



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: October 25, 2011

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 10-003 (Continued from the April 26, 2011 meeting with the public hearing to be opened - Beach and Warner Mixed Use Project)

APPLICANT: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

PROPERTY

OWNER: Decron Properties, Len Lichter, City of Huntington Beach

LOCATION: The proposed mixed-use project is located on a 9.4 acre, L-shaped site on the southwest corner of Beach Boulevard and Warner Avenue

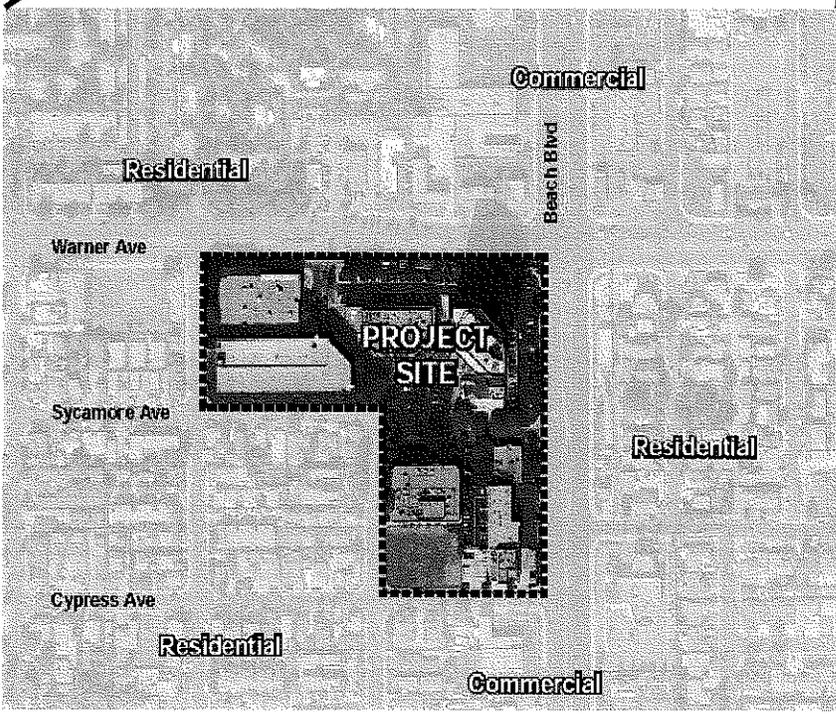
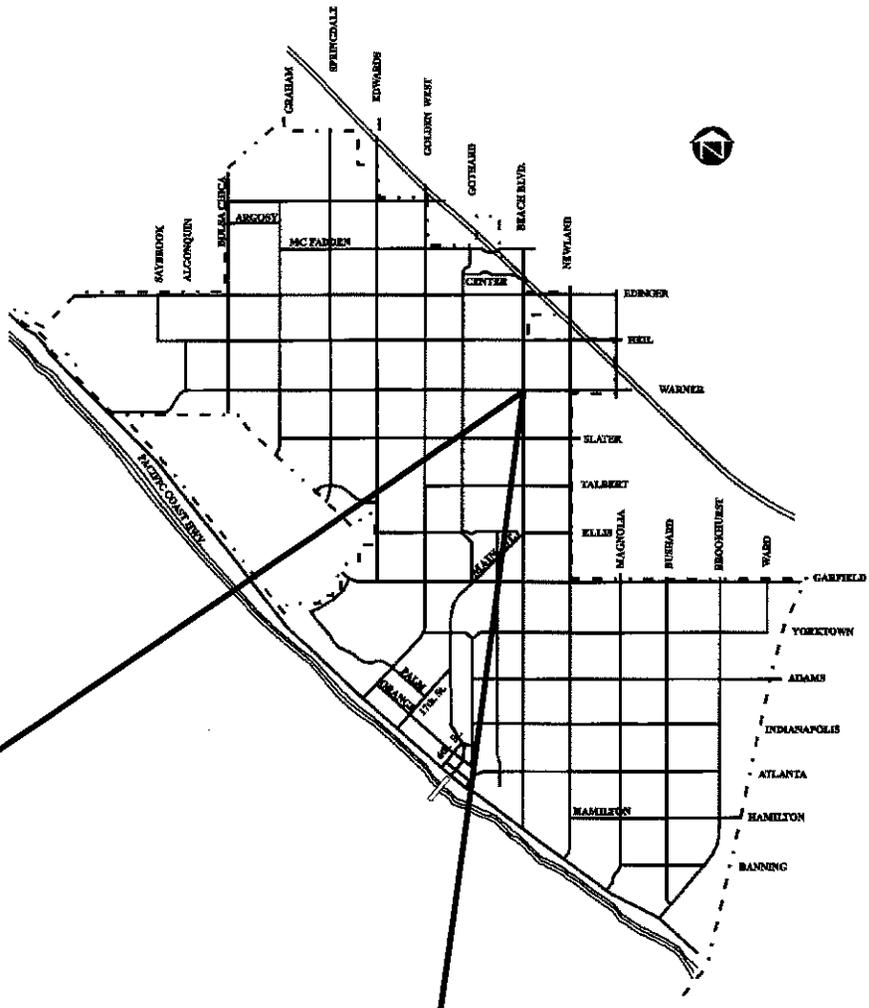
STATEMENT OF ISSUE:

- ◆ Environmental Impact Report (EIR) No. 10-003:
 - Analyzes the environmental impacts associated with the development of the Beach and Warner Mixed Use Project, which consists of 279 dwelling units, 35,600 square feet of commercial area and 75,000 square feet of public open space area on the 9.4 acre project site;
 - Documents potential impacts to aesthetics, biological resources, geology and soils, hydrology and water quality, air quality, cultural resources, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, hazards and hazardous materials, and climate change;
 - Evaluates two alternatives to the proposed project; and
 - Concludes that potential impacts can be mitigated to less than significant levels for the project with the exception of impacts to air quality and transportation/traffic, which would remain significant and unavoidable.

- ◆ Staff's Recommendation:
 - Certify EIR No. 10-003 because it adequately analyzes the potential environmental impacts associated with the proposed project, identifies project alternatives, provides mitigation measures to lessen the project's impacts consistent with the Beach and Edinger Corridors Specific Plan (BECSP) Program EIR and General Plan policies, and has been prepared in accordance with the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Motion to: "Certify EIR No. 10-003 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1654 (Attachment No. 1)."



Vicinity Map
Environmental Impact Report No. 10-003

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue certification of EIR No. 10-003 and direct staff accordingly."
- B. "Deny certification of EIR No. 10-003 with findings for denial."

PROJECT PROPOSAL:

EIR No. 10-003 analyzes development of up to 279 dwelling units, 29,600 square feet of retail uses and 6,000 square feet of restaurant uses (35,600 square feet total) and public open space on a 9.4-acre site located at the southwest intersection of Beach and Warner.

Under the proposed project, the existing 15-story 196,000 square-foot (sf) office building; the 18,531 sf retail/restaurant building along Warner Avenue; the 7,205 sf restaurant (Todai building) on Beach Boulevard; and the six-story, 863 stall parking structure located at the northeast corner of Sycamore Avenue and Ash Street would remain. All other buildings on the project site would be demolished and replaced with new development. Project improvements involve the development of two six-story mixed use buildings and two one-story retail buildings. The six-story Beach Blvd. building, located adjacent to Beach, Cypress and Elm, consists of 202 apartment units located above street level commercial uses and the parking podium. At grade or street level commercial uses are proposed fronting Beach Blvd. and the interior (north) of the site. In addition, street level residential units will be located along Cypress Ave. and Elm St. The building includes an internal three-level 481-stall parking structure with residential units above. The parking structure provides one level of parking below grade, one level at-grade, and one level above grade. The second six-story mixed use building is proposed adjacent to Warner, Ash and the existing parking structure. The Warner Ave. building will consist of 77 residential apartment units that front Warner Ave. and Ash St. with four live-work units fronting Warner Ave. The building also includes 3,000 sf retail and 1,000 sf restaurant uses oriented to the interior (east) of the site. The building includes an internal two-level, 55-stall parking structure (two levels above grade) that is surrounded by the commercial and residential uses. The project also proposes two new retail buildings fronting at the corner of Beach Blvd. and Warner Ave. The two buildings are proposed at one-story with approximately 5,500 sf. of retail uses with a public plaza. Other improvements include the consolidation of the various parcels that comprise the overall project site. The project proposes to include 7,000 sf of residential common area, 15,800 sf. of residential private open space and 75,000 sf of public open space.

The environmental impact report discusses potential adverse impacts in the areas of aesthetics, biological resources, geology and soils, hydrology and water quality, air quality, cultural resources, land use and planning, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, hazards and hazardous materials, and climate change. The direct, indirect and cumulative impacts of the proposed project are addressed, as are the impacts of project alternatives.

The EIR consists of three volumes. Volumes I and II are the Draft EIR and Appendices that were circulated for a minimum 45-day public review period. Volume III is the Final EIR, which includes the comments received during the public review period, responses to those comments and text changes to the Draft EIR to clarify or correct information in response to comments or as identified as necessary by staff. These volumes are referenced as Attachment No. 2.

Background:

Environmental Impact Report (EIR) No. 10-003 was continued from the April 26, 2011 Planning Commission meeting at the request of the applicant to allow time to respond to a late communication letter received on April 25th from Bergman & Dacey, Inc., representing the Ocean View School District. Prior to this, Draft EIR No. 10-003 was reviewed at a Planning Commission Study Session on March 22, 2011, and a Final EIR, including Errata to the Draft and a Response to Comments, was distributed in mid-April. The Planning Commission received the staff report dated April 26, 2011 in preparation of the hearing that was scheduled.

On October 11, 2011, a second study session was held with the Planning Commission to discuss the EIR. Since April, the Final EIR was revised to include and respond to the late communication letter noted above. The revisions, further discussed in the analysis section of this report, resulted in no new significant impacts or changes to the significance levels such that recirculation of the Draft EIR was warranted.

The proposed project site is located within the Beach and Edinger Corridors Specific Plan (BECSP), adopted in March 2010. Development on the project site was included in the Notice of Preparation for the BECSP EIR and analyzed as part of the larger scope of development contemplated in the BECSP EIR (Program EIR No. 08-008), which anticipated approximately 272 dwelling units and 35,600 square feet of commercial area on the project site. As such, the analysis in Draft EIR No. 10-003 is tiered from the BECSP Program EIR where appropriate.

ISSUES:

Subject Property Land Use, Zoning, and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP-14 (Beach and Edinger Corridors Specific Plan)	General Commercial Uses and Vacant Land
North of Subject Property:	M-sp-d	SP-14	General Commercial Uses
East of Subject Property (across Beach Blvd):	M-sp-d	SP-14	Carwash, General Commercial Uses
South of Subject Property (across Cypress):	M-sp-d	SP-14	General Commercial uses
West of Subject Property (across Elm, Sycamore and Ash):	RM-15 (Multiple Family Res-15 units per AC) CG-F1 (Commercial General – Floor Area Ratio 0.35)	RM and CG	Residential and Commercial Office Uses

The project site consists of approximately 9.4 acres located on the southwest corner of Beach Blvd. and Warner Avenue. The project site is developed with a fifteen-story office tower at the corner of Beach Boulevard and Warner Avenue, several one-story strips of retail, office, and restaurant uses fronting Beach Boulevard and Warner Avenue, as well as a two-story movie theater, a six-story parking structure, and a two-story Bally's Total Fitness. A portion of the site (approximately 0.5 acre) on the northeast

corner of Cypress Avenue and Elm Street is currently undeveloped. The project site is located within the Neighborhood Center segment of the Beach and Edinger Corridors Specific Plan (BECSP).

General Plan Conformance:

The EIR is consistent with the goals, policies and objectives of the City's General Plan as follows:

A. Air Quality Element

Goal AQ 1: Improve regional air quality by a) decreasing reliance on single occupancy vehicular trips, b) increasing efficiency of transit, c) shortening vehicle trips through a more efficient jobs-housing balance and a more efficient land use pattern, and d) increasing energy efficiency.

Policy AQ 1.8.1: Continue to enforce construction site guidelines that require truck operators to minimize particulate emission.

Policy AQ 1.8.2: Require installation of temporary construction facilities (such as wheel washers) and implementation of construction practices that minimize dirt and soil transfer onto public roadways.

Policy AQ 1.9: Minimize sensitive uses (residential, hospitals, schools, etc) exposure to toxic emissions.

Policy AQ 1.10.1: Continue to require the utilization and installation of energy conservation features in all new construction.

The EIR analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from construction activities, operation of the commercial and residential uses and project-related traffic volumes. Mitigation Measures MM4.2-1 through MM4.2-16 would be implemented to reduce these emissions and minimize impacts to sensitive uses surrounding the project site, such as existing residential developments across from Elm Street and Ash Street to the extent feasible. The EIR discusses requirements for all projects to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which would also reduce short-term/construction emissions. The analysis in the climate change section of the EIR proposes mitigation measures that are consistent with strategies recommended by the California Climate Action Team and California Air Pollution Control Officers Association for reducing climate change emissions. The EIR also notes that the BECSP requires use of sustainable practices to increase the proposed project's energy efficiency.

C. Circulation Element

Goal CE 2: Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.1.1: Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during the peak hours.

Goal CE 2.3.4: Require new development mitigate its impact on City streets, including but not limited to, pedestrian, bicycle, and vehicular conflicts, to maintain adequate levels of service.

Objective CE 2.3: Ensure that the location, intensity and timing of new development is consistent with the provision of adequate transportation infrastructure and standards as defined in the Land Use Element.

Policy CE 2.3.1: Require development projects to mitigate off-site traffic impacts and pedestrian, bicycle, and vehicular conflicts to the maximum extent feasible.

The EIR analyzes the potential for adverse impacts on existing transportation and traffic conditions resulting from implementation of the proposed project. A traffic study was conducted by Austin-Foust Associates and analyzed potential adverse traffic impacts on the intersections surrounding the project site (Beach Blvd and Warner Ave, Beach Blvd and Slater Ave) as well as the BECSP study area. The EIR documents that the project would not result in significant impacts to the level of service at the two closest intersections. Mitigation Measures MM4.13-1 through MM4.13-18 require mitigation of the project's contribution to the intersections and freeway ramp determined to be significantly impacted as a result of implementation of the BECSP through payment of fees that would provide the project's fair share toward improving those intersections. The EIR also analyzes the project's potential to create adverse impacts from inadequate parking capacity, alternative transportation policies, pedestrian and bicyclist safety and emergency access. With implementation of existing code requirements, mitigation measures adopted for the BECSP and proposed project-specific mitigation measures, impacts would be mitigated to a less than significant level.

D. Environmental Hazards Element

Goal EH 1: Ensure that the number of deaths and injuries, levels of property damage, levels of economic and social disruption and interruption of vital services resulting from seismic activity and geologic hazards shall be within acceptable levels of risk.

Objective EH 1.1: Ensure that land use planning in the City accounts for seismic and geologic risk, including groundshaking, liquefaction, subsidence, soil and slope stability and water table levels.

Objective EH 1.2: Ensure that new structures are designed to minimize damage resulting from seismic hazards, ensure that existing unsafe structures are retrofitted to reduce hazards and mitigate other existing unsafe conditions.

Policy EH 1.2.1: Require appropriate engineering and building practices for all new structures to withstand groundshaking and liquefaction such as stated in the Uniform Building Code.

Goal EH 3: Ensure the safety of the City's businesses and residents from methane hazards.

Objective EH 3.2: Minimize methane hazards in the identified Methane Overlay District, and other areas outside the Methane Overlay Districts as may later be defined, through the regulation of construction and adherence to the City's Methane Hazard Mitigation Plan.

Policy EH 3.2.2: Establish, enforce, and periodically update testing requirements for sites proposed for new construction within the identified Methane Overlay District.

The EIR analyzes the existing physical setting of the project site as it relates to hazards and hazardous materials and its potential impact on human health resulting from implementation of the proposed project. Mitigation Measures MM4.6-1 through MM4.6-4 ensure that all impacts related to hazards and hazardous materials would be less than significant. To ensure that the proposed project is designed to minimize damage resulting from seismic hazards and that new structures are engineered to withstand groundshaking and liquefaction, Mitigation Measure 4.5-1 would be implemented requiring a final soils and geotechnical report, which would recommend design measures to be implemented in the final project design.

E. Environmental Resources/Conservation Element

Policy ERC 2.1.10: Conduct construction activities to minimize adverse impacts on existing wildlife resources.

Mitigation Measure 4.3-1 requires that prior to construction or any vegetation removal that appropriate surveys shall be conducted to ensure that no nesting habitats are disturbed, including impact-avoidance measures.

F. Growth Management Element

Goal GM 1: Provide adequate police services to meet the needs of the City's population.

Goal GM 1.1.3: Continue to provide a 5-minute response time for Priority 1 calls for service at least 85% of the time. Calls are considered Priority 1 where there is a threat to life or property.

Policy GM 1.1.7: Ensure that new development site design incorporates measures to maximize policing safety and security.

Goal GM 2: Provide adequate fire and paramedic services to meet the needs of the City's population.

Policy GM 2.1.2: Provide a 5-minute response time for emergency fire services at least 80 percent of the time.

Policy GM 2.1.3: Provide a 5-minute response time for paramedic services at least 80 percent of the time.

The EIR evaluates the effects of the proposed project on public services by identifying anticipated demands on existing and planned service availability. The analysis concludes that the proposed project would not require new or physically altered fire or police facilities to maintain adequate response times and staffing. However, in order to ensure that an adequate level of service is provided through the build-out of the specific plan, a mitigation measure is recommended, which would ensure that funding is available to maintain acceptable response times and staffing levels for Police and Fire.

Policy GM 1.1.7: Ensure that new development site design incorporates measures to maximize policing safety and security.

Policy GM 2.1.4: Ensure that new development site design incorporates measures to maximize fire safety and prevention.

The provisions of the BECSP require Fire Department review and approval of the proposed project to ensure that adequate circulation is provided to enable emergency access to the site and meet Fire code standards for circulation aisle widths. Mitigation Measure 4.6-4 would require adequate access for emergency vehicles during project construction. In addition, the Site Plan Review/Conditional Use permit process would involve review by other City departments, including the Police and Fire Departments to determine adequacy of street designs and onsite circulation.

G. Hazardous Materials Element

Goal HM 1: Reduce, to the greatest degree possible, the potential for harm to life, property, and the environment from hazardous materials and hazardous waste.

Objective HM 1.1: Promote the proper handling, treatment and disposal of hazardous materials and hazardous waste.

Mitigation Measures 4.6-1 through 4.6-3 ensure remediation of contaminated soils containing hazardous materials, if any, prior to development of the proposed project and by providing supplemental procedures in the event of unanticipated discoveries of contaminants during construction. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that identifies the contaminants of concern and the potential risk posed to human health.

H. Historic and Cultural Resources Element

Objective HCR 1.1: Ensure that all of the City's historically and archaeologically significant resources are identified and protected.

The impact analysis for cultural resources is based on the findings of the cultural records search and site survey conducted for the proposed project. No evidence of previously undiscovered archeological resources on the project site was encountered during the survey and record search. Although no cultural resources have been recorded on the project site, Mitigation Measures MM4.4-2 (b) and MM4.4-3 (b) would ensure that impacts from the discovery of resources during project construction would be less than significant.

I. Housing Element

Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

The EIR includes an analysis of the project's impacts on population and housing and is based on the BECSP Program EIR, which included analysis of the City's Regional Housing Needs Assessment (RHNA) future housing need as determined by SCAG population projections. The BECSP anticipates 4,500 residential units during the life of the Plan, which would provide needed housing for the City and the region, contributing to the City's progress towards meeting its RHNA numbers. The allocated housing is divided between the two corridors permitting a maximum of 2,755 units on Beach Blvd and 1,745 units on Edinger Ave. The proposed project represents approximately 6.2 percent of the total dwelling units approved under the BECSP and would provide mixed use rental housing.

J. Land Use Element

Goal LU 2 Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.2 Require that the type, amount, and location of development be correlated with the provision of adequate supporting infrastructure and services (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

Policy LU 2.1.3 Limit the type, location, and/or timing of development where there is inadequate public infrastructure and/or services to support land use development.

Policy LU 7.1.5 Accommodate the development of a balance of land uses that maintain the City's fiscal viability and integrity of environmental resources.

The EIR mitigation measures require that infrastructure is provided or upgraded during project construction to adequately provide service for the project commensurate with the project's demand for services and impacts on existing infrastructure. In addition, the EIR describes the existing site conditions and the characteristics of the proposed mixed use project and identifies the BECSP district that governs the project site. The EIR discusses that the project was designed to respond to issues facing the Beach Boulevard Corridor as well as achieve the stated community objectives of the project that are identified in the EIR. Through conformance to the BECSP Development Code, the EIR states that the project would provide a mix of uses that support the City's image and enhance the quality of life and the environment and meet the objectives of the Specific Plan to revitalize the Corridors.

K. Noise Element

Goal N 1: Ensure that all necessary and appropriate actions are taken to protect Huntington Beach residents, employees, visitors, and noise sensitive uses from the adverse impacts created by excessive noise levels from stationary and ambient sources.

Objective N 1.2: Prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors, and noise sensitive uses of Huntington Beach.

Policy N 1.2.1: Require, in areas where noise levels exceed an exterior L_{dn} of 60 dB(A) and an interior L_{dn} of 45 dB(A), that all new development of "noise sensitive" land uses, such as housing, health care facilities, schools, libraries, and religious facilities, include appropriate buffering and/or construction mitigation measures that will reduce noise exposure to levels within acceptable limits.

Policy N 1.2.3: Require development, in all areas where the ambient noise level exceeds an L_{dn} of 60 dB(A), to conduct an acoustical analysis and incorporate special design measures in their construction, thereby, reducing interior noise levels to the 45 dB(A) L_{dn} level.

The EIR includes a noise analysis consistent with CEQA requirements. The EIR mitigation measures require an acoustical analysis before issuance of building permits to ensure that interior noise levels for new residential units would not exceed established standards of the City's Noise Ordinance. Mitigation Measures MM4.9-4 and MM4.9-5 would be required to attenuate noise from HVAC systems and

implement design measures to ensure that noise levels in new residential units do not exceed the standards set forth in Section 8.40.070 and Section 8.40.080 of the Huntington Beach Municipal Code.

Objective N I.6: Minimize the impacts of construction noise on adjacent uses.

Policy N I.6.1: Ensure that construction activities be regulated to establish hours of operation, to prevent and/or mitigate the generation of excessive or adverse noise impacts through the implementation of the existing Noise Ordinance and/or any future revisions to the Noise Ordinance.

Under the City's Municipal Code, construction activities can only occur between the hours of 7:00 AM and 8:00 PM from Monday through Saturday. Mitigation Measures MM4.9-1 through 4.9-3 would further restrict construction hours for the highest noise producing activities and ensure that impacts associated with construction activities are minimized to the maximum extent feasible. As such, impacts would be less than significant.

L. Public Facilities and Services Element

Objective PF 1.1: Provide adequate police facilities and personnel to correspond with population and service demands, and provide protection for the community from illicit activities and crime.

Policy PF 1.3.2: Ensure that new development and land use proposals are analyzed to determine the impact on their operators, occupants, visitors, or customers may have on the safety and welfare of the community.

Goal PF 2: Ensure adequate protection from fire and medical emergencies for Huntington Beach residents and property owners.

Policy PF 2.3.1: Continue to require all structures to follow all State and nationally recognized fire codes.

The EIR includes an analysis of impacts to police and fire facilities and services. Implementation of the proposed project would not significantly impact the level of service delivery for the project area and would not require any new or physically altered police and fire facilities to maintain adequate response times and staffing. However, to further ensure the safety of residents of the proposed project as build-out of the specific plan area occurs, Mitigation Measure MM 4.11-1 is recommending that the City provide sufficient funding to maintain the City's standard and average level of service through the use of General Fund monies. Additionally, the EIR analyzes the public services emergency response needs in relationship to adding population resulting from the built environment. Compliance with the regulations of the California Fire Code pertaining to fire protection systems and equipment, general safety precautions, and many other general and specialized fire-safety requirements for new and existing structures reduce potential impacts.

Policy PF 4.2.3: Ensure that development shall not occur without providing for adequate school facilities.

The EIR includes an analysis of potential impacts to schools. The EIR documents that direct population growth resulting from the proposed project would not have an adverse impact on the capacity of schools within the school districts serving the project site. With the implementation of Code Requirements 4.11-

1, 4.11-2 and 4.11-3, fees collected would offset any additional increase in educational demand at the elementary school, middle school, and high school levels serving the proposed project.

Objective PF 5.1: Provide adequate library service that responds to the needs of the community.

The EIR includes an analysis of potential impacts to library services. The existing library facilities are adequate to accommodate the increase in users from the proposed project. However, implementation of Code Requirement 4.11-4, payment of library and community enrichment impact fees, would ensure that the additional residents as a result of the proposed project would not significantly affect library services.

M. Recreation and Community Services Element

Policy RCS 2.1.1: Maintain the current park per capita ratio of 5.0 acres per 1,000 persons, which includes the beach in the calculation.

The EIR documents that project effects are not found to be significant with respect to recreation. The EIR analysis evaluates that the increased use of existing parks is determined based on the ability for the project to provide parkland onsite at a ratio of 5 acres per 1,000 new residents, or equivalent payment of park fees. The project would be consistent with the BECSP Development Standards for the Neighborhood Center designation. BECSP Section 2.6.1 requires the provision of public open spaces that are accessible to the public and include seating, lighting and landscaping, at rate of 50 sf for every 1,000 sf of retail (including restaurant) use and residential dwelling unit. Based on the proposed square footage of uses, the project is required to provide a minimum of 15,730 sf of public open space. Approximately 75,000 sf of open space is provided under the proposed project exceeding the requirements of the BECSP. Additionally, the City's General Plan park to population ratio would not be significantly affected with the addition of 745 residents.

N. Urban Design Element

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective UD 1.3: Strengthen the visual character of the City's street hierarchy in order to clarify the City's structure and improve Citywide identity.

Policy UD 1.1.3: Require a consistent design theme and/or landscape design character along the community's corridors that reflects the unique qualities of each district. Ensure that streetscape standards for the major commercial corridors, the residential corridors, and primary and secondary image corridors provide each corridor with its own identity while promoting visual continuity throughout the City.

The EIR provides a description of the existing site conditions and analyzes the extent to which the visual character of the project site would change and additional sources of light and glare as a result of the proposed project would occur. Consistent with the BECSP Program EIR, a mitigation measure is recommended to require that the project maximize use of non-reflective façade treatments. In addition, a shade and shadow analysis was conducted, as required by the BECSP Program EIR, to examine the effects of shade and shadow on light dependent uses. The EIR states that the project's adherence to the standards and guidelines of the BECSP would reflect the design and landscape themes that were adopted

for the project area. The EIR states that the site plan/conditional use permit review process would ensure conformance to the standards and references the required findings for approval.

O. Utilities Element

Objective U 1.2: Ensure that existing and new development does not degrade the City's surface waters and groundwater basins.

Policy U 1.2.1: Require that existing and new developments contain safeguards and mitigation measures preventing degradation.

The EIR includes an analysis of the project's impacts on hydrology and water quality. The analysis is based on the analysis included in the BECSP Program EIR and site-specific conditions. The recommended mitigation measures require compliance with the current National Pollution Discharge Elimination System (NPDES) requirements in place at the time of construction and include site design BMPs incorporating Low Impact Development (LID) principals as defined in the Municipal NPDES Permit such as porous concrete and green roofs. The recommended mitigation measures also require that a final hydrology and hydraulic study as well as a groundwater hydrology study be prepared to ensure that the specific hydrologic conditions of the project site, the East Garden Grove-Wintersburg Channel and surrounding storm drain system are reflected in the final project design to mitigate hydrology and water quality impacts to a less than significant level.

Objective U 1.3: Minimize water consumption rates through site design, use of efficient systems, and other techniques.

Policy U 1.1.1: Monitor the demands on the water system, manage the development to mitigate impacts and/or facilitate improvements to the water supply and distribution system, and maintain and expand water supply and distribution facilities.

Policy U 1.3.2: Continue to require the incorporation of water conservation features in the design of all new and existing uses such as the use of native plants, low flow toilets and water efficient appliances.

Objective U 1.4: Ensure the costs of improvements to the water supply, transmission, distribution, storage and treatment systems are borne by those who benefit.

Policy U 1.4.1: Require the cost of improvements to the existing water supply and distribution facilities necessitated by the new development be borne by the new development benefiting from the improvements, either through the payment of fees, or the actual construction of the improvements in accordance with State Nexus Legislation.

The EIR states that the City has demonstrated significant water conservation over the last 10 years. The EIR concludes that the City's consistent conservation program and existing code requirements for water efficient landscaping in conjunction with Mitigation Measure MM4.14-1 requiring additional water conservation practices would ensure that the project's impact on water supplies would be less than significant. In addition, Project Code Requirement CR4.14-5 provides that all applicable impact fees for wastewater and utilities be paid by the developer to provide for the project's fair share toward the cost of planned future utilities.

Policy U 1.2.2: Require new developments to connect to the sewer system.

Policy U 2.1.5: Maintain, upgrade, and expand existing wastewater collection and treatment facilities.

Policy U 2.1.6: Require that sewer capacity is available before building permits are issued for new development.

Objective U.2.2: Ensure the costs of wastewater infrastructure improvements are borne by those that benefit.

Policy U.2.2.1: Require the costs of improvements to the existing wastewater collection facilities, which are necessitated by new development, to be borne by the new development benefiting from the improvements; either through the payment of fees, or by the actual construction of the improvements in accordance with State Nexus Legislation.

The EIR discloses that implementation of the proposed project could require new sewer connections and that the project would be required to pay a fee for connection to the Orange County Sanitation District, based on the increase in anticipated use of the sewage system. The fee ensures that the project would pay its share of any necessary expansion of the system, including expansion of wastewater treatment facilities. Implementation of CR4.14-3 and CR4.14-4 would ensure that capacity constraints at the time of development are accurately identified through a required sewer study, which would specify necessary upgrades required for the project. Project Code Requirement CR4.14-5 provides that all applicable impact fees for wastewater and utilities be paid by the developer to provide for the project's fair share toward the cost of planned future utilities.

Objective U 3.3: Ensure that storm drain facilities (channels and outputs) do not generate significant adverse impacts on the environment in which the facilities traverse or empty.

The EIR concludes that Mitigation Measures 4.7-1 through 4.7-4 would ensure that an adequate stormwater conveyance system would be implemented for the proposed project through implementation of existing codes and regulations. Mitigation Measure 4.7-1 would ensure a reduction in potential pollutant loads and ensure that appropriate construction and operation of stormwater treatment control Best Management Practices (BMPs) are used. The EIR concludes that conformance to existing regulatory requirements in conjunction with the proposed mitigation measures would ensure that construction of stormwater drainage facilities would not result in substantial environmental effects and potential impacts would be less than significant.

Objective U 5.1: Ensure that adequate natural gas, telecommunication, and electrical systems are provided.

An adequate supply of electricity is anticipated to be available to serve the proposed project. Development of the proposed project would comply with the provisions of Title 24 and the Cal Green Building Code. The EIR analysis demonstrates that both electricity and natural gas will experience a less than significant impact as a result of the project.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with the California Environmental Quality Act (CEQA), EIR No. 10-003 was prepared by Atkins (formerly PBS&J) to analyze the potential environmental impacts associated with implementation of the proposed project as well as identify appropriate mitigation measures. The Draft EIR was distributed to the Planning Commission for review at the start of the 45-day public comment period on January 6, 2011. A Final EIR, including the Response to Comments and all text changes as a result of the public comment period was distributed to the Planning Commission and posted on the City's website on April 18, 2011. In response to a late communication, received on April 25, 2011, the Final EIR has been revised and was re-distributed in October 2011.

The required CEQA procedure that was followed is outlined below:

<u>July 2009</u>	Staff conducted an initial study and determined that an EIR would be required.
<u>July 31, 2009</u>	A Notice of Preparation was filed with the State Clearinghouse to notify public of intent to prepare an EIR.
<u>July 31, 2009 to August 31, 2009</u>	Initial Study/Notice of Preparation available for 30 day public review and comment period.
<u>August 21, 2009</u>	A Public Scoping Meeting was held to solicit comments and issue areas to be studied in the EIR.
<u>January 3, 2011</u>	A Notice of Completion was filed with the State Clearinghouse.
<u>January 6, 2011 to February 22, 2011</u>	Draft EIR available for public review and comment for 45 days.
<u>February 2, 2011</u>	A Public Comment Meeting was held to solicit comments on the adequacy of the Draft EIR.
<u>April 26, 2011</u>	Public hearing scheduled before Planning Commission to Certify EIR No. 10-003, but was continued.
<u>October 6, 2011</u>	Final EIR (Revised) distributed.
<u>October 25, 2011</u>	Public hearing scheduled before Planning Commission to Certify EIR No. 10-003.

Through the use of appropriate code requirements and/or mitigation measures identified in the EIR, most of the potentially adverse impacts associated with the project can be mitigated to a less-than-significant level. However, there are two project-specific and four cumulative significant adverse environmental impacts anticipated from the proposed project that cannot be completely eliminated through mitigation measures. The significant adverse environmental impacts are as follows:

■ **Air Quality**

- > **Project Specific and Cumulative**—Construction of the proposed project would generate emissions that exceed the thresholds of significance recommended by the South Coast Air Quality Management District (SCAQMD) for Volatile Organic Compounds (VOCs).
- > **Project Specific and Cumulative**—Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations of Respirable Particulate Matter (PM₁₀ and PM_{2.5}).

■ **Transportation/Traffic**

- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an unacceptable Level of Service at two BECSP study area intersections (Brookhurst St./Adams Ave. & Beach Blvd./Bolsa Ave.).
- > **Cumulative**—Operation of the proposed project would cumulatively contribute to an increase in delay at two Caltrans intersections (Beach Blvd./Warner Ave. & Beach Blvd./Garfield Ave.) and would increase traffic to the I-405 northbound loop ramp, which is currently deficient.

Environmental Board:

The City's Environmental Board reviewed the EIR and provided a comment letter during the DEIR process. The Environmental Board comments refer mainly to design, mobility and electricity usage issues. Upon submittal of an actual development project, the issues raised by the Environmental Board will be considered under both the site plan and conditional use permit review entitlement process relating to design, mobility and sustainability. However, as discussed in the DEIR, there are mitigation measures and code requirements already in place to regulate development as well as the development code requirements of the Specific Plan. The Board also encouraged the use of sustainable development practices to increase the project's energy efficiency.

Coastal Status: Not applicable

Redevelopment Status:

A portion of the project area along the eastern boundary is within a redevelopment project area. The City's Economic Development Department has reviewed the EIR to ensure that requirements applicable in the redevelopment area were included in the analysis.

Design Review Board: Not applicable

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The EIR was circulated to other Departments for review and comment. All Department comments and recommendations are incorporated into the EIR and its mitigation measures. Compliance with mitigation measures will be enforced through the Mitigation Monitoring and Reporting Program (Refer to Attachment No. 1, Exhibit A).

Public Notification:

Legal notice was published in the Huntington Beach Independent on October 13, 2011, and notices were sent to property owners of record and occupants within a 1,000 ft. radius of the project site, interested parties, and individuals/organizations that commented on the environmental document. As of Tuesday, October 18, 2011, no communications on the draft EIR, other than letters included in the Final EIR/Response to Comments, have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
Draft EIR: January 3, 2011

MANDATORY PROCESSING DATE(S):
Within 1 year of complete application: January 3, 2012

ANALYSIS:

The analysis provides an overview of the EIR and its conclusions, a review of the project alternatives, and a summary of the response to comments.

EIR Overview

The EIR provides a detailed analysis of potential impacts associated with the proposed project. It is intended to serve as an informational document for decision makers. This EIR identifies significant or potentially significant environmental effects, as well as ways in which those impacts can be reduced to less than significant levels, whether through the imposition of code requirements (CRs), mitigation measures (MMs), or through the implementation of alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing future applicants, concerned citizens, and staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

♦ *Scope of EIR Analysis*

As the analysis in EIR No. 10-003 is tiered from the BECSP Program EIR, the environmental impacts for certain issue areas of the project are substantially consistent with the analysis in the BECSP Program EIR and did not require substantial additional analysis. Based on a preliminary environmental analysis and a review of the BECSP Program EIR, the following issue areas did not require substantial additional analysis in EIR No. 10-003:

- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Population and Housing
- Cultural Resources
- Hazards and Hazardous Materials
- Land Use and Planning

The following issue areas were determined to require additional project-specific analysis, based on the particulars of the project or changes in the recommended air quality model since the Program EIR was certified:

- Aesthetics
- Noise
- Recreation
- Utilities and Service Systems
- Air Quality
- Public Services
- Transportation/Traffic
- Climate Change

No impacts to Agricultural Resources and Mineral Resources were determined; as such, no analysis is provided in the draft EIR.

A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided in Attachment No. 1.

♦ *Aesthetics*

Implementation of the project will change the visual character of the project and add new sources of light and glare. However, the EIR acknowledges that the project is proposed in an existing urban environment in which building glare and a significant amount of ambient nighttime lighting already exists. Development standards relating to the visual quality and character of proposed development include regulations for building scale; frontage and building placement; streets; open space; architecture; and signage. The proposed project would be designed in compliance with the standards of the BECSP. Permitted heights in this segment are allowed from one to six stories with a discretionary permit in an effort to be more compatible and complementary with the surrounding development. Therefore, impacts would be less than significant.

♦ *Air Quality*

The EIR analysis focuses on the nature and magnitude of the change in the air quality environment due to the implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from construction activities, operation of uses allowed under the proposed Specific Plan, and project-related traffic volumes. Air quality modeling was completed consistent with South Coast Air Quality Management District (SCAQMD) recommendations. At the time the Draft EIR was prepared SCAQMD recommended use of the URBEMIS air quality model, which the City's consultant used; however, SCAQMD switched models after the Draft EIR was circulated and now recommends using the CalEEMod model. In response to a late communication that raised this issue, the Final EIR contains the results of air quality modeling prepared for the project using the new CalEEMod model. Both model analyses analyzed the following emissions: Carbon Monoxide (CO), Respirable Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5}), Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Volatile Organic Compounds (VOCs) and Toxic Air Contaminants (TACs). In addition the EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of vehicle traffic.

Construction Emissions-Short Term Impacts: Construction activities conducted as part of implementation of the proposed project would exceed SCAQMD significance thresholds for VOCs during architectural coating associated with Phase 1 and 2 of project construction. In addition, construction of the project would expose sensitive receptors to PM₁₀ and PM_{2.5} concentrations that exceed localized

significant thresholds. Mitigation measures MM 4.2-1 through MM 4.2-14 would be implemented to reduce these emissions. However, they may not reduce these emissions to levels below the SCAQMD thresholds. Therefore, short-term air quality impacts would be significant and unavoidable during project construction.

Operational Emissions-Long Term Impacts: Operational emissions generated by both stationary and mobile sources would result from normal day-to-day operations upon development and completion of project construction. Although the proposed project would reduce vehicle trips in comparison to vehicle trips estimated in the existing General Plan for the BECSP Program EIR, the proposed project would increase vehicle trips in the area above existing conditions. The analysis of the daily operational emissions from the proposed project was prepared utilizing the computer model recommended by the SCAQMD. The proposed project would not generate emissions that exceed the thresholds of significance recommended by the SCAQMD; therefore, the impacts would be less than significant.

The EIR examined if localized CO concentrations at nearby intersections would be increased beyond state and national standards as a result of increased vehicle traffic. The EIR analysis determined that the proposed project will not cause localized CO concentrations at nearby intersections to exceed national or state ambient air quality standards. Therefore, “hot spots” are not anticipated to occur at local intersections as a result of project implementation.

◆ Biological Resources

The EIR evaluates the potential for implementation of the Specific Plan to have substantial adverse impacts on biological resources. The project is predominantly developed and consists of office, retail and restaurant uses, a fitness facility, and a parking structure, and is largely covered with buildings and paved surfaces. Urban landscape is intermixed with the developed uses on the project area and vacant land located at the southern portion of the project site. The EIR includes a standard mitigation measure to ensure that the project would not result in impacts to sensitive or protected migratory avian species during construction. The EIR concluded that the project would have no impacts on federally protected wetlands, habitat conservation plans or special status species. Therefore, the EIR analysis concluded that impacts will be less than significant.

◆ Cultural and Paleontological Resources

The project site is almost entirely paved and existing buildings on the site were constructed in the mid-1980s. The BECSP mitigation measure requiring a qualified professional to conduct a site-specific historical survey and record search when a structure is 45 years is not applicable at this project site. The impact analysis for cultural resources is based on the findings of a cultural records search and site survey conducted for the proposed project. According to the historic resources study prepared for the BECSP area, of which this project is a part, there are no recorded historic resources on this project site or in the immediate vicinity. Although, based on surrounding development, it is not thought that archeological resources exist in the immediate area, mitigation measure BECSP MM4.4-2(b) would be required to prevent significant adverse impacts to archeological resources, if any, and incorporation of this mitigation measure reduces impacts to less than significant.

- ◆ Geology and Soils

The EIR includes an analysis of potential adverse impacts on existing geologic and soils conditions on the project site from the BECSP Program EIR and a site-specific geotechnical investigation. The EIR analyzed geologic hazards and potential seismic hazards in the project area giving consideration to the geologic constraints such as fault rupture, groundshaking and liquefaction. The EIR concludes that code requirements and Mitigation Measure MM4.5-1 would be required to ensure a less than significant impact.

- ◆ Hazards and Hazardous Materials

The EIR analyzes the existing physical setting of the project site as it relates to hazards and hazardous materials and its potential impact on human health resulting from implementation of the proposed project. Local as well as State Agencies have the authority to implement site remediation of any hazardous materials and regulate the transportation of any hazardous materials removed from sites. The majority of the sites identified in the Environmental Data Resources (EDR) report for the BECSP area were included in the leaking underground storage tanks (LUST). The State Water Resource Control Board's GeoTracker website did not identify the proposed site as being located on any hazards lists. The EIR concludes that with implementation of existing code requirements and Mitigation Measures MM4.6-1 through MM4.6-4 all impacts would be less than significant.

- ◆ Hydrology and Water Quality

Pursuant to mitigation measures, the project is required to prepare a Water Quality Management Plan (WQMP) and complete a hydrology study prior to the issuance of Precise Grading or Building permits to identify measures to reduce runoff to a level consistent with the maximum extent practicable and treatment control BMPs. The applicant has had a preliminary WQMP and hydrology study prepared, and the Final EIR includes errata changes with updated information as a result. Mitigation measures also require compliance with the current National Pollution Discharge Elimination System (NPDES) requirements in place at the time of construction. Other mitigation measures include site design BMPs incorporating LID principals as defined in the Municipal NPDES Permit such as porous concrete and green roofs. The EIR concludes that impacts to hydrology and water quality would be less than significant.

- ◆ Land Use and Planning

The proposed project is subject to the Neighborhood Center development standards of the adopted BECSP. The general uses proposed and analyzed in the EIR are permitted uses for this segment. Compliance with the development standards, regulations and guidelines of the BECSP would be reviewed through the site plan review and conditional use permit process to ensure that the project will not conflict with the BECSP, General Plan and other applicable codes. Within this segment, development is permitted to a height of six stories pursuant to C13 of Section 2.1.5 Neighborhood Center of the BECSP. The proposal analyzed in this EIR is for six stories thus requiring a conditional use permit from the Planning Commission. As such, impacts to land use and planning are considered to be less than significant.

- ◆ Noise

Potential noise impacts related to short-term construction activities and long-term changes in ambient conditions primarily related to increases in traffic were analyzed in the EIR. Analysis was based on noise measurements conducted as part of the BECSP Program EIR and additional noise measurements (included in the Final EIR) taken for the directly-adjacent residential areas. Ambient noise level measurements at locations near the project site and roadway noise levels were calculated using data from the traffic study.

Construction-related groundborne noise and vibration may result in human annoyance and/or potentially damage the foundations and exteriors of other structures. Implementation of mitigation measures MM4.9-1 through MM4.9-3 would help to reduce this impact to less than significant levels. Long term noise generated by implementation of the proposed project would include new stationary sources such as rooftop heating, ventilation, and air conditioning systems for the residential and commercial uses. The proposed project would also introduce new activity and noise to the area as residences are included and people are attracted to the new mix of uses that would develop as part of the proposed project. The noise monitoring studies show that existing noise levels at various points in the Specific Plan area currently exceed the City noise standards for residential uses, especially along Beach Boulevard. Development of new residences in areas where existing noise levels currently exceed the City standard would constitute a significant impact. Mitigation measures MM4.9-4 and MM4.9-5 shall be implemented for all residential development within the Specific Plan area where the existing noise levels exceed the City standards as set forth in Section 8.40.070 and Section 8.40.080 of the Huntington Beach Municipal Code. The EIR concludes that long term impacts would be less than significant.

- ◆ Population and Housing

This section of the EIR analyzes the potential for the project to induce population and employment growth beyond current growth projections and as analyzed and adopted in the Beach and Edinger Corridors Specific Plan and Program EIR. The development potential for new dwelling units within the Specific Plan area is 4,500 units with 2,755 units allowed in the Beach Boulevard Corridor. This project represents approximately six percent of the permitted units in the BECSP and is within the maximum amount of new development (MAND) specified within the BECSP. The City's Zoning Code and the BECSP Section 2.2.3 (Affordable Housing Requirements) will regulate construction of affordable units within the development project to meet the needs of the community, consistent with Policies 2.2 and 3.1 of the City's General Plan Housing Element. The proposed project would not conflict with any of the applicable General Plan polices and is consistent with the BECSP EIR; therefore, the project related impacts are considered less than significant.

The proposed project would not displace any housing or residents as the entire site is mainly developed with commercial uses and three parcels are vacant. Therefore, the impacts related to population and housing would be less than significant.

- ◆ Public Services

The EIR evaluates the effects of the proposed project on public services (fire, police, schools and libraries) by identifying anticipated demands on existing and planned service availability. The analysis concludes that the proposed project would not require new or physically altered fire or police facilities to maintain adequate response times and service ratios. The EIR also identifies standard code requirements,

which require payment of development impact fees to address a project's impact on public services and facilities such as schools and libraries, and concludes that impacts will be less than significant.

At the April 12, 2011 Study Session, Commissioners Bixby and Peterson commented on the adequacy of the EIR issue areas related to Public Services. Commissioner Bixby commented that data in the Public Services section do not reflect current economic conditions. Given that the same question was asked regarding the Murdy Commons development, staff assumes Commissioner Bixby was referring to the staffing of the City's libraries. The Final EIR for the Beach and Warner Mixed Use Project includes errata updating the staffing numbers. Implementation of code requirement BECSP CR4.11-4 would be required to ensure that residents of the project would not notably affect the current ratio of staff per resident or items per capita. Pursuant to BECSP CR4.11-4, the Applicant of future individual development projects shall pay required library and community enrichment impact fees per Chapter 17.66 of the City's Municipal Code (Library Development Fee), prior to issuance of building permits. In addition, Commissioner Bixby asked if it was possible to have more current data for Table 4.11-2 Average Police Response Times in the Specific Plan Area from 7/01/07 to 6/30/08. Updated information is provided below and shows that for most types of calls response times have improved.

Average Police Response Times in the Specific Plan Area in 2010		
Priority	Response Time	
	Beach Blvd	Edinger Ave
1	5:25	4:46
2	10:34	10:45
3	12:27	10:10
4	25:42	23:27
5	22:32	28:59

At the Study Session, Commissioner Peterson asked if this project would have a negative impact on school enrollment. Ocean View School District (OVSD) currently operates 11 elementary schools, 4 middle schools, and 2 preschools and serves the subject property. The OVSD has a current enrollment of approximately 9,503 students. The site would be served by Oak View Elementary School (grades K-5) and Mesa View School (grades 6, 7, and 8). Oak View has a current enrollment of 796 students and a capacity of 848 students. Mesa Middle School has a current enrollment of 748 students and capacity of 840 students. Although neither school is overcrowded at this time and enrollment in the District has been declining in recent years, new students that might be generated by the project would impact the District. Implementation of code requirements BECSP CR4.11-1-2 would be required to ensure that new development pay required development impact fees at the time of issuance of building permits. Fees collected pursuant to State law would offset any increase in educational demand at the elementary school, middle school, and high school serving the project site and is considered full mitigation. As proposed, the project would be consistent with applicable policies of the Public Facilities and Public Services Element of the General Plan.

♦ *Recreation*

The EIR analyzes the potential for adverse impacts on existing recreational facilities and opportunities and the expansion of recreational facilities resulting from implementation of the proposed project. The City's parkland ratio could be affected by increased demands for recreational areas due to the increase in

residential development. The impact to the ratio of parkland to population of 5 acres per 1,000 persons is considered to be less than significant with payment of required park fees pursuant to Project CR4.12-1.

♦ *Transportation/Traffic*

The EIR analyzes the potential for adverse impacts on existing transportation and traffic conditions resulting from implementation of the proposed project. The traffic study was conducted by Austin-Foust Associates and analyzed potential adverse traffic impacts on the immediate area surrounding the project site and the intersections of Beach Boulevard and Warner Avenue, and Beach Boulevard and Slater Avenue as well as the BECSP study area. Intersections will operate at acceptable levels of service with implementation of the BECSP mitigation measures including those within the immediate vicinity of the project site. However, the project will contribute to the cumulative impacts identified within the BECSP Program EIR.

Due to the nature of transportation and traffic issues, the project study area as it relates to this EIR section is larger than the project site. As part of the environmental analysis of the BECSP, intersection capacity utilization (ICU) analysis was performed at intersections throughout the overall BECSP area. ICU values are used to determine levels of service at study area intersection locations and provide a means to quantitatively estimate incremental traffic impacts. When compared to the existing conditions, the proposed project would result in a 13 percent increase in the AM peak hours, a 7 to 8 percent decrease in the PM peak hours, and an overall 7 percent trip reduction for average daily trips (ADT). The proposed project would result in a reduced ADT at the project site, would not exceed overall ADT within the BECSP area in 2030, and would not result in a change to the LOS at intersections in the vicinity of the project site. Mitigation Measures MM4.13-1 through MM4.13-18 require mitigation of the project's contribution to intersections and freeway ramp determined to be significantly impacted as a result of implementation of the BECSP through payment of fees that would provide the project's fair share toward improving those intersections.

Although traffic impacts as a result of the proposed project would be less than significant, cumulative impacts would be significant and unavoidable for four BECSP study area intersections, including Caltrans intersections and one I-405 freeway ramp. The proposed project may contribute traffic to these intersections, the effects of which would result in a cumulatively significant impact when combined with development anticipated within the BECSP and surrounding areas. However, the proposed project's impacts on those intersections and freeway ramp determined to be deficient can be minimized through payment of fees that would contribute the project's fair share to improving those intersections. The EIR also analyzes the project's potential to create adverse impacts from inadequate parking capacity, alternative transportation policies and emergency access and determined these impacts to be less than significant.

At the April 12, 2011 and October 11, 2011 Planning Commission meetings, Commissioner Bixby asked several questions related to traffic and parking:

Question: Does the new driveway on Warner Avenue closest to Beach Boulevard create the potential for accidents?

Response: The new driveway proposed on Warner Avenue is a right turn in/right turn out only driveway located approximately 220 feet west of the Beach/Warner crosswalk. The City would not expect there to be any appreciable difference in accidents with the new driveway. In fact, the new driveway would serve as a bit of a relief of demand at the adjacent driveway to the west. The westernmost driveway is expected

to have the higher traffic volumes and activity. During peak times, reducing the demand at that driveway may result in less frustration and fewer aggressive maneuvers from motorists, though that effect is probably marginal. The proposed new driveway will provide very limited access and is not expected to serve any large traffic volumes. The study also looked at accident history in the area and found relatively few incidents of conflicts with right turn driveway entries and right turn driveway exits along Warner. While the new driveway will be closer to Beach Boulevard and fewer gaps in traffic might be available at busy times, low volumes are projected for that location, and motorists from that location would also have the option to use the driveway further west.

Question: How will the helipad at the top of the Comerica Building be used in the future?

Response: The property owner has indicated that the helipad is only used by the Fire Department for life and safety incidents and is not available for private use. Originally, Conditional Use Permit No. 84-2 entitled the helipad to be used by Mola Development for business purposes, allowing for a maximum of three trips per day. Environmental Impact Report 81-1 documented the related noise issues and flight patterns. Over the years, the usage has been voluntarily reduced by the owner. When a formal development proposal is submitted to the City for the project, the use of the helipad could be a topic of discussion and restricted as part of that approval.

Question: Why is the top level of the parking structure not available to the public? Does the EIR analysis include the entire structure as available parking or was this area removed from the analysis?

Response: The property owner informed staff that the two upper levels of the parking structure are blocked off at this time because of the recession, which has caused a decrease in occupancy and parking demand. Therefore, it is more cost effective to not have to maintain these two levels. As part of the project approval these two levels will be re-opened for use. Use of the entire parking structure would be required to ensure adequate parking for the proposed project, and a condition of approval would be placed on the project requiring a parking management plan to ensure that the parking structure remain open and accessible to maintain adequate parking supply for the project.

Question: How does the blocked off parking area adjacent to Chili's affect the project?

Response: That parking area is a separate parcel that provides parking for that site's tenants and customers. However, the property owner confirmed that he has an arrangement with Chili's for the use of that parking lot starting at 5:30 PM. The sign permitting parking for Chili's customers is located at the front entrance of Mr. Lichter's building. The sign reads, Chili's Parking In Back of Office Bldg after 5:30 PM. This is the only sign posted. Therefore, someone entering this parking area directly from Chili's will not see the sign. The proposed project analyzed in the EIR would result in the redevelopment of the entire area such that all of the parcels would be integrated.

Question: Does the EIR analyze off-site parking impacts to adjacent residential areas?

Response: The project description indicates that the project would provide adequate parking spaces on-site to serve the project. It is not anticipated that there would be any off-site parking impacts.

◆ Utilities

The EIR analyzes potential impacts to water, wastewater, solid waste and other utility systems. The water lines associated with future development permitted under the proposed project are required to be sized appropriately for the anticipated design average day demand and appropriate peaking factors. It is anticipated that the increase in water demand would not result in necessary upgrades to the water treatment plants. The Water Supply Assessment concluded that under the worst case scenario to meet

demand from projected population growth up to the year 2030, aggressive water conservation of up to 13.4 percent could balance supply and demand. Although the City has demonstrated significant water conservation over the last 10 years at approximately 8.6 percent, MM4.14-1 requires that projects include water conservation practices, until such time that additional savings from water conservation can be demonstrated or the water supply situation improves. The proposed project would have less than significant impacts.

Implementation of the proposed project would require new sewer connections and construction of new or expanded wastewater conveyance systems pursuant to MM4.14-2. Construction or expansion of wastewater treatment facilities is not anticipated to be necessary to serve the proposed project's needs. The OCSD has adequate treatment capacity available over the long term to serve the proposed BECSP, including the proposed project.

Alternatives to the Proposed Project

CEQA guidelines require that an EIR describe a range of reasonable Alternatives to the project or the location of the project that could meet the objectives of the project and potentially reduce significant impacts of the project. Of note is that every conceivable Alternative scenario is not required but rather a range of feasible Alternatives must be included in the EIR so that the project can be adequately evaluated. An EIR need not consider an alternative whose effects could not be reasonably identified, and whose implementation is remote or speculative. The Alternatives are evaluated to see how well they can achieve the project objectives. Two Alternatives were evaluated in the Draft EIR and described below:

Alternative No. 1 No Project/No Development Alternative — The “no project” alternative would serve as a “no development” alternative with the site remaining in its existing condition. Under this alternative all existing development and uses would remain. The undeveloped portion of the project site would remain in its existing condition.

Alternative No. 2 Reduced Project Alternative — This alternative assumes a reduced intensity of the project elements at the same project site. Under the reduced project alternative, approximately 137 residential units, 17,600 square feet of retail uses and 1,000 square feet of restaurant uses including 50,000 square feet of public open space would be developed. The 9,200 square foot commercial building at the corner of Beach and Cypress would be demolished including the 26,730 square foot movie theater. All other structures would remain. Heights would vary from one to six stories on the 9.4 acre site.

Other alternatives such as alternative locations and an all commercial development alternative were considered but rejected as infeasible because they would not achieve the project objectives and/or would not lessen significant impacts identified for the proposed project.

No Project/No Development Alternative Impacts

Under this alternative, the mixed-use project would not be constructed and the project site would remain in its existing state. As such, this alternative would result in the continuation of the existing commercial uses on the site and no improvements would be constructed. Selection of this alternative would not meet any of the BECSP objectives or the objectives of the property owners to revitalize the properties.

The No Project Alternative would effectively eliminate all potential impacts associated with the proposed project but would not address the needs of the community including improvements to circulation, increased open space, and utility upgrades. The site would not further the City's goals for mixed use development to reduce vehicle trips, and no new development that could contribute to the visual transformation of Beach Boulevard into an iconic gateway or introduce new public open spaces would occur. While the No Project Alternative would eliminate all environmental impacts associated with the proposed project, it would not satisfy the identified project objectives.

Reduced Project Alternative Impacts

Similar to the proposed project, the majority of impacts associated with the Reduced Project Alternative would be less than significant with the incorporation of mitigation measures and code requirements. Alternative 2 would reduce the amount of units from 279 to 137 units, retail uses from 35,600 to 17,600 including restaurant uses from 6,000 square feet to 1,000 square feet and public open space from 75,000 square feet to 50,000 square feet. However, Alternative 2 would result in the development of commercial and residential uses in a built-out portion of Huntington Beach and would be complementary not only to the existing uses on the project site but to the surrounding area.

The Draft EIR identifies that the No Project/No Development Alternative would be the environmentally superior alternative to the proposed project on the basis of the minimization or avoidance of physical environmental impacts. However, CEQA Guidelines require that if the No Project Alternative is the environmentally superior alternative, the EIR shall identify an environmentally superior alternative among the other alternatives. While Alternative 2 would result in construction related criteria pollutant emissions that would exceed the SCAQMD thresholds, this impact would be temporary in nature. During operation of Alternative 2 the amount of air pollutant emissions (i.e., CO, VOC, NO_x, SO_x, and PM₁₀) generated by motor vehicles and daily operation of Alternative 2 would be reduced from that analyzed for the proposed project. Therefore, Alternative 2 would be considered the environmentally superior alternative and is summarized in the EIR on Table 6-11.

Certification of Final EIR

The role of the Planning Commission is to certify the adequacy of the Beach and Warner Mixed Use Project Environmental Impact Report. A development project is not before the Planning Commission for consideration at this time, but once submitted, the project will be evaluated against the certified EIR pursuant to CEQA Guidelines.

Public Comments on the Draft EIR and Errata Changes

During the public review period, the City of Huntington Beach received a total of nine comment letters: two from state agencies, three from organizations including the Environmental Board, and four from the general public. Three verbal comments were received at the public meeting held during the comment period. In addition, the day before the April public hearing was scheduled to occur, the City received a late communication. In response to the comments received, the Final EIR includes text changes for the purpose of clarification or correction and additional analyses. The Errata do not change the overall conclusions of the EIR analysis. All of the other comments are adequately addressed in the Response to Comments.

Of note, comments were received related to school district impacts and traffic. The impacts related to school enrollment capacity and potential overcrowding of schools was discussed in comment letters received from and on behalf of the Ocean View School District (OVSD). Implementation of a BECSP Code Requirement provides the mechanism to collect school district fees to cover additional facilities required by new development and offset any increase in educational demand at the schools serving the project site. The first comment letter received from OVSD also suggests that a more recent traffic analysis is needed to consider the impacts to District schools. The project traffic study looked at the expected changes to traffic volumes and distribution at intersections local to the proposed project, specifically Beach Boulevard/Warner Avenue and Beach Boulevard/Slater Avenue. It was determined that these intersections currently operate at acceptable LOS and would continue to do so under the development of the proposed project. No significant traffic impacts to school operations are expected. The Response to Comments documents that adequate analysis was completed.

In response to the late communication sent on behalf of OVSD, additional and updated analysis is included in the Final EIR. This includes additional traffic modeling, in response to the Sunnyvale court decision in Northern California; updated air quality modeling incorporating the SCAQMD new air quality model that was released subsequent to the publication of the Draft EIR, which also includes revised greenhouse gas emissions estimates; and revised noise modeling data in consideration of the additional traffic modeling. No new impacts resulted from this analysis. However, use of the new air quality model resulted in a previously identified significant impact for particulate matter (PM₁₀ and PM₂₅) being eliminated during construction as the thresholds for these two pollutants will no longer be exceeded. (However, the significant impact for PM₁₀ and PM₂₅ to sensitive receptors still remains.)

The Final EIR was distributed to the commenting agencies more than 10 days prior to the Planning Commission meeting. Any written communication received subsequent to the preparation of this staff report will be forwarded to the Planning Commission under separate cover.

SUMMARY:

Environmental Impact Report No. 10-003 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with the Beach and Warner Mixed Use Project, alternatives that minimize those impacts, and appropriate mitigation measures. Staff recommends that the Planning Commission certify EIR No. 10-003 because:

- The EIR has been prepared in accordance with the California Environmental Quality Act;
- The EIR adequately addresses the environmental impacts associated with the proposed project; and
- The EIR identifies project alternatives and mitigation measures to lessen the project's impacts consistent with the BECSP Program EIR and General Plan policies.

ATTACHMENTS:

1. Planning Commission Resolution No. 1654 – Certifying Final EIR No. 10-003
2. Final EIR No. 10-003, includes Draft EIR, EIR Appendices, Response To Comments and Text Changes (**Not Attached - Available for Public Review at the Planning and Zoning Counter – 3rd Floor, City Hall**)

SH:MBB:rm

RESOLUTION NO. 1654

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH#2011011015)
FOR THE BEACH AND WARNER MIXED USE PROJECT**

WHEREAS, Environmental Impact Report No. 10-003, State Clearinghouse #2011011015 (“EIR”) was prepared by the City of Huntington Beach (“City”) to address the environmental implications of the Beach and Warner Mixed Use Project (the “Project”); and

- On July 31, 2009, a Notice of Preparation/Initial Study for the Project was prepared in conjunction with the Beach and Edinger Corridors Specific Plan (“BECSP”) Program EIR and distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties; and
- After obtaining comments received in response to the Notice of Preparation, and comments received at the public scoping meeting held on August 21, 2009, the City completed preparation of the BECSP Program EIR, which was adopted on December 8, 2009; and
- As development on the project site was included in the Notice of Preparation for the BECSP EIR and analyzed as part of the larger scope of development contemplated in the BECSP EIR (Program EIR No. 08-008), which anticipated approximately 272 dwelling units and 35,600 square feet of commercial area on the project site, Draft EIR No. 10-003 is tiered from the BECSP Program EIR; and
- The City filed a Notice of Completion with the State Clearinghouse on January 3, 2011, and the Draft EIR was circulated for public review and comment from January 6, 2011 to February 22, 2011, and was available for review at several locations including City Hall Planning and Building Department, City Clerk’s Office, Central Library and the City’s website; and

WHEREAS, Public comments have been received on the Draft EIR, and responses to those comments have been prepared and provided to the Planning Commission as a section within a separately bound document entitled “Beach and Warner Mixed Use Project Environmental Impact Report Final EIR” (the “Responses to Comments”), dated October 2011; and

WHEREAS, Public Resources Code 21092.5(a) requires that the City of Huntington Beach provide a written proposed response to any public agency that commented on the Environmental Impact Report, and the Response to Comments included in the Final Environmental Impact Report satisfies this provision; and

WHEREAS, the Planning Commission held a public meeting on the EIR on October 25, 2011 and received and considered public testimony.

NOW, THEREFORE, the Planning Commission of the City of Huntington Beach

DOES HEREBY RESOLVE as follows:

SECTION 1. Consistent with CEQA Guidelines Section 15132, the Final EIR for the Project is comprised of the Draft EIR and Appendices, the comments received on the Draft EIR, the Responses to Comments (including a list of persons, organizations, and public agencies commenting on the Draft EIR), the Text Changes to the Draft EIR (bound together with the Responses to Comments) and all Planning and Building Department Staff Reports to the Planning Commission, including all minutes, transcripts, attachments and references. All of the above information has been and will be on file with the City of Huntington Beach Department of Planning and Building, 2000 Main Street, Huntington Beach, California 92648.

SECTION 2. The Planning Commission finds and certifies that the Final EIR is complete and adequate in that it has identified all significant environmental effects of the Project and that there are no known potential environmental impacts not addressed in the Final EIR.

SECTION 3. The Planning Commission finds that all significant effects of the Project are set forth in the Final EIR.

SECTION 4. The Planning Commission finds that although the Final EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of standard conditions and requirements, and by the imposition of mitigation measures on the approved Project. All mitigation measures are included in the "Mitigation Monitoring and Reporting Checklist" (also referred to as the "Mitigation Monitoring Program") attached as Exhibit "A" to this Resolution and incorporated herein by this reference.

SECTION 5. The Planning Commission finds that the Final EIR has described reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project (including the "No Project" Alternative), even when these alternatives might impede the attainment of Project objectives. Further, the Planning Commission finds that a good faith effort was made to incorporate alternatives in the preparation of the Draft EIR and that a reasonable range of alternatives was considered in the review process of the Final EIR and ultimate decisions on the Project.

SECTION 6. The Planning Commission finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented that would call to question the facts and conclusions in the EIR.

SECTION 7. The Planning Commission finds that no "significant new information" (as that term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the Final EIR after circulation of the Draft EIR. The Planning Commission finds that the refinements that have been made in the Project as a result of clarifications in the mitigation measures and EIR text do not amount to significant new information concerning the Project, nor has any significant new information concerning the Project become known to the Planning Commission through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.

SECTION 8. The Planning Commission finds that the Mitigation Monitoring Program establishes a mechanism and procedures for implementing and verifying the mitigations pursuant to Public Resources Code 2108.6 and hereby adopts the Mitigation Monitoring Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each mitigation measure.

SECTION 9. The Planning Commission finds that the Final EIR reflects the independent review and judgment of the City of Huntington Beach Planning Commission, that the Final EIR was presented to the Planning Commission, and that the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving a project located on the subject property.

SECTION 10. The Planning Commission finds that the Final EIR serves as adequate and appropriate environmental documentation for the Project. The Planning Commission certifies that the Final EIR prepared for the Project is complete, and that it has been prepared in compliance with the requirements of the California Environmental Quality Act and CEQA Guidelines.

PASSED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting thereof held on the Twenty-fifth day of October, 2011.

AYES: Shier Burnett, Peterson, Mantini, Delgleize, Farley, Bixby, Ryan
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

Scott Hess, Secretary

Chairperson, Planning Commission

Exhibit A: Mitigation Monitoring and Reporting Program

EXHIBIT A

ATTACHMENT NO. 1.4

CITY OF HUNTINGTON BEACH **BEACH AND WARNER MIXED-USE PROJECT**

Environmental Impact Report

SCH No. 2011011015

EIR No. 2010-003

Mitigation Monitoring and Reporting Program

Prepared for
City of Huntington Beach
Planning and Building Department
2000 Main Street, Third Floor
Huntington Beach, California 92648

Prepared by
Atkins
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

October 2011

ATTACHMENT NO. 1.5

Mitigation Monitoring and Reporting Program

INTRODUCTION

The Final Environmental Impact Report for Beach and Warner Mixed-Use Project (State Clearinghouse #2011011015) identified mitigation measures to reduce the adverse effects of the project in the areas of: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, utilities and service systems, and climate change.

The California Environmental Quality Act (CEQA) requires that agencies adopting environmental impact reports ascertain that feasible mitigation measures are implemented, subsequent to project approval. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during applicable project timing, e.g. design, construction, or operation (Public Resource Code Section 21081.6). Code Requirements (CRs) that were identified in the Draft EIR are required to be implemented as a result of existing City code and are not considered mitigation measures. Therefore, CRs would be implemented for the Beach and Warner Mixed-Use Project but these do not require monitoring activity, and are not included in this Mitigation Monitoring and Reporting Program (MMRP).

The MMRP shall be used by the City of Huntington Beach staff responsible for ensuring compliance with mitigation measures associated with the Beach and Warner Mixed-Use Project. Monitoring shall consist of review of appropriate documentation, such as plans or reports prepared by the party responsible for implementation or by field observation of the mitigation measure during implementation.

The following table identifies the mitigation measures by resource area. The table also provides the specific mitigation monitoring requirements, including implementation documentation, monitoring activity, timing and responsible monitoring party. Verification of compliance with each measure is to be indicated by signature of the mitigation monitor, together with date of verification.

The Project Applicant and the Applicant's Contractor shall be responsible for implementation of all mitigation measures, unless otherwise noted in the table.

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
4.1 AESTHETICS						
BECSP MM4.1-2 Proposed new structures shall be designed to maximize the use of non-reflective façade treatments, such as matte paint or glass coatings. Prior to issuance of building permits for the proposed project, the Applicant shall indicate provision of these materials on the building plans.	Building plans	Review and approve building plans for inclusion	Plan check prior to issuance of building permit	Planning		
4.2 AIR QUALITY						
BECSP MM4.2-1 Project applicants shall require by contract specifications that all diesel-powered equipment used will be retrofitted with after-treatment products (e.g., engine catalysis). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-2 Project applicants shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site use low-NO _x diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California Air Resources Board diesel) in the South Coast Air Basin (this does not apply to diesel-powered trucks traveling to and from the project site). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-3 Project applicants shall require by contract specifications that construction equipment engines be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Planning		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>BECSP MM4.2-4 Project applicants shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.</p>	<p>Contract language and notes on grading plans</p>	<p>Review and approve contract specifications and grading plans for inclusion</p>	<p>Plan check prior to issuance of a grading permit</p>	<p>Planning</p>		
<p>BECSP MM4.2-5 As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following:</p> <ul style="list-style-type: none"> ■ Application of soil stabilizers to inactive construction areas ■ Quick replacement of ground cover in disturbed areas ■ Watering of exposed surfaces three times daily ■ Watering of all unpaved haul roads three times daily ■ Covering all stock piles with tarp ■ Reduction of vehicle speed on unpaved roads ■ Post signs on-site limiting traffic to 15 miles per hour or less ■ Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads ■ Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas ■ Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip 	<p>Contract language and notes on grading plans</p>	<p>Review and approve contract specifications and grading plans for inclusion</p>	<p>Plan check prior to issuance of a grading permit</p>	<p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
BECSP MM4.2-6 Project applicants shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-7 Project applicants shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and, therefore, reduce idling of traffic. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-8 Project applicants shall require by contract specifications that temporary traffic controls are provided, such as a flag person, during all phases of construction to facilitate smooth traffic flow. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-9 Project applicants shall require by contract specifications that construction activities that would affect traffic flow on the arterial system be scheduled to off-peak hours (10:00 AM to 4:00 PM). Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MM4.2-10 Project applicants shall require by contract specifications that dedicated on-site and off-site left-turn lanes on truck hauling routes be utilized for movement of construction trucks and equipment on site and off site to the extent feasible during construction activities. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>BECSP MM4.2-11 Upon issuance of building or grading permits, whichever is issued earlier, notification shall be mailed to owners and occupants of all developed land uses within 300 feet of a project site within the Specific Plan providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM₁₀ generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contract information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.</p>	<p>Mail to owners & occupants within 300 feet of project site a notice regarding major construction activities</p>	<p>Obtain confirmation that mailing to owners & occupants took place</p>	<p>Plan check prior to issuance of a grading or building permits, which occur earlier</p>	<p>Planning</p>		
<p>BECSP MM4.2-12 Project applicants shall require by contract specifications that the architectural coating (paint and primer) products used would have a VOC rating of 125 grams per liter or less. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p>	<p>Contract language and notes on construction plans</p>	<p>Review and approve contract specifications and construction plans for inclusion</p>	<p>Plan check prior to issuance of a building permit</p>	<p>Planning</p>		
<p>BECSP MM4.2-13 Project applicants shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p>	<p>Contract language and notes on construction plans</p>	<p>Review and approve contract specifications and construction plans for inclusion</p>	<p>Plan check prior to issuance of a building permit</p>	<p>Planning</p>		
<p>BECSP MM4.2-14 Project applicants shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City of Huntington Beach.</p>	<p>Contract language and notes on construction plans</p>	<p>Review and approve contract specifications and construction plans for inclusion</p>	<p>Plan check prior to issuance of a building permit</p>	<p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
Project MM4.2-15 Project applicants shall require by contract specifications that additional watering (in excess of the three watering per day indicated in MM4.2-5) be applied to all disturbed areas and unpaved roads throughout the demolition and grading phases	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
Project MM4.2-16 Project applicants shall require by contract specifications that all paving be completed as soon as possible to reduce fugitive dust emissions.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		

4.3 BIOLOGICAL RESOURCES

BECSP MM4.3-1 Nesting avian species protected by the MBTA: a. Prior to any construction or vegetation removal between February 15 and August 31, a nesting bird survey shall be conducted by a qualified biologist of all habitats within 250 feet of the construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities and surveys will be conducted in accordance with CDFG protocol as applicable. If no active nests are identified on or within 250 feet of the construction site, no further mitigation is necessary. A copy of the pre-construction survey shall be submitted to the City of Huntington Beach. If an active nest of a MBTA protected species is identified on site (per established thresholds) a 100-foot no-work buffer shall be maintained between the nest and construction activity. This buffer can be reduced in consultation with CDFG and/or USFWS. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist. b. Completion of the nesting cycle shall be determined by qualified ornithologist or biologist.	Developer shall submit construction schedule (including grading activities) as evidence of construction overlap with breeding season. If construction occurs during relevant breeding, developer shall present a survey report (prepared by a consultant approved by the City) to the City prior to issuance of a grading	Review grading plans for inclusion Review field survey, if necessary As necessary pursuant to field survey, review and approve recommendations and any other relevant document per this mitigation	Plan check prior to issuance of a grading permit During construction Planning	Planning		
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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
	<p>permit. If nests are found, developer shall submit plans identifying nest locations and limits of construction activities.</p>					
4.4 CULTURAL RESOURCES						
<p>BECSP MM4.4-2(b) If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Huntington Beach shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the appropriate Information Center.</p>	<p>Proof of retention of archaeological professional to determine if a substantial adverse change would occur to an archaeological resource</p>	<p>Verify retention of qualified archaeological professional, if necessary, and complete documentation</p>	<p>Throughout ground disturbing activities</p>	<p>Planning</p>		
<p>BECSP MM4.4-3(b) Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction, the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project applicant and shall be conducted as follows:</p> <ol style="list-style-type: none"> 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high 	<p>Proof of retention of paleontological professional to determine if a substantial adverse change would occur to an paleontological resource</p>	<p>Verify retention of qualified paleontological professional, if necessary</p>	<p>Throughout ground disturbing activities</p>	<p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ol style="list-style-type: none"> 2. Assess effects on identified sites 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted 4. Obtain comments from the researchers 5. Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible <p>In considering any suggested mitigation proposed by the consulting paleontologist, the City of Huntington Beach staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</p>						

4.5 GEOLOGY AND SOILS

<p>BECSP MM4.5-1 Future development in the Beach Boulevard and Edinger Avenue Corridors Specific Plan area shall prepare a grading plan to contain the recommendations of the final soils and geotechnical report. These recommendations shall be implemented in the design of the project, including but not limited to measures associated with site preparation, fill placement, temporary shoring and permanent dewatering, groundwater seismic design features, excavation stability, foundations, soil stabilization, establishment of deep foundations, concrete slabs and pavements, surface drainage, cement type and corrosion measures, erosion control, shoring and internal bracing, and plan review.</p>	Soils and geotechnical analysis and notes on grading plan and building plans	Review and approve grading and building plans for inclusion of final soils and geotechnical recommendations	Plan check prior to issuance of a grading permit	Public Works Building and Safety		
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Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>4.6 HAZARDOUS AND HAZARDOUS MATERIALS</p> <p>BECSP MM4.6-1 Prior to the issuance of grading permits on any project site, the site developer(s) shall:</p> <ul style="list-style-type: none"> ■ Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which shall be submitted to the City for review. If contamination is found the report shall characterize the site according to the nature and extent of contamination that is present before development activities precede at that site. ■ If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project. ■ If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits. ■ Closure reports or other reports acceptable to the Huntington Beach Fire Department that document the successful completion of required remediation activities, if any, for contaminated soils, in accordance with City Specification 431-92, shall be submitted and approved by the Huntington Beach Fire Department prior to the issuance of grading permits for site development. No construction shall occur in the affected area until reports have been accepted by the City. 	<p>Preparation of technical documentation to address site-specific hazards; Risk Management Plan and Site Health and Safety Plan</p>	<p>Review technical documentations, and, as necessary, review and approve closure reports</p>	<p>Plan check prior to issuance of demolition or grading permits, whichever occurs earlier</p>	<p>Fire</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>BECSP MM4.6-2 In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction of the proposed project, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Huntington Beach Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.</p>	<p>Risk Management Plan and Site Health and Safety Plan</p>	<p>Review and approve any grading plans for inclusion</p>	<p>Plan check prior to issuance of any grading permit and during construction</p>	<p>Fire</p>		
<p>BECSP MM4.6-3 Prior to the issuance of grading permits, future development in the Specific Plan shall comply with HBFD City Specification No. 429, Methane District Building Permit Requirements. A plan for the testing of soils for the presence of methane gas shall be prepared and submitted by the Applicant to the HBFD for review and approval, prior to the commencement of sampling. If significant levels of methane gas are discovered in the soil on the future development project site, the Applicant's grading, building and methane plans shall reference that a sub-slab methane barrier and vent system will be installed at the project site per City Specification No. 429, prior to plan approval. If required by the HBFD, additional methane mitigation measures to reduce the level of methane gas to acceptable levels shall be implemented.</p>	<p>Methane Testing Plan Notes on building and methane plans</p>	<p>Review and approval of testing plan Review and approve building and methane gas plans for appropriate documentation</p>	<p>Prior to commencement of sampling Prior to issuance of any grading permit and during construction</p>	<p>Fire Fire</p>		

ATTACHMENT NO. 1.15

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>BECSP MM4.6-4 To ensure adequate access for emergency vehicles when construction activities would result in temporary lane or roadway closures, the developer shall consult with the City of Huntington Beach Police and Fire Departments to disclose temporary lane or roadway closures and alternative travel routes. The developer shall be required to keep a minimum of one lane in each direction free from encumbrances at all times on perimeter streets accessing the project site. At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the developer shall coordinate with the City of Huntington Beach Police and Fire Departments to designate proper detour routes and signage indicating alternative routes.</p>	<p>Prepare construction roadway plans</p>	<p>Plan check prior to grading or building permits, whichever occurs earlier</p>	<p>Prior to approval of grading or building permits, whichever occurs earlier</p>	<p>Fire, Police</p>		

4.7 HYDROLOGY AND WATER QUALITY

<p>BECSP MM4.7-1 City of Huntington Beach shall require Applicants for new development and significant redevelopment projects within the Specific Plan area, including the proposed project, to prepare a project Water Quality Management Plan (WQMP) in accordance with the DAMP requirements and measures described below and with all current adopted permits. The WQMP shall be prepared by a Licensed Civil Engineer and submitted for review and acceptance prior to issuance of a Precise Grading or Building permit.</p> <p>BMPs in the WQMP shall be designed in accordance with the Municipal NPDES Permit, Model WQMP, Technical Guidance Documents, DAMP, and City of Huntington Beach LIP. As noted in the Specific Plan, all development projects shall include site design and source control BMPs in the project WQMP. Additionally, new development or significant redevelopment projects and priority projects shall include LID principles to reduce runoff to a level consistent with the maximum extent practicable and treatment control BMPs in the WQMP.</p> <p>If permanent dewatering is required and allowed by the City, the developer shall submit an application to RWQCB and follow the procedures as stated in Order No R8-2009-0003. The Applicant shall include a description of the dewatering technique, discharge location,</p>	<p>Water Quality Management Plan</p>	<p>Review and approve WQMP</p>	<p>Prior to receiving a precise grading permit</p>	<p>Public Works</p>		
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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>discharge quantities, chemical characteristics of discharged water, operations and maintenance plan, and WDID number for proof of coverage under the De Minimus Threat General Permit or copy of the individual WDR in the WQMP. Additionally, the WQMP shall incorporate any additional BMPs as required by the City Public Works Department.</p> <p>The WQMP shall include the following additional requirements:</p> <p><u>Project and Site Characterization Requirements</u></p> <ul style="list-style-type: none"> ■ Entitlement Application numbers and site address shall be included on the title sheet of the WQMP ■ In the project description section, explain whether proposed use includes on-site food preparation, eating areas (if not please state), outdoor activities to be expected, vehicle maintenance, service, washing cleaning (if prohibited on site, please state) ■ All potential pollutants of concern for the proposed project land use type as per Table 7.11-1 of the Orange County Model Water Quality Management Plan shall be identified ■ A narrative describing how all potential pollutants of concern will be addressed through the implementation of BMPs and describing how site design BMP concepts will be considered and incorporated into the project design shall be included ■ Existing soil types and estimated percentages of perviousness for existing and proposed conditions shall be identified ■ In Section I of the WQMP, state verbatim the Development Requirements from the Planning Department's letter to the Applicant ■ A site plan showing the location of the selected treatment control BMPs and drainage areas shall be included in the WQMP ■ A Geotechnical Report shall be submitted to address site conditions for determination of infiltration limitations and other pertinent characteristics. <p><u>Project-Based Treatment Control BMPs</u></p> <ul style="list-style-type: none"> ■ Infiltration-type BMPs shall not be used unless the Geotechnical Report states otherwise. Depth to seasonal high groundwater is determined to provide at least a 10-foot clearance between the bottom of the BMP and top of the water table. 						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ul style="list-style-type: none"> ■ Wet swales and grassed channels shall not be used because of the slow infiltration rates of project site soils, the potentially shallow depth to groundwater, and water conservation needs ■ If proprietary Structural Treatment Control devices are used, they shall be sited and designed in compliance with the manufacturers design criteria ■ Surface exposed treatment control BMPs shall be selected such that standing water drains or evaporates within 24 hours or as required by the County's vector control ■ Excess stormwater runoff shall bypass the treatment control BMPs unless they are designed to handle the flow rate or volume from a 100-year storm event without reducing effectiveness. Effectiveness of any treatment control BMP for removing the pollutants of concern shall be documented via analytical models or existing studies on effectiveness. ■ The project WQMP shall incorporate water efficient landscaping using drought tolerant, native plants in accordance with Landscape and Irrigation Plans as set forth by the Applicant (see below) ■ Pet waste stations (stations that provide waste pick-up bags and a convenient disposal container protected from precipitation) shall be provided and maintained ■ Building materials shall minimize exposure of bare metals to stormwater. Copper or Zinc roofing materials, including downspouts, shall be prohibited. Bare metal surfaces shall be painted with non-lead-containing paint <p>The following BMPs shall not be used because they have not been shown to be effective in many situations. Therefore, unless sufficient objective studies and review are available and supplied with the WQMP to correctly size devices and to document expected pollutant removal rates the WQMP shall not include:</p> <ul style="list-style-type: none"> ■ Hydrodynamic separator type devices as a BMP for removing any pollutant except trash and gross particulates ■ Oil and Grit separators <p>Any Applicant proposing development in the Specific Plan Area is encouraged to consider the following BMPs:</p>						

Mitigation Monitoring and Reporting Program

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<ul style="list-style-type: none"> ■ Sand filters or other filters (including media filters) for rooftop runoff ■ Dry swales. A dry swale treatment system could be used if sufficient area, slope gradient, and length of swale could be incorporated into the project design. Dry swales could remove substantial amounts of nutrients, suspended solids, metals, and petroleum hydrocarbons ■ Other proprietary treatment devices (if supporting documentation is provided) <p><u>Nonstructural BMPs</u></p> <p>The WQMP shall include the following operations and maintenance BMPs under the management of an applicant or property manager, where applicable. The Applicant shall fund and implement an operational and maintenance program that includes the following:</p> <ul style="list-style-type: none"> ■ The Applicant shall dictate minimum landscape maintenance standards and tree trimming requirements for the total project site. Landscape maintenance shall be performed by a qualified landscape maintenance company or individual in accordance with a Chemical Management Plan detailing chemical application methods, chemical handling procedures, and worker training. Pesticide application shall be performed by a certified applicator. No chemicals shall be stored on-site unless in a covered and contained area and in accordance with an approved Materials Management Plan. Application rates shall not exceed labeled rates for pesticides, and shall not exceed soil test rates for nutrients. Slow release fertilizers shall be used to prevent excessive nutrients in stormwater or irrigation runoff. ■ The Applicant or property manager shall have the power and duty to establish, oversee, guide, and require proper maintenance and tree trimming procedures per the ANSI A-300 Standards as established by the International Society of Arborist. The Applicant or property manager shall require that all trees be trimmed by or under the direct observation/direction of a licensed/certified Arborist for the entire area. The Applicant shall establish minimum standards for maintenance for the total community, and establish enforcement thereof for the total community. The property manager shall rectify problems arising from incorrect tree trimming, chemical applications, and other maintenance within the total community. ■ Landscape irrigation shall be performed in accordance with an 						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>Mitigation Measure</p> <p>Irrigation Management Plan to minimize excess irrigation contributing to dry- and wet-weather runoff. Automated sprinklers shall be used and be inspected at least quarterly and adjusted yearly to minimize potential excess irrigation flows. Landscape irrigation maintenance shall be performed in accordance with the approved irrigation plans, the City Water Ordinance and per the City Arboricultural and Landscape Standards and Specifications.</p> <ul style="list-style-type: none"> ■ Proprietary stormwater treatment systems maintenance shall be in accordance with the manufacturer's recommendations. If a nonproprietary treatment system is used, maintenance shall be in accordance with standard practices as identified in the current CASQA (2003) handbooks, operations and maintenance procedures outlined in the approved WQMP, City BMP guidelines, or other City-accepted guidance. ■ Signage, enforcement of pet waste controls, and public education would improve use and compliance, and therefore, effectiveness of the program, and reduce the potential for hazardous materials and other pollution in stormwater runoff. The Applicant shall prepare and install appropriate signage, disseminate information to residents and retail businesses, and include pet waste controls (e.g., requirements for pet waste cleanup, pet activity area restrictions, pet waste disposal restrictions) in the any agreement, tenant lease (regarding rental property) or Conditions, Covenants, and Restrictions (regarding for-sale property). ■ Street sweeping shall be performed at an adequate frequency to prevent build up of pollutants (see http://www.fhwa.dot.gov/environment/ultraurb/ubump3p7.htm / for street sweeping effectiveness). ■ The Applicant shall develop a maintenance plan for BMPs and facilities identifying responsible parties and maintenance schedules and appropriate BMPs to minimize discharges of contaminants to storm drain systems during maintenance operations. ■ Reporting requirements: the Applicant or property manager shall prepare an annual report and submit the annual report to the City of Huntington Beach documenting the BMPs operations and maintenance conducted that year. The annual report shall also address the potential system deficiencies and corrective actions 						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>taken or planned.</p> <p><u>Site Design BMPs</u></p> <p>Any Applicant proposing development in the Specific Plan Area is required to incorporate LID principles as defined in the Municipal NPDES Permit and is encouraged to consider the following BMPs, if allowed in accordance with the Geotechnical Report and limitations on infiltration BMPs:</p> <ul style="list-style-type: none"> ■ Use of porous concrete or asphalt (if acceptable to the Geotechnical Engineer and where infiltration will not adversely affect groundwater) or other pervious pavement for driveways, paths, sidewalks, and courtyards/open space areas, to the maximum extent practicable, would reduce pollutants in stormwater runoff as well as provide some detention within the material void¹ space. If porous paver blocks are used, they shall be adequately maintained to provide continued porosity (effectiveness) ■ Incorporation of rain gardens or cisterns to reuse runoff for landscape irrigation ■ Green roofs to reduce runoff and treat roof pollutants ■ Site design and landscape planning to group water use requirements for efficient irrigation 						
<p>BECSP MM4.7-2 The City of Huntington Beach shall require that any Applicant prepare a Groundwater Hydrology Study to determine the lateral transmissivity of area soils and a safe pumping yield such that dewatering activities do not interfere with nearby water supplies. The Groundwater Hydrology Study shall make recommendations on whether permanent groundwater dewatering is feasible within the constraints of a safe pumping level. The Applicant's engineer of record shall incorporate the Hydrology Study designs and recommendations into project plans. If groundwater dewatering is determined allowable by the City, the Applicant shall submit an application to the RWQCB for dewatering purposes, per the De Minimis Permit Number R8-2009-0003. If safe groundwater dewatering is determined to not be feasible, permanent groundwater dewatering shall not be implemented. The City Director of</p>	Groundwater Hydrology Study	Review and approve Groundwater Hydrology Study	Prior to issuance of a precise grading permit	Public Works		

¹ Void space is the empty space between individual particles.

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>Public Works, OCWD, and other regulatory agencies shall approve or disapprove any permanent groundwater dewatering based on the Groundwater Hydrology Study and qualified Engineers' recommendations.</p>						
<p>BECSP MM4.7.3 The City of Huntington Beach shall require that the Applicant's Licensed Civil Engineer for each site-specific development prepare a Hydrology and Hydraulic Study to identify the effects of potential stormwater runoff from the specific development on the existing storm drain flows for the 10-, 25-, and 100-year design storm events. The drainage improvements shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development, or deficient, downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. The Applicant shall design site drainage and document that the proposed development would not increase peak storm event flows over pre-1986 Qs, which must be established by the hydrology study. If the analyses shows that the City's current drainage system cannot meet the volume needs of the project runoff, the applicant shall be required to attenuate site runoff to an amount not to exceed the 25-year storm as determined using pre-1986 criteria. As an option, the applicant may choose to explore low-flow design alternatives, downstream attenuation or detention, or upgrade the City's stormwater system to accommodate the impacts of the new development, at no cost to the City. The Hydrology and Hydraulic Study shall also incorporate all current adopted Municipal NPDES Permit and City requirements for stormwater flow calculations and retention/detention features in effect at the time of review.</p>	<p>Hydrology and Hydraulics Study</p> <p>Precise final grading and street improvement plans and studies</p>	<p>Review and approve study</p> <p>Inspect project site; verify that drainage is in accordance with approved plans and that required detention/storm drain system improvements have been implemented.</p>	<p>Prior to issuance of a precise grading permit</p> <p>Following grading, excavation, and installation of utilities</p>	<p>Public Works</p> <p>Public Works</p>		
<p>BECSP MM4.7.4 The City of Huntington Beach shall require that adequate capacity in the storm drain system is demonstrated from the specific development site discharge location to the nearest main channel to accommodate discharges from the specific development. If capacity is demonstrated as adequate, no upgrades will be required. If capacity is not adequate, the City of Huntington Beach shall identify corrective action(s) required by the specific development Applicant to ensure adequate capacity. Corrective action could include, but is not limited to:</p> <ul style="list-style-type: none"> ■ Construction of new storm drains, as identified in the MPD or based 	<p>Hydrology and Hydraulics Study</p>	<p>Review and approve study</p>	<p>Prior to issuance of a precise grading permit</p>	<p>Public Works</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>Mitigation Measure</p> <p>on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the MPD</p> <ul style="list-style-type: none"> ■ Improvement of existing storm drains, as identified in the MPD or based on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the MPD ■ In-lieu fees to implement systemwide storm drain infrastructure improvements ■ Other mechanisms as determined by the City Department of Public Works. ■ For nonresidential areas, if redevelopment would result in an impervious fraction of less than 0.9 and does not increase the directly connected impervious area compared to existing conditions, runoff is expected to remain the same or less than as assessed in the MPD and only MPD improvements would be required. <p>Because some storm drain system constraints may be located far downgradient from the actual development site, several properties may serve to contribute to system capacity constraints. Therefore, the City Department of Public Works shall assess each site development and system characteristics to identify the best method for achieving adequate capacity in the storm drain system. Drainage assessment fees/districts to improve/implement storm drains at downstream locations or where contributing areas are large are enforced through Municipal Code (Section 14.20).</p> <p>The City Department of Public Works shall review the Hydrology and Hydraulic Study and determine required corrective action(s) or if a waiver of corrective action is applicable. The site-specific development Applicant shall incorporate required corrective actions into their project design and/or plan. Prior to receiving a Certificate of Occupancy or final inspection, the City Department of Public Works shall ensure that required corrective action has been implemented.</p>						

4.8 LAND USE AND PLANNING

None

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
4.9 NOISE						
<p>BECSB MM4.9-1 Project applicants shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> ■ Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 300 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period ■ Ensure that construction equipment is properly muffled according to industry standards and be in good working condition ■ Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible ■ Schedule high-noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption on sensitive uses, Monday through Saturday; schedule pile-driving activities between the hours of 8:00 AM and 4:00 PM on Mondays through Fridays only ■ Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources ■ Use electric air compressors and similar power tools rather than diesel equipment, where feasible ■ Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 10 minutes ■ Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent; if the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party <p>Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</p>	<p>Contract language and notes on grading and building plans</p>	<p>Review and approve contract specifications, grading and building plans for inclusion</p> <p>Periodic field check</p>	<p>Plan check prior to issuance of a grading permit</p> <p>During construction</p>	<p>Planning</p> <p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
BECSP MM4.9-2 Project applicants shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment within the project area would be located as far away from vibration and noise sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.	Contract language and notes on grading plans and building plans	Review and approve grading plans and building plans for inclusion	Prior to issuance of a grading permit	Planning		
BECSP MM4.9-3 Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.	Contract language and notes on grading and building plans	Review and approve grading and building plans for inclusion	Prior to issuance of a grading permit	Building & Safety		
BECSP MM4.9-4 Project applicants shall provide proper shielding for all new HVAC systems used by the proposed residential and mixed-use buildings to achieve a noise attenuation of 15 dBA at 50 feet from the equipment.	Contract language and notes on building plans	Review and approve building plans for inclusion	Prior to issuance of a building permit	Planning		
BECSP MM4.9-5 Prior to issuance of building permits, project applicants shall submit an acoustical study for each development, prepared by a certified acoustical engineer. Should the results of the acoustical study indicate that that exterior (e.g., patios and balconies) and interior noise levels would exceed the standards set forth in the City of Huntington Beach Municipal Code Sections 8.40.050 through 8.40.070, the project applicant shall include design measures that may include acoustical paneling or walls to ensure that noise levels do not exceed City standards. Final project design shall incorporate special design measures in the construction of the residential units, if necessary.	Acoustical Study	Review and approval of study and building plans for inclusion any special design measures	Prior to issuance of building permits	Planning		
4.10 POPULATION AND HOUSING						
None						

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
4.11 PUBLIC SERVICES						
BECSP MM4.11-1 Subject to the City's annual budgetary process, which considers available funding and the staffing levels needed to provide acceptable response time for fire and police services, the City shall provide sufficient funding to maintain the City's standard, average level of service through the use of General Fund monies.	Budget sufficiently to maintain standard level of fire and police protection	Review at annual budgetary discussions; Review currently standard levels	Prior to issuance of building permits	Planning		
4.12 RECREATION						
None						
4.13 TRANSPORTATION/TRAFFIC						
BECSP MM4.13-1 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate westbound right turn lane to the intersection of Beach Boulevard at Warner Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-2 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of dual northbound and southbound left turn lanes to the intersection of Beach Boulevard at Garfield Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-3 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth northbound through lane to the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-4 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate northbound right turn lane to the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-5 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth southbound through lane to the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
BECSP MM4.13-6 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth eastbound through lane to the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-7 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth westbound through lane to the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-8 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution to allow a right turn overlap for a westbound right turn at the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-9 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution to allow a right turn overlap for a northbound right turn at the intersection of Brookhurst Street at Adams Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-10 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a fourth northbound through lane to the intersection of Beach Boulevard at Edinger Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-11 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a third westbound through lane to the intersection of Beach Boulevard at Edinger Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-12 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate southbound right-turn lane to the intersection of Beach Boulevard at Bolsa Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
BECSP MM4.13-13 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a second westbound left-turn lane to the intersection of Beach Boulevard at Talbert Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-14 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a de facto westbound right-turn lane to the intersection of Beach Boulevard at Talbert Avenue. Implementation of this improvement would require Caltrans approval.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-15 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the conversion of a separate westbound right-turn lane to a de facto right-turn lane at the intersection of Newland Street at Warner Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-16 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a third westbound through lane to the intersection of Newland Street at Warner Avenue.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-17 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate southbound right-turn lane to the intersection of Beach Boulevard at McFadden Avenue. Implementation of this improvement would require Caltrans and City of Westminster approvals.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
BECSP MM4.13-18 For future projects that occur within the Specific Plan area, the project applicant(s) shall make a fair share contribution for the addition of a separate northbound right-turn lane to the intersection of Beach Boulevard at McFadden Avenue. Implementation of this improvement would require Caltrans and City of Westminster approvals.	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
4.14 UTILITIES						
<p>BECSP MMA.14-1 The components of future projects in the Specific Plan area shall incorporate the following measures to ensure that conservation and efficient water use practices are implemented per project. Project proponents, as applicable, shall:</p> <ul style="list-style-type: none"> ■ Require employees to report leaks and water losses immediately and shall provide information and training as required to allow for efficient reporting and follow up ■ Educate employees about the importance and benefits of water conservation ■ Create water conservation suggestion boxes, and place them in prominent areas ■ Install signs in restrooms and cafeterias that encourage water conservation ■ Assign an employee to evaluate water conservation opportunities and effectiveness ■ Develop and implement a water management plan for its facilities that includes methods for reducing overall water use ■ Conduct a water use survey to update current water use needs (processes and equipment are constantly upgrading, thus changing the need for water in some areas) ■ Repair leaks; check the water supply system for leaks and turn off unnecessary flows ■ Utilize water-efficient irrigation systems and drought tolerant plant palette and insure that sprinklers are directing water to landscape areas, and not to parking lots, sidewalks or other paved areas ■ Adjust the irrigation schedule for seasonal changes ■ Install low-flow or waterless fixtures in public and employee restrooms ■ Instruct cleaning crews to use water efficiently for mopping ■ Use brooms, squeegees, and wet/dry vacuums to clean surfaces before washing with water; do not use hoses as brooms; sweep or blow paved areas to clean, rather than hosing off (applies outside, not inside) 	<p>Notes on construction plans and conditions, covenants and restrictions (CC&Rs), as applicable</p>	<p>Review construction plans prior to issuance of building permits; Review CC&Rs prior to final inspection</p>	<p>Prior to issuance of building permits; Prior to final inspection</p>	<p>Public Works</p>		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ul style="list-style-type: none"> ■ Avoid washing building exteriors or other outside structures ■ Sweep and vacuum parking lots/sidewalks/window surfaces rather than washing with water ■ Switch from "wet" carpet cleaning methods, such as steam, to "dry," powder methods; change window-cleaning schedule from "periodic" to "as required" ■ Set automatic optic sensors on icemakers to minimum fill levels to provide lowest possible daily requirement; ensure units are air-cooled and not water-cooled ■ Control the flow of water to the garbage disposal ■ Install and maintain spray rinsers for pot washing and reduce flow of spray rinsers for prewash ■ Turn off dishwashers when not in use—wash only full loads ■ Scrape rather than rinse dishes before washing ■ Operate steam tables to minimize excess water use ■ Discontinue use of water softening systems where possible ■ Ensure water pressure and flows to dishwashers are set a minimum required setting ■ Install electric eye sensors for conveyer dishwashers ■ Install flushometer (tankless) toilets with water-saving diaphragms and coordinate automatic systems with work hours so that they don't run continuously ■ Use a shut-off nozzle on all hoses that can be adjusted down to a fine spray so that water flows only when needed ■ Install automatic rain shutoff device on sprinkler systems 						
4.15 CLIMATE CHANGE						
<p>BECSP MMA.15-1 The City shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) to the extent that they are readily available and cost effective when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.</p>	<p>Contract language and notes on grading plans and construction plans</p>	<p>Review and approve contract specifications and grading plans and construction plans for inclusion</p>	<p>Plan check prior to issuance of a grading permit</p>	<p>Planning</p>		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
BECSP MIM4.15-2 The City shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MIM4.15-3 The City shall require that developers within the project site use locally available building materials, such as concrete, stucco, and interior finishes, for construction of the project and associated infrastructure.	Contract language and notes on construction plans	Review and approve contract specifications and construction plans for inclusion	Plan check prior to issuance of a building permit	Planning		
BECSP MIM4.15-4 The City shall require developers within the project site to establish a construction management plan with Rainbow Disposal to divert a target of 50 percent of construction, demolition, and site clearing waste.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading or building permit, which occurs earlier	Planning		
BECSP MIM4.15-5 The City shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		
BECSP MIM4.15-6 The City shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than five minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Planning		

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>BECSP MM4.15-7 The City shall require that any new development within the Specific Plan area provide signs within loading dock areas clearly visible to truck drivers. These signs shall state that trucks cannot idle in excess of five minutes per trip.</p>	<p>Contract language and notes on construction plans</p>	<p>Review and approve contract specifications and construction plans for inclusion</p>	<p>Plan check prior to issuance of a building permit</p>	<p>Planning</p>		
<p>BECSP MM4.15-8 The City shall require by contract specifications that electrical outlets are included in the building design of future loading docks to allow use by refrigerated delivery trucks. Future project-specific Applicants shall require that all delivery trucks do not idle for more than five minutes. If loading and/or unloading of perishable goods would occur for more than five minutes, and continual refrigeration is required, all refrigerated delivery trucks shall use the electrical outlets to continue powering the truck refrigeration units when the delivery truck engine is turned off.</p>	<p>Contract language and notes on construction plans</p>	<p>Review and approve contract specifications and construction plans for inclusion</p>	<p>Plan check prior to issuance of a building permit</p>	<p>Planning</p>		
<p>BECSP MM4.15-9 The City shall require that any new development within the project site provide a bulletin board or kiosk in the lobby of each proposed structure that identifies the locations and schedules of nearby transit opportunities.</p>	<p>Contract language and notes on construction plans</p>	<p>Review construction plans for inclusion</p>	<p>Plan check prior to issuance of certificate of occupancy</p>	<p>Planning</p>		

**Beach and Warner
Final Environmental Impact Report
EIR No. 10-003**

Document Not Attached

Available for review at:

**City of Huntington Beach Planning and
Building Department, 3rd fl., 2000 Main St.,
Huntington Beach, CA**

and

<http://www.huntingtonbeachca.gov/Government/Departments/Planning/major/Beachwarner.cfm>