional curb cuts...unless it can be shown that inadequate access exists...not preclud[ing] provision of emergency access.

Buffer

...

5. Primary mission of buffer is to prevent physical access into the wetlands and to prevent visual disturbances of wetland wildlife...

The OTD Parcel is located within subarea 19 which has specific development and use standards under SEADIP. Those that apply to subarea 19 include:

a. Use: Industrial

b. This area is fully developed in accordance with the provisions of the MG zone.

c. Commercial storage/self-storage (21.15.570) shall be allowed by Conditional Use Permit (21.52.219.5).

According to the preliminary title report (Stewart Title, 2002) a restriction was implemented by the last will and testament of Susanna Bixby Bryant on the use of the land. The owner of the land only has right to utilize the area 0-500 bgs. Therefore, in the opinion of the appraiser, "prospecting for, developing and/or extracting said oil, gas, petroleum, and other mineral or hydrocarbon substances from" the OTD Parcel may not be allowable. The below ground surface mineral rights are likely owned by SCE.

Figure 6.



### **2.3 Ecological Observations**

### 2.3.1 Wetlands Delineation

**Water:** The LCWA's OTD Parcel does not contain any wetlands habitat in its current condition. Water was observed pooling on site (**Exhibit D**), but this was strictly puddles of water forming in low points of the property following large rainfall events. The pools lasted only during heavy rainfall events and dissipated by February 19<sup>th</sup>, 2010 through both evaporation and permeation. This indicates that an impervious layer of soil does not exist near the soil surface as is characteristic of coastal wetlands like salt marsh, freshwater marsh, alkali meadows, and vernal pools. During this same time period, surface water remained apparent on the adjacent Phase 1 LCWA parcels several months after the OTD Parcel's puddles dried up. It is not possible for the water that pooled on site to have been ground water hitting the surface because the water table level for the property is between 12-15 feet bgs (CH2MHILL, 2004).

**Soil:** The study site's surface soil does not differ from upland soils and is neither saline nor consistently moist. The majority of the surface soil is undoubtedly 'fill' from unknown origins. Much of this fill contains pieces of cement, asphalt, and other debris (**Exhibit D**). The extent and the depth of this debris is unknown. A large portion of the site's soil surface is covered with a combination of asphalt and gravel, eliminating any considerable chance for wetlands to exist. However, it is likely that natural wetlands soils do exist below the level of original fill based on historical knowledge of the pre-disturbance condition of the site. We estimate that these wetlands soils range between 10-20 feet bgs. These buried wetlands soils are likely to be heavily compacted after years of pressure from fill, but if unearthed will offer a base for the restoration of wetlands.

**Wetlands Organisms:** No wetlands indicator or obligate plant species were identified in these wet areas or anywhere on site. A species of fairy shrimp, a freshwater invertebrate, was observed in the pools during the first site visit. They were not observed after the initial observation and no specimen were collected. Speciating these animals requires very specific knowledge of arthropod morphology, and while it is unlikely that they are one of several local endangered species of fairy shrimp, we suggest getting a positive species identification during the next rainy season before the site is dramatically altered.

### 2.3.2 Floral and Faunal Observations

**Plants:** A total of 23 species of plants was identified on the OTD Parcel (**Table 4a&b**). None of the plant species observed are state or federally protected species or LCWA conservation target species (**Table 1**). Only three of these plants, *Conyza canadensis* (Canadian horseweed), *Baccharis salicifolia* (mulefat) and *Baccharis sarthoides* (broom *Baccharis*) are native to the area. Interestingly, *Baccharis sarthoides* has not been identified anywhere else within the LCW Complex and only one individual was found on the OTD Parcel. *Conyza canadensis* is ubiquitous throughout the area and likewise *Baccharis salicifolia* is very common throughout the LCWA's conservation area. Several stands of *B. salicifolia* exist on the OTD Parcel noticeably providing habitat for native bird species (namely bluegray gnatcatcher and bushtit). The majority of the site is unvegetated with approximately 95% of the area between the property fence lines being devoid of vegetation. However, the perimeter berm is densely vegetated with 216 non-native trees that provide the only real habitat on site. Since these trees are all non-native species and some are invasive, they should be removed and replaced with native habitat, however this should not be done all at once. See **Table 5** for a breakdown of these tree species.

**Table 4a.** Floral species observed at OTD Parcel between February 1<sup>st</sup> and May 1<sup>st</sup>, 2010 by Eric Zahn and Taylor Parker.

COMMON NAME	Genus species
Native Plants	
1 MULEFAT	Baccharis salicifolia
2 BROOM BACCHARIS	Baccharis sarthoides
3 CANADIAN HORSEWEED	Conyza canadensis
Non-native Plants	
4 CAJEPUT TREE	Myoporum laetum
5 MEXICAN FAN PALM	Washingtonia robusta
6 BRAZILIAN PEPPER TREE	Schinus terebinthifolius
7 CHEESEWOOD	Pittosporum tobaria
8 CANARY ISLAND PINE	Pinus canariensis
9 CANARY ISLAND PALM	Phoenix canariensis
10 CHINESE ELM	Ulmus parvifolia
11 FICUS TREE	Ficus sp.
12 PAMPAS GRASS	Cortaderia selloana
13 SHEPHERD'S PURSE	Capsella bursa-pastoris
14 TOCALOTE	Centaurea melitensis
15 SWEET CLOVER	Melilotus indica
16 SLENDER-LEAVED ICE PLANT	Mesymbranthemum nodiflorum
17 FIVE-HOOK BASSIA	Bassia hyssopifolia
18 MILK THISTLE	Silybum marianum
19 COMMON STORK'S BILL	Erodium cicutarium
20 SCARLET PIMPERNEL	Anagallis arvensis

**Table 4b.** Faunal species observed at OTD Parcel between February 1<sup>st</sup> and May 1<sup>st</sup>, 2010 by Eric Zahn and Taylor Parker.

COMMON NAME	Genus species
Native Invertebrates of Interest	
1 FAIRY SHRIMP	Order: Anastraca
Native Reptiles	
1 WESTERN FENCE LIZARD	Sceloporus occidentalis
Native Birds	
1 GREAT HORNED OWL	Bubo virginianus
2 BLACK PHOEBE	Sayornis nigricans
3 RED-TAILED HAWK	Buteo jamacensis
4 COOPERS HAWK	Accipter cooperi
5 AMERICAN KESTRAL	Falco sparvarius
6 MALLARD	Anas platyrynchus
7 AMERICAN CROW	Corvis brachrynchus
8 BUSHTIT	Psaltriparus minimus
9 YELLOW-RUMPED WARBLER	Dendroica cornata
10 HOUSE FINCH	Carpodacus mexicanus
11 ANNA'S HUMMINGBIRD	Calypte annas
<b>12</b> WHITE-CROWNED SPARROW	Zonotrichia leucophyrs
<b>13</b> CALIFORNIA TOWHEE	Pipilo crissalis
14 BLUEGRAY GNATCATCHER	Polioptila caerulea
15 MOCKINGBIRD	Mimus polyglottis
16 MOURNING DOVE	Zenaida macroura
17 BULLOCK'S ORIOLE	lcterus bullockii
18 RED-WINGED BLACKBIRD	Ageliaus phoeniceus
19 GREAT EGRET	Egretta alba
20 SNOWY EGRET	Egretta thulla

#### Non-native Birds

1 EUROPEAN STARLING

Sturnus vulgaris

COMMON NAME	Genus species	Count
CHINESE ELM	Ulmus parvifolia	1
FICUS TREE	Ficus sp.	19
CAJEPUT TREE	Myoporum laetum	158
CANARY ISLAND PALM	Phoenix canariensis	1
CANARY ISLAND PINE	Pinus canariensis	13
CHEESEWOOD	Pittosporum tobaria	5
BRAZILIAN PEPPER TREE	Schinus terebinthifolius	9
MEXICAN FAN PALM	Washingtonia robusta	10
	Total	216

Table 5. Tree species abundance along OTD Parcel perimeter berm.

**Animals:** Despite the lack of existing wetlands habitat and native vegetation, animals were observed utilizing the site. None of the animals species observed are state or federally protected species or LCWA conservation target species (**Table 1**). During three months of ecological observations from February  $1^{st}$  – May  $1^{st}$  2010, 20 native and one non-native species of birds were observed on-site. Furthermore, one species of reptile (western fence lizard) and one species of mammal (California ground squirrel) were identified. No marine invertebrates, fishes, or amphibians were observed on-site (**Table 4**).

Of note, four raptor species (red-tailed hawk, great horned owl, American kestrel, and Cooper's hawk) were observed active in and around the site. A pair of great horned owls appear to be residents of the southeast corner of the property. Extensive droppings and feathers were observed in the area and the pair of owls was present during each site visit (**Exhibit D**). No signs of nest building were apparent, however, we suggest not removing the trees in that area as this is at the least a major roost and these owls have never before, to our knowledge, been observed in the LCW Complex. The various raptor species are likely attracted to the site due to the large trees that buffer the parcel from the road. The over 30 year-old trees offer excellent perches over the large ground squirrel population that exists in the parcel. Ground squirrel burrows are extensive along the perimeter berm and active squirrels were observed during each site visit.

It is important to note the ecological observations made for this report were made within a small window of time (February  $1^{st}$  – May  $1^{st}$ ,2010). Ecological surveys, especially for birds, which are transient and often migrate with the seasons, should be made year round over several years to fully understand the ecology of a site. A wildlife monitoring program should be initiated before any large-scale alteration to the site occurs. This will be required by regulatory agencies as part of CEQA, so it behooves the LCWA to collect as much year-round data about the ecology of the OTD Parcel in the interim. This work can be organized at low cost in cooperation with local universities and professional interest groups through the Los Cerritos Wetlands Stewardship Program.

**Special Status Species:** No state or federally protected species or LCWA conservation target species were observed on the OTD Parcel.

### 2.4 Anthropogenic Observations

### 2.4.1 Access Driveway Improvements

Upon initial visit to the site the access into the property was overgrown with dense vegetation and the approximately 100 ft long driveway contained a large barrier of trash, overgrown vegetation and debris prohibiting vehicle and pedestrian access (**Exhibit D**). Much of this barrier appeared to be an accumulation of debris from illegal dumping and lack of regular vegetation maintenance. The access gate was also inoperable, disallowing easy access.

Originally, to allow for pedestrian access, vegetation was cleared by hand, the gate was fixed and the large debris pile was removed. The debris filled 26 industrial-sized garbage bags which were generously hauled and disposed of by the City of Long Beach Department of Public Works. Further access improvements to the driveway included leveling of a significant pile of dirt and upgrading the gate for vehicle access. (Exhibit D)

### **2.4.2 Illegal Site Access**

Three encampments are established on the property, all are on the outside of the fence line situated between the fence and perimeter berm (**Exhibit D**). The encampments are well hidden from the roads by both the perimeter berm and trees. The largest and most established encampment is near the access gate on the west side of the property and is kept relatively clean by its occupants. The occupants were regularly present and discussion with them revealed that their encampment has been erected since late 2008 with various people moving in and out of the tents. A barking dog was observed in this camp nearly every time the site was accessed.

The other two encampments are small but well-hidden within the trees and are surrounded with litter. The occupants of these camps were not observed. It was also discovered that the site's driveway is often used for illegal parking during the night.

### 2.4.3 Debris

Trash and debris is readily apparent and while scattered throughout the berm it mainly is clustered in one large area at the southwest corner of the parcel on both sides of the fence. In discussion with the encampment occupants, this large pile of debris is an accumulation of garbage from various homeless encampments in the surrounding area. Furthermore, signs of human excrement in plastic bags were found on the inside of the fence, seemingly thrown there from outside the fence line.

### 2.4.4 Adjacent parcel use surveys

The study site is adjacent to SEADIP subareas 19, 11a, and 26b (Figure 6).

**Subarea 19**: The study site is part of this subarea that is zoned for industrial use. The land along the north and east boundaries of the OTD Parcel is owned and operated by Plains All-American Pipeline LP for the purpose of oil storage and pipeline distribution. Most apparent on their property are large fuel storage tanks several hundred feet high and equally as wide. Plains All-American employees were observed driving along the access roads that border the OTD Parcel. Discussion with an employee of Plains All-American informed us that these

tanks are active, holding fuel regularly. The tanks sit in spill prevention basins that are approximately twenty feet deep and more than twice as wide as the tanks. There is an extremely low chance of these operations ever impacting the OTD Parcel. Any and all spills are designed to be entirely contained within the tank's spill prevention basins.

**Subarea 11a**: This property is zoned residential and is located to the west of the study site, across Studebaker Rd. and owned by Berger-Dean. Currently there is an active oil field and wetlands habitat on this property which contains many wetland obligate plants and the state-endangered Belding's Savannah Sparrow. Viewable from the study site is an area that is densely infested with non-native weeds and is not well maintained. No human activity was observed on the land within view of the OTD Parcel.

**Subarea 26b**: This property is zoned for a business park (office commercial and light industrial use) and is located south of the study site, across 2<sup>nd</sup> St. The property is owned by Bryant-Dakin, LLC and was retained as part of a land sale agreement with the LCWA. The property contains many wetland obligate plants and the state-endangered Belding's Savannah Sparrow. Beyond the Bryant property is the LCWA's Phase 1 parcel on which oil extraction is operated by Signal Hill Petroleum Inc. Oil operation activities as well as participants in LCWA Stewardship Program were observed within view of the OTD Parcel.

### 2.4.5 Law Enforcement

Twice while working on-site we were confronted by peace officers from the Seal Beach Police Department. The officers requested we vacate the property and remove our vehicle from the access driveway. Both times we left without incident.

Discussion with the encampment occupants revealed that the officers from the Long Beach Police Department regularly check the encampments searching for dangerous activity, but generally leave the encampments occupants alone. Seal Beach Police often patrol the encampments but have not taken action in resolving this trespassing issue considering the site is located in the City of Long Beach.

### **2.4.6 Traffic**

Vehicular traffic is constant, continuous, and boisterous throughout all times of the day. During 6:00 am site visits traffic was as heavy as 7:00 pm site visits. Throughout the day both Studebaker Rd. and 2<sup>nd</sup> St are regularly busy as they connect East Long Beach with the freeway system and Orange County.

Foot and bicycle traffic is minimal in the area. While there are pedestrian crosswalks across Studebaker Rd. and  $2^{nd}$  St., rarely have they been observed being utilized. Nevertheless, beginning at the intersection is a northbound bicycle lane traveling up Studebaker Rd.

## **3.0 Feasibility of Land Use Alternatives**

### 3.1 Possible Land Use Options

There are a multitude of uses that this property could fulfill. Filtering out the options to determine the 5 proposed alternatives was a process of weighing each option against the mission of the LCWA; the site's environmental history; the site's current human use and ecological condition; and the cost effectiveness of the option. Some land use options were strong enough to conceptualize into one of the 5 proposed alternatives, while other appropriate land uses became non-essential elements in the proposed alternatives.

### **3.1.1 Land Uses Eliminated from Consideration**

Six land use options were identified that could be suggested for the property, but these land use options were not worthy to be conceptualized or included as elements in any of the 5 proposed alternatives based on the utilized criteria.

1. <u>Oil Operations Relocation Area</u>: The study site offers the opportunity to relocate and concentrate oil pumping operations from adjacent wetlands parcels as large-scale restoration design and implementation ensue. Due to the site's central location, oil reserves on both the Bixby and Bryant leases could potentially be tapped. Operators would need to re-drill and utilize slant drilling to continue to extract their oil reserves. In speaking with representatives from Signal Hill Petroleum Inc. this option is a possibility; however, it would be expensive to re-drill and it is a less desirable location to drill from considering the location of the Newport-Inglewood fault line. Furthermore, the LCWA may not hold title to the mineral rights of the property according to the Preliminary Title Report (Stewart Title, 2002). This use is not involved in any of the proposed alternatives.

2. <u>Boat Storage</u>: The study site offers a secure and out-of-sight location for boat storage to serve the local marinas. This land use option is not in line with the mission of the LCWA. However, this land use could act as a revenue generator in the interim if the LCWA leases parts of the parcel to private boat owners. Based on the professional advice from Robertson and Associates (**Exhibit E**) this option appears to be a feasible interim land use and therefore is discussed further in the conclusions section of our study but was not conceptualized.

3. <u>Least Tern/Snowy Plover Nesting Site:</u> The study site offers a potential venue for establishing nesting colonies of both of these species. Historically these two protected bird species have nested within the LCW Complex. Currently, there are no recognized nesting populations and these birds use the LCW Complex mainly for foraging. The existing perimeter fence line would require minimal upgrades to exclude terrestrial predators; however, extensive attention to all raptor perches would need to be made. Based on the fact that raptors were regularly observed on site and perching on facilities that are not feasibly removable, this alternative was not proposed. There is a possibility that least terns and snowy plovers would be attracted to the site by other land use alternatives.

4. <u>Active Recreation Facility</u>: The study site offers enough space for the development of a sports field complex or other active recreation facility. This form of recreation is not coastal dependent and is not in line with the mission of the LCWA. This land use option was not explored.

5. <u>Commercial Development:</u> The study site offers an attractive location for future commercial development that could create generous revenue; however, this land use is not approved by SEADIP. This land use option is not in line with the mission of the LCWA and was not explored.

6. <u>Traffic Mitigation</u>: This study site could offer an opportunity to add more lanes to  $2^{nd}$  street in order to better accommodate predicted traffic impacts from nearby developments. This land use option is not in line with the mission of the LCWA and was not included in any of the proposed alternatives.

### 3.1.2 Land Uses Included in Proposed Alternatives:

Eight land use options were identified that are excellent uses for the site and were worthy of being conceptualized and/or to be included as non-essential elements in one or more of the 5 proposed alternatives.

1. <u>Aquaculture Facility</u>: The study site offers a feasible location for the establishment of an aquaculture facility for the breeding of marine invertebrates to be released into Los Cerritos Wetlands' restoration sites. The OTD Parcel is zoned for industrial use and if desired could be exclusively utilized for this land use, but a facility of this size would be costly to build and maintain despite its benefit to local conservation efforts and small revenue generating possibility. Therefore, this land use option is included as a non-essential element in proposed alternatives #4 and #5.

2. <u>Native Plant Nursery:</u> The study site offers a feasible location for the establishment of a native plant nursery facility. The OTD Parcel is zoned for industrial use and could be fully utilized for this type of facility if desired. This facility would be relatively inexpensive to build and maintain and highly beneficial to local restoration efforts, but does not necessitate the entire available space provided by the study site. This land use option is included as a non-essential element in proposed alternatives #4 and #5.

3. <u>Wastewater Management Basin</u>: The study site offers a feasible location for controlling and treating storm water run-off. Water conveyed from surrounding parcels into the property can be controlled and cleansed through a series of culverts and vegetated bioswales. However, the project should not be solely focused on storm-water treatment; instead this should be an indirect benefit due to wetlands habitat creation. This is an essential element to create the wetlands proposed in alternatives #2, #4, and #5.

4. <u>Upland Habitat</u>: The study site currently offers upland habitat. This is a feasible continuing land use for the property and all existing upland habitat should be enhanced as part of the future land use practices. If the property is sold to a developer, as proposed in alternative #1, then the existing upland habitat may be threatened. This land use option is a non-essential element in alternative #3, and an essential element of proposed alternatives #2, #4, and #5. Alternatives #2-5 all conceptualize the restoration of coastal sage scrub plant community.

5. <u>Wetlands Habitat</u>: The study site offers a feasible location for the creation of wetlands habitat. Several wetlands communities could be created on the OTD Parcel. This land use is conceptualized and evaluated in proposed alternative #2 and is a minor element for alternatives #3, #4 and #5.

6. <u>Restoration Staging Area</u>: The study site offers a feasible location for use as a staging area for restoration activities occurring on adjacent wetlands parcels. This land use concept is explored and evaluated in proposed alternative #3.

7. <u>Day Use Parking Area</u>: The study site offers a feasible location for public parking in order to conveniently access the surrounding wetlands and commercial areas. This land use option alone is not in line with the mission of the LCWA making the use of the whole property for parking an inappropriate long term use. However, day use parking areas are included as essential elements in proposed alternatives #3 and #5, and conceptualized and evaluated in proposed alternative #4.

8. <u>Community Education Center:</u> The study site offers a feasible location for developing a wetlands interpretive center. This land use is conceptualized and evaluated in proposed alternative #5.

### **3.2 Proposed Land Use Alternatives**

This study proposes five different land use alternatives for the LCWA's OTD Parcel. Additionally, a multifaceted phased land use alternative is proposed. Following are the titles of the evaluated land use alternatives for this study:

Alternative #1 – Sell Property Alternative #2 – Exclusive Wetlands Restoration Alternative #3 – Restoration Staging Area Alternative #4 – Limited Public Use Facility Alternative #5 – Wetlands Interpretive Center Multifaceted Alternative – Phased Land Use

### 3.2.1 Methods of Evaluation

A scoring system based on a 1-10 scale was developed in order to compare and contrast the 5 proposed land use alternatives and the multifaceted alternative. Alternatives were analyzed for their potential costs, their potential beneficial uses, their potential habitat value, their potential environmental constraints and land use limitations, and on the availability of suitable land to serve an equivalent use. These evaluation categories are described below:

A. Cost – alternatives with high returns score higher than alternatives with high expenses. This evaluation is based on project construction and implementation cost estimates generated from other related restoration projects locally. Details for each of the alternative's costs are presented in individual tables.

B. Beneficial Uses – alternatives that provide more beneficial uses and serve the public score higher than alternatives with less beneficial uses and offer no public services. This evaluation is based on the number of California Regional Water Quality Control Board (CRWQCB) beneficial uses met and the overall service to the public (**Exhibit F**).

C. Habitat Value - alternatives that have the potential to restore more acres of valuable coastal wetlands

and associated habitats score higher than alternatives that restore fewer acres of coastal habitat and/or no wetlands. This evaluation is based on the ability to meet the habitat needs of the LCW Complex, its appropriateness based on historical habitat coverage, and the number of target species that may be conserved.

D. Environmental Constraints and Land Use Limitations – alternatives that have no environmental constraints and land use limitations score higher than alternatives with significant environmental constraints and land use limitations. This evaluation is based on the existing urban infrastructure that borders the property and by local land use policies and regulations.

E. Availability of Equivalent Suitable Land - alternatives where fewer parcels are suitable to serve an equivalent use score higher than alternatives where more parcels are suitable to serve an equivalent use. This evaluation is based on an analysis of comparable open space parcels in and around the LCWA's Conservation Area. Suitable properties were determined to be those with appropriate zoning. Properties were found to be unsuitable if they did not possess harmonious land uses with neighboring parcels. Many of these suitable properties, however, would require both a willing seller and payment of potentially expensive acquisition costs – two obstacles that could pose severe constraints on such options.

### **3.3 Evaluation of Proposed Land Use Alternatives**

### 3.3.1 Alternative #1 - Sell Property

**Background**: This parcel is located in a highly traveled area of southeast Long Beach (**Figure 7**). Considering the lack of wetlands habitat that currently exist on site (see section 2.1.3), its current zoning, and its visual buffer from the adjacent wetlands, this parcel may be of great value to local industrial and commercial developers. Allowing for the development of the OTD Parcel for commercial use may promote the implementation of SEADIP land use guidelines on adjacent parcels in order to create harmonious land use practices throughout the area. This would be detrimental to the LCWA's mission. On the other hand, the development of the OTD Parcel may remove pressure for development of sensitive wetlands areas within the LCW Complex that are targeted for development. Furthermore, revenue generated from the sale of this property could be used for acquisition of parcels with higher wetlands value and conservation concern or for other purposes that benefit restoration projects at Los Cerritos Wetlands.

Several properties exist within the LCWA Conservation Area that could be purchased or swapped using the OTD Parcel (**Figure 8**). The availability of the identified equivalent parcels with willing sellers and the current economic status of the LCWA should be considered heavily before selling this valuable property.

Los Cerritos Wetlands Authority OTD PARCEL CONCEPTUAL DESIGNS







ALTERNATIVE 1: Sell/Swap Property

Figure 7.



Figure 8. Potential purchasable properties with revenue from the sale of the OTD Parcel

Areas that could be purchased within LCW Complex include:

- 1. Triangle parcel owned by Sean Hitchcock in SEADIP subarea 23
- 2. SEADIP subarea 24 (north and south) owned by Berger-Dean
- 3. Steamshovel Slough owned by Berger-Dean in SEADIP subarea 33
- 4. SEADIP Subarea 11b owned by Alamitos Bay Partners
- 5. Marketplace Marsh parcel owned by Berger-Dean in SEADIP subarea 25
- 6. Bryant Retained Parcels (east and west) owned by Bryant-Dakin LLC in SEADIP subareas 26b & 27
- 7. Pumpkin Patch parcel owned by Berger-Dean in SEADIP subarea 25
- 8. Calloway Marsh parcel owned by LA-DWP in SEADIP subarea 27
- 9. State Lands Commission Parcel

**Methods:** Cost analysis of this alternative required research of local land market value and creation of a land appraisal document, in partnership with Robertson and Associates, which calculates the highest and best use of the parcel when considering the competing market areas for sales of comparably zoned properties. The details of this report are found in **Exhibit E**.

#### **Feasibility Findings:**

#### A. Estimated Cost – 9

Description: Real estate consultation, permitting, and staff time would be required in order to sell the property (**Table 6**). Mr. Dave Robertson, MAI of Robertson and Associates has provided an appraisal for the property that estimates the value to be at \$3,135,000.00 as of April 6<sup>th</sup>, 2010.

Approximate Cost = \$16,500.00 Revenue = \$3,135,000.00 Total Profit/Loss = +\$3,119,052.50

Tuble 0. Cost Estimates for Anternative #1. Sen Freperty							
Item #	Item Description	Quantity	Unit	Unit Cost	Subtotal		
1	Real Estate Consulting	-	LS.	\$10,000.00	\$10,000.00		
2	Permitting	-	LS.	\$5,000.00	\$5,000.00		
3	Supervision & Administration	-	-	\$1,500.00	\$1,500.00		
	TOTAL COST				\$16,500.00		
	Land Sale Income	177,250	sq. ft.	\$17.69	\$3,135,552.50		
	TOTAL Profit/Loss			+	\$3,119,052.50		

**Table 6.** Cost Estimates for Alternative #1: Sell Property

#### **B.** Beneficial Uses – 1

Description: The LCWA would not directly be offering any beneficial uses if the property was sold (**Table 7**). The new land owner would reserve the right to use the property for their desired land use. Indirect benefits may arise from the land sale if the LCWA uses the revenue to purchase other wetlands properties for the public domain. The public may also benefit indirectly if the new land owner chooses a land use that serves the public; however, these benefits are based on conjecture and therefore did not influence this score.

#### C. Wildlife Habitat Value – 3

Description: The LCWA cannot guarantee the land use would offer wildlife habitat value if the property is sold, so this alternative does not offer habitat to any LCWA conservation target species (**Table 8**). Selling the parcel has a high potential to lead to the development of the 5.11-acre parcel or continued industrial uses that are not compatible with wildlife habitat. Yet, critical wildlife habitat may be conserved indirectly from the sale of the property. Valuable wildlife habitat remains within the LCWA Conservation Area that could be purchased or restored with money derived from the sale of the OTD Parcel. Feasible parcels that could be purchased for habitat restoration purposes are outlined in **Figure 8**.

#### **D.** Environmental Constraints and Land Use Limitation - 8

Description: Selling the property makes no changes to its current state or land use maintaining its classification as industrial use, in so meeting all standards with DTSC and the local coastal plan designation. However, two land use limitations exist that could complicate this land use alternative.

1. The study site may not be a unique parcel recognized by the County of Los Angeles or the California Coastal Commission (CCC). See county parcel map **Exhibit B**. A lot line adjustment requires a coastal development permit from the CCC which was not applied for by SCE before the transfer of the parcel to the LCWA.

2. It can be interpreted from the provisions in the 'Irrevocable Offer to Dedicate Fee Title' that if the property is sold for more than \$1.8 million (plus transaction costs) then the dollar amount greater than the sale's proceeds shall be returned to SCE within 60 days of the sale. However, this provision is negated by the 'Term of Offer Clause' that states the term of this offer shall expire on the anniversary date 6 years from the date of the execution of the offer which was May 30<sup>th</sup>, 2001.

#### E. Availability of Equivalent Suitable Land - 10

Description: There are no other areas suitable to serve this use for the LCWA. The LCWA does not own any other parcels or portion of parcels that would be within their mission to sell for the purchase of additional wetlands properties. The OTD Parcel is unique for this purpose.

**Table 7.** A comparison of the beneficial uses offered by the proposed land use alternatives (Alt 1 = SellProperty; Alt 2 = Exclusive Wetlands; Alt 3 = Restoration Staging; Alt 4 = Limited Public Access; Alt 5 =Interpretive Center; Multi = Phased Land Use). Scoring: 1 = indirect benefit; 2 = direct benefit; 3 = both direct and indirect benefit.

CODE	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Multi
AGR				2	2	2
AQUA				2	2	2
BIOL		2	1	2	2	3
EST			1		1	1
FRSH		2	1	2	3	3
RARE		2	1	2	3	3
REC-1			1		1	1
REC-2		2	3	2	2	3
SAL		2	3		3	3
SPWN		2	1	2	3	3
WARM		2	3	2	3	3
LWRM		2	3	2	3	3
WET		2	1	2	3	3
WILD		2	3	2	1	3
TOTAL	0	20	22	22	32	36

**Table 8.** A comparison of the proposed land use alternatives that may benefit LCWA conservation target species (Alt 1 = Sell Property; Alt 2 = Exclusive Wetlands; Alt 3 = Restoration Staging; Alt 4 = Limited Public Access; Alt 5 = Interpretive Center; Multi = Phased Land Use). \* = currently found in LCW Complex

LCWA Target Species	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Multi	Conservation Status
1 Salt Marsh Birds Beak							FE; SE; CNPS list 1-B2
2 Southern Tar Plant*		х	х	Х	Х	х	CNPS list 1-B1
3 Estuary Sea-Blite*							CNPS list 1-B2
4 Wholly Sea-Blite*		Х	Х	Х	Х	х	CNPS list 4.2
5 Salt Marsh Wandering Skipper*		х		Х	Х	х	sensitive endemic species
6 Salt Marsh Tiger Beetles*							sensitive endemic species
7 Tidewater Goby							FE; SE
8 Green Sea Turtle*							Federally Threatened; IUCN endangered
9 California Least Tern*		Х	Х	Х		х	FE; SE
10 Light-Footed Clapper Rail							FE; SE
11 Western Snowy Plover		х	х	х		х	Federally Threatened
12 California Brown Pelican*							delisted FE & SE 2009
13 Peregrine Falcon*		х	Х	Х	Х	Х	delisted FE & SE 2009
14 Belding's Savannah Sparrow*		Х		Х			SE
15 California Gnatcatcher		Х	Х	Х	Х	х	Federally Threatened
16 Least Bell's Vireo		Х					Federally Endangered
17 Loggerhead Shrike*		Х	Х	Х	Х	х	Green Visions target species
18 Western Harvest Mouse*		Х		Х	Х	Х	sensitive species
19 Coyote*		Х		Х	Х	Х	Green Visions target species
Total	0	12	7	11	8	10	

The following alternatives will require upgrading the property from its current condition.

### **3.3.2 Alternative #2 – Exclusive Wetlands Habitat:**

**Background:** The emphasis of this land use alternative is to maximize the parcel's ability to be transformed into viable and sustainable coastal wetlands habitat. Currently, this study site offers approximately 4-acres of land that could be restored to coastal habitat. Pre-development (circa 1895), the site's 5.11-acres was fed by a tidal slough originating from Alamitos Bay (**Figure 3**). Due to this tidal connection the entire site was once composed of coastal salt marsh. However, the option of restoring tidal salt marsh to this parcel was not explored as part of this study. Numerous existing constraints, as described in **Exhibit G**, limit the feasibility of establishing salt marsh habitat, in so making this habitat type undesirable for the property. The conceptual design for this alternative instead suggests the introduction of three other underrepresented coastal plant communities: freshwater wetlands, alkali meadow, and coastal sage scrub (**Figure 9**). Plant palettes for these plant communities are found in **Exhibit H**.

While this land use alternative will do the most to promote wetlands habitat, it would not allow for much public access. An education kiosk would be located at the corner of Studebaker Rd. and  $2^{nd}$  St. along with a trail head and observation area that would make the entire parcel viewable all day.
Figure 9.



**Methods:** Development of this alternative required regular ecological surveys, the determination of the water table level, analysis of the habitat needs and existing wetlands hydrology of both the study site and the LCW Complex, and the development of a conceptual in partnership with BlueGreen Consulting. The development of this alternative required a comprehensive analysis of the conservation area to explore other possible locations of wetlands habitat.

#### **Feasibility Findings:**

#### A. Estimated Cost – 4

Description: Engineering design, permitting, environmental review, construction, monitoring & maintenance would be required in order to restore the property exclusively for wetlands habitat (**Table 9**). No direct revenue is feasible to be generated by this land use.

Approximate Cost = \$3,500,000.00 Revenue = \$0.00 Profit/Loss = -\$3,500,000.00

	Table 9.	Cost	Estimates	for	Alternative	#2:	Exclusive	Wetlands	Habitat
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Item #	Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Clear and Grub Surface	3	AC	\$5,000.00	\$15,000.00
3	Remove Trees	200	EA	\$500.00	\$100,000.00
4	Fence Improvements	1	LS.	\$10,000.00	\$10,000.00
5	Excavate Wetlands Basin	20000	CY	\$6.00	\$120,000.00
6	Soil Remediation	5000	CY	\$10.00	\$50,000.00
7	Install Culverts	2	EA	\$250,000.00	\$500,000.00
8	Haul Surplus Fill Material	10000	CY	\$25.00	\$250,000.00
9	Upgrade Irrigaiton System	1	LS.	\$20,000.00	\$20,000.00
10	Install Vegetation	4	AC	\$100,000.00	\$400,000.00
11	Trail and Interpretation Installation	1	LS.	\$100,000.00	\$100,000.00
12	Monitoring and Maintenance	5	YRS	\$75,000.00	\$375,000.00
	Subtotal of Costs				\$2,040,000.00
	Contingency (35%)				\$714,000.00
	Engineering & Design (10%)				\$204,000.00
	Supervision & Administration (5%)				\$102,000.00
	Environmental Review (10%)				\$204,000.00
	Permitting (15%)				\$306,000.00
	Approximate TOTAL COST				\$3,500,000.00
	TOTAL Profit/Loss				-\$3,500,000.00

#### **B.** Beneficial Uses – 7

Description: This land use alternative would offer 10 beneficial uses (**Table 7**; **Exhibit F**) including REC-2, however, it would not allow the public to access the majority of the property, thus reducing its value to the public. Visitors would be able to view the wetlands from a distance along trails and viewpoints on the perimeter berm, but a fence line would be maintained to keep people out of the wetlands. Educational opportunities through interpretive kiosks are part of this plan and would act as passive ways to engage the local community. No public parking services are a part of this plan, however, a driveway and small parking area would be made available for vector control, maintenance and LCWA staff. The wetlands in this plan act as a storm water management basin, thus reducing flooding of surrounding urban/industrial infrastructure.

#### C. Wildlife Habitat Value – 10

Description: This land use alternative would create about 4-acres of coastal habitat that could provide sanctuary to 12 of the 19 LCWA conservation target species including several state and federally protected species (**Table 8**). The conceptual design for this alternative suggests the introduction of three coastal plant communities: freshwater wetlands, alkali meadow, and coastal sage scrub (**Figure 9**). The conceptual design proposes the creation of approximately 1-acre of upland habitat and 3-acres of wetlands habitat, dramatically increasing the biological productivity of the area and improving the area's storm water management by design. This option would have the greatest impact on improving the ecological services of the LCW Complex. The 3 habitat types suggested to be created on the site are underrepresented in the LCW Complex and regionally.

1. Freshwater Marsh - This alternative proposes to create 2.5-acres of freshwater wetlands. Approximately 4-acres of freshwater wetlands existed within the LCW Complex during the last comprehensive survey in 1982 (State Coastal Conservancy). Since then another 10 acres of fresh water wetlands have been created at Sims' Pond and Heron Pointe.

2. Alkali Meadow - Pre-development of the San Gabriel River Estuary, alkali meadows were the dominant habitat type of the tidal fringe covering an estimated 23,137 acres. Much of this historic alkali meadow habitat bordered the northeastern perimeter of the historic tidal marsh habitat (Stein et. al, 2007). No pristine alkali meadows remain intact within the LCW Complex and this alternative would create 0.5-acres of alkali meadow. Alkali meadow supports several plant species found in tidal salt marshes (**Exhibit H**) and also supports the rare Wandering Skipper (*Panoquina errans*).

3. Coastal Sage Scrub - Less than 1 acre of viable coastal sage scrub currently exists within the LCW Complex. This habitat was created as part of the Heron Pointe bioswale project. This alternative would create one additional acre of coastal sage scrub and while this is not a wetlands habitat it acts as a critical buffer from urbanization for coastal wetlands and also supports the endangered California Gnatcatcher (*Polioptila californica*).

Furthermore, this land use would be very attractive to migratory bird species traveling through the LCW Complex. The bioswale created as part of the Heron Pointe development in Seal Beach has proven to be highly successful and has become one of the most species rich areas in the LCW Complex. The study site offers the opportunity to develop a similar wildlife area complete with three underrepresented habitat types which will increase biodiversity locally.

#### **D.** Environmental Constraints and Land Use Limitations - 2

Description: Three environmental constraints and four land use limitations exist that could complicate this land use alternative.

1. The study site's location and surrounding land uses limit it to being freshwater wetlands. This habitat type is not optimal but many constraints exist (including fragmentation and soil composition) for the restoration of the historical habitat type, tidal salt marsh.

2. Storm water and urban run-off are the only sources for inflows to the wetlands habitat conceptualized for this alternative.

3. This alternative proposes the excavation of enough fill material to necessitate off-site disposal and possibly costly remediation.

4. This new land use would require an amendment to the local coastal plan's designation of the area from industrial to open-space or habitat.

5. A new land use designation would necessitate additional characterization and/or remediation to meet ERL & ERM standards suitable for habitat set by DTSC. (**Exhibit C**)

6. CEQA and/or NEPA documents would be required for the construction project.

7. This may not be a unique parcel recognized by the County of Los Angeles or the California Coastal Commission (CCC). See county parcel map (**Exhibit B**). A lot line adjustment requires a local coastal development permit from the CCC which was not applied for by SCE before the transfer of the parcel to the LCWA.

#### E. Availability of Equivalent Suitable Land - 2

Description: There are nine other areas suitable to serve this use in and around the LCWA Conservation Area. The areas outlined in black in **Figure 10** are suitable areas for the restoration of freshwater wetlands and alkali meadow. Areas 1, 2, 3, 4, 5, & 7 would require a willing seller and finding for acquisition costs. Suitable areas for the restoration of tidal salt marsh habitat are outlined in green. Based on this analysis there are ample areas within the LCWA Conservation Area that are better suited to restore the wetlands habitats proposed in this alternative.



**Figure 10.** Availability of equivalent suitable land for the restoration of freshwater wetlands outlined in black. Potential areas for salt marsh restoration are outlined in green.

Areas within the LCW Complex that could serve an equivalent use:

- 1. Triangle parcel owned by Sean Hitchcock in SEADIP subarea 23
- 2. SEADIP subarea 24 (north and south) owned by Berger-Dean
- 3. SEADIP subarea 11a owned by Berger-Dean
- 4. Marketplace Marsh parcel owned by Berger-Dean in Subarea 25
- 5. Bryant Retained Parcels (east and west) owned by Bryant-Dakin LLC. in SEADIP subareas 26b & 27
- 6. OC Retention Basin owned by Orange County
- 7. Pumpkin Patch parcel owned by Berger-Dean in SEADIP subarea 25
- 8. Heron Pointe Bioswale owned by John Laing Homes
- 9. Gum Grove deed restricted wetlands owned by Hellman Properties LLC.

# 3.1.3 Alternative #3 – Restoration Staging Area:

**Background:** This land use alternative is dependent on the progress of restoration efforts throughout the LCW Complex. Limited modification to the current state of the property will be needed to execute this land use alternative. Hosting the restoration staging area on a parcel devoid of wetlands habitat will decrease the impacts on sensitive wetlands area. This land use offers the potential for cost savings as high as \$15 million on nearby restoration construction projects within the LCWA's Conservation Area (Moffat & Nichol, 2005). Furthermore, this alternative can offer habitat value through the creation of coastal sage scrub habitat along the parcel's perimeter berm.

As part of the LCWA's mission several large areas of wetlands are intended to undergo major restoration efforts. During these projects thousands of cubic yards of sediment will need to be temporarily stored, bioremediated for hydrocarbon contamination before being returned to site, or stabilized before being disposed offsite. A suitable restoration staging site will need to be utilized for several years to reduce costs and impacts to habitat. The OTD Parcel offers an excellent non-ecologically sensitive venue for soil storage and remediation within the LCW Complex. Furthermore, this site would be able to host parking for restoration equipment including excavators, back hoes, dump trucks, bulldozers, and other necessary vehicles and materials. Staging restoration equipment would reduce the cost for mobilization and demobilization of restoration construction equipment and would not disturb existing wetlands. The site can be designed for two separate access driveways, better facilitating equipment traffic. Offices for restoration personnel could also be located on site conveniently close to the restoration projects. An education kiosk will be located at the corner of Studebaker Rd. and 2<sup>nd</sup> St. along with a trail head, however, the public will not be able to view inside the parcel's berm. **Figure 11** displays the conceptual design for this alternative.

Implementation of this alternative still leaves the option of future land use opportunities, including alternatives # 4 and #5. This alternative could be the initial phase in a multifaceted land use approach.

Figure 11.



**Methods**: The development of this alternative required the investigation of possible restoration actions to take place on neighboring parcels to be owned by the LCWA in the future. Investigating similar project's needs for the storage of restoration equipment, sediments, and other staging facilities was required to develop a conceptual in partnership with BlueGreen Consulting. The development of this alternative required a comprehensive analysis of the conservation area to explore other possible locations of a restoration staging area.

#### **Feasibility Findings:**

#### A. Estimated Cost – 10

Description: Engineering design, permitting, environmental review, construction, monitoring & maintenance would be required in order to create a restoration staging area on the study site (**Table 10**). This land use was suggested for the OTD Parcel by Moffat and Nichol (2005) in a report they prepared for California Earth Corps. The report suggests that as much as \$15 million could be saved by using the OTD Parcel for soil stockpiling between restoration phases.

Approximate Cost = \$1,200,000.00 Revenue/Cost Savings = \$15,000,000.00 Profit/Loss = +\$13,800,000.00

Item #	Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Clear and Grub Surface	3	AC	\$5,000.00	\$15,000.00
3	Remove Trees	200	EA	\$500.00	\$100,000.00
4	Fence Improvements	1	LS.	\$15,000.00	\$15,000.00
5	Excavate Dewater Area	5000	CY	\$6.00	\$30,000.00
6	Haul Surplus Fill Material	2000	CY	\$25.00	\$50,000.00
7	Access Roads and Parking	1	EA	\$20,000.00	\$20,000.00
8	Upgrade Irrigaiton System	1	EA	\$10,000.00	\$10,000.00
9	Install Vegetation	1	AC	\$100,000.00	\$100,000.00
10	Trail and Interpretation Installation	1	EA	\$100,000.00	\$100,000.00
11	Monitoring and Maintenance	5	YRS	\$25,000.00	\$125,000.00
	Subtotal Of Costs				\$665,000.00
	Contingency (35%)				\$232,750.00
	Engineering & Design (10%)				\$66,500.00
	Supervision & Administration (5%)				\$27,000.00
	Environmental Review (10%)				\$66,500.00
	Permitting (15%)				\$99,750.00
	Approximate TOTAL COST				\$1,200,000.00
	Estimated Restoration Cost Savings	S			\$15,000,000.00
	TOTAL Profit/Loss				\$13,800,000.00

 Table 10: Cost Estimates for Alternative #3: Restoration Staging Area

#### **B.** Beneficial Uses – 2

Description: This land use alternative would offer 5 beneficial uses directly and an additional 11 indirect beneficial uses (**Table 7**; **Exhibit F**). However, this land use would not allow the public to access the property, thus reducing its value to the public. There would be an opportunity to install an interpretive trail and kiosk along the outside perimeter of the berm, but the public would not be invited to view the property as the land use will be unattractive and best kept from public view. Therefore the study site's perimeter berm will act more as a barrier in this option instead of a public use area as in other alternatives.

#### C. Wildlife Habitat Value – 6

Description: This land use alternative will not greatly increase habitat value directly on site as the use will be industrial; however, it could involve the creation of coastal sage scrub habitat along the perimeter berm. The open space within the berm will be undisturbed by the general public. Therefore the sage scrub, dewatering zone, and soil piles may be utilized by wildlife and could provide sanctuary to 7 of the 19 LCWA conservation target species including several state and federally protected species (**Table 8**). Least Terns and Snowy Plovers have been known to inhabit such similar sites during times of low level construction work (USFWS, 2006 and 2007). Furthermore, this alternative would benefit the habitat value of surrounding wetlands parcels. The staging area will relieve ecologically sensitive sites from becoming restoration staging areas instead. The use of a nearby industrial area like the study site will play an important roll in the storage and remediation of soils during critical large-scale restoration projects.

#### D. Environmental Constraints and Land Use Limitations – 9

Description: Developing a restoration staging area on the property makes minimal changes to its current state and no changes to its land use. This site is already well designed for this use. Furthermore, the staging area would maintain the parcel's classification as industrial, in so meeting all standards with DTSC and SEADIP designation. However, two land use limitations exist that could complicate this land use alternative.

1. This may not be a unique parcel recognized by the County of Los Angeles or the California Coastal Commission (CCC). See county parcel map (**Exhibit B**). A lot line adjustment requires a local coastal development permit from the CCC which was not applied for by SCE before the transfer of the parcel to the LCWA.

2. CEQA/NEPA documents would be required for the construction project.

#### E. Availability of Equivalent Suitable Land – 6

Description: There are four other parcels suitable to serve this use in and around the LCWA Conservation Area. Outlined in black in **Figure 12** are suitable areas for staging restoration projects. Areas 1, 2, and 4 would require a willing seller and funding for the acquisition costs. Depending on the projects design (i.e. amount of excavated soils, project location, and length of restoration projects) some or all of these outlined areas may also be needed for this purpose even if the OTD Parcel is utilized for an equivalent use. Based on this analysis there are few areas within the LCWA Conservation Area that are suited to act as a restoration staging area and since the staging activity would be out of public view, the OTD Parcel offers the best location for this use out of all the suitable options.



Figure 12. Availability of equivalent suitable land for developing a restoration staging area outlined in black.

Areas within the LCW Complex that could serve an equivalent use:

- 1. Plains All American Pipeline vacant land in SEADIP subarea 19
- 2. Bixby Ranch Company building area owned by Berger-Dean in SEADIP subarea 33
- 3. Signal Hill Petroleum exclusive easement area owned by LCWA in subarea 27
- 4. Hellman Oil Fields owned by Hellman Ranch Company

# 3.1.4 Alternative #4 – Limited Public Access Facility:

**Background:** This land use alternative would offer controlled and regulated public access to the parcel for the purposes of day use vehicle parking, access to trailheads, picnicking, observation of a created freshwater wetlands habitat, and public education through interpretive signage. In addition, space can be utilized for LCWA staff offices, equipment storage, and nursery/aquacultural uses that will compliment local restoration efforts. This option could provide habitat value through the creation of coastal sage scrub habitat along the perimeter, a freshwater wetlands area that would jointly act as a storm water management basin, as well as a small alkali meadow. An education kiosk could be located at the corner of Studebaker Rd and 2<sup>nd</sup> St. along with a trail head and observation area that would make the entire parcel viewable all day.

This alternative is the intermediate phase in a multifaceted land use approach, but could also stand on its own if alternatives #3 and #5 are not of interest to the LCWA.

<u>Methods</u>: Development of this alternative required regular ecological surveys, the determination of the water table level, analysis of the habitat needs and existing wetlands hydrology of both the study site and the LCW Complex. Visits to other similar facilities were required to development a conceptual in partnership with BlueGreen Consulting (**Figure 13**). The development of this alternative required a comprehensive analysis of the conservation area to explore other possible locations for limited public access facilities.

Figure 13.



#### **Feasibility Findings:**

#### A. Estimated Cost – 4

Description: Engineering design, permitting, environmental review, construction, monitoring & maintenance would be required in order to create a limited public use facility on the study site (**Table 11**). Entrance fees could be charged, but revenue would be negligible.

Approximate Cost = \$3,800,000.00 Revenue = Negligible Revenue Profit/Loss = -\$3,800,000.00

<b>Table 11.</b> Cost Estimates for Alternative #4: Limited Public Access Facility	Table 11.	Cost Estimates	for Alternative	#4: Limited	Public Acces	s Facility
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Item #	Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Clear and Grub Surface	3	AC	\$5,000.00	\$15,000.00
3	Remove Trees	200	EA	\$500.00	\$100,000.00
4	Fence Improvements	1	LS.	\$15,000.00	\$15,000.00
5	Excavate Wetlands Basin & Swales	10000	CY	\$6.00	\$60,000.00
6	Construct Bioswales	2	EA	100,000	\$200,000.00
7	Soil Remediation	2000	CY	\$10.00	\$20,000.00
8	Install Culverts	2	EA	\$250,000.00	\$500,000.00
9	Haul Surplus Fill Material	2000	CY	\$25.00	\$50,000.00
10	Offices & Storage Facilities	1	LS.	\$20,000.00	\$20,000.00
11	Upgrade Irrigaiton System	1	LS.	\$20,000.00	\$20,000.00
12	Nursery Facility	1	LS.	50,000	\$50,000.00
13	Aquaculture Facility	1	LS.	\$200,000.00	\$200,000.00
14	Access Roads and Parking	1	LS.	\$20,000.00	\$20,000.00
15	Install Vegetation	3	AC	\$100,000.00	\$300,000.00
16	Trail and Interpretation Installation	1	LS.	\$100,000.00	\$100,000.00
17	Monitoring and Maintenance	5	YRS	\$75,000.00	\$375,000.00
	Subtotal of Costs				\$2,145,000.00
	Contingency (35%)				\$750,750.00
	Engineering & Design (10%)				\$214,500.00
	Supervision & Administration (5%)				\$107,250.00
	Environmental Review (10%)				\$214,500.00
	Permitting (15%)				\$321,750.00
	Approximate TOTAL COST				\$3,800,000.00
	TOTAL Profit/Loss				\$3,800,000.00

#### **B.** Beneficial Use Ranking – 8

Description: This land use alternative would offer 12 direct beneficial uses (**Table 7**; **Exhibit F**). This land use option would make the parcel available for public access the majority of day during the weekends, thus greatly increasing the value of the property to the general public. Furthermore, visitors will be able to view the wetlands from trails and viewpoints on the perimeter berm, at any time, even if the facility is closed. A fence line inside the berm would be maintained to keep people out of the 2-acres of created habitat during closed hours. Educational opportunities through interpretive kiosks are part of this plan and will act as passive ways to engage the local community. Accommodating public day use parking is an essential part of this plan. The wetlands in this plan act as a storm water management basin, thus reducing flooding of surrounding urban/industrial infrastructure.

#### C. Wildlife Habitat Value – 8

Description: This land use alternative would create about 2-acres of coastal habitat that could provide sanctuary to 11 of the 19 LCWA conservation target species including several state and federally protected species (**Table 8**). Though the habitat is reduced in size compared to Alternative #2, this alternative still provides critical wetlands habitat and would be very attractive to migratory bird species traveling through the LCW Complex. The bioswale created as part of the Heron Pointe development in Seal Beach has proven to be highly successful and has become one of the most species rich areas in the LCW Complex. The study site offers the opportunity to develop a similar wildlife area complete with three underrepresented habitat types which will increase biodiversity locally. This land use option could also include nursery and aquaculture facilities that would provide the opportunity to grow wetlands organisms for use in restoration projects throughout the LCW Complex.

#### **D.** Environmental Constraints and Land Use Limitations - 3

Description: Two environmental constraints and 4 land use limitations exist that could complicate this land use alternative.

1. The study site's location and surrounding land uses limit it to being freshwater wetlands. This habitat type is not optimal but many constraints exist (including fragmentation and soil composition) for the restoration of the historical habitat type, tidal salt marsh.

2. Storm water and urban run-off are the only sources for inflows to the wetlands habitat conceptualized for this alternative.

3. This new land use would require an amendment to the local coastal plan's designation of the area from industrial to open-space or habitat.

4. A new land use designation would necessitate additional characterization and/or remediation to meet ERL & ERM standards suitable for habitat set by DTSC. (**Exhibit C**)

5. CEQA/NEPA documents would be required for the construction project

6. This may not be a unique parcel recognized by the County of Los Angeles or the California Coastal Commission (CCC). See county parcel map (**Exhibit B**). A lot line adjustment requires a local coastal development permit from the CCC which was not applied for by SCE before the transfer of the parcel to the LCWA.

#### E. Availability of Equivalent Suitable Land - 3

Description: There are eight other areas suitable to serve this use in and around the LCWA Conservation Area. The areas outlined in black in **Figure 14** are suitable areas for limited public access facilities. Areas 1, 2, 3, 4, 5, & 6 would require a willing seller and funding for acquisition costs. Based on this analysis there are ample areas in and around the LCWA Conservation Area that are equivalently suited to allow for the elements proposed in this alternative.



**Figure 14.** Availability of equivalent suitable land for developing limited public access facilities outlined in black.

Areas within the LCW Complex that could serve an equivalent use:

- 1. Triangle parcel owned by Sean Hitchcock in SEADIP subarea 23
- 2. SEADIP subarea 24 (north and south) owned by Berger-Dean
- 3. SEADIP subarea 11b owned by Alamitos Bay Partners
- 4. Bixby Ranch Company building area owned by Berger-Dean in SEADIP subarea 33
- 5. Pumpkin Patch parcel owned by Berger-Dean in SEADIP subarea 25
- 6. State Lands Commission Parcel
- 7. Gum Grove Park owned by City of Seal Beach

## 8. Heron Pointe Interpretive area owned by City of Seal Beach 3.1.5 Alternative #5 – Wetlands Interpretive Center:

This land use alternative would offer passive recreation and wetlands education facilities. The site would host a wetlands interpretive center outfitted with staff offices, a public education center, classroom laboratory, observation boardwalk, native plant nursery, and aquaculture facility. Demonstration gardens of 4 plant communities would be on display, offering habitat to wildlife while educating visitors through 3 trail loops that meander the site. An education kiosk would be located at the corner of Studebaker Rd. and 2<sup>nd</sup> St. along with a trail head and observation area that will make the entire parcel viewable 24 hours a day. This alternative would be the final phase in multifaceted land use approach.

**Methods:** Development of this alternative required regular ecological surveys, the determination of the water table level, analysis of the habitat needs and existing wetlands hydrology of both the study site and the LCW Complex. Visits to other similar facilities were required to develop a conceptual design in partnership with BlueGreen Consulting (**Figure 15**). The development of this alternative required a comprehensive analysis of the conservation area to explore other possible locations of an interpretive center and public parking.

Figure 15.



#### **Feasibility Findings**

### A. Estimated Cost - 1

Description: Engineering design, permitting, environmental review, construction, monitoring & maintenance would be required in order to create a wetlands interpretive center on the study site (**Table 12**). Entrance fees could be charged, but revenue would be negligible.

Approximate Cost = \$8,200,000.00 Revenue = Negligible Revenue Profit/Loss = -\$8,200,000.00

Table 12.	Cost Estimates	for Alternative	#5: Wetlands ]	Interpretive Center
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Item #	Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Clear and Grub Surface	3	AC	\$5,000.00	\$15,000.00
3	Remove Trees	200	EA	\$500.00	\$100,000.00
4	Fence Improvements	1	LS.	\$15,000.00	\$15,000.00
5	Excavate Wetlands Basin & Swales	10000	CY	\$6.00	\$60,000.00
6	Construct Bioswales	2	EA	100,000	\$200,000.00
7	Soil Remediation	2000	CY	\$10.00	\$20,000.00
8	Install Culverts	2	EA	\$250,000.00	\$500,000.00
9	Haul Surplus Fill Material	2000	CY	\$25.00	\$50,000.00
10	Construct Educaiton Center, Offices, & Lab	1	LS.	\$2,500,000.00	\$2,500,000.00
11	Upgrade Irrigaiton System	1	LS.	\$20,000.00	\$20,000.00
12	Nursery Facility	1	LS.	50,000	\$50,000.00
13	Aquaculture Facility	1	LS.	\$200,000.00	\$200,000.00
14	Access Roads and Parking	1	LS.	\$20,000.00	\$20,000.00
15	Install Vegetation	3	AC	\$100,000.00	\$300,000.00
16	Install Trail, Boardwalk, Interpretation	1	LS.	\$200,000.00	\$200,000.00
17	Monitoring and Maintenance	5	YRS	\$75,000.00	\$375,000.00
	Subtotal of Costs				\$4,725,000.00
	Contingency (35%)				\$1,653,750.00
	Engineering & Design (10%)				\$472,500.00
	Supervision & Administration (5%)				\$236,250.00
	Environmental Review (10%)				\$472,500.00
	Permitting (15%)				\$708,750.00
	Appoximate TOTAL COST				\$8,200,000.00
	TOTAL Profit/Loss				\$8,200,000.00

#### **B. Beneficial Uses–10**

Description: This land use alternative would offer 12 direct beneficial uses and 11 indirect beneficial uses (**Table 7**; **Exhibit F**). This land use option would make the parcel available for public access the majority of day during the weekends, thus greatly increasing the value of the property to the general public. Furthermore, visitors will be able to view the wetlands along trails and viewpoints on the perimeter berm, at any time, even if the facility is closed. A fence line inside the berm would be maintained to keep people out of the 2-acres of created habitat and interpretive center during closed hours. The interpretive center would offer an active venue for education through classes and tours, while interpretive kiosks and three trail loops will act as passive ways to engage the local community. Public parking services are a part of this plan. The wetlands in this plan act as a storm water management basin, thus reducing flooding of surrounding urban/industrial infrastructure.

#### C. Habitat Value Ranking – 7

Description: This land use alternative would create about 2-acres of coastal habitat that could provide sanctuary to 8 of the 19 LCWA conservation target species including several state and federally protected species (**Table 8**). Though the habitat is reduced in size compared to Alternative #2, this alternative still provides critical freshwater wetlands habitat and would be very attractive to migratory bird species traveling through the LCW Complex. The study site offers the opportunity to develop a wildlife area similar to the Heron Pointe Bioswale, which will increase biodiversity locally. However, the site would be actively used by the public on a regular basis and many of the habitat areas will be used for education, thus reducing its habitat value. This land use option could also include nursery and aquaculture facilities that would provide the opportunity to grow wetlands organisms for use in restoration projects throughout the LCW Complex.

#### **D.** Environmental Constraints and Land Use Limitations - 2

Description: Two environmental constraints and five land use limitations exist that could complicate this land use alternative.

1. The study site's location and surrounding land uses limit it to being freshwater wetlands. This habitat type is not optimal but many constraints exist (including fragmentation and soil composition) for the restoration of the historical habitat type, tidal salt marsh.

2. Storm water and urban run-off from the neighboring busy roadways are the only sources for inflows to the wetlands habitat conceptualized for this alternative.

3. The study is located directly above the Newport-Inglewood fault line. Therefore the site is within an 'Earthquake Fault Zone' as distinguished by the Alquist-Priolo Act (Alquist-Priolo Act; **Figure 16**). A report from a licensed geologist will be required as part of the permitting process through the City of Long Beach and County of Los Angeles for development of the permanent structure proposed in this alternative.

4. This new land use would require an amendment to the local coastal plan's designation of the area from industrial to open-space or habitat.

5. A new land use designation would necessitate additional characterization and/or remediation to meet ERL & ERM standards suitable for habitat set by DTSC. (**Exhibit C**)

6. CEQA/NEPA documents would be required for the construction project

7. This may not be a unique parcel recognized by the County of Los Angeles or the California Coastal Commission (CCC). See county parcel map (**Exhibit B**). A lot line adjustment requires a local coastal development permit from the CCC which was not applied for by SCE before the transfer of the parcel to the LCWA.



**Figure 16**. Fault Line Map Courtesy of www.stadeyo.com

#### E. Availability of Equivalent Suitable Land - 5

Description: There are five other areas suitable to serve this use in and around the LCWA Conservation Area. The areas outlined in black in **Figure 17** are suitable areas for a Los Cerritos Wetlands interpretive center. Areas 1, 2, 3, 4, & 5 would require a willing seller and funding for acquisition costs. Based on this analysis there are several areas in and around the LCWA Conservation Area that are equivalently suited to allow for the elements proposed in this alternative.



**Figure 17.** Availability of equivalent suitable land for developing a wetlands interpretive center outlined in black.

Areas within the LCW Complex that could serve an equivalent use:

- 1. SEADIP subarea 24 (south) owned by Berger-Dean
- 2. Bixby Ranch Company building area owned by Berger-Dean in SEADIP subarea 33
- 3. 2<sup>nd</sup> and PCH project at Sea Port Marina Hotel in SEADIP subarea 17
- 4. Pumpkin Patch parcel owned by Tom Dean in SEADIP subarea 25
- 5. State Lands Commission Parcel

## 3.1.6 Multifaceted Alternative – Phased Use Plan:

Description: By phasing alternatives #3, #4 and #5 the site could serve several purposes and evolve from an industrial-use to a public-use facility. Phase 1 would be restoration staging area, Phase 2 a limited public access facility, and phase 3 would be a wetlands interpretive center. This multifaceted alternative would accomplish several missions for the LCWA in one 5-acre parcel over a 10-20 year period.

#### **Feasibility Findings**

#### A. Estimated Cost – 9

Description: Engineering design, permitting, environmental review, construction, monitoring & maintenance would be required in order to create a restoration staging area and convert it into a limited public use facility and ultimately into wetlands interpretive center on the study site (**Table 13**). This phased use plan reduces the cost of the development of each phase when compared to them being individually developed. For example, the restoration staging area would require the same excavation as would the limited public use facility. The excavation construction work would only need to be done once to be applied to both phases, thus reducing the individual cost of the subsequent phases. Most importantly, including alternative # 3 as the first phase makes this multifaceted land use approach cost effective. As mentioned earlier Moffat and Nichol (2005) reported that as much as \$15 million could be saved by using the OTD Parcel for soil stockpiling between restoration phases. These savings would outweigh the total cost of this multifaceted alternative. Entrance fees could be charged, but revenue would be negligible.

Approximate Cost = \$10,500,000.00 Revenue/Cost Savings = \$15,000,000.00 Profit/Loss = +\$4,500,000.00

#### **B.** Beneficial Uses – 10

Description: This land use alternative would offer 12 direct beneficial uses and 12 indirect beneficial uses (**Table 7**; **Exhibit F**). During the first phase the land would not be highly accessible to the public, however, the  $2^{nd}$  and  $3^{rd}$  phases of this multifaceted land use approach would make the parcel available for public access the majority of day during the weekends, thus greatly increasing the value of the property to the general public. Eventually the property would serve all the beneficial uses outlined in alternative #5.

#### C. Wildlife Habitat Value – 9

Description: This land use alternative would eventually create similar habitat value as alternative #5, however, during the first phase (restoration staging area) this alternative will also benefit habitat indirectly by aiding the restoration of wetlands parcels and would offer on-site habitat for state and federally protected species (**Table 8**). A total of 10 of the 19 LCWA conservation target species would benefit from one of the phases of this multifaceted approach.

#### **D.** Environmental Constraints and Land Use Limitations – 2

This land use alternative will eventually face the same constraints and limitations as alternative #5. However, the environmental permitting and regulatory process for all three phases should be accomplished before the implementation of phase 1.

Item #	Phase 1 Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Clear and Grub Surface	3	AC	\$5,000.00	\$15,000.00
3	Remove Trees	200	EA	\$500.00	\$100,000.00
4	Fence Improvements	1	EA	\$15,000.00	\$15,000.00
5	Excavate Dewater Area & Swales	10000	CY	\$6.00	\$60,000.00
6	Access Roads and Parking	1	LS.	\$20,000.00	\$20,000.00
7	Upgrade Irrigaiton System	1	LS.	\$10,000.00	\$10,000.00
8	Haul Surplus Fill Material	2000	CY	\$25.00	\$50,000.00
9	Install Vegetation	1	AC	\$100,000.00	\$100,000.00
10	Trail and Interpretation Installation	1	LS.	\$50,000.00	\$50,000.00
11	Monitoring and Maintenance	5	YRS	\$25,000.00	\$125,000.00
	Phase 1 Subtotal Costs	*			\$645,000.00
	Contingency (35%)				\$225,750.00
	Supervision & Administration (5%)				\$32,250.00
	Phase 1 Total Costs				\$903,000.00
Item #	Phase 2 Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilizaiton & Demobilization	1	LS.	\$100,000.00	\$100,000.00
2	Construct Bioswales	2	EA	\$100,000.00	\$200,000.00
3	Soil Remediation	2000	CY	\$10.00	\$20,000,00
4	Install Culverts	2	EA	\$250.000.00	\$500.000.00
5	Offices & Storage Facilities	1	EA	\$20.000.00	\$20,000.00
6	Upgrade Irrigation System	1	FA	\$10,000.00	\$10,000,00
7	Nursery Facility	1	FA	\$200,000,00	\$200,000,00
8	Aquaculture Facility	1	FA	\$50,000,00	\$50,000,00
9	Install Vegetation	2	AC	\$100,000,00	\$200,000,00
10	Trail and Interpretation Installation	1		\$50,000,00	\$50,000,00
11	Monitoring and Maintenance	5	YRS	\$75,000,00	\$375,000,00
•••	Phase 2 Subtotal of Costs	v		\$10,000.00	\$1.725.000.00
	Contingency (35%)				\$603 750 00
	Supervision & Administration (5%)				\$86 250 00
	Phase 2 Total Costs				\$2,415,000,00
					<i>+_</i> ,,
Item #	Phase 3 Item Description	Quantity	Unit	Unit Cost	Subtotal
1	Mobilization & Demobilization	1		\$100.000.00	\$100.000.00
2	Construct Education Center, Offices, & Lab	1	EA	\$2,500,000,00	\$2,500,000,00
3	Install Vegetation	1	AC	\$100,000,00	\$100,000,00
4	Install Trail Boardwalk Interpretation	1	FA	\$100,000,00	\$100,000,00
5	Monitoring and Maintenance	5	YRS	\$75,000,00	\$375,000,00
ĭ	Phase 3 Subtotal of Costs			φ <i>ι</i> 0,000.00	\$3 175 000 00
	Contingency (35%)				\$1 111 250 00
	Supervision & Administration (5%)				\$158 750 00
	Phase 3 Total Costs				\$4 445 000 00
					ψτ,ττ3,000.00
	Multifaceted Alternative Subtotal				\$7,763,000.00
	Engineering & Design (10%)				\$776,300.00
	Environmental Review (10%)				\$776,300.00
	Permitting (15%)				\$1,164,450.00
	Approximate TOTAL COST				\$10,500,000.00
	Estimated Restoration Cost Savings				\$15,000,000.00
	TOTAL PROFIT/LOSS				\$4,500,000.00

 Table 13. Cost Estimates for Multifaceted Alternative: Phased Use Plan

#### E. Availability of Equivalent Suitable Land - 9

Description: There is one other area suitable to serve this use in and around the LCWA Conservation Area. The area outlined in black in **Figure 18** is suitable for hosting all three of the alternatives that are part of this multifaceted land use approach. This makes the OTD Parcel a nearly novel parcel of land to involve all three of the land uses proposed in this alternative.



Figure 18. Availability of equivalent suitable land for the phased land use plan outlined in black.

Areas within the LCW Complex that could serve an equivalent use: 1. Bixby Ranch Company building

# **4.0** Conclusions

Comprehensive field studies, reviews of existing data, and collaboration with LCWA staff and public stakeholders have resulted in a feasible set of alternatives to address the future land use of the OTD Parcel. Several conclusions about the OTD Parcel can be drawn based on the evaluations of the 5 proposed land use alternatives and the multifaceted alternative. The most feasible land use alternative has been determined by comparing the overall alternative evaluation scores and analyzing the least cost feasible alternatives. Additionally, before any of these alternatives can be implemented there will be an interim land use period. Options and advice for the management of the land in the interim are discussed below.

# 4.1 Overall Alternative Evaluation Scores

Considering all available information and based on the evaluation scores (**Table 14**) it is recommended that the proposed land use alternatives be given highest priority for implementation in the following order. Priority A options best fit the LCWA's current financial standing as they would all result in returns and offer opportunities for acquisition and restoration, while priority B options would require the LCWA to acquire substantial funding for the OTD parcel to be implemented.

#### **Priority A Options:**

**1. Multifaceted Alternative – Phased Use Plan:** This alternative received a total score of 39 out of a possible 50 points. It shares the highest score for beneficial uses, but it scored low for environmental constraints. Though this land use would take place over a longer period of time, it utilizes the land to its greatest all around value.

**2.** Alternative #3 – Restoration Staging Area: This alternative received a total score of 34 out of a possible 50 points. It had the highest score for estimated cost and environmental constraints, but it scored low for beneficial uses. This alternative offers the single best land use if a multifaceted alternative is not chosen.

**3.** Alternative #1 – Sell/Swap property: This alternative received a total score of 31 out of a possible 50 points. It had the highest score for availability of equivalent suitable land, but it scored lowest for beneficial uses and wildlife habitat value. This alternative would be best if the LCWA does not see potential in using the property for restoration staging and cannot afford to renovate or restore the parcel.

#### **Priority B Options:**

**4.** Alternative #4 – Limited Public Access Facility: This alternative received a total score of 27 out of a possible 50 points. It did not have the highest score for any of the evaluation criteria and scored low for availability of equivalent suitable land. This alternative would be the best option if the LCWA is looking to provide benefits to the public, but cannot afford a full scale interpretive center.

**5.** Alternative #2 – Exclusive Wetlands Habitat: This alternative received a total score of 26 out of a possible 50 points. It had the highest score for wildlife habitat value, but scored the lowest for availability of equivalent suitable land. This alternative shows that wetlands restoration is feasible, but that using the entire property for this land use may not be the most appropriate alternative.

**6.** Alternative #5 – Wetlands Interpretive Center: This alternative received a total score of 25 out of a possible 50 points. It shares the highest score for beneficial uses, but it scored lowest for estimated cost. This alternative is only feasible if the right amount of funding is in place.

**Table 14.** Evaluation scores for the proposed land use alternatives (Alt 1 = Sell Property; Alt 2 = Exclusive Wetlands; Alt 3 = Restoration Staging; Alt 4 = Limited Public Access; Alt 5 = Interpretive Center; Multi = Phased Land Use). Scoring is based on a 1-10 scale.

Evaluation Categories	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Multi
Estimated Cost	9	4	10	4	1	9
Beneficial Uses	1	7	2	8	10	10
Wildlife Habitat Value	3	10	6	8	7	9
Environmental Constraints	8	3	9	4	2	2
Equivalent Suitable Land	10	2	7	3	5	9
TOTAL	31	26	34	27	25	39

# 4.2 Alternative's Estimated Costs

All of the estimated costs for the proposed alternatives include a 35% contingency. They also take into account costs associated with engineering design, permitting, environmental review, and supervision and administration. These estimates are based on estimates from other similar projects in the region and may not reflect actual bids for the scope of work. These estimates are designed to compare and contrast the alternatives based on their economic feasibility. More detailed costs estimates should be prepared as part of the design process once an alternative has been chosen.

This study's estimates of the overall profit/loss margins for implementation of the proposed alternatives range from +\$13,800,000.00 to -\$8,200,000.00. Solely using the land for a restoration staging area is the most cost effective proposed land use alternative (**Table 10**). This conclusion is based on the assumption that this land use would save the LCWA as much as \$15 million during large-scale restoration efforts. Since the restoration staging area is the first phase in the multifaceted alternative, it also creates an overall cost effective scenario for a phased land use plan.

Selling the property would generate a definite income for the LCWA, but there are numerous drawbacks to parting with this obviously valuable property. Developing the property into exclusive wetlands habitat (\$3,500,000.00), a limited public use facility (\$3,800,000.00), or a wetlands interpretive center (\$8,200,000.00) would all come at a several million dollar cost to the LCWA. However, these alternatives all carry with them many beneficial uses that may make the cost worthwhile. There are also opportunities to reduce these costs by reducing the scope of the projects. For instance, the aquaculture is a minor element in alternatives #4 and #5 and would reduce costs if removed. Likewise, removing the wetlands area from alternative #4 and #5 would reduce costs dramatically.

By utilizing the multifaceted land use approach, alternatives #4 and #5 become more feasibly affordable. This is accomplished by having the restoration staging area phase precede the limited public access facility and/or wetlands interpretive center. The land would only need to be excavated during the first land use phase, thus reducing the costs of the  $2^{nd}$  and  $3^{rd}$  phases. The same is true for fence improvements, tree removal, and access road and parking construction costs. Furthermore, engineering design, permitting and environmental reviews for the entirety of the phases can all take place at the beginning of the first phase, thus reducing the cost for the  $2^{nd}$  and  $3^{rd}$  phases when compared to being done individually.

Costs weigh heavily into the decision making process for conservation efforts. While there are many funding opportunities that will become available to assist in paying for the alternatives that are laden with high cost estimates, funding can be difficult to obtain and will require dedicated staff time. We suggest that these cost estimates be used as a guideline for decision making process if one or more of the alternative land uses prove to be desirable to meet the LCWA's mission.

# 4.3 Suggestions for Interim Site Use

The abovementioned alternatives are presented for utilization of the site for the foreseeable future. While making decisions for the best alternative land use and navigating the permit processes, several interim uses for the OTD Parcel are plausible. To make the most of the resource this site offers currently, we recommend several reasonable interim uses. These interim uses take into account the condition of the site "as is" and are presented with little or no alterations to the site.

**Parking and Meeting Area for LCWA Stewardship Program:** Since September 2009 the LCWA has been engaged in community-based restoration on their phase 1 properties south of 2<sup>nd</sup> St., just across from the OTD Parcel. Service-learning restoration projects educate members of the community through the conduction of nature walks and various restorative activities overseen by qualified restoration ecologists. This program has generated critical public interest and competitive grant funding, has educated hundreds of people, and is currently the only way the public can legally access the LCWA's exsisting land holdings in Los Cerritos Wetlands. It is important to the conservation effort that the LCWA's Stewardship Program benefit from as the resources that can be offered by the LCWA and their partners.

Even with escort, access into the LCWA phase 1 property is currently limited and a potential liability. The land owner to the west of the 66 acre property has not made their access road available to this program. Participants in the program now park and meet in the Marketplace Shopping Center near the corner of at Shopkeeper Rd. and 2<sup>nd</sup> St. The group is then led ¼ mile along a neglected dirt sidewalk, inches away from speeding 2<sup>nd</sup> St traffic, before entering the wetlands. To bypass these hazards, it is recommended that the OTD Parcel be used as the initial meeting point for participants in the Stewardship Program. The access driveway and gate to the OTD Parcel have been restored and upgraded so that the site can now accommodate the parking of volunteer's vehicles. In its current state the site is already graveled as it was used for vehicles access by the previous land user.

Furthermore, the site offers an opportunity for the placement of a storage container that can hold restoration tools and research equipment for utilization by the Stewardship Program. Having these resources staged at the meeting are will benefit the program. There is also a possibility for the placement of a mobile office unit and porta-potty on site that would be available to the LCWA staff and out of public view.

**LCWA Outreach Kiosks:** Both Studebaker Rd. and 2<sup>nd</sup> St. are highly traveled roads connecting East Long Beach with nearby freeways and PCH. This are is also a main corridor and gateway between East Long Beach and neighboring cities in Orange County. A simple banner or a professionally designed interpretive kiosk can be placed permanently on the southwest corner of the parcel. The signage would make the general public aware of the LCWA's mission, provide a visual educational tool about the Los Cerritos Wetlands, and offer contact information for LCWA staff and programs.

#### **Coastal Sage Scrub Restoration Site:**

Alternatives #2-5 all include the restoration of the perimeter berm's habitat. It is recommended that if the LCWA is not interested in Alternative #1, and intends to retain this property, that this area become a site for community-based restoration efforts. In its current state the berm is infested with non-native trees and the *Myoporum* trees in particular are over-grown, old, diseased, and dying. This is the only visible part of the property from the street and these dead trees are not only an unattractive fire hazard, but also offer cover for existing encampments.

To implement the project, professional arborists would be involved in the removal of the trees and the public would be invited to install native shrubs and trees. This project should be phased over 3-5 seasons to ensure that the removal of the trees does not impact the native bird populations dramatically. Eventually this site could become an attractively landscape area that also provides native coastal habitat to rare California wildlife.

**Boat Storage:** The study site offers a secure and out-of-sight location for boat storage to serve the local marinas. This land use option is not in line with the mission of the LCWA and the community has expressed discontent with similar land uses proposed on nearby properties. However, this land use could act as a revenue generator in the interim if the LCWA leases parts of the parcel to private boat owners. Dry storage of boats at the local City of Long Beach yards costs about \$80 per month for boats less than 25 feet in length. An estimated 50 boats of that size could be stored on-site, which would generate estimated revenue of \$2,000.00 in rent each month at City of Long Beach rates.

There will be administrative activities necessary to operate the boat storage as well as insurance and security concerns. It is unclear if the LCWA has the ability to serve as an entity able to operate this venture; further research is needed. More details of this interim use are discussed in **Exhibit E**.

# **5.0 References Cited**

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# Exhibit A

OTD Parcel Wetlands Feasibility Study Tidal Influence

# Fauna of Los Cerritos Wetlands

#### Marine Invertebrates

**Polychaete Worms 1 FIRE WORM** 2 SPINOID WORMS **3 INN-KEEPER WORM** Crustaceans **4 STRIPED SHORE CRAB 5 YELLOW SHORE CRAB 6 PURPLE SHORE CRAB** 7 FIDDLER CRAB 8 RED GHOST SHRIMP Gastropods **9 STRIPED SEA HARE** 10 SEA HARE **11 CLOUDY BUBBLE SNAIL 12 CALIFORNIA HORN SNAIL Bivalves** 13 COMMON LITTLENECK CLAM 14 CALIFORNIA JACKKNIFE CLAM 15 RAZOR CLAM **16 BENT NOSE CLAM 17 PURPLE CLAMS** Cephalapods **18 TWO-SPOT OCTOPUS Insects and Arachnids 19 SEA SPIDER** 20 SALT MARSH WANDERING SKIPPER **21 PYGMY BLUE BUTTERFLY** 22 MUDFLAT TIGER BEETLE 23 SALT MARSH TIGER BEETLE 24 ROVE BEETLE **25 SALDID BUG Marine Fishes** 

1 BAY PIPE FISH
 2 STAGHORN SCULPIN
 3 ARROW GOBY
 4 LONGJAW MUDSUCKER
 5 DIAMOND TURBOT

Nephtys caecoides Polydora sp. Urechis caupo

Pachygrapsus crassipes Hemigrapsus oregonensis Hemigrapsus nudus Uca crenulata Callianassa californiensis

Navanax inermis Aplysia californica Bulla gouldiana Cerithidea californica

Protothaca staminea Tagelus californianus Solen rosaceus Macoma nasuta Sanguinolaria nuttalli

#### **Octopus bimaculoides**

#### **Class PYCNOGONIDAE**

Panoquina errans Brephidium exilis Cicindelidia trifasciata sigmoidea Cicindelidia hemorrhagica hemorrhagica Bledius spp. Pentacora signoreti

Syngnathus griseolineatus Leptocottus armatus Clevelandia ios Gillichthys mirabilis Hypsopsetta guttulata 6 CALIFORNIA HALIBUT
7 STRIPPED MULLET
8 CALIFORNIA KILLIFISH
9 TOPSMELT
10 THORNBACK RAY
11 ELECTRIC PACIFIC RAY
12 ROUND STING RAY
13 GRAY SMOOTHHOUND SHARK
14 SHOVELNOSE GUITARFISH

#### **Amphibians**

**1 PACIFIC TREE FROG** 

#### <u>Reptiles</u>

GOHPER SNAKE
 WETERN FENCE LIZARD
 SIDE-BLOTCHED LIZARD
 SOUTHERN ALLIGATOR LIZARD
 PACIFIC GREEN SEA TURTLE

#### Native Birds

**1 PACIFIC LOON** 2 COMMON LOON **3 EARED GREBE 4 HORNED GREBE 5 PIED BILLED GREBE 6 WESTERN GREBE** 7 CLARK'S GREBE 8 CALIFORNIA BROWN PELICAN **9 AMERICAN WHITE PELICAN** 10 DOUBLE-CRESTED CORMANRANT **11 AMERICAN BITTERN 12 GREAT EGRET 13 GREAT BLUE HERON** 14 SNOWY EGRET **15 GREEN HERON** 16 BLACK-CROWNED NIGHT-HERON **17 WHITE-FACED IBIS 18 CANADA GEESE** 19 BRANT 20 MALLARD **21 NORTHERN PINTAIL** 

Paralichthys californicus Mugil cephalus Fundulus parvipinnis Atherinops affinis Raja clavata Torpedo californica Urobatis haleri Mustelus californicus Rhinobatis productus

#### Pseudacris regilla

Pituophis melanoleucus Sceloporus occidentalis Uta stansburiano Gerrhonotus multicarinatus Chelonia midas

Gavia pacifica Gavia immer Podiceps nigricollis **Podiceps** auritus Podilymbus podiceps Aechmorphus occidentalis Aechmorphus clarkii Pelecanus occidentalis Pelecanus erythrorhynchos Phalacrocorax auritus **Botaurus lentiginosus** Ardea alba Ardea herodias Egretta thula **Butorides virescens** Nycticorax nyctocorax Plegadis chihi Branta canadensis Branta bernicla Anas platyrhynchos Anas acuta

22 GADWALL 23 AMERICAN WIDGEON 24 NORTHERN SHOVELER **25 BLUE-WINGED TEAL 26 CINNAMON TEAL 27 GREEN-WINGED TEAL 28 LESSER SCAUP 29 GREATER SCAUP 30 SURF SCOTER 31 BUFFLEHEAD** 32 RED-BRESTED MERGANSER 33 RUDDY DUCK 34 TURKEY VULTURE **35 NORTHERN HARRIER 36 WHITE TAILED KITE** 37 COOPER'S HAWK **38 RED-SHOULDERED HAWK 39 RED-TAILED HAWK** 40 **OSPREY 41 AMERICAN KESTREL** 42 MERLIN **43 PEREGRINE FALCON** 44 LIGHT-FOOTED CLAPPER RAIL 45 SORA **46 COMMON MOORHEN 47 AMERICAN COOT 48 BLACK-BELLIED PLOVER 49 SEMIPALMATED PLOVER 50 WESTERN SNOWY PLOVER 51 KILLDEER 52 BLACK-NECKED STILT 53 AMERICAN AVOCET** 54 GREATER YELLOWLEGS **55 SPOTTED SANDPIPER** 56 WHIMBREL **57 LONG-BILLED CURLEW 58 MARBLED GODWIT 59 WILLET 60 WESTERN SANDPIPER** 61 LEAST SANDPIPER 62 LONG-BILLED DOWITCHER 63 SHORT-BILLED DOWITCHER

Anas strepera Anas americana Anas clypeata Anas discors Anas cyanoptera Anas crecca Aythya affinis Aythya marila Melanitta perspicillata Bucephala albeola Mergus serrator Oxyura jamaicensis Cathartes aura Circus cyaneus Elanus leucurus Accipiter cooperii **Buteo lineatus Buteo** jamaicensis Pandion haliaetus Falco sparverius Falco comlumbarius Falco peregrinus **Rallus longirostris levipes** Porzana carolina Gallinula chloropus Fulica americana Pluvialis squatarola Charadrius semipalmatus Charadrius alexandrinus nuvosus Charadrius vociferous Himantopus mexicanus Recurvirostra americana Tringa melanoleuca Actitis macularia Numenius phaeopus Numeniusamericanus Limosa fedosa Tringa semipalmatus Calidris mauri Calidris minutilla Limnodromus scolopaceus Limnodromus griseus

64 WILSON'S SNIPE 65 WILSON'S PHALAROPE 66 RED-NECKED PHALAROPE 67 BONAPARTE'S GULL 68 RING-BILLED GULL **69 CALIFORNIA GULL 70 WESTERN GULL** 71 HEERMANN'S GULL 72 CALIFORNIA LEAST TERN 73 CASPIAN TERN 74 ELEGENT TERN 75 FORSTER'S TERN 76 BLACK SKIMMER 77 MOURNING DOVE 78 SHORT-EARED OWL 79 GREAT HORNED OWL **80 BURROWING OWL** 81 COMMON POORWIL 82 BELTED KINGFISHER 83 BLACK-CHINNED HUMMINBIRD 84 ANNA'S HUMMINGBIRD **85 ALLEN'S HUMMINGBIRD 86 NORTHERN FLICKER 87 DOWNY WOODPECKER 88 PACFIC-SLOPE FLYCATCHER 89 BLACK PHEOBE** 90 SAY'S PHEOBE 91 ASH-THOATED FLYCATCHER 92 CASSIN'S KINGBIRD 93 WESTERN KINGBIRD 94 LOGGERHEAD SHRIKE 95 WESTERN SCRUBJAY 96 AMERICAN CROW 97 BARN SWALLOW **98 CLIFF SWALLOW** 99 MARSH WREN **100 HOUSE WREN** 101 RUBY-CROWNED KINGLET **102 BLUE-GRAY GNATCATHER 103 WESTERN BLUEBIRD 104 HERMIT THRUSH** 105 NORTHERN MOCKINGBIRD

Gallinago delicata Phalaropus tricolor Phalaropus lobatus Larus philadelphia Larus delawarensis Larus californicus Larus occidentalis Larus heermanni Sternula antillarum browni Hydroprogne caspia Thalasseus elegans Sterna forsteri Rynchops niger Zenaida macroura Asio flammeus **Bubo virginianus** Glaucidium brasilianum Phalaenoptilus nuttallii Ceryle alcyon Archilochu alexandri Calypte anna Selasphorus sasin Colaptes auratus **Picoides** pubescens **Empidonax** difficilis Sayornis nigricans Sayornis saya Myiarchus cinerascens Tyrannus vociferans Tyrannus verticalis Lanius ludovicianus Aphelocoma californica Corvus brachyrhynchos Hirundo rustica Petrochelidon pyrrhonota Cistothorus palustris Troglodytes aedon Regalus calendula Polioptila caerulea Sialia mexicana Catharus guttatus Mimus polyglottos

106 AMERICAN PIPIT
107 CEDAR WAXWING
108 YELLOW-RUMPED WARBLER
109 COMMON YELLOWTHROAT
110 BLACK-HEADED GROSBEAK
111 CALIFORNIA TOWHEE
112 BELDING'S SAVANNAH SPARROW
113 WHITE-CROWNED SPARROW
114 BULLOCK'S ORIOLE
115 WESTERN MEADOWLARK
116 RED-WINGED BLACKBIRD
117 HOUSE FINCH
118 AMERICAN GOLDFINCH

#### **Mammals**

COYOTE
 WESTERN HARVEST MOUSE
 CALIFORNIA GROUND SQUIRREL
 CALIFORNIA SEA LION

Anthus rubescens Bombycilla cedorum Dendroica coronata Geothlypis tichas Pheucticus melanocephalus Pipilo crissalis Passerculus sandwichensis beldingi Zonotrichia leucophrys Icterus bullockii Sturnella neglecta Agelaius phoeniceus Carpodacus mexicanus Carduelis trstis

Canis latrans Reithrodontomys megalotis limicola Spermophylus beecheyii Zalophus californianus
## Flora of Los Cerritos Wetlands

## **Native Wetlands Plants**

COMMON NAME 1 EELGRASS Lower Salt Marsh 2 PACIFIC CORDGRASS Middle Salt Marsh **3 SALTWORT 4 ANNUAL PICKLEWEED 5 PICKLEWEED 6 FLESHY JAUMEA 7 ESTUARY SEA-BLITE 8 HORNED SEA-BLITE** 9 ARROW-GRASS 10 SALT MARSH DODDER 11 ALKALI HEATH **12 SEA LAVENDER** Upper Salt Marsh 13 SALT GRASS 14 SALT MARSH BIRD'S BEAK 15 WATSON'S SALT BUSH 16 ALKALI WEED **17 SHORE GRASS 18 GLASSWORT 19 SAND SPURRY 20 SALT MARSH FLEABANE Marsh-Upland Transition Zone** 21 COULTER'S GOLDFIELDS 22 WHOLLY SEA-BLITE

#### Genus species

Zostera marina

#### Spartina foliosa

Batis maritima Salicornia bigelovii Sarcocornia pacifica aka Salicornia virginica Jaumea carnosa Suaeda esteroa Sueada calceoliformis Triglochin concinna Cuscuta salina Frankenia salina Limonium californicum

Distichlis spicata Cordylanthus maritimus ssp. maritimus Atriplex watsonii Cressa truxillensis Monanthochloe littoralis Arthrocnemum subterminale Spergularia marina Pluchea ordorata

Lasthenia glabrata ssp. coulterii Sueada taxifolia Lycium californicum Centromadia parryi ssp. australis Isocoma menziesii

#### Freshwater Marsh

23 BOXTHORN

26 SPINY RUSH
27 CATTAILS
28 SALT MARSH BULRUSH
29 BULRUSH
30 SPIKE RUSH
31 COMMON RUSH
32 BLACK WILLOW
33 ARROYO WILLOW

**24 SOUTHERN TARPLANT** 

**25 COAST GOLDENBUSH** 

Juncus acutus Typha spp. Scirpus robustus Schoenoplectus spp. Eleocharis macrostachya Juncus effusus Salix goodingii Salix laseolepis

## **Native Upland Plants**

## COMMON NAME

34 BLADDERPOD
35 BROOM BACCHARIS
36 MULEFAT
37 COYOTE BRUSH
38 EMORY'S BACCHARIS
39 DEERWEED
40 LAUREL SUMAC
41 CALIFORNIA SAGEBRUSH
42 SEASIDE HELIOTROPE
43 ALKALI MALLOW
44 BEDSTRAW

#### Cleome isomeris Baccharis sarthoides Baccharis salicifolia Baccharis pilularis Baccharis emoryii Lotus scoparius Malosma laurina Artemisia californica Heliotropium curassavicum Malvella leprosa Galium angustifolium

## Genus species

## Non-Native Flora of Los Cerritos Wetlands

### **Non-native Plants**

COMMON NAME **1 GOLDEN WATTLE** 2 AUSTRAILIAN SALT BUSH 3 FIVE-HOOK BASSIA **4 WILD MUSTARD 5 RIPGUT BROME** 6 RED BROME 7 SHEAPARD'S PURSE **8 TOCALOTE 9 CANADIEN HORSEWEED 10 PAMPAS GRASS** 11 BLUE GUM **12 COMMON BARELY 13 ITALIAN RYEGRASS** 14 CHEESEWEED **15 HONEY CLOVER 16 SWEET CLOVER** 17 SLENDER-LEAVED ICE PLANT **18 CRYSTALINE ICE PLANT 19 CAJEPUT TREE** 20 TOBACCO TREE 21 SICKLE GRASS 22 RABBIT'S FOOT GRASS 23 WILD RADISH 24 RUSSIAN THISTLE **25 MILK THISTLE 26 SOW THISTLE** 27 MEXICAN FAN PALM

### Genus species

Acacia pycnantha Atriplex semibaccata Bassia hyssopifolia Brassica nigra Bromus diandrus Bromus madritensis Capsella bursa-pastoris Centaurea melitensis Conyza canadensis Cortaderia selloana Eucalyptus globulus Hordeum vulgare Lolium multiflorum Malva parviflorum Melilotus alba Melilotus indica Mesymbranthemum nodiflorum Mesymbryanthemum crystallinum Myoporum laetum Nicotiana glauca Parapholis incurva Polypogon monspeliensis Raphanus sativa Salsola tragus Silybum marianum Sonchus oleraceus Washintonia robusta

# **Exhibit B**

OTD Parcel Wetlands Feasibility Study Tidal Influence



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## TITLE(S) :

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#### RECORDING REQUESTED BY:

#### WHEN RECORDED MAIL TO:

- NAME: Los Cerritos Wetlands Authority c/o Rivers and Mountains Conservancy Terry Fujimoto, Deputy Attorney General
- MAILING: 900 S. Fremont Avenue Annex 2<sup>nd</sup> Floor
- CITY, STATE: Alhambra, CA
- **ZIP CODE:** 91803



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

#### TITLE(S)

#### CERTIFICATE OF ACCEPTANCE

This is to certify that the Los Cerritos Wetlands Authority, as designee of the California State Coastal Conservancy, as set forth in the attached Exhibit A, hereby accepts the Irrevocable Offer to Dedicate Fee Title, executed on <u>May 30, 2001</u>, by Southern California Edison Company, recorded on <u>November 28, 2001</u>, as Document No. <u>01 2260417</u>, in the Official Records of Los Angeles County, as more particularly described in the attached Exhibit B.

Los Cerritos Wetlands Authority

Dated: 5/2/07

Belender Faustinos Bv:

Belinda V. Faustinos Executive Officer

#### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	)
County of Los Angeles	> SS.
On May 2, 2007, b	efore me, Shigerickenneth Hsyskesics, Notar, Rychie
personally appeared B	clindd V. Faystinos

personally known to me

For proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that be/she/they executed the same in bis/her/their authorized capacity(ies), and that by bis/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

COLOCO

WITNESS my hand and official seal.

Place Notary Seal Above

SHIGERU KENINETH HAYAKAW

Commission # 1738026 Notary Public - California

Los Angeles County

My Comm. Expires May 7, 2011

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Docume Title or Type of Document:	ent Certif	icate of Accept	Luce
Document Date: 5-2-0	7	Number of Pages:	me
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Capacity(ies) Claimed by Signer	(s)		
Signer's Name:		Signer's Name:	
Individual		Individual	
Corporate Officer — Title(s):		Corporate Officer — Title(s):	
<ul> <li>Partner — Limited General</li> <li>Attorney in Fact</li> <li>Trustee</li> </ul>	RIGHT THUMBPRINT OF SIGNER Top of thumb here	<ul> <li>Partner — I Limited General</li> <li>Attorney in Fact</li> <li>Trustee</li> </ul>	RIGHT THUMBPRINT OF SIGNER Top of thumb here
Guardian or Conservator Other:		Guardian or Conservator Other:	
Signer Is Representing:		Signer Is Representing:	

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## Exhibit A

#### STATE COASTAL CONSERVANCY PUBLIC MEETING MINUTES

Resolution

January 18, 2007 9:00 am Board Chambers 1600 Pacific Highway, Rm 310 San Diego, CA

#### **MEMBERS PRESENT:**

Douglas Bosco (Public Member), Chair Jeremy Hallisey (Public Member Ann Notthoff (Public Member) Karen Scarborough (Designated Representative, Resources Agency) Patrick Kruer (Designated Representative, Coastal Commission) Fred Klass (Designated Representative, Department of Finance)

#### OVERSIGHT LEGISLATORS PRESENT:

There were no Oversight members present

#### **OTHERS PRESENT:**

Sam Schuchat, Executive Officer Pat Peterson, Deputy Attorney General Marcia Grimm, Staff Counsel

#### 1. ROLL CALL

Chairman Bosco introduced Pat Kruer, Chair of the Coastal Commission attending his first Conservancy meeting. He also recognized the tragic loss of Elizabeth Brem, public member of the Conservancy, who had just begun her participation with the Conservancy in November, and of Project Staff member Mary Travis, after a long illness. There was a moment of silence in remembrance of these two dedicated members of the Conservancy family.

#### 2. APPROVAL OF MINUTES:

The Minutes of the November 9, 2006 public meeting were approved without change.

## 3. LAGUNA COAST ACQUISITIONS

Deborah Ruddock of the Coastal Conservancy presented the Staff Recommendation.

1

Speaking in response to the Staff Recommendation: Melvin Nutter, representing Don May. It was moved and seconded that staff's recommendation be approved after modifying conditions #2 and #3 to the Resolution:

#### Resolution:

"The State Coastal Conservancy hereby reverses its April 2006 determination and now determines that the five acre parcel which is the subject of the Irrevocable Offer to Dedicate Fee Title, recorded as No. 01-2260417 of Los Angeles County Official Records (OTD), is suitable for the purpose of implementing a resource enhancement program at the Los Cerritos Wetlands and designates the Los Cerritos Wetlands Authority (LCWA), a joint powers authority, to accept this OTD. The State Coastal Conservancy further authorizes disbursement of an amount not to exceed thirty thousand dollars (\$30,000) to the LCWA to prepare a feasibility analysis of the use of the five-acre parcel for natural resource restoration purposes under the Los Cerritos Wetlands resource enhancement program. This authorization is subject to the following conditions:

- 1. Prior to the disbursement of any funds, the LCWA shall submit for the approval of the Conservancy's Executive Officer the work plan, budget schedule and any contractors to be used for the analysis.
- 2. Within two years of the acceptance of the OTD by the LCWA, the LCWA shall conduct the feasibility study and shall submit the feasibility study to the Conservancy for approval.
- 3. The Conservancy shall approve any transfer of the OTD property by the LCWA."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- The project is consistent with the purposes and criteria of Chapter 6 of the Division 21 of the Public Resources Code (Sections 31251-31270) regarding enhancement of coastal resources;
- 2. The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines."

Approved by a vote of 6-0.

#### 5. SOUTHERN CALIFORNIA WETLANDS RECOVERY PROJECT

Karen Bane of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Shara Fitzler, Wetlands Recovery Assistant Program.

#### Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to six hundred fifty thousand dollars (\$650,000) to Environment Now to manage a wetlands restoration local assistance program as a component of the Southern California Wetlands Recovery Project, subject to the condition that prior to the disbursement of any Conservancy funds, Environment Now shall submit

 Accessible San Diego is a nonprofit organization existing under Section 501 (c) (3) of the Internal Revenue Service Code, whose purposes are consistent with Division 21 of the Public Resources Code."

Moved and seconded. Approved by a vote of 6-0.

#### 7. SAN DIEGO SEA URCHIN FISHERY

Rebecca Pollock of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Peter Halmay, Secretary, San Diego Waterman's Association.

#### Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of up to \$114,120 from funds provided by the Resources Agency for ocean protection purposes to the San Diego Watermen's Association to collect and synthesize scientific data on the San Diego Sea Urchin Fishery Project, as authorized by the California Ocean Protection Council and described in the accompanying staff recommendation, in order to promote stewardship by the San Diego sea urchin fishing community, and move the fishery toward long-term conservation and sustainability. Prior to the disbursement of these funds, the Executive Officer of the Conservancy shall review and approve a work program, budget and schedule for the project."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with the purposes and criteria set forth in Chapter 3 (Section 31111) and Chapter 5.5 (Section 31220) of Division 21 of the Public Resources Code, regarding the protection and restoration of coastal, ocean and marine resources, and authorizing funding of plans and feasibility studies for these purposes.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

Moved and seconded. Approved by a vote of 6-0.

#### 8. CARMEL RIVER PARKWAY

Trish Chapman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Donna Meyer, Big Sur Land Trust.

#### Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three million five hundred thousand dollars (\$3,500,000) to the Big Sur Land Trust (BSLT) for the acquisition of the Quail property (Assessor Parcel Number 157-121-006) and all or a portion of the

- a. Evidence that DPR has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
- b. A final work program, including final construction drawings, a final budget, schedule, and names of any contractors and subcontractors to be employed for these tasks.
- c. A signing plan for the project acknowledging Conservancy participation, and the site's function as a segment of the California Coastal Trail.
- 2. The project shall be consistent with the Conservancy's 'Standards and Recommendations for Accessway Location and Development'.
- 3. DPR shall manage and maintain the public access improvements for a period of not less than 20 years."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with the purposes and objectives of Sections 31400, et. seq. of Division 21 of the Public Resources Code regarding coastal access.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by the County of San Mateo on December 13, 2006, under the California Environmental Quality Act ("CEQA"), and attached to the accompanying staff recommendation as Exhibit 3 and finds that there is no substantial evidence that the project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
- 4. The proposed projects serve greater than local needs."

Moved and seconded. Approved by a vote of 6-0.

### 10. LAKE BERRYESSA SHORELINE TRAIL

Betsy Wilson of the Coastal Conservancy presented the Staff Recommendation.

#### Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred fifty thousand dollars (\$150,000) to Berryessa Trails and Conservation to design approximately 135 miles of the proposed 150-mile Lake Berryessa Shoreline Trail in the Lake District of eastern Napa County, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has approved in writing a final work plan, including a budget and schedule, and any contractors proposed to be used."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3. Pursuant to its responsibilities under the California Environmental Quality Act ("CEQA"), the Conservancy has independently reviewed the Laguna de Santa Rosa Protected Lands and Trails Plan Mitigated Negative Declaration and Initial Study adopted by the District on December 5, 2006, attached to the accompanying staff recommendation as Exhibit 5, and finds that the portion of the project to be funded by the Conservancy, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382."

Moved and seconded. Approved by a vote of 6-0.

#### 12. SALMON CREEK FALLS ENVIRONMENTAL CENTER

Richard Retecki of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Victoria Johnston, Project Facilitator, Harmony Union School District.

#### Resolution:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seven hundred fifty thousand dollars (\$750,000) to the Harmony Union School District (HUSD) to construct an environmental education center, subject to the following conditions:

- 1. Prior to the disbursement of funds, the grantee shall submit for the review of the Executive Officer of the Conservancy:
  - a. A work program, including a budget and project schedule.
  - b. Final design and construction drawings.
  - c. Documentation that HUSD has obtained all permits and approvals required for the project.
  - d. Any contractor to be retained by HUSD to undertake work on the project.
  - e. A sign plan for the project acknowledging Conservancy funding.
- 2. HUSD shall provide evidence that all additional funds necessary for the constructions of the environmental education center have been secured."

Findings:

public use at Seaside Beach, as described in the accompanying staff recommendation. This authorization is subject to the following conditions:

- 1. Prior to the disbursement of any funds, CoLT shall submit for the review and approval of the Executive Officer of the Conservancy:
  - a. A work program, budget, schedule, and the names of any contractors to be employed in carrying out the project.
  - b. Evidence that all necessary permits and approvals have been obtained.
  - c. A signing plan for the project acknowledging Conservancy participation.
- 2. CoLT shall enter into an agreement pursuant to Public Resources Code Section 31116(c) sufficient to protect the public interest and provide for maintenance of the project for no less than twenty (20) years."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 (§§31400-31409) of the Public Resources Code.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3. The proposed project will serve greater than local needs.
- 4. The Coastal Land Trust is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and its purposes are consistent with Division 21 of the Public Resources Code."

#### **B. EEL RIVER SALMONID RESOURCES PROJECT**

Resolution:

"The State Coastal Conservancy hereby authorizes the acceptance of one hundred thousand dollars (\$100,000) from the Sonoma County Water Agency ("SCWA") and the disbursement of those funds to the Center for Ecosystem Management and Restoration in addition to the funds previously approved by the Conservancy for the Eel River Salmonid Resources Project, as described in the accompanying staff recommendation. Disbursement of the additional funds shall be subject to the same conditions specified for disbursement of the funds authorized for the project by the Conservancy on October 3, 2006 (see Exhibit 1 attached to the accompanying staff recommendation). "

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with the purposes and criteria set forth in Public Resources Code Sections 31400-31409 regarding establishing a system of public coastal accessways.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
- 3. Orange County Coastkeeper is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Service Code, whose purposes, which include the preservation and restoration of land for public access and recreation, are consistent with Division 21 of the Public Resources Code."

#### E. MONTEREY BAY AQUARIUM RESEARCH INSTITUTE

#### Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed ninety thousand dollars (\$90,000) to the Monterey Bay Aquarium Research Institute (MBARI) to carry out an economic study evaluating existing state expenditures and funding gaps for the protection and restoration of California coastal and ocean resources, subject to the condition that prior to the disbursement of any Conservancy funds, MBARI shall submit for review and approval of the Executive Officer of the Conservancy, a work program, budget, schedule, and any contractors and subcontractors to be employed to complete the study."

#### Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with Chapter 5.5 (regarding coastal and marine resources protection) of Division 21 of the Public Resources Code.
- 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy of January 24, 2001.
- 3. MBARI is a private nonprofit organization existing under Section 501(c) (3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code."

Moved and seconded. All Consent items were approved by a vote of 6-0.

#### **15. EXECUTIVE OFFICER'S REPORT**

- a. Trish Chapman gave a presentation and update on the San Clemente Dam Removal Project.
- b. Michael Bowen gave a report and handout on the Klamath River Dam.
- c. Neal Fishman gave a report on the Long-term Financial Strategy.
- d. Nadine Hitchcock gave a report on the process for updating the Conservancy Strategic Plan.

## CALIFORNIA CONSERVATION COALITION

January 17, 2007

Chairman Douglas Bosco and Members of the Board of Directors State Coastal Conservancy State of California 1330 Broadway Avenue, 13th Floor Oakland, CA 94612-2530

#### Dear Chairman Bosco and Board Members:

We are writing to respectfully encourage the Coastal Conservancy to support and participate in the defense of a Conservancy-funded project: the Lower Ranch Agricultural Conservation Easement in Sonoma County. This easement provides important public conservation benefits and is part of a large landscape in and around the San Pablo Bay that the Coastal Conservancy has played a pivotal role in conserving. The Conservancy's participation in this case will help ensure that the terms of the conservation easement are upheld.

Conservation lands and easements lands protected in perpetuity will face continuing legal challenges over the coming years. It is incumbent upon the organizations that hold the lands and easements to ensure that the property remains protected and that the conservation values and uses remain unchanged. However, it is also the responsibility of those public entities with a direct vested interest to support and defend the easements on behalf of the State of California

While the Conservancy does not hold most of the lands it has protected, the Conservancy has made a significant financial investment using public resources in this and other key San Pablo Bay projects. The Conservancy relies on the Sonoma Land Trust to uphold the easement just as the Land Trust depends on the Conservancy to remain a partner in the property's protection.

California taxpayers have invested billions of dollars in protecting important conservation values throughout the state through the purchase of land and conservation easements. As the years go by and development pressures intensify, California will be faced with two distinct scenarios. Will these protected properties still exist and provide Californians the legacy of natural landscapes they desire for themselves and future generations? Or, will that legacy be lost to political pressures that leave Californians surrounded by industrial and developed properties with no remnant of what California once was?

For these reasons, we respectfully encourage your active participation in defending the Lower Ranch Agricultural Conservation Easement held by the Sonoma Land Trust to help protect the public's investment in this important conservation property that contributes to the lasting legacy of our truly Golden State.

Sincerely,

all Darla Guenzler

California Council of Land Trusts

Rachel Dinno

Trust for Public Land

Midning Rust

Audrey Rust Peninsula Open Space Trust

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Conservation lands and easements lands protected in perpetuity will face continuing legal challenges over the coming years. It is incumbent upon the organizations that hold the lands and easements to ensure that the property remains protected and that the conservation values and uses remain unchanged. However, it is also the responsibility of those public entities with a direct vested interest to support and defend the easements on behalf of the State of California

While the Conservancy does not hold most of the lands it has protected, the Conservancy has made a significant financial investment using public resources in this and other key San Pablo Bay projects. The Conservancy relies on the Sonoma Land Trust to uphold the easement just as the Land Trust depends on the Conservancy to remain a partner in the property's protection.

California taxpayers have invested billions of dollars in protecting important conservation values throughout the state through the purchase of land and conservation easements. As the years go by and development pressures intensify, California will be faced with two distinct scenarios. Will these protected properties still exist and provide Californians the legacy of natural landscapes they desire for themselves and future generations? Or, will that legacy be lost to political pressures that leave Californians surrounded by industrial and developed properties with no remnant of what California once was?

For these reasons, we respectfully encourage your active participation in defending the Lower Ranch Agricultural Conservation Easement held by the Sonoma Land Trust to help protect the public's investment in this important conservation property that contributes to the lasting legacy of our truly Golden State.

Sincerely,

Mark Bergstrom



disbun Southe



THIS FORM IS NOT TO BE DUPLICATED

#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

California. Except, however, that if the sale of the Real Property generates a dollar amount greater than one million eight hundred thousand dollars (\$1,800,000) plus transaction costs for the sale ("the Sales Proceeds"), the dollar amount greater than the Sales Proceeds shall be returned to SCE within sixty (60) days of the sale of the Real Property.

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- C. The Conservancy is an agency of the State of California, established pursuant to Public Resources Code Section 31000 *et seq.*, and is legislatively enabled to, or to assist public agencies and nonprofit organizations to, acquire, restore and enhance coastal wetlands and its habitat;
- D. SCE is an investor-owned public utility incorporated in California and primarily engaged in the business of supplying electric energy to over 11 million people in central and southern California;
- E. SCE intends through this Offer to bind itself and its assigns and successors in interest; and
- F. SCE is executing this Offer to comply with the Consent Decree, as amended, in the Litigation.

NOW, THEREFORE, in consideration of their mutual promises contained below and in light of the pertinent facts above, SCE hereby irrevocably offers to dedicate fee title to the Real Property to the State of California, acting by and through the Conservancy or its successor agency, or its designee, as follows:

- 1. <u>PURPOSE.</u> The purpose of this Offer is to dedicate fee title to the Real Property to implement the Conservancy's resource enhancement program at the Los Cerritos Wetlands. If, at the sole discretion of the Conservancy, the Conservancy determines that the Real Property is unsuitable for the Conservancy's Los Cerritos Wetland program, then the purpose of this Offer shall be for the Conservancy to use the proceeds from the sale of the Real Property at fair market value to fund the Southern California Wetlands Recovery Project, or should the Southern California Wetlands Recovery Project cease to exist, to fund wetland acquisition and/or restoration in Southern California.
  - ACCEPTANCE OF OFFER. This Offer may be accepted by the Conservancy, or by another federal, state, or local governmental entity or

2

01 2260417

#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

accept this Offer and sell the Real Property to the Conservancy's selected Transferee at fair market value, or to assign for monetary consideration to the selected Transferee the Conservancy's rights and obligations under this Offer for the purpose of accepting the Offer; provided that in no case shall the Conservancy select May/Jeffries, EarthCorps, a nonprofit organization, or any other organization of which May or Jeffries is a Board Member or Officer, as the Transferee. Provided further, that during this twelve (12) month period following the five years from the execution of the Offer, the Conservancy has the right to reverse its determination about the unsuitability of the Real Property for the purpose of implementing a resource enhancement program at Los Cerritos Wetlands, and the Conservancy still may accept the Offer and allow for the use of the Real Property to meet the purpose of the Offer.

In the event that May/Jeffries cannot provide a list of Transferees to the Conservancy, or in the event, for any reason, none of the May/Jeffries proposed Transferees can or will accept the transfer of the Real Property under the terms of this Offer, the Conservancy may elect to sell or assign its rights under this Offer to the Real Property to an entity other than an entity designated on the May/Jeffries list.

Upon sale of the Real Property or the assignment of the Offer for monetary consideration, the proceeds of the sale or assignment shall be deposited in the Conservancy's General Fund for the purposes of disbursement to the Southern California Wetlands Recovery Project, or if the Southern California Wetlands Recovery Project does not exist, for the purpose of funding wetlands acquisition and/or restoration in Southern California. Except, however, that if the sale of the Real Property or the assignment of this Offer generate a dollar amount greater than one million eight hundred thousand dollars (\$1,800,000.00) plus transaction costs for the sale or assignment ("the Sales Proceeds"), the dollar amount greater than the Sales Proceeds shall be returned to SCE within sixty (60) days of the sale of the Real Property. SCE shall have no obligation to the Conservancy if the Sales Proceeds are less than one million eight hundred thousand dollars (\$1,800,000.00).

BENEFIT AND BURDEN. This Offer shall run with and burden the Real Property. All obligations, terms, conditions, and restrictions imposed by this Offer shall be deemed covenants and restrictions running with the land and shall be effective limitations on the use of the Real Property from the date of recordation of this document, and shall bind the

4

5.



#### 6/4/01

#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

on the Real Property under this section. Before undertaking any activity on the Real Property that requires a governmental permit, the Conservancy will obtain the permit and pay any fee or expense required to obtain or carry out the permit.

8.

USES AND PRACTICES DURING OFFER PERIOD. During the term of the Offer, SCE shall be entitled to the full and free use of the Real Property and to other income that may be produced from the Real Property, and shall be liable for all taxes, liens and other costs for the maintenance and operation of the Real Property, as described below. SCE agrees that "full and free use" is intended to be limited to any present or recent use of the Real Property and to include any other use of the Real Property to which the Conservancy or its designee may consent, which consent will not be unreasonably withheld. SCE further agrees that during the term of this Offer, it will not sell, transfer or assign any development rights, density credits or mitigation credits relating to the Real Property, except as provided below.

PERMITTED EXCEPTIONS. The Conservancy agrees to accept title 9. to the Real Property subject to the following matters: (1) liens for current real property taxes and any general or special assessments or bonds that are not delinquent as of the date of transfer of the Real Property, and the lien for supplemental taxes, if any, assessed pursuant to Division 1, Part 0.5, Chapter 3.5 of the California Revenue and Taxation Code, that are not delinquent as of the date of transfer of the Real Property; (2) lien of the trust indenture dated October 1, 1923 by and between SCE and Harris Trust and Savings Bank, and D. G. Donovan, as amended and supplemented (the "Indenture"); (3) all recorded easements; and (4)an easement, to be recorded simultaneously with the Certificate of Acceptance, for SCE power lines, and appurtenant facilities, that cross or serve the Real Property. SCE will prepare and record a complete release of the Real Property from the lien of the Indenture within a period of one (1) year from the date of the recordation of the Certificate of Acceptance.

10. TRANSFER OF REAL PROPERTY. Transfer of the Real Property by SCE shall be subject to the approval of the State of California, acting through the Executive Officer of the Conservancy or its designee, which approval shall not be unreasonably withheld, and the transferee shall be subject to all terms, conditions and restrictions contained in this Offer.

6



#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

Conservancy shall not be relieved of any obligations under this Offer, which shall remain in full force and effect, nor shall any such circumstances, conditions or facts give rise to any right of damages, rescission, cost recovery, or otherwise against SCE.

Provided, however, that SCE has performed a Phase 1 Environmental Site Assessment ("Phase 1 ESA") for the Real Property, which has been provided to the Conservancy. Although the Phase I ESA does not recommend further Environmental Site Assessment ("ESA"), technical experts from the California Department of Toxic Substances Control ("DTSC"), on behalf of the Conservancy, and SCE agree to jointly review the Phase I ESA and determine, in their best professional judgement if SCE should prepare additional ESAs. If that determination is jointly made, SCE shall prepare a subsequent ESA. SCE represents that any contamination identified in the Phase 1 ESA does not constitute a violation of any existing and applicable Law. and that SCE shall come into compliance with applicable Law if a subsequent ESA shows a violation of applicable Law. SCE also warrants that all its operations and activities currently performed on the Real Property are in compliance with applicable Law. SCE further represents that, to SCE's knowledge, no hazardous materials are located on, in, under or about the Real Property except for such materials customarily used in SCE's or its licensee's operation and which are stored in accordance with all applicable hazardous materials laws; and that SCE has not received notice of any violations of any hazardous materials laws or demand that SCE remediate any hazardous materials contamination emanating from the Real Property that have not been addressed to the satisfaction of the regulatory agency issuing the notice.

To the extent such Phase 1 ESA- or further ESA-identified contamination is out of compliance with any existing and applicable Law, SCE and Conservancy shall prepare a mutually acceptable schedule under which SCE will achieve compliance with such Law. If SCE knows of, and is responsible for, any environmental contamination that occurs after the date of the Offer and prior to acceptance of the Offer or six (6) years from the date of the Offer, which ever comes first, and the environmental contamination is in violation of applicable Law, then SCE and Conservancy shall prepare a mutually acceptable schedule under which SCE will achieve compliance with such Law.

#### 6/4/01

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#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

- ENFORCEMENT RIGHTS OF PARTIES. In the event of a violation 14. of any term, condition, covenant, or restriction contained in this Offer, the each party may institute a suit to obtain specific performance from the other party. The enforcing party may take all other reasonable actions that it deems necessary to ensure compliance with the terms, conditions, covenants, and purposes of this Offer, including the Conservancy exercising the right to enter the Real Property and cure the condition at the expense of SCE (including reasonable attorney's fees), after notification by the enforcing party to the other party of the condition, and after granting the other party a reasonable period of time in which to cure the condition. Any failure of a party to act shall not be deemed a waiver or forfeiture of that party's right to enforce any term, condition, covenant, or purpose of this Offer in the future. If material loss or damage occurs to the Real Property during the term of this Offer, the Conservancy may elect to terminate the Offer by delivering written notice to SCE within thirty (30) days after discovering such loss or damage. The Conservancy shall have no other right or remedy in the event of such loss or damage.
- 15. <u>CONSTRUCTION OF VALIDITY</u>. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be affected or impaired by the holding.
- 16. <u>SUCCESSORS AND ASSIGNS</u>. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both SCE and the Conservancy, whether voluntary or involuntary.
- 17. <u>TERM</u>. This Offer shall be irrevocable, except as otherwise provided in this Offer, and upon recordation of an acceptance in the form of Exhibit B, this Offer shall have the effect of a grant of the Real Property interest to the State of California, on behalf of the Conservancy or its designee, which designee shall have executed a substantially similar acceptance, as provided in this Offer.
- 18. <u>NOTICES</u>. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage prepaid, addressed as follows:



## PROPOSED 5.11 ACRE PARCEL

A portion of Parcel 3 of City of Long Beach Lot Line Adjustment No. 9704-09, recorded December 12, 1997 as Instrument No. 97-1958950, Official Records of Los Angeles County, California, being a portion of the East one-half of Section 2, Township 5 South, Range 12 West, in the Rancho Los Alamitos, as shown on Partition Map recorded in Book 700, Page 141 of Deeds, in the Office of the Los Angeles County Recorder, described as follows:

BEGINNING at the Southwest corner of said Parcel 3, being the Southwest corner of said East onehalf of Section 2, and being the centerline intersection of Westminster Avenue (100 feet wide) and Studebaker Road (100 feet wide);

Thence N.00 Degrees 10'03"E. along the Westerly line of said Parcel 3, being the Westerly line of said East one-half of Section 2, and also being said centerline of Studebaker Road, a distance of 400.00 feet,

Thence S.89°50'17"E., a distance of 432.00 feet;

Thence S.64°14'06"E., a distance of 75.53 feet;

Thence S.00°52'36"W., a distance of 367.39 feet, to the Southerly line of said Parcel 3, being the Southerly line of said East one-half of Section 2, and also being said centerline of Westminster Avenue.

Thence N.89 Degrees 50'17"W. along said Southerly line and said centerline, a distance of 556.67 feet, to the Point of Beginning.

The above described parcel of land contains 5.11 acres, more or less.

SUBJECT to a easement for road purposes granted to the County of Los Angeles by document recorded January 30, 1963 in Book D1904, Page 438 thereof, Instrument No. 5480, Official Records of Los Angeles, County, California.

The property described is intended for conveyance to a public agency in accordance with State of California Subdivision Map Act (S.M.A.) Section 66428(a)(2). Conveyance other than as specified in said S.M.A. would be a violation thereof.

KCT CONSULTANTS, INC. Prepared Under the Supervision of:

CRat 6-5-01 PLS No. 6152

Marissa Crowther

Date:

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#### Los Cerritos Property Offer to Dedicate Fee Title Los Angeles County

#### EXHIBIT A

### The Real Property



11 7237 SCALE 1" Z

# **Exhibit C**

OTD Parcel Wetlands Feasibility Study Tidal Influence





Department of Toxic Substances Control



Alan C. Lloyd, Ph.D. Agency Secretary Cal/EPA 1011 North Grandview Avenue Glendale, California 91201 Arnold Schwarzenegger Governor

May 5, 2005

Mr. Ralph A. De La Parra Manager of Environmental Engineering Southern California Edison P.O. Box 800 2244 Walnut Grove Avenue Rosemead, California 91770

FINAL PHASE II ENVIRONMENTAL SITE ASSESSMENT REPORT, ALAMITOS EDISON PIPELINE AND TERMINAL COMPANY PARCEL 3-4, LONG BEACH, CALIFORNIA

Dear Mr. De La Parra:

The Department of Toxic Substances Control (DTSC) has reviewed the subject report for the Edison Pipeline and Terminal Company Alamitos Parcel 3-4 (EPTC 3-4) submitted by CH2MHill. The report documents the investigation activities for EPTC 3-4 located in Long Beach, California.

DTSC approves the Phase II Report. Based on the information provided, DTSC concurs with the report in that the site is suitable for commercial/industrial use. Sampling results indicate that metals, chlorinated pesticides, volatile organic compounds, semi-volatile organic compounds and polychlorinated biphenyls are present at the site but within the limits for a commercial/industrial land-use scenario. A deed restriction which prohibits the site from sensitive uses such as residential, hospitals, public or private schools, and day care centers for children, should be prepared for the site. If the land use were to change then additional characterization and/or remediation would be required.

If you have any questions please contact Mr. Tedd Yargeau, Project Manager, at (818) 551-2864 or myself at (818) 551-2822.

Sincerely,

Sayareh Amir, Chief Southern California Cleanup Operations – Glendale Office

cc: see next page

Printed on Recycled Paper

# **Exhibit D**

OTD Parcel Wetlands Feasibility Study Tidal Influence





# Entire Parcel, Inside Fenceline View

Facing SE



View from Across Intersection of Studebaker rd. and 2nd st. Facing NE





View of Initial Condition of Access From Studebaker

## View of Access After Improvements

View of Initial Condition of Access
Encampment Near Access Gate

Typical Soil Conditions

# **RainWater Collected On-Site**



# **Exhibit E**

OTD Parcel Wetlands Feasibility Study Tidal Influence A SUMMARY REPORT OF THE APPRAISAL of THE APPROXIMATE 4.07 ACRE "OTD" SITE located at Northeast Corner of the Intersection of Studebaker Road and East 2<sup>nd</sup> Street Long Beach, CA 90803

DATE OF VALUE

April 6, 2010

PREPARED FOR

Mr. Taylor Parker TIDAL INFLUENCE 1430 E. Florida Street Long Beach, CA 90802

PREPARED BY

# **Robertson & Associates**

QUALITY APPRAISAL SERVICES 3580 E. Pacific Coast Hwy. Ste. 10 Long Beach, California 90804

APPRAISAL & CONSULTING SERVICES

### LETTER OF TRANSMITTAL

April 15, 2010

Mr. Taylor Parker, Co-Principal TIDAL INFLUENCE 1340 East Florida Street Long Beach, CA 90802

Re: Appraisal of the "OTD" Site
4.07 +/- Net Acres of Vacant Land Zoned PD1 SubArea 19 – Industrial
Northeast Corner (NEC) of the Intersection of Studebaker Road and East 2<sup>nd</sup> Street
Long Beach, CA 90803

Dear Mr. Parker:

In fulfillment of your request, we are pleased to transmit herewith the summary narrative report of our appraisal of the market value of the fee simple interest in the above referenced property as of April 6, 2010. The report was prepared solely for the use of the client, Tidal Influence, and its client - the Los Cerritos Wetlands Authority and its Board of Directors. The opinion of value is developed for the client's intended use of determining the current market value to assist in portfolio management and for due diligence purposes.

As agreed upon with the client prior to the preparation of this appraisal, this report is the result of the scope of work set forth in the appraisal. We used the Sales Comparison Approach to estimate value. This report sets forth our value opinion, along with supporting data and reasoning that form the basis of our opinion. The value opinion reported is qualified by certain definitions, limiting conditions, and certifications that are set forth in the report. The property is more completely described therein, by legal description, location maps, and photographs.

Under the Assumptions and Limiting Conditions as set forth in the report, we reconciled the approach, analyses, and information obtained. This appraisal process led us to the professional opinion that the MARKET VALUE of the FEE SIMPLE INTEREST in the Site "Offered to Dedicate" (OTD) to the Los Cerritos Wetlands Authority and located at the Northeast Corner of the intersection of Studebaker Road and East 2<sup>nd</sup> Street, Long Beach, Los Angeles County, California 90803, "assuming approval by the City and Coastal Commission of a lot split of the area offered for dedication" is:

# THREE MILLION ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS \$ 3,135,000

The effective date of the value is April 6, 2010, the date the property was first inspected. The date of the report is referenced above and is the date the appraisal was written and completed.

3580 E. Pacific Coast Hwy. Ste. 10, Long Beach, CA 90804 Phone (562) 494-7520 Fax (562) 494-2995 E-mail: David@RobertsonRA.com

Appraisal of NEC Studebaker & E. 2<sup>nd</sup> Street Long Beach, CA 90803 Page 2

The appraisal was developed and reported in compliance with the requirements set forth by the <u>Uniform Standards of Professional Appraisal Practice (USPAP)</u> of the Appraisal Foundation, and supplemental <u>Standards of Professional Appraisal Practice</u> and the "Code of Professional Ethics" of the Appraisal Institute. To the best of our knowledge and belief, this report has also been prepared in conformity with federal and state laws. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated within the report.

No other parties are authorized to use this report without the written permission of the Appraisers. The client is not authorized to use this report for any other purpose other than intended purpose set for in this letter without the written permission of the Appraisers. The Appraisers are not responsible for any unauthorized use of this report. Here follows a summary report of our appraisal upon which the opinion expressed is based.

Respectfully submitted, *Robertson & Associates* 

by: \_\_\_\_\_

David C. Robertson, MAI CA SCGREA # AG001996 Exp. 11/16/2010

### **TABLE OF CONTENTS**

### **DESCRIPTION**

#### **PAGE**

### Summary, Limiting Conditions and Definitions

Photographs of Subject & Street Scene 1
Assumptions and Limiting Conditions
Competency Rule 12
Prohibited Influences
Summary of Important Facts and Conclusions
Valuation Process
Effective Date of Value & Date of Report
Definition of Market Value 15
Scope of Work
Valuation Methodologies 17
History of Property 17
Economic Overview
Industrial Market Overview
Analysis and Description of Region
Analysis and Description of City and Neighborhood
Tax and Assessment Analysis
Plat Map
Site Description

### Valuation Analysis

Highest and Best Use	. 31
Land Sales Comparison Approach to Value	. 33
Reconciliation & Final Value Estimate	. 48
Reasonable Exposure & Marketing Time	. 49
Certification	. 51
Qualifications	. 52



View of the Subject Site Looking Southeasterly from Studebaker Road



Street scene looking south on Studebaker Road. Subject is on the immediate left.



Street scene looking east on East 2<sup>nd</sup> Street. Subject is on the immediate left.



Street scene looking west on East 2<sup>nd</sup> Street. Subject is on the immediate right.

### PHOTOGRAPHS OF SUBJECT



The site has a built-up wooded berm along  $2^{nd}$  Street and Studebaker Road to buffer the interior paved area of the site. Electrical power and gas are on site.



View of the easterly boundary of the site looking north. The road on the right is a service road for the adjacent property owner.

### PHOTOGRAPHS OF SUBJECT



View of northerly boundary of the Subject site. The road on the left is a service road for the adjacent property owner.



View of the fenced interior paved area of the site looking northwesterly.



View of the tent camp on the site used by homeless people.



View of the fenced interior of the site which is fenced and has a gravel surface.



Another view of the paved area looking north.



Another view of the paved area looking west.



View of some of the trash on the site.



View of some of the trash on the site.

### STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal of the subject real property interest is for no other purpose than property valuation, and the appraisers are not attempting to or holding forth any special expertise to go beyond that narrow scope. The reader should be aware that there are inherent limitations to the information and analyses contained in the report. Persons and firms reviewing, utilizing, or relying on this report in any manner bind themselves to accept the following assumptions and limiting conditions. These conditions are a part of the appraisal report. They are a preface to any certification, definition, fact, or analysis. They establish as a matter of record the Appraisers' function is to provide an opinion of present market value for the subject property interest based upon the Appraisers' observations as to the subject property and real estate market. The appraisal is not an engineering, construction, legal, or architectural study nor survey, and expertise in these areas, among others, is not implied. The values and conclusions reported in this appraisal report are subject to the following general assumptions and limiting conditions and other such specific assumptions and specific limiting conditions as set forth in the appraisal report.

#### **Limits of Liability**

1. There is no accountability, obligation, or liability to any third party. This appraisal was prepared for the client (the intended user), and for the intended purpose set forth in the appraisal. If the appraisal is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions.

2. The Appraiser(s) are in no way responsible for any costs incurred to discover or correct any deficiencies of any type present in the property; physically, financially, and/or legally.

3. The contract for the appraisal, consultation, or analytical service is fulfilled, and the total fee is payable upon completion of the report. The Appraiser(s) or those assisting in the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal, in full or in part, nor engage in post-appraisal consultation with client or third parties except under separate and special arrangement and at additional fee. If testimony or deposition is required by any subpoena, the client shall be responsible for any additional time, fees, and charges regardless of the issuing party.

4. In the case that this appraisal is for a limited partnership, real estate investment trust, limited liability corporation, or any other syndication or stock offering in real estate, the client agrees that in the case of lawsuit (brought by lender, partner or any part owner in any form of ownership, tenant, or any other party), client will hold the Appraisers completely harmless in such action from any and all awards or settlements of any type of such lawsuit regardless of outcome.

#### **Limits of Legal Opinions**

5. No responsibility is assumed for matters of a legal nature affecting the property appraised or the title thereto, nor is any opinion rendered as to the title, which is assumed to be good and marketable unless otherwise stated in the report.

6. All mortgages, liens, encumbrances, leases, and servitudes have been disregarded unless so specified in the report.

7. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state or federal government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the report.

9. A legal survey has not been made of the property by the Appraiser(s) and no responsibility is assumed in such matters typically provided in such a survey. Plot plans, floor plans, and any sketches or illustrative material in the report may show approximate dimensions and are included to assist the reader in visualizing the property. It is assumed that the utilization of the land and the improvements are within the boundaries or property lines of the property described and that there are no encroachments or trespasses unless otherwise noted in the report.

#### Limits of Property Inspections and Engineering Reports

10. Although the appraisal may contain information about the physical items that are a part of this property being appraised (including their adequacy and/or condition), it should be clearly understood that this information is only to be used as a general guide for property valuation and not as a complete and detailed physical report. The Appraiser(s) are not construction, engineering, environmental, or legal experts, and any statements given in this report should be considered preliminary in nature. The client is urged to retain an expert in the appropriate field, if desired.

11. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. No responsibility is assumed for such conditions, or for any engineering which might be required to discover such factors.

12. The observed condition of the foundation, roof, exterior walls, interior walls, floors, heating system, plumbing, insulation, electrical service, any mechanical equipment, and structural construction is based on a casual inspection only. Because no detailed inspection was made and because such knowledge goes beyond the scope of this appraisal, any observed condition or other comments given in this appraisal report should not be taken as a guarantee that a problem does or does not exist. Specifically no guarantees are made as to the adequacy or condition of any item, and the client is strongly urged to retain an expert for the appropriate type of inspection, if desired.

13. Environmental Hazards - Unless otherwise stated in the report, the existence of hazardous substances, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor were observed by the Appraiser(s) during the inspection. The Appraiser(s) have no knowledge of the existence of such materials on or in the property unless otherwise stated. The Appraiser(s) are not qualified to detect such substances or conditions. The presence of substances such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property. The value estimate is predicated on the assumption that there is no such condition on or in the property or in such conditions, nor for any expertise or engineering knowledge required to discover them. It is assumed that there is full compliance with all applicable local, state, and federal environmental regulations and laws unless non-compliance is stated, defined, and considered in the report. The client is urged to retain an expert in this field, if desired.

14. **ADA Compliance** - The American Disabilities Act (ADA) became effective January 26, 1992. The Appraiser(s) are not experts in the field of compliance with the various requirements of the law.

The client is advised to hire such an expert, if desired. The Appraiser(s) have not made a specific compliance survey or analysis of this property to determine whether or not it is in conformity with various detailed requirements of ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. The value estimate is predicated on the assumption that there are no non-compliance conditions that would cause a loss in value. It is assumed that there is full compliance with all applicable local, state, and federal ADA regulations and laws unless non-compliance is stated, defined, and considered in the report. If any non-compliance is determined to exist in the future, the Appraiser(s) reserve the right to adjust the value herein at an additional fee.

15. Earthquake Compliance – Unless otherwise stated in the report, the Appraiser(s) have not determined whether or not the subject property is located in a Special Study (Fault Rupture Hazard) Zone designated under the Alquist-Priolo Act. However, the property that is the subject of this appraisal is within a geographical area prone to earthquakes and other seismic disturbances. The Appraiser(s) are not seismologists and no seismic or geological studies have been provided to the Appraiser(s) concerning the geological and/or seismic condition of the property. The Appraiser(s) have not made a specific compliance survey and analysis of the subject property to determine whether or not it is in conformity with the various detailed seismic requirements of the city, county or state. It is possible that such a survey could reveal that the property does not meet seismic requirements. If so, this fact could have a negative effect on the value of the property. The value estimate is predicated on the assumption that there are no non-compliance conditions that would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. It is assumed that there is full compliance with all applicable local, and state seismic regulations and laws unless non-compliance is stated, defined, and considered in the report. The Appraiser(s) assume no responsibility for the possible effect on the subject property of seismic activity and/or earthquakes.

#### Limits on Reliability of Data and Analyses

16. The appraisal process is limited by economic and time constraints. The Appraiser(s) directed their time and effort in the investigative stage of the appraisal thought to be the most productive. However, there is a possibility that the Appraiser(s) will not obtain all information relevant to the subject property and the comparable sale and rental data.

17. Information, estimates, and opinions furnished by others, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. A reasonable effort has been made to verify such information; however, no responsibility for the accuracy of such items furnished by others is assumed by the Appraiser(s).

18. The comparable sales data relied upon in the appraisal are believed to be from reliable sources. Though all comparables were examined, it was not possible to inspect them all in detail. The value conclusions are subject to the accuracy of the data available.

19. Before relying on any statement made in the appraisal report, interested parties should contact the Appraiser(s) for the exact extent of the data collection on any point which they believe to be important in their decision making. This will enable the interested parties to determine whether they think the extent of the data collection process was adequate to their needs or whether they would like to pursue additional data gathering for a higher level of certainty.

20. Opinions and estimates expressed in the appraisal report represent the Appraiser's best judgment but should not be construed as advice or recommendation to act. Any actions taken by the client, or any others, should be based upon their own judgment and take into account other factors than just the value estimate and information given in this report.

21. This appraisal is an estimate of value based on an analysis of information available at the time the appraisal was made. All values in the report are based upon the Appraiser's analysis as of the date of the appraisal. These values may not be valid in other time periods or as conditions change. No responsibility is assumed for events, conditions, or circumstances affecting the property's market value that take place subsequent to either the date of value contained in the report or the date of the field inspection, whichever comes first.

#### Limits of the Appraisal Report

22. This report is a technical document addressed to the specific needs of the client. Casual readers should understand that this report does not contain all of the information available concerning the subject property and the real estate market. While no factors the Appraiser(s) believe to be significant to the client have been knowingly withheld, it is always possible that the Appraiser(s) have information of significance which may be important to others which are not included in this appraisal report.

23. The market value assumes a knowledgeable buyer and seller. The subject property is typically valued in its as is condition. It is assumed that a typical buyer or current owner going forth will manage the property in a competent and responsible matter.

24. On all appraisals subject to completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner.

25. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

26. This report is made for the information and/or guidance of the client and possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose except that stated in the report, nor by any person other than the party to whom it is addressed without the written consent of the Appraiser(s), and in any event only with the proper written qualification and only in its entirety.

27. If the client is a federally approved financial institution, the appraisal, or a copy thereof, may be furnished for the purpose stated in the appraisal to: the borrower if the appraisal fee is paid by same, the mortgagee or its successors or assigns, mortgage insurers, or any department, agency, or instrumentality of the United States or any state or the District of Columbia, and the Appraisal Institute.

28. Neither all, nor any part of the content of the report, or a copy thereof (including conclusions as to the property value, the identity of the Appraiser(s), professional designations, reference to professional appraisal organizations, or the firm with which the Appraiser(s) are connected), shall be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the Appraiser(s).

11

#### **COMPETENCY RULE**

To the best of their knowledge the undersigned Appraiser(s) hereby acknowledge they hold the appropriate licenses and have attained a level of competency necessary to complete this assignment in a diligent manner, utilizing all of the commonly recognized analysis and techniques generally considered normal in the industry. To the best of their knowledge, the Appraiser(s) have performed similar types of valuations. However, if the Appraiser(s) have not, they have complied with all USPAP requirements in obtaining the necessary knowledge and competency required. The readers are referred to the Exhibit Section of this report that further defines the professional status of the undersigned Appraiser(s).

#### **PROHIBITED INFLUENCES**

I certify that, to the best of my knowledge and belief:

- that I have no present or prospective interest in the property that is the subject of this report and/or the personal interest or bias with respect to the parties.
- my estimate of market value in the appraisal report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- my employment for this appraisal assignment is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

### SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

Location:	The "OTD" Site Northeast corner of the intersection of Studebaker Road and East 2 <sup>nd</sup> Street Long Beach, Los Angeles County, California 90803
Assessor Parcel Number:	Not Assigned
Map Guide:	826 E2
Legal Description:	A 5.11-Acre Portion of Parcel 3 of the City of Long Beach Lot Line adjustment No. 3704-09, recorded December 12, 1997 as Instrument No. 97-1958950, Official Records of Los Angeles County, California, being a portion of the East ½ of Section 2, Township 5 South, Range 12 West, in the Rancho Los Alamitos, as shown on Partition Map recorded in Book 700, Page 141 of Deeds, in the Office of the Los Angeles County Recorder. See page 15 for complete description.
Owner of Record:	Los Cerritos Wetlands Authority
Type of Property:	The Subject site is currently vacant land that is partial paved with a mix of asphalt and gravel.
Site Information: Gross Area: Net Area: Shape: Location: Zoning:	222,590 Square Feet or 5.11 Acres 177,250 Square Feet or 4.07 Acres Basically Rectangular Corner Lot on the signalized "T" intersection at 2 <sup>nd</sup> Street & Studebaker Road PD-1, SubArea 19 – SEADIP planned development with industrial uses in SubArea 19.
Highest and Best Use: As If Vacant:	Hold for Future Development
MARKET VALUE of Fee Simple Interest:	\$ 3,135,000
Date of Value:	April 6, 2010
Exposure to Market Period:	9 Months
Marketing Period:	4 to 12 months

### THE VALUATION PROCESS

The Valuation Process is "systematic procedure an appraiser follows to provide answers to a client's questions about real property value."<sup>1</sup> The first step in this procedure is identifying and clarifying the appraisal question. Clarifying the question involves identifying the real estate, the property rights, the date of the value estimate, the use and purpose of the appraisal, the definition of value, and determining the limiting conditions.

#### **IDENTIFICATION OF SUBJECT PROPERTY**

The property being appraised is legally identified as that property in the County of Los Angeles, State of California, described as follows:

A Portion of Parcel 3 of the City of Long Beach Lot Line adjustment No. 3704-09, recorded December 12, 1997 as Instrument No. 97-1958950, Official Records of Los Angeles County, California, being a portion of the East ½ of Section 2, Township 5 South, Range 12 West, in the Rancho Los Alamitos, as shown on Partition Map recorded in Book 700, Page 141 of Deeds, in the Office of the Los Angeles County Recorder, described as follows:

Beginning at the Southwest Corner of said Parcel 3, being the Southwest Corner of said East ½ of Section 2, and being the centerline intersection of Westminster Avenue (100 feet wide) and Studebaker Road (100 feet wide) of Studebaker Road.

Thence North 00° 10'33" East along the Westerly line of said Parcel 3, being the Westerly line of said East  $\frac{1}{2}$  of Section 2, and also being the centerline of Studebaker Road, a distance of 400.00 feet.

Thence S. 89° 50'17" E. a distance of 432.00 feet;

Thence S. 64° 14'06" E. a distance of 75.53 feet;

Thence S. 00° 52'36" E. a distance of 367.39 feet, to the Southerly line of said Parcel 3, being the Southerly line of said East  $\frac{1}{2}$  of Section 2, and also being the centerline of Westminster Avenue.

Thence N. 89° 50'17" W. along said Southerly line and said centerline, a distance of 556.67 feet to the Point of Beginning.

Subject to an easement for road purposes granted to the County of Los Angeles by document recorded January 30, 1963 in Book D1904, Page 438 thereof, Instrument No. 5480, official Recorded of Los Angeles County, California.

Hereinafter, the property is also referred to as "Subject" or "Subject Property."

#### PROPERTY RIGHTS APPRAISED

The property rights appraised in this report represent the Fee Simple Interest in the land.

<sup>1</sup> 

Appraisal Institute, *The Appraisal of Real Estate*, 12<sup>th</sup> ed., (Chicago, 2001), pg. 49.

#### **DEFINITION OF FEE SIMPLE**

Fee simple estate or interest is defined as . . . "an absolute ownership unencumbered by any other interest of estate; subject only to the limitations imposed by the governmental of taxation, eminent domain, police power, and escheat."  $^2$ 

#### **EFFECTIVE DATE OF VALUE**

The effective date of value is April 6, 2010, the date the property was last inspected by the Appraiser.

#### DATE OF REPORT

The date of the report is April 15, 2010, the date when the report was written and completed.

#### PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the MARKET VALUE of the Fee Simple Interest in the Subject Property.

#### **INTENDED USER AND USE OF APPRAISAL**

The appraisal report is to be used by the client, Tidal Influence, and its client - the Los Cerritos Wetlands Authority and its Board of Directors. The opinion of value is developed for the client's intended use of determining the current market value in connection with portfolio management regarding or including the above referenced property. According to federal and state law, this appraisal will conform to all of the appraisal standards set by federal law, state law, USPAP, additional bank requirements, as well as the supplemental "*Standards of Professional Appraisal Practice*" and the "*Code of Professional Ethics*" of the Appraisal Institute.

#### **DEFINITION OF MARKET VALUE**

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from the seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated:
- b. both parties are well informed or well advised, and acting in what they consider to be their best interest;
- c. a reasonable time is allowed for exposure on the open market;
- d. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and

<sup>2</sup> Appraisal Institute, *The Appraisal of Real Estate*, 12<sup>th</sup> ed., (Chicago, 2001), pg. 69.

e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions \* granted by anyone associated with the sale.<sup>3</sup>

\* Adjustments to the comparable sales must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing based on the appraiser's judgment.

A reasonable exposure time is specifically required in the definition of Market Value. Therefore, the following definitions are an integral part of the Market Value definition.

#### **DEFINITION OF REASONABLE EXPOSURE TIME**

Exposure time may be defined as follows: "The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon analyses of past events assuming a competitive and open market."<sup>4</sup>

#### **DEFINITION OF REASONABLE MARKETING TIME**

Reasonable marketing time may be defined as follows: "The reasonable marketing time is an estimate of the amount of time it might take to sell a property interest in real estate at the estimated market value level during the period immediately after the effective date of an appraisal. It would include anticipated changes in market conditions."<sup>5</sup>

### SCOPE OF WORK & REPORTING PROCESS

This is Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated above. The appraiser is not responsible for unauthorized use of this report.

As agreed upon with the client prior to the preparation of this appraisal, this report is the result of the following SCOPE OF WORK designed to insure the overall reliability and credibility of the conclusion(s) rendered.

<sup>3</sup> The Appraisal Foundation, *Uniform Standards of Professional Appraisal Practice*, (Washington, D.C., 1990), pg. 1-7.

<sup>4</sup> Statement Standard No. 6, Appraisal Standards Board, Appraisal Foundation, September 16, 1992.

<sup>5</sup> Advisory Opinion, G-7, Appraisal Standards Board, Appraisal Foundation, September 16, 1992.

The scope of work for this appraisal assignment included the following:

- Reading of the request for appraisal services and related attachments to determine the appropriate scope of work for the assignment;
- For this assignment, the Sales Comparison Approach is used;
- For this assignment, the Income Approach was not used;
- For this assignment, the Cost Approach was not used;
- An examination of the property to gather the information necessary to understand how it compares to the competing properties in its market;
- Research of public records and other sources deemed reliable for information relative to the valuation of the property;
- Research of public records and other sources deemed reliable for comparable sales of similarly zoned parcels in the competing markets;
- Research to determine current economic factors that have recently and could reasonably be expected to influence market trends;
- Perform an analysis of the data and develop a presentation of the opinions of value with sufficient reasoning to establish a credible result of the appraisal assignment; and
- Provide the client with a summary report of the updated appraisal with a depth of discussion specific to the client's needs and for the intended use and users.

### VALUATION METHODOLOGIES

This appraisal utilizes only the Sales Comparison Approach to determine the market value.

#### SALES COMPARISON APPROACH

This procedure in appraisal analysis is predicated upon actual market transactions. It is a process of analyzing sales of similar, recently sold properties in order to derive an indication of the most probable sales price of the property being appraised. The reliability of this technique is dependent upon (a) the availability of comparable sales data, (b) verification of the sales data, (c) the degree of comparability or extent of adjustment necessary for time differences and (d) the absence of non-typical conditions affecting the sale price.

### HISTORY OF PROPERTY OWNERSHIP

According to the data furnished by to the Appraiser, the Offer to Dedicate Fee Title was dated June 4, 2001 and recorded November 28, 2001. Acceptance of the fee simple title to the parcel being dedicated was approved by the State Coastal Conservancy in its Public Meeting of January 18, 2007 reversing an April 2006 determination not to accept the land. The Certificate of Acceptance was recorded on May 2, 2007 as document No. 20071063573. The Subject is not currently or has not been recently listed for sale.

### **ECONOMIC OUTLOOK**

The economic climate of the nation and the state in which the Subject Property competes may affect its value. Therefore, the discussions of the U.S. and California economies effective during the exposure period set forth in the report follow. The discussions set forth the influences of the economy on the motivations of buyers and sellers in the market.

According to the UCLA Anderson Forecast (UCLA), the recent recession established postwar records for declines in employment, home and stock prices. State and local governments are enduring their worst fiscal crises since the Great Depression. And the federal budget swung to a record \$1.4 trillion deficit in fiscal year 2009. However, many indicators are suggesting that the recession ended this summer.

UCLA expects a sluggish recovery. It believes that the economy is on a modest growth path and will be accompanied by extra-ordinarily high rates of unemployment. According to the Standard & Poor's Industry Surveys: Trends & Projections (T&P) - although 2010 will be far from perfect, it looks a lot better than 2009. After growing at 2.8% in the 3rd and 4th quarters of 2009, real GDP is forecasted to settle into a 2% growth path for much of 2010 and be closer to 3% growth in 2011 (UCLA). With such sluggish growth, the unemployment rate will likely peak at 10.5% in 1st quarter 2010 and remain at or above 10% for almost all of that year. And if history is a guide, a 3% growth in jobs might be expected in 2010 and 2011, compared with 1.5%-2% normal.

UCLA believes that the U.S. economy needs to rely on exports going forward. During the 2007-2011 period, export growth will be unable to completely offset growth declines in consumer spending and state and local spending. However, after some restructuring in the state and local government, that sector will again be a source of modest growth. By mid-decade, 3%-4% economic growth accompanied by mid-single digit unemployment rates will again become the norm. In the near-term, UCLA expects a labor market that gets better than it is, but remains moribund.

Holiday sales will be about flat compared with a year ago (T&P). Consumer confidence remains weak, but has at least improved since its spring low. More importantly, households are spending more than the confidence data would suggest. The latest employment report improves the outlook for consumption. With the number of layoffs declining, Americans are beginning to spend more. According to UCLA, the combined effect of an economy in transition from an import-oriented/low-savings rate one to a more export and higher-savings oriented one, and the administration's weak dollar policy, which encourages exports and discourages the consumption of imports, will cause real consumer spending to grow at a modest 2% rate, well below the more historical 3%-3.5% rate.

Over time, the savings rate will increase and once it stabilizes in the 5%-7% range, consumption will again grow with the economy (UCLA). The savings rate dropped back to 4.4% in October--still well above the 1.7% of 2007, but down from the peak of 6.4% in May 2009 (T&P).

A pick-up in motor vehicle sales in October and November 2009 was stronger than expected, suggesting that underlying demand has improved. T&P forecasts sales of 11.1 million cars in 2010.

The housing market appears to have stabilized (T&P). According to UCLA, in terms of prices and home sales it seems that housing is finally on the road to recovery. With 23% of the nation's houses

with mortgages underwater, foreclosures continue to rise. Thus, given mortgage rates below 5%, affordable prices and demo-graphically driven pent-up demand, UCLA believes that housing starts will rise to around 850,000 units in 2010, up from an estimated 574,000 in 2009. Home prices have now risen for 5 consecutive months (through September), and home sales hit a 14-month high in October (T&P). Although the worst appears to be over for sales and prices, T&P believes that the large shadow inventory of homes will limit any improvement in home prices. The drop-off in sales will bring home prices down. T&P expects prices to drop about 7% from their November 2009 peak.

T&P expects 2010 to show as bad a drop in non-residential construction activity as 2009, which saw a 19% decline. T&P does not expect construction spending to stabilize until 2011.

Policy makers are highly medicating the economy with record federal deficits and a zero interest rate policy coming from the Federal Reserve (UCLA). However, these policies are not sustainable in the long run. According to T&P, the Federal Reserve is unlikely to raise the Federal Funds Rate until the unemployment rate begins to decline, which means late 2010. Inflation will not manifest itself within the 2011 forecast horizon and will average a modest 2% over the next 2 years (UCLA).

#### **Regional Outlook**

According to UCLA, in October 2009 the data shows California's unemployment rising; payroll employment job losses diminishing and net job gains; export demand, which directly affects California manufacturing, and agriculture continuing to increase; and non-durable goods manufacturing beginning to grow again.

Construction employment is diminishing, and new job losses are increasingly concentrated in the commercial construction arena. And Californians are spending a bit more. Sales and use taxes and corporate income taxes both exceeded state forecasts in the month of October. However, with all the expectations about California's state government running out of money, employment in state government barely budged.

According to a report by the Legislative Analyst's Office, the 2010/2011 California state budget will have to be balanced through a combination of spending cuts and, possibly, new revenues of over \$20 billion. UCLA's estimates are only slightly more optimistic. Some of the estimated fiscal 2010 budget shortfall is being generated by mandated increases in spending which will have to be offset by new revenues or cuts elsewhere in the state budget, and others are being generated by the need to make up for the shortfall in fiscal 2009 revenues. Fortunately, though, the impact of this particular budget situation does not engender another economic disaster for the state.

Though the total California job loss in October was 94,000 jobs, a large number, a reduction in the size of the labor force was such that the ranks of the unemployed grew by only 36,000. The growth in non-farm payroll employment was 25,700 jobs. This is the first growth in payroll jobs in California since April 2008 and the largest growth in payroll jobs since July 2007, 5 months before the recession began.

Job losses in the services and in non-durable goods manufacturing were widespread in the 1st 2 quarters of 2009. In the 4 months ending in October, job losses are considerably lower than in the previous trimesters, and 4 sectors, health care, wholesale trade, non-durable goods manufacturing,

and education are moving into net additions to employment. In the month of October, all of the sectors added jobs except other services and non-durable goods manufacturing. So these sectors, representing just under 2/3 of all payroll jobs in the state, are beginning to grow and show promise of leading California labor markets out of the recession.

The balance of private sector employment--construction, durable goods manufacturing and retail-have yet to show encouraging signs. As mentioned above, total employment in the construction sector continues to decline due primarily to the dismal state of non-residential construction, and the fact that stimulus-supported infrastructure construction has yet to begin in earnest. New permits for residential construction reached record low levels 7 months ago and have neither moved up nor down since then. UCLA still expects to see residential construction beginning a recovery in 2010.

For local governments, faced with revenue shortfalls and reduced state transfers, the drop in employment is evident. More than 30,000 jobs were eliminated in 2008, and there have been nearly 20,000 more thus far in 2009 for a total reduction of about 3% of the workforce. For state government employment, the decline has been very moderate. Fiscal year 2008 actually saw an increase in jobs, and reductions only began this past September. The cumulative reduction at the state level over the last 2 fiscal years is 1.5%. Since the cuts that were publicized and the cuts that were actually made were somewhat different, government spending was higher than expected and job losses were lower than expected. Looking to the future, UCLA places the 2010 fiscal year revenue growth in the 4%-7% range.

Overall, the economic outlook for the balance of the year for California is for little to no growth. The economy will begin to pick up slightly in the beginning of 2011 and by the middle of 2011 begin to grow at more normal levels. The keys to California's recovery remain exports of manufactured and agricultural goods, and recovery in US consumption which increases the demand for products from California's factories; increased public works construction; and added investment in business equipment and software.

On an annual basis, UCLA expects that California's total employment will contract by 4.3% in 2009 and will continue to shrink at a 0.7% rate in 2010. Once growth returns in 2011, employment will begin to grow faster than the labor force at a 1.7% rate, and the unemployment rate will begin to fall. Real personal income growth will be -2.7% in 2009 and then return to positive growth at 0.4% and 2.8% in 2010 and 2011, respectively.

Finally, unemployment is only going to get worse. UCLA expects it to grow to a high of 12.7% in the 4th quarter of 2009 and to average 11.7% for the year. Though the California economy will be growing in 2011, it will not be generating enough jobs to drive the unemployment rate below double digits until 2012. The stalled California economy is simply not producing the jobs required for the new entrants to the labor force over the next couple of years to prevent these elevated levels of unemployment from persisting once the job layoffs cease.

LA Industrial Sub-Market	Rentable Area SF	Total Vacancy Rate %	Net Absorption SF	Under Construction SF	Average Asking Lease Rate -\$ SF/Mo.
Commerce	84,348,276	3.7%	76,201	+	\$0.40
Verbon	75,153,642	3.1%	(50,008)	-	\$0.46
Los Angeles	130,835,605	2.4%	(175,427)	107,174	\$0.53
Mid-Counties	107,785,254	4.6%	(594,936)		\$0.51
Greater San Fernando Valley	170,577,256	3.0%	(116,065)	123,038	\$0.68
San Gabriel Valley	144,255,385	3.5%	324,653		\$0.53
South Bay	218,857,972	3.1%	400,277		\$0.55
Los Angeles County	931,813,390	3.3%	(135,305)	230,212	\$0.55
Ventora	62,550,122	7.1%	86,758	106,418	\$0.71
Greater Los Angeles	994,363,512	3.5%	(48,547)	336,630	\$0.56

### INDUSTRIAL MARKET OVERVIEW

An overview of the industrial real estate market is necessary to determine demand for developable land and industrial property investments. The Grubb & Ellis Real Estate Forecast, the CB Richard Ellis National Investor Survey, and other publications were researched to provide the market overview. The City of Long Beach is located in the South Bay Industrial Market area.

#### From CB Richard Ellis

The Greater Los Angeles industrial market continues to show signs of stability for the 4th quarter of 2009. Los Angeles continues to be the most active industrial market ranked by total sales volume in the US as reported by Real Capital Analytics. The Greater Los Angeles industrial market has 35 million square of total vacant industrial space and an overall total vacancy rate of 3.5%. Overall industrial vacancy has decreased from 3.7% last quarter. The Los Angeles industrial gross activity is down only 12.5% and industrial availability is up 46% on an annual basis. The Greater Los Angeles industrial market remains soft even with the promising 4th quarter activity.

The Los Angeles County unemployment rate rose to 12.4% and the California unemployment rate to 12.3% for the 4Q09. Job losses continue in most business sectors including manufacturing and warehousing. California job losses in December 2009 were 38,800. According to the US Bureau of Labor and Statistics, there were 194,900 jobs lost in the Los Angeles area in the past year.

Industrial asking rents ended the 4th quarter at \$.56 per square foot, per month. Net absorption ended the quarter at -48,547 square feet which was promising but still marked the 8th consecutive quarter of negative net absorption in the LA industrial market. Year-end total net absorption for Greater Los Angeles was -10.3 million square feet. The Los Angeles and Long Beach harbors continue to report poor import and export activity due to the global recession although the Port of Los Angeles' reported 562,990 Twenty Foot Equivalent (TEU) activity in December 2009 which was a .35 percent increase over December 2008. Container exports are up 40% at 153,836 TEUs from December 2008's 109,704.

Overall activity including leasing and sales in the Los Angeles industrial market are still well below the norm but the local indicators show signs of optimism for 2010 in this top industrial market.



General Analysis: Changes in property values are influenced by many different factors. One of the primary influences is the location of the Subject. Every property has a regional location. This section of the appraisal provides an understanding of regional factors that affect the value of properties. These factors are as follows:

- social influences dealing with population and its growth,
- economic influences dealing with the economic factors that create demand for real estate,
- governmental influences dealing on whether governmental activities positively or negatively affect property values, and
- environmental factors which impact the costs of utilizing a specific property.
- Summary: The Subject is located in the City of Long Beach, which is southeast of downtown Los Angeles and is in the southern part of Los Angeles County. Los Angeles County is situated along 70 miles of southern California coast; Ventura County lies to the north, and Orange County lies to the south. San Bernardino County borders Los Angeles County to the east.

Los Angeles County is a county in California and is by far the most populous county in the United States. Figures from the U.S. Census Bureau give an estimated 2008 population of 9,862,049 residents, while the California Department of Finance lists a January 1, 2009, estimate of 10,393,185. The county seat is the City of Los Angeles, the largest city in California.

The county is home to 88 incorporated cities and many unincorporated areas. The southern portion is the most heavily urbanized area and is home to the vast majority of the population which lives along the Southern California coastline and the inland basins and valleys. The northern half is a large expanse of less-populated desert including the Santa Clarita Valley and the Antelope Valley, which encompasses the northeastern part of the county and is adjacent to Kern County. In between these portions of the county sit the San Gabriel Mountains and the vast wilderness known as the Angeles National Forest.

One of the most diverse counties in the country, it holds most of the principal cities encompassing the Greater Los Angeles Area and is the core of the five counties that make up the area. In 2004, the county's population was larger than the individual populations of 42 states considered separately, and on that basis, is more populous than the aggregate of the 11 least populous states. It is similar in land area to the state of Connecticut and in population to the state of Michigan within the United States, or similar in land area to Trinidad and Tobago and in population to Bolivia. The county is home to over a quarter of all California residents. According to the United States Conference of Mayors, if Los Angeles County were a nation, it would boast a GDP among the twenty largest countries in the world.



#### **CITY DESCRIPTION**

### General Analysis:

Each property has a location in a region and most are located in cities or towns. This section of the appraisal provides an understanding of city factors that affect the value of properties. These below factors are summarized in the following paragraphs:

- social influences dealing with population and its growth,
- economic influences dealing with the economic factors that create demand for real estate, and
- governmental influences dealing on whether governmental activities positively or negatively affect property values.

City The Subject Property is located in the City of Long Beach in the southern part of of Los Angeles County. Long Beach is a large city located in southern California, on the Pacific coast. It is situated in Los Angeles County, about 20 miles south of downtown Los Angeles. Long Beach borders Orange County on its southeast edge.

Long Beach is the 36th-largest city in the nation and the sixth-largest in California. As of January 1, 2009, its estimated population was 492,682. In addition, Long Beach is the 2nd largest city within the Los Angeles metropolitan area. The city completely surrounds the city of Signal Hill.

24

The Port of Long Beach is one of the world's largest shipping ports. The city also has a large oil industry; oil is found both underground and offshore. Manufacturers include aircraft, automobile parts, electronic and audiovisual equipment, and home furnishings. It is also home to headquarters for corporations such as Epson America, Molina Healthcare, and SCAN Health Plan. Long Beach has grown with the development of high-technology and aerospace industries in the area.

#### **Utilities:**

SERVICE	PROVIDER
Electricity	Southern California Edison
Fire/Paramedics	Long Beach Fire Department
Gas	City of Long Beach - Gas Company
Police	City of Long Beach Police Department
Sewer	City of Long Beach
Storm Drain	City of Long Beach
Telephone	Verizon
Trash & Recycling	City of Long Beach
Water	City of Long Beach

#### **NEIGHBORHOOD DESCRIPTION**

**Boundaries:** A neighborhood is defined as a "group of complementary land uses."<sup>6</sup> The Subject is located in a "Southeast Long Beach" industrial pocket area, with nearby residential communities and commercial uses along Pacific Coast Highway and on 2<sup>nd</sup> Street to the east in the Naples neighborhood. The following boundaries define the neighborhood:

SUB	JECT NEIGHBORHOOD BOUNDARIES
North	Seventh Street
South	Pacific Coast Highway
East	Seal Beach Boulevard
West	Pacific Coast Highway

**Surrounding Properties:** To the north of the Subject along Studebaker Road are 2 tank farms, an electrical power generating facility, and a self-storage facility. To the east and immediate northeast of the Subject is part of the tank farm followed by another electrical generating plant operated by the Los Angeles DWP. To the south and southeast of the Subject across 2<sup>nd</sup> Street are wetland areas owned by the Los Cerritos Wetlands Authority. To the west and southwest across Studebaker Road is a privately owned wetland areas currently used as oil fields. Farther to the northwest is the University Park Estates residential neighborhood.

<sup>6</sup> Appraisal Institute, *<u>The Appraisal of Real Estate</u>*, (12th ed., Chicago, 2001), pg. 163.

**Summary:** The Subject is currently vacant land that has not been used recently. It is a good corner location with adjacent industrial uses. Nearby wetland areas are currently utilized as oil fields, with fairly close residential neighborhoods in Island Village and University Park Estates.

The regional, city, and neighborhood influences as well as the relatively high traffic location would lend more support to a retail use of the site as has been proposed in a revised SEADIP plan presented to the City. However, it is noted that the Subject is in area of jurisdiction of the California Coastal Commission. In that regard several uses of the site are considered in this valuation assignment.

#### TAX AND ASSESSMENT ANALYSIS

Proposition 13, the California Tax Initiative, was passed in 1978. It has made real estate tax rates fairly uniform in California but nearly identical properties can have large differences in their assessed values. Proposition 13 provides for a base 1% property tax rate which is applied to the assessed value. The local county and city can add voter approved assessments to pay bonded indebtness above the base 1%. At this time the Subject does not have a separate assessor's parcel number.

Proposition 13 also re-established the assessed values at 100% of the value of the property in 1975. Under California state law, property is reassessed upon sale or other qualified transfer of the property. The property's assessed value is adjusted to the market value at the time the transfer is recorded. A property can also be reassessed upon the completion of construction, addition, remodel or renovation. The assessed value is adjusted up based on the cost of the construction, addition, remodel or renovation. From the time of one of the event triggered assessments to the next one, the assessed value increases are limited to a maximum of 2% per year.

A taxpayer can petition the assessor for a lower assessed value if the taxpayer can provide proof of the lower value of the real estate. However, if property values subsequently increase, the tax assessor can raise the assessed values to the new property value up to an amount equal to the original event triggered assessment with annual 2% increases.

The definition of market value presumes a sale. A typical purchaser of a property would expect to have the property re-assessed to the sales price (market value) and have taxes based on the typical tax rate for a similarly assessed property in the same tax rate area.



<sup>8</sup> SAN GABRIEL 57.161 Ac. 0.781 + (Slope Ease) 56.381 Ac. STUDEBAKER ţ9 ŝ R.S. 84-0.00 Gq FI cre s) 65 20 S 4 22 ST. w.ach 2)I (20)

27


Aerial View of the Subject Site Looking Southerly



Aerial View of the Subject Site Looking North

### SITE DESCRIPTION

Location:	The Subject is located on the northeast corner of the intersection of Studebaker Road and East 2 <sup>nd</sup> Street (previously known as Westminster Avenue). It is in the City of Long Beach, Los Angeles County, California 90803.		
Map Guide:	Thomas Bros. Map – Los Angeles County 826 E2		
Zoning:	<ul> <li>The site is zoned PD-1, the Southeast Area Development and Improvement Plan (SEADIP) – Subarea 19. Development standards are</li> <li>Use: Industrial</li> <li>This area is fully developed in accordance with the provisions of the MG zone.</li> <li>Commercial storage/self-storage (21.15.570) shall be allowed by Conditional Use Permit (21.52.219.5).</li> </ul>		
Shape:	Basically Rectangular		
Dimensions:	350 feet along the east side of Studebaker Road and 506 feet along the north side of East $2^{nd}$ Street.		
Area (Gross):	222,590 square feet or 5.11 acres. 177,250 square feet or 4.07 acres - exclusive of streets		
Topography:	The site is basically level with a built-up berm along the south and west sides of the lot. The berm has been planted with trees and bushes effectively hiding most of the site from the passing traffic.		
Drainage:	Based on information furnished by the client and the topography of the site, it is assumed that there is inadequate drainage from the site with the berm in place. It was stated that the interior flat portion of the lot ponds during moderate to heavy rains.		
Soil Conditions:	No soil analysis or geological information has been made available to the Appraisers. It is assumed that the soils can be compacted and graded to provide adequate load bearing capabilities for any future improvements.		
Access Streets:	East 1 <sup>st</sup> Street - 100 feet wide, a four lane road with two lanes in each direction and a third turning lane at the intersection. There is no parallel parking allowed on either side of the street. Studebaker Road Oregon Avenue - 100 feet wide, a four lane road with two lanes in each direction and a third turning lane at the intersection. There is no parallel parking allowed on either side of the street.		

**Paving:** The streets are constructed with asphalt macadam and are in average condition. **Curb & Gutter:** The streets have concrete constructed curbs and gutters in average condition. Sidewalk: None. **Utilities:** Electrical power, natural gas, water, sewer, and trash collection services are available to the Subject site. **Freeway & Highway** The Subject is located southeast of the junction of the San Diego (405), the Access: San Gabriel (605), and the Garden Grove (22) freeways. Access to the Garden Grove (22) Freeway is 1.0 mile north on Studebaker Road. **Easements:** Neither a title report nor a preliminary title report was furnished to the Appraisers. The client is advised to obtain and review a title report and obtain legal counsel in the interpretation of any matters affecting the title of the property. It is assumed that easements, encroachments, covenants, and restrictions, if any, have no impact on the value and marketability of the Subject. Environmental The Appraiser was provided with a Phase II Environmental Site assessment Hazards: prepared by CH2M HILL dated December 30, 2004. The Executive Summary provided conclusions that the levels of contaminants did not exceed the preliminary remediation goals except for arsenic which is typical for area soils. Therefore, no remediation of the site was required. Flood Hazard: The Subject site is located in an area designated as Flood Zone "X500L" per FEMA Map, FEMA panel 060136-1988F dated 09/26/2008. This means the area is not in a 500 year flood plain and any federally insured institution providing financing is not required by law to have borrowers obtain flood insurance coverage. **Site Analysis:** The Subject site is located on a high traffic intersection in Southeast Long Beach. Access is limited to west bound traffic on East 2<sup>nd</sup> Street and north bound traffic on Studebaker Road. The site is basically rectangular in shape and has limited access via secondary residential streets. All utilities are available. The site appears adequate for several uses.

30

### HIGHEST AND BEST USE ANALYSIS

The purpose of this appraisal is to determine the market value. The highest and best use identifies the most profitable, competitive use to which a property can be put. Highest and Best Use has been defined as "the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible and that results in the highest value."<sup>7</sup>

In forming an opinion as to the highest and best use of the Subject Properties, the following analytical approaches are utilized.

Physically Possible - the use(s) which may be physically developed on the property.

Legally Permissible - the consideration of all the Subject's permitted legal uses as delineated by current zoning and city regulations.

Financially Feasible - the possible and permissible uses that may be profitably developed on the property.

Maximally Productive - the possible, permissible, and feasible use that provides the highest present value of the property.

It should be noted that this Highest and Best Use analysis is limited in scope and does not include any market demand studies or in-depth construction cost analysis to determine a true cost-benefit analysis. The conclusions are general uses based on the above analytical approaches and the observation of general market conditions.

### HIGHEST AND BEST USE

**Physically Possible:** takes into consideration the physical limitations of the Subject site. As stated in the site data, the Subject consists of a large rectangular shaped parcel. The parcel has approximately 4 acres of usable land area. The Subject site is smaller in size than typical for the area. The lot currently has access through an adjacent driveway off Studebaker Road, and would require new construction of curb cuts and exit/entrance lanes to be usable. The site has a man-made berm on its south and west sides that buffers the site from few from the traffic on Studebaker Road and East 2<sup>nd</sup> Street. The berm also causes ponding on the site. The site has few physical restraints on the development to its highest and best use other than its current lack of access and its drainage problem.

<sup>7</sup> Appraisal Institute, <u>The Appraisal of Real Estate</u>, (12<sup>th</sup> ed., Chicago, 2001), pg. 305.

- Legally Permissible: takes into consideration the site's PD1 SubArea 19, Industrial, zoning. The current industrial zoning allows the development of several types of improvements designated under the IG (old MG), industrial general, zoning code. In addition, the Subject's location in the coastal zone requires approval of any development by the State of California Coastal Commission. Development of properties within the Coastal Commission jurisdiction often is restricted to marine oriented uses serving the general public.
- **Financially Feasible:** takes into consideration the financial feasibility of each of the physically possible and legally permissible uses. Given the weak economy after the 2008 2009 recession, there is limited demand for new industrial development.
- **Maximally Productive:** is the determination of which of the feasible uses will provide the greatest return to the developer of the site. Industrial development is currently not feasible based on empirical evidence.

Therefore, it is our opinion that the highest and best use of the Subject would be to hold the property as vacant with an interim use until such time as the market supports a new development.

The most feasible interim use appears to be for the development of a boat storage yard. The boat storage yard would be proximate to the Davies boat launch facility. The storage area would be out of site to most of the traffic behind the berms and should not attract much opposition. It would also be "marine" oriented industrial use for compliance with Coastal Commission directives. Finally, it could provide assistance to City of Long Beach in arranging boat storage during the pending rebuild of the Alamitos Bay marina.

### SALES COMPARISON APPROACH

The value of the Subject site, as though vacant and available for development to its highest and best use, may be determined by one or more of several methods. These methods include allocation, extraction, land residual technique, ground rent capitalization, and the sales comparison approach. The data available and the scope of this appraisal assignment dictate the use of the sales comparison approach. The sales comparison approach is based upon the premise that a knowledgeable buyer will consider reasonable alternatives to the Subject site.

Therefore, a search in the area was made for properties that have sold recently and that are similar in location, zoning, and use compared to the Subject. Due to the decline in property values for all types of land, there as been little demand for industrial land. A limited number of land sales in the immediate market area of the Subject were found. The search was expanded to a larger area. Five land sales are used to estimate the Subject's land value for its possible uses.

### LAND SALE COMPARABLE ANALYSIS

Each real estate transaction is unique and adjustments for differences in financing, conditions of sale, market conditions at the time of sale, location, and the lot's shape, frontage, size, and utility were considered. The rationale for the adjustment is as follows:

### PRICE ADJUSTMENTS

Property Rights	A transaction price is always predicated on the real property interests
Conveyed:	conveyed. The real property rights being valued when analyzing the Subject land "as if vacant" is the assumed to be the fee simple estate. Similarly, all but one of the sales were fee simple transfers. Sale #2 is an oil field property subject to an oil and gas lease with surface rights. Therefore, an adjustment was required for that property based on typical costs for releases of surface rights.
Financing:	Adjustments for financing terms are warranted when a property is purchased using non-market financing arrangements. Non-market financing can include seller carried notes or assumable loans with interest rates below terms currently available in the market place.
Conditions of	An adjustment is warranted for sale conditions when a transaction involves
Sale:	atypical motivations that affect the price of the property. One property was a purchase by a City Redevelopment Agency. RDA's often pay high prices to avoid the costs of litigation.

In making time adjustments, the Appraiser considered changes in

Changes in Market

supply Conditions (Time): and demand in the Subject's submarket, rent levels, financing, and economic conditions that would affect land values. One method of analyzing changes in property values is matched pair analysis or tracking the sales history of a statistical sampling of properties in a submarket. The market increased from the first sale date in June 2005 and peaked in 2007. Prices then declined in 2008 and 2009 and appear to be slightly more stable in early 2010. Demolition/Site When a site is sold with improvements that must be removed before new development can occur, a purchaser typically considers this an added cost Improvements: of the land. If the improvements have an interim use, until the development of the site or there is some contributory value attributable to the site, a discount would normally be associated with the purchase price. Land value can be based on the extraction, allocation, or land residual methods. All are processes of separating the value of the improvements and the value of the land from the purchase price of a property. The Subject site is being appraised as if vacant and, as a result, all comparable land sales requiring demolition or having improvements with contributory value at the time of sale are adjusted accordingly. Location: Location adjustments are necessary when the locational characteristics of the comparables such as household income, quality of schools, etc. are different than those of the Subject. Physical The physical characteristics of comparable properties can vary. When Characteristics: compared to the Subject, each characteristic requires possible adjustment. For the vacant parcels, the relevant factors that could require adjustment include corner influence, frontage, size, shape, and topography. Zoning affects the utility of the site and can greatly affect the value of the Zoning: land. Typically, a zoning which allows a higher density development or a wider range of uses will have more value of a per square foot basis.



### LAND SALE COMPARISON TABLE

### Industrial Site Near Wetlands NEC Studebaker Rd. & East 2nd Street, Long Beach, CA 90803

ITEM		SUBJECT	SALE #1		SALE #2		SALE #3		SALE #4		SALE #5	
Address		NEC Studebaker Road & East 2nd Street Long Beach, CA 90803	1522 E. Pacific Coast Highway Wilmington, Ca 90744		West Side of Gundry @ 27th Street Signal Hill, CA 90755		4951 Oregon Avenue Long Beach, CA 90805		6180 Bixby Village Dr Long Beach, CA 90803		Loynes & Studebaker Wetlands Long Beach, CA 90803	
Assessor Parcel Number		N/A	/245-023-006		/212-010-010		/133-018-009 (now 900)		/23/-023 - Various		/23/-01/-006,00/, etc	
Interest Sold		Fee Simple	Fee Simple		Subject to Oil & Gas Surface Lease		Fee Simple		Fee Simple		Fee Simple	
Proximity To Subject		N/A	8.5 Miles WNW		5.3 Miles NW		8.1 Miles NW		1.0 Mile NW		0.5 Mile N	
Sale Date		N/A	January 28, 2010		June 11, 2009		December 18, 2008		May 31, 2007		June 29, 2005	
Sale Price		N/A	\$2,400,000		\$364,000		\$5,100,000		\$6,000,000		\$1,300,000	
Size (Sq.Ft.)		177,250	54,014		27,996		174,671		1,245,816		490,921	
Zoning		PD1 - SEADIP SubArea 19	M3-1, Industrial		LI, Industrial		Institutional (I)		PD1		PD1	
Frontage		350' Studebaker Rd & 500' 2nd St.	120' PCH & 450' Coil		101' Gundry		358' Del Amo St. & 383' Oregon		PCH, Bixby Village		Corner of Loynes & Studebaker	
Shape		Basically Rectangular	Irregular Trapezoid		Rectangular		Basically Rectangular		Irregular & Split Lots		Irregular & Split Lots	
Topography		Level with Birms	Level		Level		Level		Some Slight Slopes		Level	
Utilities		All Available	All Available		All Available		All Available		All Available		All Available	
Location		Industrial Pocket Area in Seadip	Wilmington Port Area		Signal Hill RDA Project Area		Oregon & Del Amo - Long Beach		Bixby Village Drive		Loynes & Studebaker	
Map Page		826 E2	794 G5		795 G2		765 C4		796 D7		826 E1	
Financing	Cash Dowr	N/A	\$2,400,000	100.0%	\$364,000	100.0%	\$5,100,000	100.0%	\$2,100,000	35.0%	\$1,300,000	100.0%
Terms	1st TD 2nd TD	N/A	\$0		\$0		\$0		\$3,900,000		\$0	
 Price/Sq Ft			\$44.43		\$13.00		\$29.20		\$4.82		\$2.65	
Prior Sale	Date:	N/A	February 4, 1993		N/A		May 9, 2006		N/A		N/A	
	Price:	N/A	\$200,000	==	N/A	:	\$4,340,000	==	N/A	==	N/A	

### LAND SALE ADJUSTMENT GRID

### Industrial Building Site 1401-1405 Research Park Drive, Riverside, CA 92507

ITEM	SUBJECT		SALE #1		SALE #2		SALE #3		SALE #4		SALE #5	
ADJUSTMENTS - PRICE Property Rights Conveye Adjusted Pric	d Fee Simple e \$0	<u>\$0</u>	Fee Simple \$2,400,000	<u>\$0</u>	Subject to Oil & Gas Surface Lease \$546,000	<u>\$182,000</u>	Fee Simple \$5,100,000	<u>\$0</u>	Fee Simple \$6,000,000	<u>\$0</u>	Fee Simple \$1,300,000	<u>\$0</u>
Cash Equivalenc Adjusted Pric	y N/A e \$0	<u>\$0</u>	N/A \$2,400,000	<u>\$0</u>	N/A \$546,000	<u>\$0</u>	N/A \$5,100,000	<u>\$0</u>	N/A \$6,000,000	<u>\$0</u>	N/A \$1,300,000	<u>\$0</u>
Conditions of Sal Adjusted Price	e N/A e \$0	<u>\$0</u>	N/A \$2,400,000	<u>\$0</u>	N/A \$546,000	<u>\$0</u>	RDA Purchase \$4,590,000	<u>(\$510,000)</u>	N/A \$6,000,000	<u>\$0</u>	N/A \$1,300,000	<u>\$0</u>
Demolition Cost/Improvement Valu Adjusted Price	e N/A e \$0	<u>\$0</u>	N/A \$2,400,000	<u>\$0</u>	N/A \$546,000	<u>\$0</u>	Demolish 8,036 SF Building \$4,630,000	<u>\$40,000</u>	Located over Unstable Dump \$7,200,000	<u>\$1,200,000</u>	Part over Unstable Dump \$	<u>\$260,000</u>
Time Adjustmer	t N/A	<u>\$0</u>	3 Month Old Sale	<u>\$0</u>	5 Month Old Sale	<u>\$0</u>	16 Month Old Sale	<u>(\$601,900)</u>	35 Month Old Sale	(\$1,440,000)	57 Month Old Sale	<u>\$0</u>
FINAL ADJUSTED PRIC Price Per Square Foo	E \$0 t \$0.00		\$2,400,000 \$44.43		\$546,000 \$19.50		\$4,028,100 \$23.06		\$5,760,000 \$4.62		\$1,560,000 \$3.18	
ADJUSTMENTS - INDICATORS Locatio	n Industrial Pocket Area in Seadip		Wilmington Port Area	0.0%	Signal Hill RDA Project Area	10.0%	Oregon & Del Amo - Long Beach	10.0%	Bixby Village Drive	5.0%	Loynes & Studebaker	5.0%
Corner/Frontag	e Signal "T" Corner - 350' & 500'		2 Corners - 120' 450' & 100'	-5.0%	Interior - 101'	15.0%	Corner - 388' & 450'	0.0%	2 Parcels - 1 Int. + 1 Corner	5.0%	3 Parcels - 1 Int. + 2 Corner	10.0%
Siz	e 177,250		54,014	-13.9%	27,996	-16.8%	174,671	0.0%	1,245,816	60.3%	490,921	35.4%
Shap	e Basically Rectangular		Irregular Trapezoid	3.0%	Rectangular	0.0%	Basically Rectangular	0.0%	Irregular & Split Lots	5.0%	Irregular & Split Lots	5.0%
Topograph	y Level with Birms		Level	-1.0%	Level	-1.0%	Level	-1.0%	Some Slight Slopes	0.0%	Level	-1.0%
Othe	r Coastal Comm. Jurisdiction		N/A	-10.0%	RDA	0.0%	N/A	-10.0%	Coastal Comm. Jurisdiction	0.0%	Coastal Comm. Jurisdiction	0.0%
Zonin	g PD1 - SEADIP SubArea 19		M3-1, Industrial	0.0%	LI, Industrial	0.0%	Institutional (I)	-15.0%	PD1	0.0%	PD1	0.0%
Total Percentage Adjustmer	t			-26.9%		7.2%		-16.0%		75.3%		54.4%
ADJUSTED UNIT OF COMPARISON Weight Assigned to Comparable	Weighted Average	===== =	15%		10%		20%		30%		25%	
Adjusted Price/Sq Ft Indicated Value	\$17.69 \$3,135,000		\$32.48		\$20.90		\$19.37		\$8.10		\$4.91	

LAND SALE COMPARABLE #1



Location:

APN: Unadjusted Price Per SF: Adjusted Price Per Sq. Ft.: 1522 E. Pacific Coast Highway Wilmington, Ca 90744 7245-023-006 \$44.43 \$32.48

#### Analysis:

Land Comp #1 is the January 2010 sale of a smaller industrial zoned lot used as a paved truck yard in Wilmington. The property sold for \$2,400,000 cash.

The price did not require any adjustments. The adjusted price per square foot was calculated and adjusted for Comp #1's superior access on 3 sides, superior topography, inferior shape, smaller size, and easier development outside of the jurisdiction of the Coastal Commission. Comparable #1 indicates the value indicator shown above for the Subject after all adjustments.

#### Land Sale Comp #1

Location:

APN: Distance From Subject: Map Page:

Sale Price: Cash Down 1st Trust Deed Interest Sold: Sale Date: Document #:

Size (Sq.Ft.): Frontage: Topography: Zoning: Existing Improvements: Intended Use:

Buyer: Seller: Source: 1522 E. Pacific Coast Highway Wilmington, Ca 90744 7245-023-006 8.5 Miles WNW 794 G5 \$2,400,000 \$0 Fee Simple January 28, 2010 123075

54,014 120' PCH & 450' Coil Irregular Trapezoid M3-1, Industrial N/A Paved Truck Yard

Bruce Falk Joseph M. Zacher, Jr. CoStar & RealQuest

LAND SALE COMPARABLE #2



Location:

APN: Unadjusted Price Per SF: Adjusted Price Per Sq. Ft.: West Side of Gundry @ 27th Street Signal Hill, CA 90755 7212-010-010 \$13.00 \$20.90

#### Analysis:

Land Comp #2 is the November 2009 sale of a vacant industrial lot in Signal Hill. The property is used as an oil field and is impacted by an oil and gas lease with surface rights. The sale price was \$364,000 and the property was purchased by the owner of the surface rights.

The price was first adjusted for this comparable's impacted leased fee ownership interest. The adjusted price per square foot was then calculated and adjusted for Comp #2's location, superior shape, superior topography, smaller size, and inferior interior lot location. Comparable #2 indicates the value indicators shown above for the Subject after all adjustments.

### Land Sale Comp #5

Location:	West Side of Gundry @ 27th Street
	Signal Hill, CA 90755
APN:	7212-010-010
Distance From Subject:	5.3 Miles NW
Map Page:	795 G2
Sale Price:	\$364,000
Cash Down	\$364,000
1st Trust Deed	\$0
Interest Sold:	Subject to Oil & Gas Surface Lease
Sale Date:	June 11, 2009
Document #:	879294
Size (Sq.Ft.):	27,996
Frontage:	101' Gundry
Topography:	Rectangular
Zoning:	LI, Industrial
Existing Improvements:	N/A
Intended Use:	Continued Use as Oil Field
-	

Buyer: Seller: Source: Orange Willow LLC Redfern Trust et al CoStar

### LAND SALE COMPARABLE #3



Location:

APN: Unadjusted Price Per SF: Adjusted Price Per Sq. Ft.: 4951 Oregon Avenue Long Beach, CA 90805 7133-018-009 (now 900) \$29.20 \$19.37

#### Analysis:

Land Comp #3 is the December 2008 sale of a nearly rectangular shaped parcel of land in Long Beach. The property was purchased by the Redevelopment Agency of the City of Long Beach and there are plans to build a local park (soccer field) on the lot. It sold for \$5,100,000 cash.

The price was first adjusted for this comparable's purchase by the RDA, the cost of demolition of the school building on the site, and the date of sale over a year ago. The adjusted price per square foot was then calculated and adjusted for Comp #3's inferior North Long Beach location, superior topography, lack of Coastal Commission jurisdiction, and superior zoning. Comparable #3 indicates the value indicators shown above for the Subject after all adjustments.

#### Land Sale Comp #3

Location:	4951 Oregon Avenue
	Long Beach, CA 90805
APN:	7133-018-009 (now 900)
Distance from Subject:	8.1 Miles NW
Map Page:	765 C4

Sale Price: Cash Down 1st Trust Deed Interest Sold: Sale Date: Document #:

Size (Sq.Ft.): Frontage: Topography: Zoning: Existing Improvements: Intended Use:

Buyer: Seller: Source: \$5,100,000 \$0 Fee Simple December 18, 2008 2226625

\$5,100,000

174,671 358' Del Amo St. & 383' Oregon Slightly Irregular Institutional (I) Demolish 8,036 SF Building Public Park - Soccer Field

RDA - City of Long Beach El Sermon Del Monte De Las Asambleas de Dios CoStar & RealQuest

LAND SALE COMPARABLE #4



Location:

APN: Unadjusted Price Per SF: Adjusted Price Per Sq. Ft.: 6180 Bixby Village Dr Long Beach, CA 90803 7237-023 - Various \$4.82 \$8.10

#### Analysis:

Land Comp #4 is the May 2007 sale of the Bixby Golf Course just to the northwest of the Subject. The land sold for \$6,000,000 with 35% cash down to a new bank loan. The course was laid out over an old dump site, which limits its possible uses. A condition of sale adjustment was made for the impact of the landfill.

The price was also adjusted for this comparable's date of sale (time). The adjusted price per square foot was then calculated and adjusted for Comp #4's larger size, inferior split lots, inferior shape, and lower traffic location. Comparable #4 indicates the value indicators shown above for the Subject after all adjustments.

#### Land Sale Comp #4

Location:	6180 Bixby Village Dr
	Long Beach, CA 90803
APN:	7237-023 - Various
Distance from Subject:	1.0 Mile NW
Map Page:	796 D7

Sale Price: Cash Down 1st Trust Deed Interest Sold: Sale Date: Document #:

Size (Sq.Ft.): Frontage: Topography: Zoning: Existing Improvements: Intended Use:

Buyer: Seller: Source: 1,245,816 PCH, Bixby Village Irregular & Split Lots PD1 Located over Unstable Dump Golf Course

\$6,000,000

\$2,100,000

\$3,900,000

Fee Simple

1327772

May 31, 2007

Bixby Golf Course Ltd. Bixby Village Golf LLC CoStar

### LAND SALE COMPARABLE #5



Location:

APN: Unadjusted Price Per SF: Adjusted Price Per Sq. Ft.: Loynes & Studebaker Wetlands Long Beach, CA 90803 7237-017-006,007, etc \$2.65 \$4.91

#### Analysis:

Land Comp #5 is the June 2005 sale of three small irregular shaped parcels of land just north of the Subject in Long Beach. The properties were purchased by the developer of a planned Home Depot development across Studebaker Road to the east for potential expansion of the road the intersection. The sale price was \$1,300,000 cash.

Since the date of this sale prices of land have increased and then decreased. After the current decline, prices appear to be similar to the 2005 land prices. The easterly par of these parcels is located over an unstable landfill (dump) and did require a condition of sale adjustment. The adjusted price per square foot was then calculated and adjusted for Comp #5's inferior location, split lots, shape, topography, and larger size. Comparable #5 indicates the value indicators shown above for the Subject after all adjustments.

#### Land Sale Comp #5

Location:

APN: Distance from Subject:

Sale Price: Cash Down 1st Trust Deed Interest Sold: Sale Date: Document #:

Size (Sq.Ft.): Frontage: Topography: Zoning: Existing Improvements: Intended Use:

Buyer: Seller: Source: Loynes & Studebaker Wetlands Long Beach, CA 90803 7237-017-006,007, etc 0.5 Mile N

\$1,300,000 \$1,300,000 \$0 Fee Simple June 29, 2005 1529012

490,921
Corner of Loynes & Studebaker
Irregular & Split Lots
PD1
57 Month Old Sale
Street Exp for Home Depot

Bixby Long Beach LLC Bixby Ranch Seller, Realquest

### **Reconciliation and Final Value Estimate**

The comparables had sale prices that ranged from 2.65/SF to 44.43/SF. After the adjustments described in the preceding pages, the comparables indicated a value for the Subject – a vacant industrial zoned site – between 4.91/SF to 32.48/SF. The mean of the indicated values for the Subject is 17.15/sf (3,040,000 rounded) while the median was 19.37/SF (3,434,000 rounded).

Due to the wide variation in indicated values, the comparables were weighted based upon their comparability to the Subject and the reliability of the data and adjustments. The most weight is given to Land Sale Comps #4 (30%) and #5 (25%) which are located nearest to the Subject but are older sales that have landfill problems. Comp #3 (20%) was given the next most weight has it is most similar in size and is located in Long Beach. Land Sale Comps #1 (15%) and #2 (10%) are recent sales of industrial land in Wilmington and Signal Hill. Comp #1 is given slightly more weight than #2 due to the oil and gas lease affecting Comp #2. The Value Per Square Foot analysis with the above weighting has a land value as calculated below:



The weighted indicated value of the Subject is slightly higher than the mean indicated value of \$3,040,000 and less than the median of \$3,434,000. It is a lower value than the similar size land purchased for a public park by the City of Long Beach (Comp #3). The market value should be less than Comp #1 since any development would require risk of approval by the Coastal Commission.

Therefore, it is my professional opinion that the MARKET VALUE of the FEE SIMPLE INTEREST in the Site "Offered to Dedicate" (OTD) to the Los Cerritos Wetlands Authority and located at the Northeast Corner of the intersection of Studebaker Road and East 2<sup>nd</sup> Street, Long Beach, Los Angeles County, California 90803, "assuming approval by the City and Coastal Commission of a lot split of the area offered for dedication" is:

# THREE MILLION ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS \$3,135,000.

### **EFFECTIVE DATE OF VALUE**

The effective date of the value is April 6, 2010, the date the property was first inspected. The date of the report is April 15, 2010, the date the report was written and completed.

### REASONABLE EXPOSURE TIME

Reasonable exposure time is one of a series of conditions in most market value definitions, and exposure time is always presumed to precede the effective date of value (Statement on Appraisal Standards No. 6, Appraisal Standards Board of the Appraisal Foundation). Exposure time may be defined as the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. In other words, it is a retrospective estimate based upon an analysis of past events assuming a competitive and open market.

Exposure time is different for various types of real estate and under various market conditions. It is noted that the overall concept of reasonable exposure encompasses not only adequate, sufficient, and reasonable time, but also adequate, sufficient, and reasonable effort. The fact that reasonable exposure time is always presumed to occur prior to the effective date of the appraisal is substantiated by related facts in the appraisal process; supply and demand conditions as of the effective date of the appraisal, the use of current cost information, the analysis of historical sales information, and the analysis of future income expectancy estimated for the effective date of the appraisal.

The estimate of the time period for reasonable exposure is not intended to be a prediction of the date of sale (Appraisal Standard Board). Instead, it is an integral part of the analyses conducted during the appraisal assignment. The estimate may be expressed as a range and can be based on the following:

- Statistical information about days on the market.
- Information gathered through sales verification.
- Interviews with market participants.

The reasonable exposure period is a function of price, time, and use, not an isolated estimate of time alone. In this appraisal, a market value estimate consistent with the prices of the comparable sales and current escrows which occurred over the past year has been derived. To estimate the marketing period, the Appraisers queried the brokers as to the marketing periods of the sale properties, which

ranged from three to twelve months. A number of owners and brokers active in the market were questioned as to the reasonable time to expose a property, such as the Subject, to the market in order to affect a reasonable sales price.

After conducting the analysis above, a reasonable exposure time for the Subject of 6 to 12 months is estimated. Therefore, the "AS IS" market value estimates as of the date of value that the Subject has been actively marketed for 9 months preceding the date of value for sale purposes.

### **REASONABLE MARKETING TIME**

The reasonable marketing time is an estimate of the amount of time it might take to sell a property interest in real estate as the estimated market value level during the period immediately after the date of value. Marketing time differs from exposure time, in that exposure time precedes the effective date of an appraisal.

The estimate of marketing time uses some of the same data analyzed in the process of estimating the reasonable exposure time, and is not intended to be a prediction of a date of sale (Appraisal Standards Board). It is an integral part of the appraisal, however, and can be based on one or more of the following sources.

- Statistical information about days on the market.
- Information gathered through sales verifications.
- Interviews with market participants.
- Anticipated changes in market conditions.

Related information garnered through this process include other market conditions that may affect marketing time, such as identification of typical buyers and sellers for the type of real estate involved and typical equity investment levels and/or financing terms. The reasonable marketing time is a function of price, time, and use and anticipated market conditions such as changes in the cost and availability of funds. It is not an isolated estimate of time alone. Clients concerned with marketing real estate should be aware that it may be inappropriate to assume that the value estimate herein remains stable over the marketing time. Future market conditions may allow for declines or increases in property values. To estimate the marketing period, sellers were queried as to the marketing periods of the sale properties. Also contacted were a number of brokers active in the Subject's market as to the reasonable time to expose a property, such as the Subject, to the market in order to affect a reasonable sales price.

After conducting the analysis above, a reasonable marketing time for the Subject of 4 to 12 months is estimated for sale purposes based on past market activity.

### **CERTIFICATION**

Address:	NEC Studebaker Road and East 2 <sup>nd</sup> Street
	Long Beach, Los Angeles County, California 90803
Market Value:	\$ 3,135,000
Date of Value:	April 6, 2010

I certify that, to the best of our knowledge and belief:

- the statements of fact contained in this report are true and correct.
- no significant information has been knowingly withheld.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions. No change of any item in the appraisal report shall be made by anyone other than me, and I shall have no responsibility for any such unauthorized change.
- that I have no present or prospective interest in the property that is the subject of this report and/or the personal interest or bias with respect to the parties.
- my estimate of market value in the appraisal report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- my employment for this appraisal assignment is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with Uniform Standards of Professional Appraisal Practice and the Code of Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- I have made a personal inspection of the property that is the subject of this appraisal, both inside and out, and an exterior inspection of all comparable sales listed in the report.
- no individuals have provided significant professional assistance to the person(s) signing this report except as may be specified in the report.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by the organization's duly authorized representatives.
- as of the date of this report, David C. Robertson has completed the requirements of the continuing education program of the Appraisal Institute.

Date: <u>April 15, 2010</u>

Appraiser:

David C. Robertson, MAI CA. SCGREA #AG001996 Exp. 11/16/2010

### **QUALIFICATIONS** DAVID C. ROBERTSON, MAI

#### **REAL ESTATE EXPERIENCE**

Mr. Robertson has over twenty-five years experience in real estate as a real estate owner, broker, syndicator, developer, construction loan officer, commercial loan officer, mortgage & equity investment advisor, commercial loan underwriter, appraiser, and appraisal department manager. This broad range of experience allows Mr. Robertson to uniquely understand the factors that affect real estate valuation.

#### FRACTIONAL INTEREST VALUATION

Mr. Robertson has over 10 years of experience in the valuation of fractional owner ship interests including interests in limited liability companies (LLCs), limited partnerships (LPs or FLPs), and tenant-in-common interests. The scope and depth of the fractional ownership interests provides strong support in valuation negotiations with the Internal Revenue Service in audited estate and gift tax returns.

#### **BUSINESS VALUATION**

Mr. Robertson has over 10 years of experience in business valuation. The first business valuations were the going concern value of management intensive real estate. Valuations of small business enterprises that are not real estate related are conducted with associated CPA's experienced in valuing businesses in that industry.

#### SCOPE OF APPRAISAL ASSIGNMENTS

Mr. Robertson's experience includes appraisal and review of the following types of real estate:

1	
Residential -	Tract Houses to \$6,000,000 Luxury Homes.
Apartments -	Duplexes to 250+ Unit Apartment Complexes.
Retail -	Single Tenant Stores to Neighborhood Centers with 100,000+ Square Feet.
Offices -	Professional Office Buildings to 132,000+ Square Foot Class 'A' Office Buildings.
Industrial -	Industrial Condominiums to 150,000+ Square Foot Multi-Tenant Industrial Parks.
Vacant Land -	Residential, Subdivision, Industrial, and Commercial
Other -	Mobile Home Parks, Restaurants, Bank Branches, Senior Housing, Assisted Living &
	Nursing Homes, and other Special Use Properties
Expert Witness -	In matters of real estate valuation and has performed numerous appraisals for bankruptcy
-	and other legal proceedings.

Mr. Robertson's experience includes appraisal of the following types of businesses:

Real Estate & Investment Corporations	Real Estate & Petroleum Lease Holding Corporations
Restaurant Companies	Gas Station & Car Wash Businesses
Motel/Hotel Going Concern Value	Construction Material Companies

#### WORK EXPERIENCE

1991-Pres. Ouality Appraisal Service, Inc. dba Robertson & Associates, President 1991-1992 Wilford - Robertson Associates, Managing Partner 1988-1991 American Savings Bank, Senior Vice-President & Chief Appraiser 1987-1988 American Savings & Loan Assoc., Vice-President, Reg. Mgr. Income Property Lending 1985-1987 Norris, Beggs & Simpson, Investment Advisor 1984-1985 GE Mortgage Corporation, Commercial Loan Officer 1982-1984 California Federal Savings & Loan Assoc., Construction Loan Officer 1979-1982 R.K. Development Co., Apartment & Condominium Developer Coast Equities, Inc., Associate Real Estate Broker 1975-1979 1971-1973 U.S. Navy, Lt(jg) Navigator & Personnel Officer

#### Qualifications cont'd.

#### **EDUCATION**

Bachelor of Science Degree -Graduate Courses Business & Finance -

1971 - U.S. Naval Academy, Annapolis, MD.1976 - 1978, California State University, Long Beach, CA

American Institute of Real Estate Appraisers Appraisal Principles & Practice Basic Valuation Capitalization Theory A & B Case Studies & Valuation Analysis & Report Writing Standards of Professional Appraisal Practice Completed Demonstration Report & Comprehensive Exam

Recent Continuing Education

Subdivision SeminarCongregate & Residential Care FacilitiesOperating Expenses SeminarLow Income Housing ValuationLitigation SeminarImpact of Detrimental ConditionsBusiness Practices & Ethics 2008Market Trends 2000, 2001, 2002, 2003, 2004, 2005, & 2007Uniform Standards of Professional Appraisal Practice UpdateValuing Family Limited PartnershipsNational IRS Symposium on Valuation Issues 2006 & 2007Case Studies in Limited Partnerships & Common Tenancy Valuations

#### **DESIGNATIONS & LICENSES**

State of California - Certified General Real Estate Appraiser #AG001996 State of California - Real Estate Broker #00459112 Appraisal Institute - MAI # 09835 Institute of Business Appraisers – Member

Mr. Robertson was a director on the Board of the California Market Data Cooperative, a company that supplies market data to real estate appraisers, from 1989 to 1998.

#### PARTIAL LIST OF CLIENTS

#### **Banks and Savings And Loans**

American Security Bank Alliance Bank Brentwood Bank of California Cal Fed Coast Federal Bank Citibank Farmers and Merchants Bank FCB Taiwan California Bank First Coastal Bank First Federal Bank Fidelity Thrift & Loan Grand National Bank International Savings Bank International City Bank Jackson Federal Bank Pacific Union Bank Palm Springs Savings Bank People's Bank Security Pacific Bank Spectrum Bank Union Bank Washington Mutual Bank (American Savings Bank, Great Western Savings & Home Savings) Wells Fargo Bank Western Bank Western Financial Savings Bank

#### **Mortgage Companies**

Ameriquest Citifed Diversified Countrywide Funding General American Credits Imperial Credit Companies Independent Mortgage Goodman Dean Keystone Mortgage Corporation Mark III Mortgage Metrociti Mortgage Corporation North American Mortgage Company Westfall & Company, Inc.

#### Accountants

Baldwin Business Services Frostad & Ward Bill Griffith & Company McKinney & Company Murchison & Marek Murray & Marek, LLP

#### **Insurance Companies**

Allstate Life Insurance Company American Insurance Company Crown Life Insurance Company Farmers Life Insurance Company International Order of Foresters John Hancock Life Insurance Company New York Life Insurance Northwestern National Life Insurance Company Standard Life Insurance

#### Corporations

Benjamin & Associates California Glass Bending Corporation DiGiorgio Corporation Essex Properties Corporation Galardi Group Gramercy Enterprises Great Western Hotels Japan Leasing Corporation LAEROC Partners, Inc. Pay-Less Shoes Questmark Group San Gabriel River Company, Inc.

#### Attorneys

Adams & Boskovich Baker & Hostetler Buchalter, Nemer, Fields & Younger Carlsmith Ball Wichman Murray Case & Ichiki Misty L. Colwell, Esq. William D. Evans, Esq. Frankel & Tennant Hagel & Coulter Stanley Hartford, Esq. Michael Nishkian, Esq. Riedman, Dalessi, & Dybens Seltzer Caplan Wilkins & McMahon William Szczepaniak, Esq. D. Michael Trainotti, Inc.

#### **Government Agencies**

California State University, Los Angeles Federal National Mortgage Association State of California, Department of Insurance

# **Exhibit F**

OTD Parcel Wetlands Feasibility Study Tidal Influence

### **Beneficial Use Categories**

As found on the Regional Water Quality Control Board's website:

http://ceres.ca.gov/wetlands/geo\_info/so\_cal/terms\_definitions.html#RWQCB. State and federal laws approach the concept of Beneficial Uses from slightly different angles. In practice, Beneficial Uses are thought of as uses of water necessary for the survival or well-being of man, plants and wildlife. Because the specific uses that would qualify under that broad definition are almost innumerable, the State and Regional Water Quality Control Boards (Water Boards) define Categories of Beneficial Uses. Periodically the Water Boards designate the Categories of Beneficial Uses currently or potentially being supported by waters in their region. Keeping water quality at levels/conditions that will continue to support those uses is the basis for a whole program of water quality protection implemented by the Water Boards.

The twenty-five Beneficial Use Categories defined for waters of the state are provided below in alphabetical order:

**AGR**: Agricultural Supply. Includes uses of water for farming, horticulture, or ranching. These uses may include, but are not limited to, irrigation, stock watering, or support of vegetation for range grazing.

**AQUA**: Aquaculture. Includes the uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.

**BIOL**: Preservation of Biological Habitats of Special Significance. Includes uses of waters that support designated areas or habitats, including, but not limited to, established refuges, parks, sanctuaries, ecological reserves or preserves, and Areas of Special Biological Significance (ASBS), where the preservation and enhancement of natural resources requires special protection.

**COLD**: Cold Freshwater Habitat. Includes uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.

**COMM**: Commercial and Sport Fishing. Includes the uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to uses involving organisms intended for human consumption or bait purposes.

**EST**: Estuarine Habitat. Includes uses of water that support estuarine ecosystems. These uses include, but are not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

**FRSH**: Freshwater Replenishment. Includes uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity).

**GWR**: Groundwater Recharge. Includes uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

**IND**: Industrial Service Supply. Includes uses of water for industrial activities that do not depend primarily on water quality. These uses may include, but are not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well re-pressurization.

**MAR**: Marine Habitat. Includes uses of water that support marine ecosystems. These uses include, but are not limited to, preservation or enhancement of marine habitats, vegetation, such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

**MIGR**: Migration of Aquatic Organisms. Includes uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.

**MUN**: Municipal and Domestic Supply. Includes uses of water for community, military, or individual water supply systems. These uses may include, but are not limited to, drinking water supply.

**NAV**: Navigation. Includes uses of water for shipping, travel, or other transportation by private military, or commercial vessels.

**POW**: Hydropower Generation. Includes uses of water for hydropower generation.

**PROC**: Industrial Process Supply. Includes uses of water for industrial activities that depend primarily on water quality. These uses may include, but are not limited to, process water supply and all uses of water related to product manufacture or food preparation.

**RARE**: Rare, Threatened or Endangered Species. Includes uses of waters that support habitats necessary for the survival and successful maintenance of plant or animal species designated under state or federal law as rare, threatened or endangered. This designation is based, in large part, on the information contained within RareFind. RareFind is an application of the California Department of Fish and Game's Natural Diversity Data Base (NDDB).

**REC-1**: Contact Water Recreation. Includes uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and SCUBA diving, surfing, whitewater activities, fishing, or use of natural hot springs.

**REC-2**: Non-contact Water Recreation. Includes uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

**SAL**: Inland Saline Water Habitat. Includes uses of water that support inland saline water ecosystems. These uses include, but are not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.

**SHELL**: Shellfish Harvesting. Includes uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters and mussels) for human consumption, commercial, or sport purposes.

**SPWN**: Spawning, Reproduction, and Development. Includes uses of waters that support high quality aquatic habitats necessary for reproduction and early development of fish and wildlife. **WARM**: Warm Freshwater Habitat. Includes uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.

**LWRM**: Limited Warm Freshwater Habitat. Includes uses of water that support warm water ecosystems which are severely limited in diversity and abundance as the result of concrete-lined watercourses and low, shallow dry weather flows which result in extreme temperature, pH, and/or dissolved oxygen conditions. Naturally reproducing finfish populations are not expected to occur in LWRM waters.

**WET**: Uses of water that support wetland ecosystems, including, but not limited to, preservation or enhancement of wetland habitats, vegetation, fish, shellfish, or wildlife, and other unique wetland functions which enhance water quality, such as providing flood and erosion control, stream bank stabilization, and filtration and purification of naturally occurring contaminants. **WILD**: Wildlife Habitat. Includes uses of water that support terrestrial ecosystems. These uses include, but are not limited to, preservation or enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

# **Exhibit G**

OTD Parcel Wetlands Feasibility Study Tidal Influence

# Constraints to Restoring Salt Marsh Habitat

Following is list of reasons why salt marsh is not a feasible habitat type to restore on the OTD Parcel:

1. Currently the property is about 900 feet from the nearest tidal waters originating from Los Cerritos Channel. Likewise, the San Gabriel River's tidal waters are about 1,000 feet from the site. Even if tidal waters were designed to reach this site from those areas, they would likely be muted leading to a poor quality of salt marsh habitat within the OTD Parcel.

2. The parcel is bordered by two large streets Studebaker Rd. to the west and 2<sup>nd</sup> St. to the south. Even if the proximity of tidal influence was improved through restoration efforts, salt water would need to travel under these existing roads, each being 100 feet in width. The construction costs of a culvert system or bridge overpass to allow tidal waters into the site would far outweigh the value of the less than 4-acres of salt marsh habitat that would be created. Moffat and Nichol (2005) estimate the costs for a bridge or causeway under these roads to be around \$20 million.

3. Currently the land between the study site and the tidal waters is not completely owned by the LCWA. Bryant-Dakin LLC owns the property to the south across  $2^{nd}$  St. and Berger-Dean owns the property to the west across Studebaker Rd. It likely will take many years for the LCWA to acquire these properties before any hydrological design work could be done that would address conveying tidal waters into the OTD Parcel

4. According to the U.S. Geological Services the historic 'City Dump and Salvage Area #4' exists along the western boarder of Studebaker Rd. Disturbance of this historic dump area would be necessary to convey tidal waters from the Los Cerritos Channel to the OTD Parcel. This would involve an exceedingly expensive construction effort.

5. Removal or alternation to a portion of the western levee of the San Gabriel River would be required to convey tidal waters from the San Gabriel River to the OTD Parcel. The levees are maintained by the LA County DPW storm water division and fall under the regulatory jurisdiction of the U.S. Army Corp of Engineers. This would involve an expensive construction effort and a time intensive permitting and planning process.

6. Salt marsh soils are difficult to re-create and the current soils on site have been so heavily altered that it would take many years before it could host viable salt marsh habitat. Several projects locally including a freshwater marsh at Ballona Wetlands and the Heron Pointe bioswale both demonstrate that freshwater marsh systems can be easily and quickly restored in heavily degraded areas.

7. The projections of sea-level rise could endanger neighboring urban and industrial infrastructure if tidal areas were in such close proximity.

# **Exhibit H**

OTD Parcel Wetlands Feasibility Study Tidal Influence

# Proposed Plant Palettes for the OTD Parcel

#	COMMON NAME	Genus species
Fresh	water Marsh	
1	MINER'S LETTUCE	Claytonia perfoliata
2	MUGWORT	Artemisia douglasiana
3	SPINY RUSH	Juncus acutus
4	WILLOW WEED	Polygonum lapathifolium
5	MARSH FLEABANE	Pluchea odorata
6	BLACK WILLOW	Salix goodingii
7	ARROYO WILLOW	Salix lasiolepis
8	BROAD-LEAVED CATTAIL	Typha latifolia
9	SOUTHERN CATTAIL	Typha domingensis
10	BULL TULE	Scirpus robustus
11	CALIFORNIA BULLRUSH	Scirpus californicus
12	SCARLET MONKEYFLOWER	Mimulus cardinalis
13	MULE FAT	Baccharis salicifolia
14	SPIKE RUSH	Eleocharis macrostachya
Alkali	Meadow	
1	ALKALI SACATON	Sporobolus airoides
2	WHOLLY SEA BLITE	Sueada taxifolia
3	BREWER'S SALTBUSH	Atriplex lentiformis
4	CALIFORNIA ATRIPLEX	Atriplex californicum
5	FOUR-WINGED SALT BUSH	Atriplex canescens
6	ALKALI MALLOW	Malvella leprosa
7		Scirpus robustus
8		Heliotrpium curassivicum
9		Frankenia salina
10		Sarcocornia virginica
11	PARISH 5 GLASSWOR I	Arthrocenum subterminale
12	SALI GRASS Solitlied ni tad danit	Distictuis spicata
14		Centromadia partyr australis
14	STIKE KUSH	Eleocharis macrostachya
Coast	al Sage Scrub	
1	CA SAGEBRUSH	Artemisia californica
2	CA BUCKWHEAT	Eriogonum fasciculatum
3	BLACK SAGE	Salvia mellifera
4	WHITE SAGE	Salvia apiana
5	LEMONADEBERRY	Rhus integrifolia
6	LAUREL SUMAC	Malosma laurina

Nassella pulchra

Muhlenbergia rigens

Melica imperfecta

- 6 LAUREL SUMAC
- 7 PURPLE NEEDLEGRASS
- DEERGRASS 8
- COASTAL MELICA 9

- 10 COAST SUNFLOWER 11 TOYON MOCK HEATHER 12 13 PRICKLY PEAR CACTUS 14 EMORY'S BACCHARIS COYOTE BUSH 15 BROOM BACCHARIS 16 COAST GOLDENBUSH 17 CALIFORNIA BOX THORN 18 FUSCIA FLOWERING CURRANT 19 REDBERRY 20 OUR LORD'S CANDLE 21 22 BLADDERPOD COASTAL COREOPSIS 23 24 GIANT COREOPSIS DEERWEED 25 COAST GOLDFIELDS 26 27 SUCCULENT LUPINE 28 CALIFORNIA POPPY
- Encelia californica Heteromeles arbutifolia Ericameria ericoides **Opuntia littoralis** Baccharis emoryi Baccharis pilularis Baccharis sarthoides Isocoma menziesii var. menziesii Lycium californicum Ribes speciosum Rhamnus crocea Yucca whipplei Cleome isomeris Coreopsis maritima Coreopsis gigantea Lotus scoparius Lasthenia glabarata coulteri Lupinus succulentus Eschscholzia californica