Appendix A Initial Study/Notice of Preparation and Comments on the IS/NOP

ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 07-04

1. **PROJECT TITLE:** The Ripcurl Project

2. **LEAD AGENCY:** City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648

Contact: Tess Nguyen
Phone: (714) 536-5271
Email: tnguyen@surfcity-hb.org

3. **PROJECT LOCATION:** The proposed project is located at 7302-7400 Center Avenue in the northeastern portion of the City of Huntington Beach in western Orange County, California. (Refer to ***Figure 1*** and ***Figure 2***). The proposed project is located within a developed 3.8-acre site bordered by Center Avenue to the north; an existing commercial property to the south; Gothard Street to the west; and the Union Pacific Railroad right-of-way, commercial property, and the proposed Bella Terra Phase II site to the east.

4. **PROJECT PROPONENT:** Amstar Red Oak Huntington Beach, LLC
2010 Business Center Drive, Suite 230
Irvine, CA 92612

Contact Person: Andrew Nelson
Phone: 949-733-2000

5. **GENERAL PLAN DESIGNATION:** CG-F1-d (General Commercial – 0.35 Floor Area Ratio Maximum – Design Overlay)

6. **ZONING:** CG (General Commercial)

7. **PROJECT DESCRIPTION** The proposed project is a mixed-use residential and commercial development that would consist of four levels of housing over three levels of parking (one level of parking below grade and two levels of parking above grade). The retail component would be located on the ground level adjacent to the two levels of above grade parking. A mezzanine level would also be located on the roof. Overall, the project would be six stories in height and consist of approximately 440 residential units and up to 10,000 square feet (sf) of retail uses. The total project floor area, excluding parking and basement area, would be approximately 382,700 sf. Refer to ***Figure 3*** for a conceptual site plan. Outdoor amenities would include a pool and spa area, fire pit and movie

projection area. Indoor amenities would include a fitness center, business center, conference room, and clubhouse.

The depth of the subterranean parking level is anticipated to be between 10 and 22 feet below the existing ground surface, including footing depths. Therefore, it is anticipated that the proposed site development will include excavations of 10 to 22 feet below the existing ground surface.

The residential component would include approximately 301,098 sf of residential area and approximately 7,000 sf of leasing office, lobby and recreation space. Of the approximately 440 residential units that are proposed, it is estimated that 151 would be studio apartments, 190 would be one-bedroom units, 88 would be two-bedroom units, and 11 would be live-work loft units. Units would range in size from 465 sf (studio) to 1,037 sf (two-bedroom). Based on the existing average household size of 2.41 persons per renter-occupied unit for the City of Huntington Beach,[1] the residential component of the project would most likely generate approximately 1,060 residents. However, based on the applicant's experience with similar projects, the residential component of the project would most likely generate approximately 611 residents,[2] which is based on an average household size of 1.1 persons per studio and loft units, 1.4 persons per one-bedroom unit, and 2.0 persons per two-bedroom unit. The residential component would also likely employ approximately 11 full-time positions.[3] Amenities provided by the residential component would include a pool, spa, fitness center, business center, conference room, and clubhouse.

The commercial component of the proposed project would include up to 10,000 sf of ground floor retail that would be located on the corner of Gothard Street and Center Avenue. The commercial component would offer neighborhood-serving retail that would target students attending Golden West Community College and nearby residents. Potential retailers would include uses such as a convenience store, café, sandwich shop, cleaners, juice shop, and mailbox store. If commercial demand rises in the future, the live-work units could be converted to retail uses in the future. The commercial component would likely employ approximately 36 full-time positions.[4]

Project Context

Generally speaking, the City's neighborhood-serving commercial uses are "free standing," clustered at mini malls, or at centers typically located at the intersection of major arterial roads. The project site is located within the City's Edinger Commercial Corridor District. This District is characterized by larger retail centers than those typically found along Beach Boulevard. However, the multi-tenant and larger uses have little physical or visual connection and are, most often, single trip destinations. As a consequence, the corridor lacks overall identity and strong physical anchors.

According to the City's General Plan, Edinger Avenue (the City's primary path) and Gothard Street (the City's secondary path) lack characteristics that provide identity and clarity of location. This is due in large part to a confusing array of signs, lack of consistent landscaping, strip commercial centers, and the predominance of tract walls.

In September 2006, the City began a revitalization study for the Beach Boulevard and Edinger Avenue corridors. The purpose of the study is to determine and implement a clear vision for growth and change along Beach Boulevard and Edinger Avenue. Specifically, the study will provide

1 United States Census Bureau, 2006 American Community Survey, <http://factfinder.census.gov>; (10 January 2007).
2 Red Oak Investments, LLC. November 2007.
3 Ibid.
4 Ibid.

specifications to guide land use and development intensity, site layout, building design, site landscaping and signage. These standards will then be used to draft a specific plan for the Beach Boulevard and Edinger Avenue corridor. Mixed-use and residential projects are currently being contemplated for inclusion in the Specific Plan for the Edinger corridor area. The proposed project is being studied concurrently with the revitalization study to ensure its consistency with the proposed specific plan.

Project Site Current and Past Uses:

The project site is currently developed as a shopping center known as the College Country Center. The shopping center contains approximately 60,000 sf of commercial and office space located in four one-story retail buildings and one two-story office building. The shopping center is approximately 90 percent leased with 45 tenants.

Historical records indicate that the project site was first utilized for agricultural purposes sometime prior to 1938 and the site continued to be utilized for agricultural purposes until at least 1953. As early as 1969 the site appeared to lay fallow. The project site was cleared and developed with its present use as a shopping center in 1979. All of the existing structures and surface parking on-site would be demolished as part of the proposed project.

Concurrent Entitlements (Discretionary Approvals) Required:

- **General Plan Amendment** –To allow mixed-use on the site and establish an allowable residential density and FAR.
- **Zoning Text Amendment** – To establish a "Transit Center High Density Mixed Use District" and associated development standards.
- **Zoning Map Amendment** –To establish a "Transit Center High Density Mixed Use District" zone on the project site.
- **Conditional Use Permit Request** – To permit construction of the proposed structure.
- **Design Review** – Approval.

8. SURROUNDING LAND USES AND SETTING: The project site is located approximately three miles north of the City's Downtown, directly southwest of I-405. The site is surrounded in its entirety by commercial and institutional development. Adjacent surrounding uses are as follows:

- *East:* Regional Commercial (Bella Terra)
- *North* (across Center Avenue): Golden West Transportation Center
- *West:* (across Gothard Street): Golden West Community College
- *South:* Regional Commercial

9. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION: No previous environmental documentation applies to the project site.

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED) (i.e. permits, financing approval, or participating agreement):

In addition to the City of Huntington Beach (the Lead Agency), there are also regional and State agencies that have authority over the project and/or specific aspects of the project. Those agencies are:

- California Regional Water Quality Control Board (Permit for dewatering during construction; and National Pollutant Discharge Elimination System [NPDES] permit)
- State Water Resources Control Board (General Construction Activity Stormwater Permit)
- Orange County Sanitation District—Waste service

***Source*:** Microsoft Streets and Trips, 2006.

FIGURE **1**

Project Vicinity and Regional Location Map

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Rip Curl

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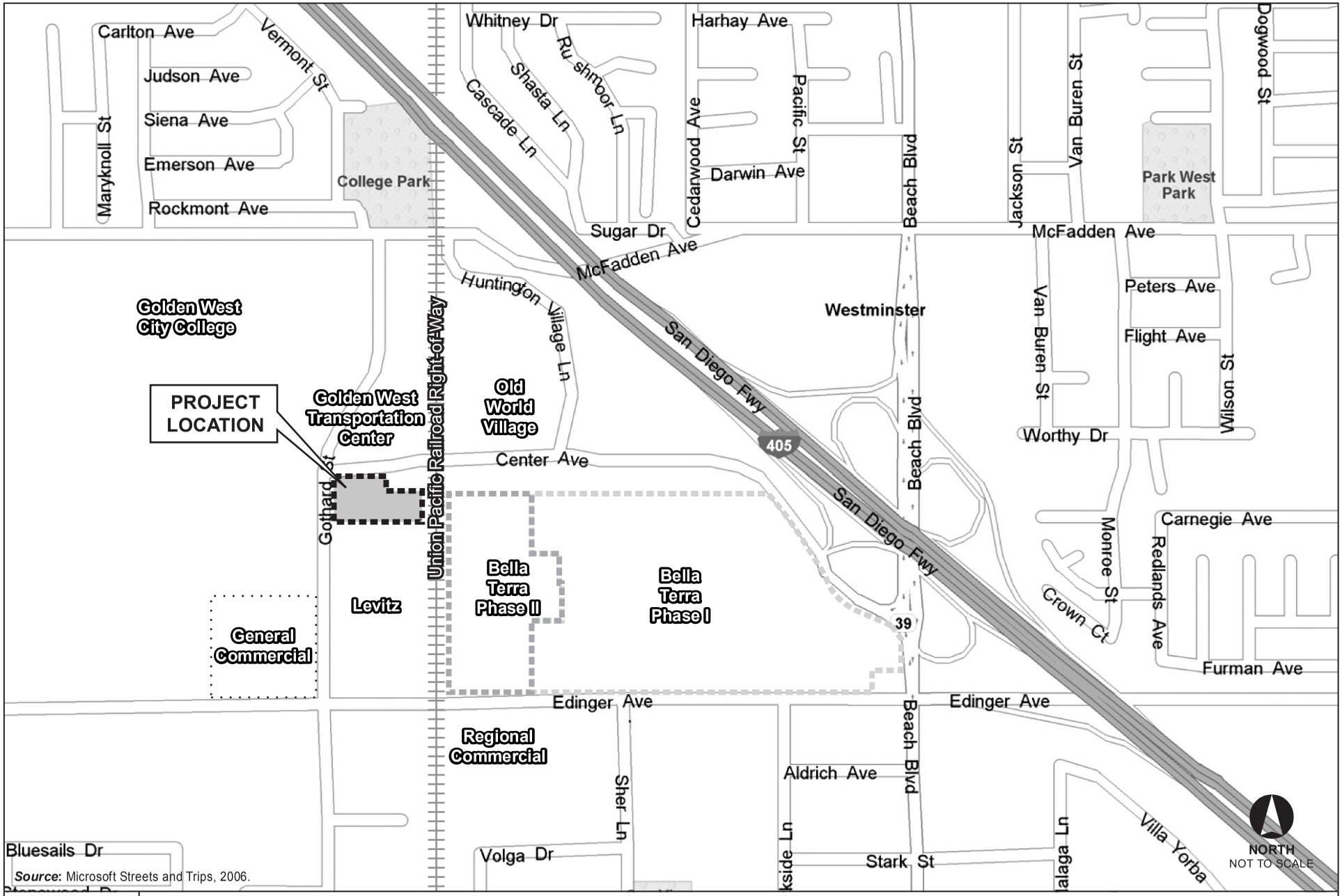

Source: Microsoft Streets and Trips, 2006.

FIGURE **2**

Project Site and Surrounding Land Uses

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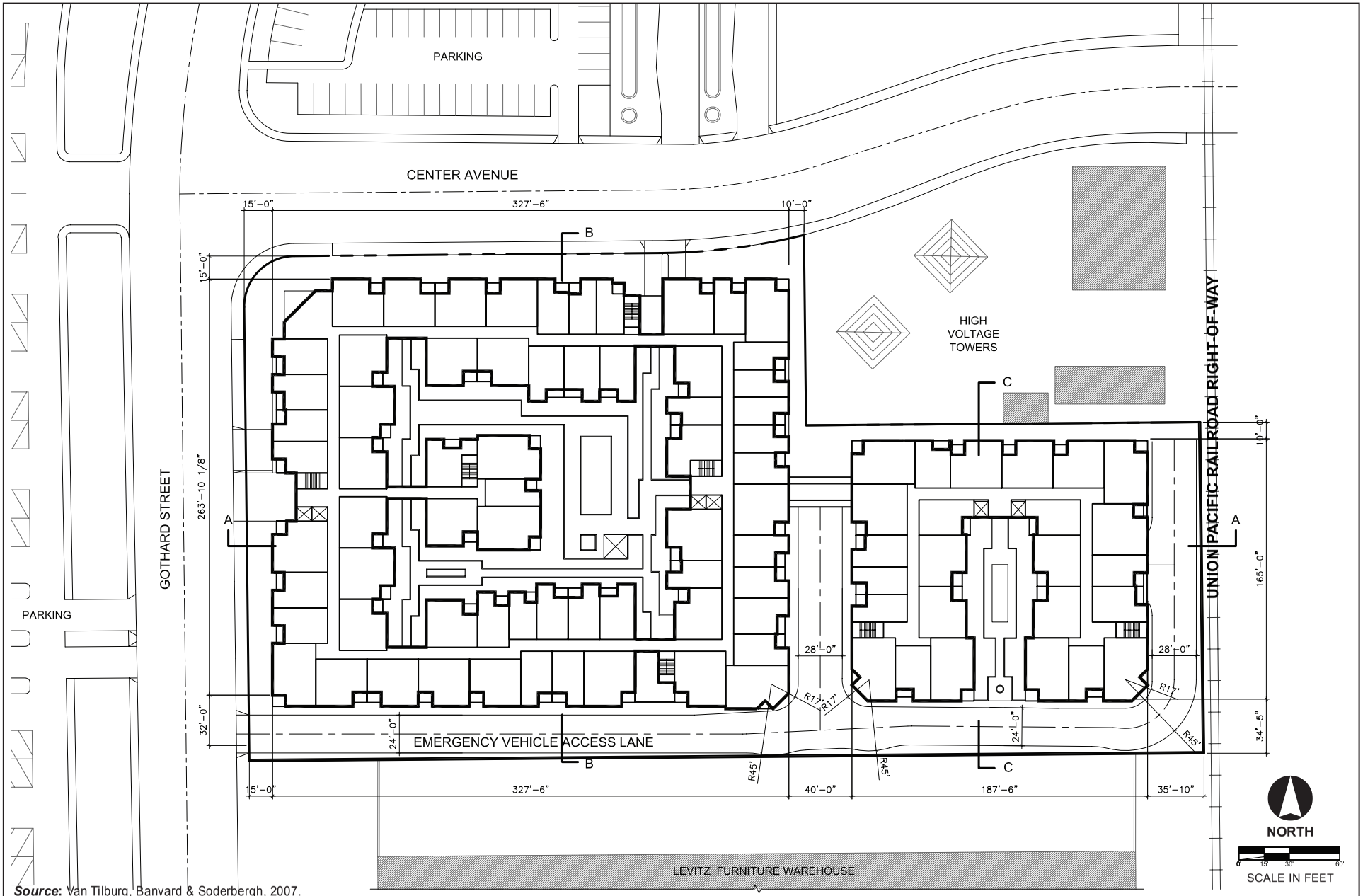

***Source*:** Van Tilburg, Banvard & Soderbergh, 2007.

FIGURE **3**

Conceptual Site Plan

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

☑ Land Use / Planning	☑ Transportation / Traffic	☑ Public Services
☑ Population / Housing	☑ Biological Resources	☑ Utilities / Service Systems
☑ Geology / Soils	☐ Mineral Resources	☑ Aesthetics
☑ Hydrology / Water Quality	☑ Hazards and Hazardous Materials	☑ Cultural Resources
☑ Air Quality	☑ Noise	☑ Recreation
☐ Agriculture Resources	☑ Mandatory Findings of Significance	

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared. ☐

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☑

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**. ☐

Signature Tess Nguyen — Date January 16, 2008

Printed Name TESS NGUYEN — Title Associate Planner

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

2. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.

3. Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).

4. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.

5. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVIII. Other sources used or individuals contacted have been cited in the respective discussions.

6. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures.

SAMPLE QUESTION:

ISSUES (and Supporting Information Sources):	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the proposal result in or expose people to potential impacts involving:				
Landslides? (Sources: 1, 6)	☐	☐	☐	☒

Discussion: The attached source list explains that 1 is the Huntington Beach General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

I. LAND USE AND PLANNING. Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (**Sources: 1, 2, 3)**	☑	☐	☐	☐

Discussion:

The project site currently has a General Plan designation of CG-F1-d (General Commercial), which establishes a floor area ratio (FAR) of 0.35 for the site and a design overlay that requires underlying land uses to be designed in accordance with special design standards. The project site currently has a zoning designation of General Commercial, consistent with the General Plan.

Implementation of the proposed project would require a General Plan Amendment (GPA) to allow a mix of uses on the site and to establish a permitted residential density and higher FAR. A Zoning Map Amendment (ZMA) would also be required for the project to establish a "Transit Center High Density Mixed Use District" zoning designation for the project site, and an associated Zoning Text Amendment (ZTA) would be required to establish development standards for the "Transit Center High Density Mixed Use District" zoning designation. These amendments represent a departure from land uses currently allowed on the project site. The EIR will analyze the effects of the new land uses on the surrounding environment.

b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (**Sources: 1, 2**)	☐	☐	☐	☑

Discussion:

There are no applicable habitat conservation plans or natural community conservation plans for the proposed project site. The land is currently developed with limited landscape or natural features. No impact would result, and no further analysis of this issue is required in the EIR.

c) Physically divide an established community? (**See Figures 1 and 3**)	☐	☐	☐	☑

Discussion:

The proposed project would not disrupt or physically divide an established community. The project involves the redevelopment of an existing commercial center with a mix of residential and commercial uses. The proposed project would not cut off an existing or proposed transportation route. Therefore, no impacts would occur, and no further analysis is required in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

II. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (**Sources: 1, 2, 3**)	☑	☐	☐	☐

Discussion:

The proposed project will include a residential component consisting of approximately 440 dwelling units, which would result in a direct increase in population growth. The proposed project is located on a site not previously planned for residential development. As a result, future population changes associated with the project have not been anticipated in local or regional population growth projections. The proposed project's effect on population and housing projections for the City of Huntington Beach will be evaluated in the EIR.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (**Sources: 3)**	☐	☐	☐	☑

Discussion:

The proposed project site is currently developed with commercial uses. The project site does not have existing residential uses and would not result in the displacement of any existing housing. No impact would occur, and no further analysis of this issue is required in the EIR.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

The proposed project site is currently developed with commercial uses. The project site does not have existing residential uses and would not result in the displacement of any existing residents. No impact would occur, and no further analysis of this issue is required in the EIR.

III. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (**Sources: 13)**	☐	☐	☐	☑

Discussion:

The site is not within a currently established Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. No active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the site. Therefore, the potential for surface rupture due to faulting occurring beneath the site during the design life of the proposed development is considered low. No impacts from fault rupture would result and no further analysis is required in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
ii) Strong seismic ground shaking? (**Sources: 1, 13**)	☐	☑	☐	☐

Discussion:

The site is located in the seismically active Southern California region, and could be subject to moderate to strong ground shaking in the event of an earthquake on one of the many active Southern California faults. According to the Newport-Inglewood Fault Zone Map, Figure EH-5 in the City of Huntington Beach General Plan Environmental Hazards Element, the nearest known active fault is the North Branch of the Newport-Inglewood Fault Zone, located approximately 3.1 miles from the project site. Consequently, the proposed project may expose visitors and on-site structures to significant seismic hazards (e.g. shaking) if an earthquake occurs along this fault. Impacts associated with seismic hazards would generally be addressed through adherence to applicable regulations (i.e., Uniform Building Code) and design, grading and structural recommendations identified in the Geological Resources Technical Study required for the proposed project. The EIR will include an analysis of impacts associated with seismic hazards.

iii) Seismic-related ground failure, including liquefaction? (**Sources: 1, 11, 13**)	☑	☐	☐	☐

Discussion:

According to the Liquefaction Potential Map, Figure EH-7 in the City of Huntington Beach General Plan Environmental Hazards Element, the project site is located within an area identified as having a high to very high potential for liquefaction. Liquefaction risks are generally addressed through adherence to applicable regulations (i.e., Uniform Building Code) and design. However, the proposed project would also be required to adhere to any identified grading and structural recommendations identified in the Geological Resources Technical Report. The EIR will analyze the potential for liquefaction hazards to affect the project site.

iv) Landslides? (**Sources:1, 11, 13**)	☐	☐	☐	☑

Discussion:

The project site is located in relatively flat terrain with no substantial hillsides or slopes nearby. According to the Potentially Unstable Slope Areas Map (Figure EH-2) in the City's General Plan Environmental Hazards Element, the project site is located within an area identified as having no potential for slope failure or landslides. The project site is not located within a State of California-designated Seismic Hazard Zone Map for Slope Stability. Therefore, the potential for seismically induced slope instability is considered relatively low. No impacts from landslides would result and no further analysis is required in the EIR.

b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (**Sources: 13, 21**)	☑	☐	☐	☐

Discussion:

Construction of the proposed project would require earth moving activities, such as excavation and grading, and it is anticipated that site development will include excavations of approximately 10 to 22 feet below the existing ground surface. Grading and excavation at the site would expose soil to erosional processes during construction. These impacts would be addressed through the implementation of Best Management Practices during construction activities and adherence to design, grading and structural recommendations identified in the Geological Resources Technical Report. Once construction is completed, the site would be fully developed and would include minimal areas of exposed soil. The EIR will analyze the potential for erosional impacts from construction activities.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (**Sources: 1, 13**)	☑	☐	☐	☐

Discussion:

As discussed in item III.a.iii. above, the site is at risk for liquefaction. In addition, according to the Peat and Organic Soils Map in the City of Huntington Beach General Plan Environmental Hazards Element (Figure EH-13), the project site is located within an area of known peat deposits and the Geological Resources Technical Report indicated that minor amounts of peat were encountered at depths below 10 feet. Therefore, the site is susceptible to subsidence due to peat oxidation. Finally, groundwater was encountered at a depth of eight feet beneath the ground surface. As a result, dewatering would be required during construction to prevent soil collapse. The EIR will address the ability for engineering controls to appropriately address geologic stability.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (**Sources: 1, 13**)	☑	☐	☐	☐

Discussion:

According to the Expansive Soil Distribution Map in the City of Huntington Beach General Plan Environmental Hazards Element (Figure EH-12), the project site is located within an area identified as having a moderate to high for potential of expansive soil. Typically, risks associated with expansive soil are addressed through adherence to applicable regulations (i.e., Uniform Building Code) and design, grading, as well as any additional structural recommendations from the Geological Resources Technical Study. The EIR will address the ability for project design features to appropriately address expansive soil risks.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater (**Sources: 3)**	☐	☐	☐	☑

Discussion:

The proposed project would be provided sanitary sewer service by the Orange County Sanitation District, and no septic tanks or alternative wastewater systems are proposed. No impact would occur, and no further analysis of this issue is required in the EIR.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements? (**Sources: 12, 16)**	☑	☐	☐	☐

Discussion:

Grading activities associated with construction will temporarily increase the amount of suspended solids from surface flows derived from the project site during storm events due to sheet erosion of exposed soil. The City's Standard Conditions of Approval require the preparation of a Storm Water Pollution Prevention Program (SWPPP) pursuant to the National Pollutant Discharge Elimination System (NPDES), which would address impacts on water quality during

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

construction. The SWPPP would incorporate both Best Management Practices (BMPs) and water quality management practices. The ability of the project to meet applicable waste discharge and water quality requirements during construction will be addressed in the EIR.

Project development would change the character of the site from commercial use to a mix of residential and commercial uses. Currently, the project site largely consists of impervious surfaces, and the amount of impervious surfaces would not change substantially with development of the proposed project. As a result, project implementation would not likely cause an increase in runoff that would adversely affect water quality. However, the City's Standard Conditions of Approval require the preparation of a Water Quality Management Plan (WQMP) pursuant to NPDES requirements, which would address impacts on water quality during operation. The WQMP would incorporate both Best Management Practices (BMPs) and water quality management practices. The ability of the project to meet applicable waste discharge and water quality requirements during operation will be addressed in the EIR.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? (**Sources: 16, 20)**	☐	☐	☐	☑

Discussion:

According to the City's 2005 Urban Water Management Plan, groundwater wells currently supply 64 percent of the City's water, while the remaining 36 percent is imported. The project site largely consists of impervious surfaces at this time, and the amount of impervious surfaces would not change substantially with the development of the proposed project. The project site is neither a designated groundwater recharge area nor does the project site serve as a primary source of groundwater recharge. The City of Huntington Beach has two recharge facilities, the Talbert and Alamitos Barriers; neither of which will be impacted by the proposed development. Therefore, the potential reduction in groundwater recharge would be negligible and would not affect City groundwater wells. No impact would result, and no further analysis is necessary in the EIR.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (**Sources: 20)**	☐	☑	☐	☐

Discussion:

The project site contains no streams or rivers. All drainage on site, including roof drainage, parking lot drainage and area drainage, currently drains either via sheet flow or pipe flow to the existing streets. Erosion or siltation could occur during construction-related earthmoving activities. Currently, the project site largely consists of impervious surfaces, and the amount of impervious surfaces would not change substantially with development of the proposed project. The project's onsite storm drain facilities would be designed according to City of Huntington Beach standards to accommodate anticipated peak storm flows and connections to offsite storm drains would be designed to ensure proper compatibility to carry the expected peak flow. Therefore, the potential for long-term (operational) site runoff leading to off-site erosion or siltation is considered low. During project site grading and construction, short-term runoff impacts would be addressed through preparation of a SWPPP, which would incorporate BMPs and water quality management practices. Potential erosion and siltation during construction due to soil exposure will be analyzed in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount or surface runoff in a manner which would result in flooding on or off-site? (**Sources: 20**)	☐	☑	☐	☐

Discussion:

The project site is developed and served by an existing storm water collection and conveyance system. As a result, the proposed project will not require any substantial changes to the existing drainage pattern of the site or the area. In addition, the project would include project design features to aid in the conveyance of storm water to existing facilities. Therefore, the potential for long-term (operational) site runoff leading to on- or off-site flooding is considered low. During project site grading and construction (before storm drains are installed and operational), short-term flooding impacts could be addressed through preparation of a SWPPP, which would incorporate BMPs. Potential flooding during construction due to changes in drainage patterns will be analyzed in the EIR.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (**Sources: 20**)	☐	☑	☐	☐

Discussion:

The project would comply with all wastewater discharge requirements and water quality objectives of State and Federal agencies as part of the City's Standard Conditions of Approval. The project site is currently occupied with structures and paved surface parking areas. All runoff would continue to be conveyed via streets and gutters to storm inlet locations around the project site. Refer to discussion items IV.c. and IV.d. above regarding the planned storm drain facilities that would be installed as part of the proposed project. The project would neither substantially affect the rate or amount of storm water runoff generated on site, nor would it affect the capacity of the existing storm drain system. However, the EIR will provide an analysis of the peak storm runoff expected from the project site and the ability of the proposed storm drain improvements to adequately accommodate the flow during long-term project operation.

During project site grading and construction (before storm drains are installed and operational), short-term runoff impacts would be addressed through the preparation of a SWPPP, which would incorporate BMPs. Potential runoff during construction due to changes in drainage patterns will be analyzed in the EIR.

f) Otherwise substantially degrade water quality? (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IV.a., above. The ability of the project to meet applicable waste discharge and water quality requirements during construction will be addressed in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (**Sources: 5, 17**)	☑	☐	☐	☐

Discussion:

Approximately 1.3 acres within the 3.8-acre project site has been delineated on Federal Emergency Management Agency (FEMA) flood maps as being within Zone "A". Thus, as a portion of the project site is located within a flood hazard area, the lowest floor of the proposed structure would be required to be built one foot higher than the Base Flood Elevation (BFE). With the proposed elevation requirement, impacts are considered less than significant. The EIR will provide detail regarding the project plans to elevate the proposed structure pursuant to City and FEMA requirements.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (**Sources: 5, 17**)	☑	☐	☐	☐

Discussion:

Approximately 1.3 acres within the 3.8-acre project site has been delineated on Federal Emergency Management Agency (FEMA) flood maps as being within Zone "A". Thus, as a portion of the project site is located within a flood hazard area, the lowest floor of the proposed structure would be required to be built one foot higher than the BFE. As with the existing elevation of the project site, the proposed elevation of the site would impede and redirect flood flows in areas surrounding the site. The EIR will analyze the potential for offsite flood hazards.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (**Sources: 5**)	☐	☐	☐	☑

Discussion:

The City of Huntington Beach is located in the lower basin of the Santa Ana River Basin. The lower basin is protected from flooding by Prado Dam, which is located 27 miles northeast of the City in Riverside County. The project site is located within the inundation area of the Prado Dam. Therefore, the possibility of significant risk of loss, injury, or death from flooding would be negligible. No impact would occur, and no further analysis is required in the EIR.

j) Inundation by seiche, tsunami, or mudflow? (**Sources: 1**)	☐	☐	☐	☑

Discussion:

According to the Moderate Tsunami Run-up Area Map in the City of Huntington Beach General Plan Environmental Hazards Element (Figure EH-8), the project site is not located in an identified moderate tsunami run-up area. Due to the lack of land-locked bodies of water (i.e., ponds or lakes) in proximity to the project site, the potential for seiches is considered to be non-existent. Thus, no impact would occur, and no further analysis of this issue is required in the EIR.

k) Potentially impact stormwater runoff from construction activities? (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IV.a., above. The ability of the project to meet applicable waste discharge and water quality requirements during construction will be addressed in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
l) Potentially impact stormwater runoff from post-construction activities? (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IV.a., above. The ability of the project to meet applicable waste discharge and water quality requirements during operation will be addressed in the EIR.

m) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (**See Figure 1**)	☐	☐	☐	☑

Discussion:

The proposed project does not include uses involving the storage, handling or distribution of hazardous materials. Additionally, no fuel station or equipment maintenance will occur on the project site. No impact would occur, and no further analysis is required in the EIR.

n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IV.a., above. The ability of the project to affect beneficial uses of receiving waters during construction and operation will be addressed in the EIR.

o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (**Sources:12, 16**)	☐	☑	☐	☐

Discussion:

Project development would change the character of the site from commercial use to a mix of residential and commercial uses. The project site largely consists of impervious surfaces at this time, and the amount of impervious surfaces would not change substantially with development of the proposed project. As a result, an increase in flow velocity or volume is not anticipated. However, the EIR will provide an analysis of the peak flow velocity or volume expected from the project site during long-term project operation.

p) Create or contribute significant increases in erosion of the project site or surrounding areas? (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IV.a., above. The ability of the project to meet applicable waste discharge and water quality requirements during construction will be addressed in the EIR. Potential erosion and siltation during construction due to soil exposure will be analyzed in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

V. AIR QUALITY. The city has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan? (**Sources: 3, 20**) ☑ ☐ ☐ ☐

Discussion:

The project as proposed would entail earth movement and construction activities. In addition, project operation would result in increased vehicular trips in the area. Increased emissions associated with the vehicle trips and other on-site emissions could potentially conflict with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP). Therefore, the EIR will address potential project exceedance of the SCAQMD thresholds of significance, which may result in a conflict with the AQMP, and violation of any local and regional air quality standards during construction and operation of the proposed project.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (**Sources: 3, 21**) ☑ ☐ ☐ ☐

Discussion:

Refer to the discussion under item V.a., above. In addition, construction of the proposed project would require soil grading, the use of mechanical construction equipment, the application of solvents and architectural coatings, and other construction activities that could result in significant temporary, short-term impacts to air quality emissions in the form of fugitive dust, volatile organic compounds (VOCs), and construction equipment emissions. Currently the non-attainment pollutants in the South Coast Air Basin, which includes Orange County, are ozone, carbon monoxide (CO), and fine particulate matter (PM_{10}). Construction-related activities and traffic generated by long-term operation of the proposed project could contribute to these existing violations. The impacts to air quality from project construction and operation will be evaluated in the EIR.

c) Expose sensitive receptors to substantial pollutant concentrations? (**Sources: 3**) ☑ ☐ ☐ ☐

Discussion:

Project-generated traffic could contribute to decreased levels of service at nearby intersections, resulting in additional vehicle emissions and longer vehicle idling times at and near intersections. These circumstances could lead to CO hot spots that may affect adjacent sensitive receptors (e.g., residences, Goldenwest College students and customers of The Ripcurl Project). In addition, during construction, nearby sensitive receptors could experience higher levels of air emissions from nearby construction equipment. The potential for the project to result in these substantial pollution concentrations will be addressed in the EIR.

d) Create objectionable odors affecting a substantial number of people? (**Sources: 3**) ☐ ☐ ☑ ☐

Discussion:

The project does not propose, and would not facilitate, uses that are significant sources of objectionable odors. Potential sources of odor associated with the proposed project may result from construction equipment exhaust and application of asphalt and architectural coatings during construction activities, the temporary storage of typical household solid waste (refuse) associated with residential (long-term operational) uses, as well as odors produced from the various commercial uses, including restaurants. Standard construction requirements would be imposed upon the applicant to minimize odors from construction. The construction odor emissions would be temporary, short-term, and

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

intermittent in nature, and impacts associated with construction-generated odors are expected to be less than significant. It is expected that any project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. Therefore, odors associated with the proposed project construction and operation would be less than significant, no mitigation is required, and no further analysis is required in the EIR.

e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (**Sources: 3, 20**)	☑	☐	☐	☐

Discussion:

Refer to the discussion for items V.a. and V.b. above.

VI. TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

During construction of the proposed project, impacts on traffic from construction vehicles queuing at, and entering and exiting the site could occur. In addition, the long-term operation of the project would generate additional vehicular trips that could potentially result in a substantial traffic increase in the area. This increase in project-related traffic would further add to the existing traffic load affecting the existing street system. The potential impacts due to increased trip generation, changes to the volume to capacity ratio on roads, and congestion at intersections will be analyzed in the EIR.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

Refer to the discussion under item VI.a. above. Increased trip generation from long-term operation of the project could potentially exceed level of service (LOS) standards on designated Orange County Congestion Management Program (CMP) intersections in the project vicinity. The potential impacts to CMP intersections will be analyzed in the EIR.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (**Sources: 9, 21**)	☐	☐	☐	☑

Discussion:

The project site is not located within two miles of a public or private airstrip and does not propose any structures of substantial height to interfere with existing airspace or flight patterns. No impact would occur, and no further analysis of this issue is required in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (**See Figure 3**)	☑	☐	☐	☐

Discussion:

The project design is not anticipated to include any design features that would result in substantial vehicular or pedestrian hazards. Pedestrian corridors would be provided and/or maintained throughout and along the perimeter of the project site. The project would not include any uses that would be incompatible with, or hazardous to, existing uses. The proposed new access driveway planned at Center Avenue and Gothard Street for access/egress to the project site would be designed in accordance with recommendations from the City's traffic engineering division. The site access and design, including ingress and egress restrictions will be further analyzed in the EIR to investigate potential traffic hazards and design options to minimize impacts.

e) Result in inadequate emergency access? (**See Figure 3**)	☐	☐	☑	☐

Discussion:

An emergency access lane accessed from Gothard Street and located along the southern border of the project site would provide secondary access to both components of the proposed project. The onsite roadway infrastructure would be designed to assist emergency access. Emergency access to and within the project site would be designed to meet City of Huntington Beach Police Department and City of Huntington Beach Fire Department requirements, as well as the City's general emergency access requirements. No significant impact would occur, and no further analysis of this issue is required in the EIR.

f) Result in inadequate parking capacity? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The proposed project would include parking in conformance with City requirements. Specifically, the development would include approximately 578 parking on three levels. Of these spaces, 528 would be reserved for the residential component and 50 stalls will be reserved for the commercial component. It is likely that the proposed parking stalls would be adequate for the proposed project; however the EIR will include a more detailed review of parking plans to ensure City parking requirements are met.

g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The proposed project would be compatible with regional policies to promote alternative modes of transportation by encouraging a pedestrian-friendly environment both in and around the development. Specifically residents will have access to the Golden West Transportation Center located north of the project site across Center Avenue. The transportation center serves six bus lines and provides transit access throughout northern Orange County. In addition, the project could also benefit from future commuter rail service if it is established along the existing Union Pacific Railroad line. The EIR will include an analysis of transit and bicycle services and facilities, as well as future related plans affecting the project area. The project design is not anticipated to conflict with policies supporting alternative transportation and impacts are considered less than significant.

VII. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate,	☐	☐	☐	☑

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S, Fish and Wildlife Service? (**Sources: 1, 12, 22**)

Discussion:

The proposed project site is currently developed with commercial uses and contains little to no native habitat. The only vegetation on the project site consists of landscaping trees and ornamental shrubs. As a result, no suitable habitat for sensitive mammal, reptile, amphibian, or fish species exist on the project site. In addition, a database search revealed that no federal or State special status species are located on the project site. No impact would occur, and no further analysis of this issue is required in the EIR.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (**Sources: 1**)	☐	☐	☐	☑

Discussion:

The project site has been previously developed and used exclusively for commercial uses. No riparian habitat or other sensitive natural community exists on the proposed project site. As such, the project would not have any direct effect upon any riparian habitat or other sensitive natural communities. No impact would occur, and no further analysis of this issue is required

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (**Sources: 1**)	☐	☐	☐	☑

Discussion:

There are no wetlands on the project site, as defined by the Clean Water Act or the Fish and Game Code of California. No impact would occur, and no further analysis of this issue is required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (**Sources: 1**)	☑	☐	☐	☐

Discussion:

The project site is currently developed with commercial uses. It is unlikely that any substantial wildlife movement would occur though the proposed project site, as the site is bordered by commercial development and streets on all four sides, thus preventing wildlife movement. However, there is the potential that migratory birds may utilize existing trees on site for nesting. Implementation of the proposed project would result in the removal of 51 trees from the project site. As a result, the project has the potential to significantly impact migratory bird species even though the site will be re-landscaped, including trees. Impacts associated with the removal of the trees on migratory birds will be analyzed further in the EIR.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (**Sources: 1, 2, 14**)	☐	☐	☑	☐

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

Discussion:

There are currently limited biological resources within the project site, which is developed with commercial uses and associated surface parking. Impacts are anticipated to be less than significant and no further analysis is required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (**Sources: 1, 2, 12**)	☐	☐	☐	☑

Discussion:

No habitat conservation plan or natural community conservation plan affects the proposed project site. Therefore, no conflict with conservation plans would occur and no further analysis of this issue is required in the EIR.

VIII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (**Sources: 1, 2**)	☐	☐	☐	☑

Discussion:

No State-designated mines or mineral producers presently exist within the project vicinity. The project site does not maintain any natural mineral resources. Therefore, no impact would occur and no further analysis of the issue is required in the EIR.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (**Sources: 1, 2**)	☐	☐	☐	☑

Discussion:

As discussed under item VIII.a., above, the site does not contain any natural mineral resources. No impact would occur and no further analysis of the issue is required in the EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The proposed project includes a mix of residential and commercial uses and long-term operation of the project would not involve the introduction nor the routine transport, use, or disposal of hazardous materials. Proposed construction of the project would comply with CalOSHA (California Occupational Safety and Health Administration) requirements, the Hazardous Materials Management Act (HMMA), and other State and local requirements. Compliance with local, State, and federal regulations would minimize risks associated with accident conditions involving the release of hazardous materials into the environment during construction activities. It is anticipated that impacts regarding routine transport, use, or disposal of hazardous materials would be less than significant. The EIR will include a more detailed analysis of this issue to confirm that the routine transport, use, or disposal of hazardous materials would not negatively affect the environment.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (**Sources: 3, 14**)	☑	☐	☐	☐

Discussion:

Refer to discussion under item IX.a. above. The proposed project would not include the use of large quantities of hazardous materials, and any typical household hazardous materials would be used and stored in accordance with applicable regulations. The proposed project includes a mix of residential and commercial uses and long-term operation of the project would not involve handling of hazardous materials in a manner that would result in reasonably foreseeable upset and accident conditions. Compliance with local, State, and federal regulations would minimize risks associated with accident conditions involving the release of hazardous materials into the environment during construction activities.

In addition, structures constructed or remodeled between 1930 and 1981, such as those existing on-site, have the potential of containing Asbestos Containing Building Material (ACBM). As the site was developed prior to the ban on ACBM, the likelihood that the site contains these materials is high. Furthermore, the structures on site were constructed prior to, and around the time, that lead-based paints were banned in 1979. As such, the likelihood that the site contains lead-based paint is high. Given these circumstances, potential impacts to the public or environment from ACBM and lead-based paint are possible.

The EIR will evaluate the potential exposure of people and property to short-term (construction-related) hazardous and toxic materials that could be associated with the project site (e.g., potential contaminants associated with existing uses). The EIR will also include results of a database search of potential hazardous materials sites at the location of the proposed project and in the vicinity. The EIR will use this information to document potential impacts associated with the release of hazardous materials into the environment.

c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

The project site is located adjacent to Golden West Community College. The proposed project will not emit hazardous emissions or handle hazardous materials beyond general cleaning supplies. Therefore, no impacts would occur and no further analysis is required in the EIR.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (**Sources: 3, 14**)	☐	☐	☐	☑

Discussion:

The project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impact would occur, and no further analysis of this issue is required in the EIR.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or pubic use airport, would the project result in a safety hazard for people residing or working in the project area? (**Sources: 9, 18**)	☐	☐	☐	☑

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

Discussion:

The project is not located within two miles of any known public or private airstrip. Additionally, the proposed structures would not exceed heights that require review and approval by the Federal Aviation Administration (FAA) or Airport Land Use Commission (ALUC). Therefore, the project would not result in a safety hazard for people residing in the project area. No impact would occur, and no further analysis of this issue is required in the EIR.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (**Sources: 9, 18**)	☐	☐	☐	☑

Discussion:

Refer to discussion under item IX.e., above. No impact would occur, and no further analysis of this issue is required in the EIR.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (**Sources: 21**)	☐	☐	☐	☑

Discussion:

Implementation of the proposed project would not result in the increased likelihood of hazardous materials incidents. With regard to emergency response plans, the project site does not currently and would not in the future serve a function in any emergency response or evacuation plan (schools are typically employed for this purpose). Project access would be constructed per City codes to allow adequate emergency vehicle access. Implementation of the proposed project would not pose any constraints to the City's existing Emergency Management Plan. No impact would occur, and no further analysis of this issue is required in the EIR.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (**Sources: 1, 2**)	☐	☐	☐	☑

Discussion:

The project site and surrounding area are characterized by features typical of the urban landscape and include retail-commercial uses. No wildlands exist within the immediate vicinity of the proposed project site. Consequently, implementation of the project would not result in the exposure of people or structures to hazards associated with wildland fires. No further analysis of this issue is required in the EIR.

X. <u>NOISE</u>. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (**Sources: 3, 12**)	☑	☐	☐	☐

Discussion:

Over the long term, noise would be generated at the proposed project site due to increased traffic during project operation and by activity at the site once it is built and occupied. Noise from mechanical equipment (such as Heating Ventilation and Air Conditioning (HVAC) systems) associated with operation of the project would be required to comply with the State Building Code requirements pertaining to noise attenuation, and with City regulations requiring

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

adequate buffering of such equipment. Sensitive receptors in the vicinity of the project site include existing residences and Golden West College. It is anticipated that the noise generated by vehicles and human use associated with operation of the site would be compatible with the existing land uses in the project area and would not exceed noise thresholds established by the City of Huntington Beach. Nevertheless, the EIR will include a noise analysis to investigate and verify predicted operational and traffic noise generated by the proposed project.

Temporary increases in ambient noise levels would occur during periods of construction at the project site. Chapter 8.40 of the Municipal Code for Noise Control generally prohibits construction activity between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and Saturdays, and all day on Sundays (§8.40.090). Additionally, a permit for construction activities (which requires a review of the proposed activities) must be obtained from the City of Huntington Beach. Reference data for construction equipment noise illustrate that operation of typical heavy equipment would result in noise levels between approximately 75 dBA and 100 dBA when measured 50 feet from the source, depending primarily on the type of equipment in operation. Noise levels from a single piece of equipment attenuate at a rate of approximately 6 decibels per doubling of distance; therefore, the distance between the project site and sensitive receptors would reduce construction noise to some extent. However, due to the potential equipment mix and the proximity of sensitive receptors surrounding the project site, construction noise in excess of 75dBA may be perceptible. The EIR will include a noise analysis to investigate and verify predicted temporary/intermittent construction noise generated by the proposed project.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

The only existing source of groundborne vibration in the project vicinity includes heavy trucks or buses traveling on the adjacent streets. Long-term project operation would not include uses that would substantially elevate groundborne vibration or groundborne noise levels above existing conditions. Potential temporary and intermittent vibration impacts could occur during certain project construction activities, such as pile driving if required, however, such vibration would be temporary and intermittent and impacts are anticipated to be less than significant. Vibration impacts during project construction will be addressed in the EIR.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (**Sources: 3, 12**)	☑	☐	☐	☐

Discussion:

As stated above in the discussion for item X.a., long-term project operation would contribute to increased traffic noise levels and would cause additional noise from human activity and operation of mechanical equipment at the project site. Noise from the project's mechanical equipment would be regulated in accordance with Noise Control ordinance standards. However, the noise generated by project traffic once the project is built could substantially increase ambient noise levels in the project area. Noise increases due to increased human activity and vehicular trips associated with the project will be addressed in the EIR.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (**Sources: 3, 12**)	☑	☐	☐	☐

Discussion:

See discussion item X.a. above regarding temporary and intermittent construction noise impacts associated with the project. The EIR will include a noise analysis to investigate and verify predicted temporary/intermittent construction

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

noise generated by the proposed project.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (**Sources: 9, 18**) ☐ ☐ ☐ ☑

Discussion:

The project site is not located within two miles of a public airport, public use airport, or private airstrip. Therefore, the project would not expose people to excessive noise from airports. No impact would occur, and no further analysis of this issue is required in the EIR.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (**Sources: 9, 18**) ☐ ☐ ☐ ☑

Discussion:

Refer to discussion under item X.e. above. No impact would occur, and no further analysis of this issue is required in the EIR.

XI. <u>PUBLIC SERVICES</u>. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? (**Sources: 1, 3**) ☑ ☐ ☐ ☐

Discussion:

Proposed development would include approximately 440 multi-family residential units and approximately 10,000 sf of retail space The addition of these uses on site could result in an increased demand on fire protection services in the area. An analysis of project demand on fire protection services will be provided in the EIR, including an evaluation of the City Fire Department's ability to operate within acceptable response time standards in serving the future developed project site.

b) Police Protection? (**Sources: 1, 3**) ☑ ☐ ☐ ☐

Discussion:

Proposed development would include approximately 440 multi-family residential units and approximately 10,000 sf of retail space. The addition of these uses on site could result in an increased demand on police protection services in the area. An analysis of project demand on police protection services will be provided in the EIR, including an evaluation of the City Police Department's ability to serve the future developed project site in accordance with acceptable service standards.

c) Schools? (**Sources: 1, 3**) ☐ ☑ ☐ ☐

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

Discussion:

The proposed project includes the development of approximately 440 multi-family residential units. This would increase population in the area, thereby increasing demands upon existing schools. The project site would be served by the Ocean View School District and the Huntington Beach Union High School District, and would be subject to school impact fee requirements, which would serve to mitigate project impacts upon schools. The potential increase in students and the effect of the project on the existing school system will be addressed in the EIR.

d) Parks? (**Sources: 1, 3**)	☐	☑	☐	☐

Discussion:

The proposed project includes the development of approximately 440 multi-family residential units. This would increase population in the area, thereby increasing demands upon existing parks. The project would be subject to City requirements to mitigate impacts pursuant to the Zoning and Subdivision Ordinance. The EIR will address this issue in more detail.

e) Other public facilities or governmental services? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The proposed project includes development of approximately 440 multi-family residential units. This would increase population in the area, thereby increasing demand for the use of existing public facilities including libraries and civic buildings/auditoriums. It is expected that existing public facilities and services serving in project area would be able to sufficiently handle the moderate increase in population that would result from the proposed project. Nonetheless, this issue will be further analyzed in greater detail in the EIR and mitigation measures will be included if necessary.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

The proposed project would modify the project site from general commercial uses to a mixed use development including approximately 440 dwelling units and approximately 10,000 sf of retail space. Thus, wastewater discharges from the project could put additional demand upon regional treatment facilities. The ability of the project to meet applicable waste discharge and treatment requirements will be addressed in the EIR.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The project would connect to existing water and wastewater conveyance facilities offsite and may require the construction of new water and wastewater conveyance facilities on site. Construction of new water or wastewater treatment facilities and/or expansion of existing water or wastewater treatment facilities is not anticipated to be necessary to serve the project's needs. It is anticipated that impacts regarding construction of water and wastewater facilities would be less than significant. The EIR will include a more detailed analysis of this issue to confirm that existing facilities are adequate to serve the project.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

As the project site is already fully developed, no substantial increase in impervious surface area would be anticipated to occur as a result of the proposed project. As a result, the off-site existing storm drain system should be adequate to serve the proposed project and impacts regarding the expansion of the existing storm drain system are expected to be less than significant. New onsite storm drain facilities would be constructed as part of the project to convey stormwater to the off-site facilities The City will require that the project's on-site storm drain facilities function to capture and temporarily retain excess runoff so as not to overburden the off-site system during peak flow events. It is anticipated that impacts regarding construction of new storm water drainage facilities would be less than significant. The EIR will include a more detailed analysis of this issue to confirm that the existing off-site storm drain system and proposed on site storm drain facilities are adequate to serve the project.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

As the proposed project would result in an intensification of development on the project site, the project would require an increase in water supply. The applicant must receive a "will serve" letter from the Huntington Beach Public Works Department in order to construct the project, meaning that the Public Works Department must confirm that adequate water supply is available over the long-term to serve the project and commit to provide water service. With this condition satisfied prior to project construction, impacts would be less than significant. This issue will be described in more detail in the EIR.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (**Sources: 3**)	☐	☐	☑	☐

Discussion:

The project will connect to existing wastewater facilities that will convey wastewater generated by the project to regional treatment facilities. The applicant must receive a "will serve" letter from the Orange County Sanitation District in order to construct the project, meaning that the Sanitation District must confirm that adequate treatment capacity is available over the long-term to serve the project and commit to provide treatment service. With this condition satisfied prior to project construction, impacts would be less than significant. This issue will be described in more detail in the EIR.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (**Sources: 1, 3**)	☐	☐	☑	☐

Discussion:

Solid waste collection service for the City of Huntington Beach is provided by Rainbow Disposal. Collected solid

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

waste is transported to a transfer station where the solid waste is sorted and processed through a Materials Recovery Facility where recyclable materials are removed. The remaining solid waste is transported to the Frank R. Bowerman Landfill located in the City of Irvine. The landfill has a remaining capacity in excess of 30 years based on present solid waste generation rates. The proposed project would result in an intensification of land use and increase solid waste generation. Due to the moderate size of the proposed project and available capacity of regional landfills, impacts are anticipated to be less than significant. The project's potential impacts on landfill capacity will be analyzed further in the EIR.

g) Comply with federal, state, and local statutes and regulations related to solid waste? (**Sources: 1, 3, 12**)	☐	☐	☐	☑

Discussion:

As a condition of approval, the project would be required to comply with all federal, state and local statues and regulations related to solid waste handling, transport and disposal during construction and long-term operation. No impact would occur, and no further analysis of this issue is required in the EIR.

h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (**Sources: 12, 16**)	☑	☐	☐	☐

Discussion:

Refer to Section IV., item IV.a., above. The provision of new or retrofitted storm water treatment control BMPs will be addressed in the EIR.

XIII. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista? (**Sources: 22**)	☐	☐	☐	☑

Discussion:

Scenic vistas in the City of Hunting Beach are primarily located along the coast. As the project site is located approximately four miles from the ocean, no views of the coast from the site currently exist. The proposed project is located in a highly urbanized area. The height of the proposed building (approximately 60 to 66 feet) is compatible with the existing buildings that are located in the immediate vicinity. Therefore, development of the project site would not adversely affect the scenic vista. No impact would occur, and no further analysis of this issue is required in the EIR.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (**Sources: 1**)	☐	☐	☐	☑

Discussion:

The State of California Department of Transportation designates scenic highway corridors. The project site is not within a state scenic highway; nor is the project site visible from any (officially designated or eligible) scenic highway. In addition, as the project site is presently developed, the site does not contain rock outcroppings or historic buildings. The project site does contain 51 trees that would be removed during construction of the proposed project. However, these trees are ornamental and will be replaced with similar landscaping. No impact would occur, and no further analysis of this issue is required in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (**Sources: 21**)	☑	☐	☐	☐

Discussion:

As discussed above, height of the proposed structure (60 to 66 feet) would be compatible with the existing buildings that are located in the immediate vicinity. However, the height of the building may result in adverse impacts relating to shade/shadow effects on the surrounding land uses. A more detailed analysis will be included in the EIR.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (**See Figure 3**)	☑	☐	☐	☐

Discussion:

Light impacts could result from the proposed residential and commercial uses. Lighting from the proposed structure, street lights, and park lighting system would be visible from the street and/or light-sensitive receptors immediately surrounding the project site. The potential impacts of new light sources will be analyzed in the EIR and mitigation measures will be suggested to reduce impacts. Glare can result from daytime reflection of sunlight off building surfaces. The proposed project would include reflective surfaces (e.g., windows, brightly colored or bare concrete building façade treatments) on large building faces. The visual impact of glare created by the project site will be addressed in the EIR.

XIV. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in δ15064.5? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

There are no historical resources located on the proposed project site. Therefore, no impact to historical building resources would occur, and no further analysis of this issue is required in the EIR.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to δ15064.5? (**Sources: 3**)	☐	☑	☐	☐

Discussion:

The project site has already been subject to extensive disruption and contains fill materials. Any archaeological resources, which may have existed at one time, have likely been previously disturbed. Nonetheless, construction activities associated with project implementation would have the potential to unearth undocumented resources and result in significant impact. A records search will be conducted to investigate the presence of archeological resources on the project site and Native American Tribes will be notified and given the opportunity to communicate concerns or issues regarding the proposed project. A summary of the search results and a more detailed analysis of potential impacts to archaeological resources will be included in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (**Sources: 3**)	☐	☑	☐	☐

Discussion:

The project site has already been subject to extensive disruption and contains fill materials. Any paleontological resources, which may have existed at one time, have likely been previously disturbed. Nonetheless, construction activities associated with project implementation would have the potential to unearth undocumented resources and result in significant impact. The EIR will contain a paleontological records review to determine the need for paleontological monitoring during project construction. A summary of the search results and a more detailed analysis of potential impacts to paleontological resources will be included in the EIR.

d) Disturb any human remains, including those interred outside of formal cemeteries? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

The project site and surrounding area are characterized by features typical of the urban landscape and include commercial uses. No known traditional sites exist within the project area or surrounding area, nor have any resources been identified. Nonetheless, construction activities associated with project implementation would have the potential to unearth undocumented resources and result in significant impact. The EIR will contain a Sacred Lands File review to determine the need for monitoring the presence of human remains during project construction. A summary of the search results and a more detailed analysis of potential impacts to human remains will be included in the EIR.

XV. RECREATION. Would the project:

a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (**Sources: 1, 3**)	☐	☑	☐	☐

Discussion:

The proposed project includes the development of approximately 440 multi-family residential units. This would increase population in the area, thereby increasing demands upon existing parks. The development will include outdoor amenities consisting of a pool and spa area, fire pit and movie projection area. Indoor amenities would include a fitness center and clubhouse. All of these proposed amenities would serve to reduce the project's associated demand upon the City's existing public park system. The EIR will analyze this issue in more detail.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (**Sources: 1, 3**)	☐	☑	☐	☐

Discussion:

The proposed project includes outdoor amenities consisting of a pool and spa area, fire pit and movie projection area. Indoor amenities would include a fitness center and clubhouse. The construction of these recreation facilities would contribute to the potential environmental impacts from the overall project as identified in this initial study. The construction of these recreation facilities will be analyzed as part of the overall project analysis included in the EIR. The long-term operation of the proposed recreation facilities is not anticipated to have an adverse effect on the environment. The EIR will investigate impacts associated with the construction of proposed project amenities in more detail.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
c) Affect existing recreational opportunities? (**Sources: 1, 3**)	☐	☑	☐	☐

Discussion

See discussion item XV.a. above regarding the project demand on existing public parks. The EIR will investigate this issue in more detail.

XVI. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

There is no Prime Farmland, Farmland of Statewide Importance, or Unique Farmland located on the proposed project site, as the site is currently developed. No impact would occur, and no further analysis of this issue is required in the EIR.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

The project site is not under a Williamson Act contract, as the site is currently developed. No impact would occur, and no further analysis of this issue is required in the EIR.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (**Sources: 3**)	☐	☐	☐	☑

Discussion:

This site is currently developed. No environmental changes associated with the proposed project would result in the conversion of farmland to non-agricultural uses. No impact would occur, and no further analysis of this issue is required in the EIR.

	Potentially Significant Impact	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (**Sources: 3**)	☑	☐	☐	☐

Discussion:

As discussed above in section VII. Biological Resources, the proposed project site is currently developed with commercial uses with little to no native habitat on site, and suitable habitat for sensitive mammal, reptile, amphibian, or fish species does not exist on the project site. In addition, no riparian habitat or other sensitive natural community or wetlands exists on the proposed project site. It is unlikely that any substantial wildlife movement would occur through the proposed project site, as the site is bordered by commercial development and streets on all four sides, thus preventing wildlife movement. However, there is the potential that migratory birds may utilize existing trees on site for nesting. Implementation of the proposed project would result in the removal of 51 trees from the project site. As a result, the project has the potential to significantly impact migratory bird species. Impacts associated with the removal of the trees on migratory birds will be analyzed further in the EIR

As discussed above in section XIV. Cultural Resources, the project site does not contain any historically aged structures. However, it is possible that archeological or paleontological resources exist on site. A more detailed analysis of potential impacts to paleontological resources will be included in the EIR.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (**Sources: 1, 3, 12**)	☑	☐	☐	☐

Discussion:

Potential project impacts relating to air quality, biology, noise, transportation/traffic, public services, and utilities/service systems could contribute to cumulative impacts to all resource areas in the EIR. The EIR will discuss the potential for cumulative impacts to all resource areas analyzed in the EIR.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (**Sources: 1, 3, 12**)	☑	☐	☐	☐

Discussion:

Potential impacts to human beings could occur through the potential environmental impacts upon air quality, noise, and transportation/traffic identified in this Initial Study. These impacts and the potential for substantial adverse effects upon human beings will be analyzed in the EIR.

XVIII. EARLIER ANALYSIS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis:

Reference #	Document Title	Available for Review at:
1	City of Huntington Beach General Plan	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach
2	City of Huntington Beach Zoning and Subdivision Ordinance	"
3	Project Narrative	See Attachment #1
4	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach
5	FEMA Flood Insurance Rate Map (February 18, 2004)	"
6	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	"
7	City of Huntington Beach CEQA Procedure Handbook	"
8	Trip Generation Handbook, 7th Edition, Institute of Traffic Engineers	"
9	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	"
10	Hazardous Waste and Substances Sites List	"
11	State Seismic Hazard Zones Map	"
12	City of Huntington Beach Municipal Code	"
13	Geotechnical Investigation, College Country Mixed Use Development, 7304-7400 Center Avenue, Huntington Beach California. Geocon Inland Empire, Inc. December 12, 2006.	"
14	Phase I Environmental Site Assessment College Country Shopping Center, 7302-7400 Center	"

	Avenue, Huntington Beach, California. URS Corporation. January 9, 2007.	
15	2005 Urban Water Management Plan, City of Huntington Beach. November 21, 2005.	"
16	The Ripcurl Development, Preliminary Water Quality Management Plan. Fuscoe Engineering. October 26, 2007.	"
17	Base Flood Elevation Study, The Ripcurl Development, City of Huntington Beach, California. Fuscoe Engineering. October 18, 2007.	"
18	2007 Thomas Bros. Maps – Los Angeles and Orange Counties	"
19	City of Huntington Beach Emergency Management Plan	
20	Draft Grading Plan	See Attachment #2
21	Project Elevations	See Attachment #3
22	California Natural Diversity Database Accessed December 12, 2007	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 3rd Floor 2000 Main St. Huntington Beach

WRITTEN NARRATIVE

a) Description of Proposed Project

The proposed project includes both legislative actions and project approvals, as applicable to a 3.8 acre commercial property that the applicant owns. The applicant will submit materials separately for the legislative actions and the project approvals.

The requested legislative actions – General Plan Amendment, Zoning Text Amendment, and Zoning Map Amendment – would add housing and mixed use to the list of permitted uses on the property. Today, only commercial uses are allowed. The requested project approvals – Conditional Use Permit, including Design Review – would allow the applicant to develop a specific building on the property.

Description of the requested legislative actions:

General Plan Amendment: The current General Plan land use designation is CG-F1-d (General Commercial). The applicant proposes creating a new land use designation, "Mixed Use – Transit Center."

Zoning Map Amendment: The current zoning is CG (General Commercial). The applicant proposes creating a new zoning designation, "Transit Center High Density Mixed Use."

Zoning Text Amendment: The current text does not have "Transit Center" zoning designations. The applicant proposes to define "Transit Center High Density Mixed Use" as a zone with development standards tailored to urban and transit-oriented districts, as opposed to purely commercial or purely residential districts. Such standards would include a broader mix of allowable uses, higher densities, and greater building heights. Normal requirements for parking and open space would also be adapted to a more urban context and take into account the self-mitigating aspects (especially with respect to traffic, noise and air quality) of both synergies between the multiple uses as well as the proximity to transit.

Description of the requested project approvals:

Conditional Use Permit: The applicant requests approval to develop the property with a specific building, in a manner consistent with the City's vision as reflected in its proposed general plan and zoning standards.

Design Review: The applicant requests that the City conduct its standard review of building architecture, landscape architecture, site planning, and overall design.

Description of the proposed building:

The proposed building is a mixed-use development consisting of up to 440 units of rental housing over up to 10,000 square feet of retail space. The site is located at the southeast corner of Center Avenue and Gothard Street in Huntington Beach. The nearby land uses are retail, office, education, and transportation.

The proposed building has four levels of housing over three levels of parking. Half of the parking is below grade; half is above. At ground level, the street frontages have retail storefronts and live-work units that are convertible to retail in the future, if the demand for retail rises.

The proposed building offers an amenity package appropriate for a "luxury apartment community," which is expected to raise the ceiling on the apartment market in Huntington Beach. Such amenity package would typically include a pool, spa, fitness center, business center, conference room, and clubhouse.

The proposed building offers neighborhood-serving retail on the ground floor. The retail establishments will target the college community and the nearby residents. Potential retailers would be a convenience store, café, sandwich shop, cleaners, juice, and mailbox store.

Two driveways serve the garage. The Center Avenue driveway is the main entry for residents; the Gothard Street driveway is the main entrance for retail customers. Gates separate the residential parking from the retail parking.

A professional staff, with onsite offices and furnished models, would maintain and manage the building. The applicant expects the staff to keep the leasing office open during normal daytime business hours, 7 days a week, with after-hours emergency maintenance service available.

b) Reasons for Initiating this Application

The applicant is initiating the legislative actions because the current general plan and zoning designations of the property do not permit the mix of uses that the applicant proposes to develop. The applicant is initiating the project approvals because the applicant plans not only to "rezone the site," but also to proceed with actual redevelopment and construction after the legislative actions are approved.

This application serves the applicant's private interest by allowing the owner to upgrade a declining strip commercial center to a highly marketable housing-focused mixed-use building. The property would rise from an obsolescent use to its highest-and-best use, and the property value would increase. The adjacent redevelopment project area would benefit economically from any increase in nearby property values.

This application also serves the public interest, in the following ways:

1. It supports the creation of a "Place" and a "Town Center" consistent with the desirable goals discussed in the first four Beach/Edinger Specific Plan workshops.

2. It promotes jobs/housing balance by placing dense housing in the midst of retail, office, education, and transportation.

3. It replaces the visual blight of tired strip retail with the visual excitement of new, top-rate development.

4. It creates density where density is most beneficial and least impactful.

5. It multiplies the tax revenue stream contributed by this property to the City.

This project, overall, gives the City and the applicant a chance to demonstrate how the use-segregated development pattern in Orange County and much of suburban America can be successfully replaced with concentrated mixed-use development around transportation nodes and retail centers.

c) Description of Surrounding Uses

North:
To the North are a Southern California Edison distribution line tower and the OCTA Goldenwest Transportation Center (7301 Center Ave.), consisting of 10 bus docks and 115 parking stalls.

To the Northeast is Old World Village (7561 Center Ave.), a Bavarian-themed shopping, dining, and entertainment center, anchored by the Old World German Restaurant.

East:
To the East are a rail line and a defunct spur serving the adjacent Levitz facility. Also to the East is the vacant Montgomery Wards parcel, on which DJM Partners has proposed a mixed-use development.

South:
To the South are a neighborhood retail center (15851 Gothard St) and Levitz Furniture (7441 Edinger Ave). Levitz has approximately 230,000 sf of retail show room and distribution space and 331 parking stalls on 11.7 acres.

West:
To the West is Golden West College (15744 Goldenwest Street), an educational community of 14,000 people.

d) Description of Population Served by the project

The residential portion of the project will serve three target populations:

- Young Professionals. Childless couples and singles that work in Huntington Beach, North Orange County, and South LA County. This target will thrive on the numerous amenities at Bella Terra, in the neighborhood, and at the project itself.

- Golden West People. Students, teachers, and administrators. This target will take advantage of the new, high-quality living option that was previously not available so close to the campus.

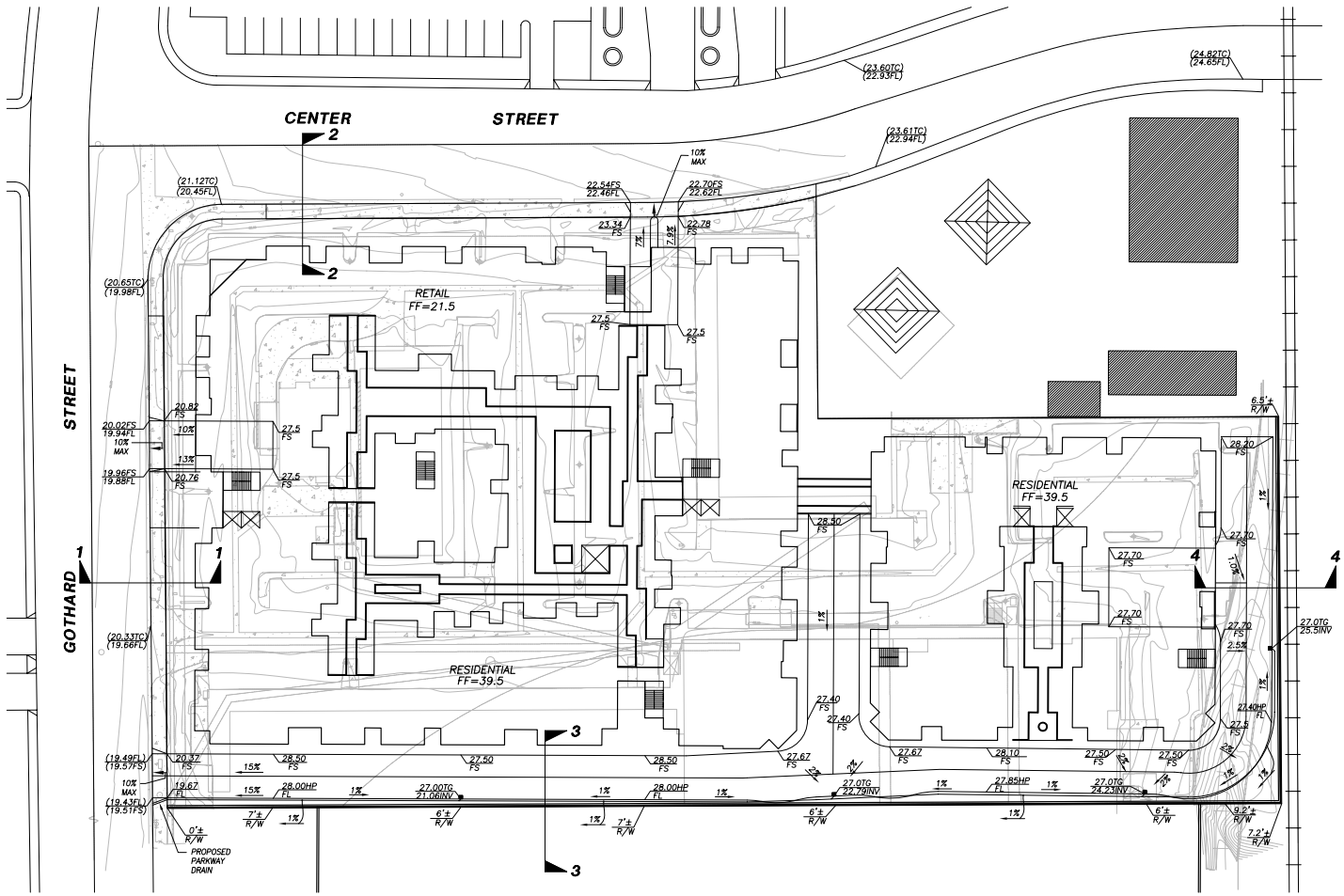
- Progressives. People who will seriously consider using transit for work and who will appreciate the green features of the project. This target will live here in order to make a lifestyle statement.

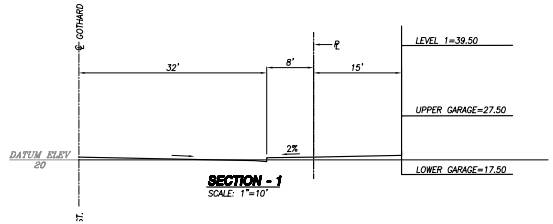
The retail portion of the project will serve two target populations:

- Golden West People. Again, these include students, teachers, and administrators. College-serving businesses, such as bookstores, copying centers, and internet cafes, will see the convenient project location as the best way to serve Golden West population without actually being on campus.

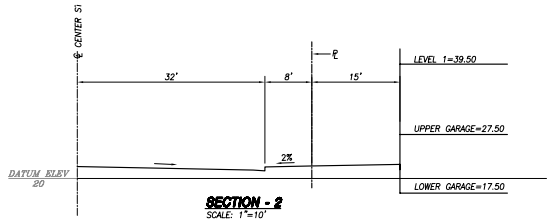
- Nearby Residents. These include people that already live near the site, as well as the future residents of the applicant's project and other new projects. This target can either walk, drive, or bike to the project retailers.

The Ripcurl itself will provide customers for Bella Terra and other retailers in the area.





SECTION - 1
SCALE: 1"=10'



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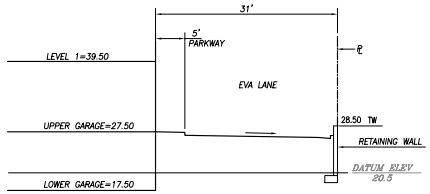
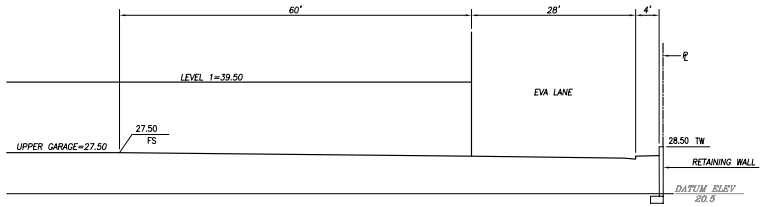
SCALE: 1"=10'



SECTION - 3
SCALE: 1"=10'



SECTION - 4
SCALE: 1"=10'

PRELIMINARY EARTHWORK QUANTITIES

CUT..... 80,000 CY

FILL..... 5,000 CY

1" = SCALE: 1" = 50'

NO.	DATE	REVISIONS	APPR.	DATE

DRAWN BY: DATE XX/XX/XX

DESIGNED BY: DATE XX/XX/XX

CHECKED BY: DATE XX/XX/XX

REGISTERED PROFESSIONAL ENGINEER — JOHN C. OLIVER — NO. 044568 Exp. 03/31/08 — CIVIL — STATE OF CALIFORNIA

Plans prepared by:
Job Number: 863.01

FUSCOE ENGINEERING
16795 Von Karman, Suite 100
Irvine, California 92606
tel 949.474.1960 • fax 949.474.5315
www.fuscoe.com

PRELIMINARY GRADING PLAN

CITY OF HUNTINGTON BEACH
PUBLIC WORKS DEPARTMENT

PERMIT NO.

PLAN CHECK NO.

SHEET 1 OF 1

A | PLAN SET | CITY OF HUNTINGTON BEACH | GRADING PLANS | 10/15/07

P:\PROJECTS\863.01\ENGRNG\PGP\863GRDPRE.DWG (11-12-07 4:53:47PM) Plotted by: Fernando Reyes

WEST ELEVATION - GOTHARD STREET
1" = 30'-0"

NORTH ELEVATION - CENTRE AVENUE
1" = 30'-0"

THE RIPCURL

MIXED USE DEVELOPMENT
7300 CENTER AVENUE
HUNTINGTON BEACH, CA

PROJECT NUMBER:	26134
SCALE:	1" = 30'-0"
DATE ISSUED:	October 30, 2007

Street Elevations

PENTHOUSE, 225 ARIZONA AVENUE
SANTA MONICA, CA 90401
TEL 310.394.0253 FAX 310.394.2424

VAN TILBURG, BANVARD & SODERBERGH, AIA
ARCHITECTURE - PLANNING - INTERIORS

RED OAK
INVESTMENTS

2101 BUSINESS CENTER DRIVE, #230
IRVINE, CA 92612
PHONE: (949) 733-2000
FAX: (949) 733-2005
www.redoakinv.com

FEB 19 2008

HUNTINGTON BEACH RIPCURL PROJECT
NOTICE OF PREPARATION PUBLIC COMMENT FORM

If you would like to provide **comments related to the scope of the environmental issues to be analyzed within the Draft Environmental Impact Report (EIR)** for the Huntington Beach Ripcurl Project, please fill out the information below. Your comments will be addressed in the Draft EIR. Please leave this comment form at the sign-in table before you leave tonight, or otherwise mail it in by **Wednesday, February 20, 2008** to:

Tess Nguyen, Associate Planner
City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648
Phone: (714) 374-1744

Name Bobbe Mootchnik

Organization & Homeowner

Address 7202 Stonewood Dr.

City Hunt. Bch. State Ca Zip 92647

Phone 842-8766 Fax

E-mail b.mootchnik@att.net

Comments *(attach additional pages if needed)*

- Safety concern – high voltage wires are adjacent to Ripcurl Project
- Safety + noise – railroad next to Ripcurl.
- Project is very near Bella Terra which is also planning 500 units – Can NOT plan these separately
- Traffic – presently high congestion, this project, + Bella Terra, would make Edinger impossible to navigate.
- Parking is under-evaluated
- No park or school nearby
- This is NOT downtown LA + don't want that.

Note: All comments will become public information.

DEPARTMENT OF TRANSPORTATION
District 12
3337 Michelson Drive, Suite 380
Irvine, CA 92612-8894
Tel: (949) 724-2241
Fax: (949) 724 2592

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Post-it® Fax Note 7671	Date 2/20/08	# of pages ▶ 2
To Tess Nguyen	From Marlon Pickford	
Co./Dept. City of Huntington Beach	Co. Caltrans District 12	
Phone # (714) 374-1744	Phone # (949) 724-2241	
Fax # (714) 374-1540	Fax #	

February 19, 2008

Tess Nguyen
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

Subject: The Ripcurl Project

Dear Ms. Nguyen,

Thank you for the opportunity to review and comment on the **Notice of Preparation (NOP) for the Ripcurl Project.** The proposal is a mixed-use residential and commercial development that would consist of 440 residential units and up to 10,00 square feet of retail uses with two levels of above-grade parking. The project site is located at 7302-7400 Center Avenue in the City of Huntington Beach. The nearest State routes to the project site are SR-39 and I-405.

Caltrans District 12 is a responsible agency on this project and we have the following comments:

1. Traffic Operations requests all applicants to use the Highway Capacity Manual (HCM) method outlined in the latest version when analyzing traffic impacts on State Transportation Facilities. The use of HCM is preferred by Caltrans because it is an operational analysis as opposed to the Intersection Capacity Utilization (ICU) method, which is a planning analysis. In the case of projects that have direct impacts on the state's facilities Caltrans recommends that the traffic impact analysis be based on HCM method. Should the project require an encroachment permit, traffic operations may find the Traffic Impact Study based on ICU methodology inadequate resulting in possible delay or denial of a permit by Caltrans. All input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to Caltrans for review and approval.

2. Caltrans endeavors to maintain a target Level of Service (LOS) at the transition between LOS C and LOS D on State highway facilities. Any degradation of the LOS past this threshold should be mitigated to bring the facility back to the baseline/existing condition. The traffic study should analyze impacts in terms of LOS and hours of delay. For example, when the existing condition of a freeway segment is operating at LOS F and a project will add a significant number of new trips to this segment the LOS will not change but the total hours of delay would. Therefore, when fully disclosing the impacts a project will have on this segment, the total hours of delay would be a more accurate method to use. For future projects that may impact State facilities, we recommend that early coordination be done between the Department and the City to fully address level of significance thresholds (transition between LOS C and D) and appropriate methods for analyzing impacts (LOS vs. Hours of Delay).

3. If any project work (e.g. storage of materials, street widening, emergency access improvements, sewer connections, sound walls, storm drain construction, street connections, etc.) will occur in the vicinity of the Caltrans Right-of-Way, an encroachment permit is required prior to commencement of work. Please allow 2 to 4 weeks for a complete submittal to be reviewed and for a permit to be issued. When applying for an Encroachment Permit, please incorporate Environmental Documentation, SWPPP/ WPCP, Hydraulic Calculations, Traffic Control Plans, Geotechnical Analysis, Right-of-Way certification and all relevant design details including design exception approvals. For specific details on the Caltrans Encroachment Permits procedure, please refer to the Caltrans Encroachment Permits Manual. The latest edition of the manual is available on the web site: http://www.dot.ca.gov/hq/traffops/developserv/permits/

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,

Ryan Chamberlain, Branch Chief
Local Development/Intergovernmental Review

C: Terry Roberts, Office of Planning and Research

COUNTY OF ORANGE

RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT

Bryan Speegle, Director
300 N. Flower Street
Santa Ana, CA

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 834-2300
Fax: (714) 834-5188

NCL 08-011
SUPPLEMENT

February 20, 2008

Ms. Tess Nguyen, Associate Planner
City of Huntington Beach
Planning Department
Huntington Beach, CA 92648

SUBJECT: NOP/DEIR – The Ripcurl Project

Dear Ms. Nguyen:

The County of Orange previously sent our comments to you on the subject project on February 19, 2008. We are now sending you supplemental comments regarding the 100-year floodplain that we respectfully request you consider as well.

<u>100-year Floodplain</u>

- The Initial Study acknowledges that a portion of the project site is located within a 100-year floodplain as delineated on the Federal Emergency Management Agency's Flood Insurance Rate Map for this area. Any issues related to compliance with National Flood Insurance Program requirements, including but not limited to concerns (if any) related to the proposal to construct a subterranean garage within a 100-year floodplain, should be addressed by the City of Huntington Beach as the floodplain administrator for areas within its municipal boundaries.

If you have any questions, please contact Mary Ann Jones at (714) 834-5387.

Sincerely,

Ronald L. Tippets, Chief
Current and Environmental Planning

COUNTY OF ORANGE

RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT

Bryan Speegle, Director
300 N. Flower Street
Santa Ana, CA

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 834-2300
Fax: (714) 834-5188

NCL 08-011

February 19, 2008

Ms. Tess Nguyen, Associate Planner
City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, CA 92648

SUBJECT: NOP/DEIR - The Ripcurl Project

Dear Ms. Nguyen:

The above mentioned item is a NOP/DEIR for The Ripcurl Project located in The City of Huntington Beach.

The County of Orange has reviewed the NOP/DEIR and offers the following comments regarding water quality concerns:

Water Quality

1) The water quality impacts of the project should be evaluated in accordance with the provisions outlined in Exhibit 7-I of the 2003 Countywide Drainage Area Management Plan (DAMP). At a minimum, the following information should be provided:

   a) A description of project characteristics with respect to water quality issues, such as project site location in a given watershed, site acreage, change in percent impervious surface area, and BMPs to be incorporated into the project design.

   b) A review of DAMP Exhibit 7.1 Table 7-I.1, Priority Projects Categories. This project is considered a Priority Project and will require the development of a Water Quality Management Plan

   c) Identification of receiving waters. The EIR should identify all receiving waters that may receive runoff from the project site.

d) A description of the sensitivity of the receiving waters. In particular the DEIR should identify Areas of Special Biological Significance, water bodies with Total Maximum Daily Loads (TMDLs), 303(d) listed impaired water bodies.

e) A characterization of the potential water quality impacts from the proposed project and identification of the anticipated pollutants to be generated by the project.

f) An identification of hydrologic conditions of concern, such as runoff volume and velocity; reduced infiltration, and increased flow, frequency, duration, and peak of storm runoff.

g) An assessment of project impact significance to water quality.

h) An evaluation of thresholds of significance.

i) If a proposed project has the potential to create a major new stormwater discharge[1] to a water body with an established TMDL, the EIR should consider quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters.

j) A reasonable analysis of the cumulative impacts of the proposed project together with past, present and reasonably anticipated future projects (related projects) that could produce cumulative impacts with the proposed project.

2) Implementation of post-construction Best Management Practices (BMPs) consistent with the Water Quality Management Plan (WQMP) program in Section 7 and Exhibit 7-II of the 2003 Countywide DAMP. This includes describing commitments to installation and maintenance of site design, source control and treatment control BMPs consistent with the DAMP New Development and Significant Redevelopment Program. Under the new Municipal Stormwater NPDES permit and the 2003 DAMP, this project will be considered a priority project and will require appropriately sized treatment control BMPs to be included in the WQMP which should be targeted to address the pollutants of concern and to achieve the highest level of treatment either singly or in combination (see Table 7.2-6).

3) Mitigation for the construction phase of the project should include compliance with the State General Construction Permit and the inclusion of the following as general or specific notes on project plan sheets:

a) Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.

b) Stockpiles of soil shall be properly contained to eliminate or reduce sediment transport from the site to the streets, drainage of facilities or adjacent properties via runoff, vehicle tracking, or wind.

[1] Major land development project that has the potential to convert large amounts of pervious land surface to impervious surface area.

c) Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.

d) Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.

e) All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.

f) At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.

If you have any questions, please contact Mary Ann Jones at (714) 834-5387.

Sincerely,

Ronald L. Tippets, Chief
Current and Environmental Planning

Comments Regarding
The Ripcurl Project
Environmental Checklist Form
David Mootchnik, Feb 5 2008

1) The Ripcurl Project is adjacent and contiguous to the Bella Terra Phase II property and the Levitz Showroom factory. All three areas plus several other tracts are planned for redevelopment by the city and is to be considered as the major part of the Edinger Corridor Project. The city is planning an EIR for this entire corridor and it is both premature and impossible to evaluate the impact of the Ripcurl project as a stand alone project without understanding the entire Edinger Corridor redevelopment project.

It is the Plan of the Ripcurl EIR to take current conditions as the baseline "No-Project" case. But the whole area is planned for redevelopment under the Edinger Corridor Project and it is that broader project which should be considered as the projected baseline for the Ripcurl EIR. It is the Edinger Corridor project which will establish the areas baseline without the Ripcurl Project. As the Edinger Corridor has not yet been defined and evaluated, it is not possible to proceed with the Ripcurl EIR. The Ripcurl EIR should therefore not be allowed to proceed at this time. The Ripcurl EIR should be shelved until such time as the EIR for the Edinger Corridor Project is considered.

2) The contractors for the Edinger Corridor study have been talking about 3-4 story units with densities of 20-30 housing units per acre. The Ripcurl project is at 112 units per acre. This is way out of bound of the plans for Edinger Corridor. Ri[pcurl should be scaled back to 20-30 units.

3) Item VIa. If the EIR proceeds with current conditions as baseline then it must consider that there are few commercial or retail enterprises in the vicinity for walking or biking. The few stores in the complex will have little effect. The stores in Bella Terra likewise will have little effect and most shopping will be done by car. As such auto use will be higher than is usual for such high density projects. These conditions must be considered when estimating trip generation.

4) Item Xb. The impact of noise and vibration from the railroad next door on the residents must be considered.

5) Item XId and XVa, Parks. There are no parks in the neighborhood and there is no green-space allocated in the project. There is no easy access to any park facility. The city demands a specified ratio between residents and open space. Open space ratio and proximity must be considered.

6) Safety. The EIR does not address safety issues on the community or residents. The Ripcurl Project is located adjacent and within spitting distance to a railroad and high voltage towers. The project will include children that must be protected from these facilities. The EIR must consider safety.

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

February 22, 2008

Ms. Tess Nguyen
Associate Planner
Department of Planning
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648
tnguyen@surfcity-hb.org

NOTICE OF AVAILABILITY OF THE NOTICE OR PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RIPCURL PROJECT, 7302-7400 CENTER AVENUE, HUNTINGTON BEACH, ORANGE COUNTY (SCH#2008011069)

Dear Ms. Nguyen:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of an Environmental Impact Report (EIR) and Environmental Assessment No. 07-04 for the above-mentioned project. The following project description is stated in your document: "The proposed project is a mixed-use residential and commercial development that would consist of four levels of housing over three levels of parking (one level of parking below grade and one level of parking above grade); the retail component would be located on the ground level adjacent to the two levels of above grade parking. A mezzanine level would also be located on the roof. Overall, the project would be six stories in height and consist of approximately 440 residential units and up to 10,000 square feet (sf) of retail uses. The total project floor area, excluding parking and basement area, would be approximately 382,700 sf." DTSC has the following comments; please address if applicable.

) The EIR should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances.

2) The EIR should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).

Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.

Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.

Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No.17 below for more information.

4) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in

which hazardous substances were found above regulatory standards should be clearly summarized in a table.

5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports should be included in the EIR.

6) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.

7) Your document states: "The project site was developed with its present use as shopping center in 1979. All of the existing structures and surface parking on-site would be demolished as part of the proposed project." If buildings, other structures, or associated uses; asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

8) The project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (714) 484-5423 to initiate pre-application discussions and determine the permitting process applicable to the facility.

If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.

Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).

If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.

Your document states: "Historical records indicate that the site was first utilized for agricultural purposes sometime prior to 1938 and the site continued to be utilized for agricultural purposes until at least 1953. As early as 1969 the site appeared to lay fallow." If the site was used for agricultural, cattle ranching or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.

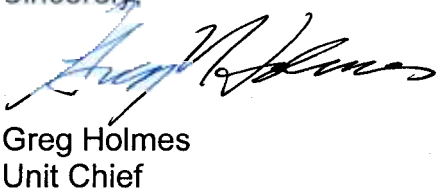
Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an

Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

18) In future CEQA documents please provide complete contact information, including contact person, title, fax and e-mail address, and agency web address which contains the project information. Also, if the project title changes, please provide historical project title(s).

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, preferably at email: thom@dtsc.ca.gov. Her office number is (714) 484-5477 and fax at (714) 484-5438.

Sincerely,



Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
gmoskat@dtsc.ca.gov

CEQA #2043

CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

PO Box 190 • Huntington Beach, CA 92648

February 20, 2008

City of Huntington Beach
Department of Planning
Ms. Tess Nguyen
2000 Main Street
Huntington Beach, CA 92648

Subject: Environmental Assessment No. 07-04 – The Ripcurl Project

Dear Ms. Nguyen,

The City Environmental Board has reviewed the subject document. We are pleased to submit the following comments for your attention. We agree that an EIR is necessary due to the size and scope of the project and potential environmental impacts. We are recommending our comments below be addressed by the applicant in the appropriate EIR document section.

1. It is not clear how the project will be proven consistent with the proposed Edinger Corridor area specific plan – see Project Context page 3. The EIR document should describe how this project will be considered and integrated into the larger Edinger Corridor specific plan that is currently working through the process for approval.

2. The assessment information does not address potential impacts from the nearby high voltage towers. The applicant should evaluate the towers in terms of project resident safety and seismic geological conditions.

3. The Board recommends the decrease in the number of proposed residents (611) suggested by the applicant not be utilized in the determination of parking needs or the traffic analysis. The Board recommends the 1,060 resident numbers be used since it is consistent with City of Huntington Beach data and is more likely to ensure adequate parking and limit traffic impacts.

4. It is recommended that the adjacent railroad line be evaluated based on project resident safety and noise. In addition, any known future OCTA or other agency railroad plans should be considered in the evaluation.

5. There are no park/open space areas shown or described for the project. The recreation and open space needs of the planned 1,060 residents should be evaluated to ensure an acceptable ratio between residents and open space is incorporated into the project design.

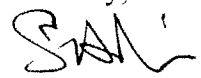
6. It appears extensive below surface grading will be necessary. The project applicant should evaluate how the amount of grading can be minimized to the maximum extent practicable.

7. The Board recommends that as many of the 51 existing mature trees be planned and incorporated into the project landscape plan.

8. The Board recommends that the EIR evaluate potential connectivity with the public HB Transportation Center.

9. We strongly recommend the EIR evaluate possible water and energy conservation design measures that can be incorporated into the project to minimize environmental impacts. A City requirement for a minimum level of LEED certification is recommended.

Sincerely,



Craig A. Justice, Environmental Board Chair

WEBER CONSULTING

2024 NORTH BROADWAY, SUITE 202
SANTA ANA, CA 92706
714-569-0216 TEL 714-569-0218 FAX

February 1, 2008

Tess Nguyen, Associate Planner
City of Huntington Beach, Planning Department
2000 Main Street
Huntington Beach, CA 92648

RE: NOTICE OF PREPARATION - THE RIPCURL PROJECT

Ms. Nguyen:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the Proposed Ripcurl Project. I am transmitting this comment letter on behalf of *Freeway Industrial Park*, owner of several parcels in the area, including an adjacent parcel locally known as the "Levitz site". Based on our review of the Initial Study and other key documents, we offer the following comments for consideration:

1. The Initial Study discusses the proposed Edinger Corridor/Beach Boulevard Specific Plan in a cursory manner. The City has invested a great deal of time and effort to study the market conditions and physical character of the Edinger Corridor. We understand that the Specific Plan effort is still underway and may not be resolved for some time; however, we believe that the EIR needs to address the preliminary findings and conclusions of the Specific Plan Study. Specifically, we request that the EIR thoroughly evaluate the cumulative impacts and compatibility of the Ripcurl project in relation to the proposed Specific Plan and other proposed projects (e.g., Bella Terra 2). We recognize the difficulty this imposes on the City and applicant, but we believe that any project being considered during the Specific Plan process must be compatible with the character, development intensity, and carrying capacities of future land uses in the Specific Plan area.

2. The Project Description states that the project proponent's experience with respect to population projections differs from the City's current standards. Which projections will be used in the EIR to evaluate the impacts (traffic, infrastructure capacity, parking, etc.) of the proposed project? If the applicant's projections are utilized, will they become the City standard for the Specific Plan and other similar projects?

3. The proposed density (115 DUs/GAC) is substantially higher than any existing development in the City or anything the City's economic/marketing consultants have suggested for this area. The EIR should evaluate the environmental impacts of the proposed density.

4. The Project Description does not define whether the residential units will be apartments or for sale. However, the applicant's Project Narrative (Attachment #1) indicates that the project will be an apartment complex. Are City development standards different for apartments? If so, how? Is there a different entitlement process?

5. Please provide a thorough description of the proposed *"Transit Center High Density Mixed Use District"*. Since this is proposed to be a new zoning category it would be helpful to provide the draft ordinance in the EIR, including permitted uses and development standards (density, F.A.R., height limits, parking requirements, open space requirements, landscaping, setbacks, etc.).

6. Will the EIR compare the proposed project to the existing development on the site (traffic, infrastructure utilization, etc.)?

7. The Conceptual Site Plan (Figure 3) in the Initial Study depicts a 24' *Emergency Vehicle Access Lane* running along the southern boundary. Will this road also provide vehicular access to residents of the structure on the eastern side of the site? Please provide an exhibit depicting internal circulation.

8. Where will on-site visitor parking be provided? How many visitor stalls are required?

9. The project is directly adjacent to major electrical transmission lines. Will the EIR discuss the potential impacts of electromagnetic fields (EMF)?

10. The Initial Study indicates that the Ripcurl site will be excavated from 10-22 feet deep. The EIR should evaluate the impacts of the grading on adjacent properties. The EIR should also describe the quantities of grading, duration of grading activities, and number of trips necessary to export graded material.

11. Will a nesting bird survey be conducted to determine impacts to nesting birds?

12. Since the project calls for a General Plan Amendment, will a Fiscal Impact Study be prepared to evaluate the impact to the City?

Thanks for your consideration of the above issues. We look forward to these matters being fully addressed pursuant to CEQA.

Respectfully,

Gary S. Weber

CC: Janette Ditkowsky (Freeway Industrial Park)

Comments from Michele Soutner, a member of the City of Huntington Beach Environmental Board

Comments on:

Notice of Preparation of a Draft EIR for the Huntington Beach Ripcurl Project Environmental Assessment No. 07-04

IV. Hydrology – One third of the project acreage is identified to be in a 100-year flood hazard area. Will the EIR recommend the proposed solutions for minimizing impact on the project residents? Also, what is the projected income level of the residents? As this area is in a flood hazard area, wouldn't flood insurance be required? Would this present an additional burden to the residents living in this area?

Also, I would like the EIR to address how the storm water runoff would be managed so as to minimize the impact on the storm water drains. Could the landscaping be designed so as rainwater could be stored and used in watering landscaping

V. Air Quality – EIR should address not only the likelihood of the project exceeding SCAQMD thresholds, but also how those violations would be resolved both during construction and following. The adjacency of the project to the HB Transportation Center is a good opportunity to create an environment that incentivizes residents to use public transportation. It is not clear that the project will do anything other than create an adjacency.

VI. -Transportation and Traffic: Projected residents of the project are 1060, however, only 528 parking spots are being allocated. This is a ratio of 1.2 spaces per unit and less than 0.50 spaces per resident. This seems to be a rather slim ratio of parking spaces. There are only 50 spaces allocated to support the commercial component, which is projected to employ 36 full time positions. If those 36 positions require parking spaces, that would only leave about 14 spaces for customers. Unless the vast majority of the customers are projected to be residents, it would seem that parking for the commercial uses is also a bit slim.

Given the existing congestion and traffic load, does it make sense to add additional residential traffic through development of a high-density residential project to the area? Are there other less traffic intensive uses that would make better use of the property? Would this area be better used as a park? Especially since the proposal indicates that there would be several zoning (ZMA, ZTA) changes needed and that the area (currently zoned General Commercial) has never before been used for housing and is not part of the current plan for housing in the city.

VIIBiological Resources - Project description indicates that the existing 51 trees would be removed and replaced with new landscaping possibly disrupting the migratory bird species that may use the area. I would like to see the preservation of as many of the

51 trees as possible be planned and incorporated in the landscaping plan. It will take decades to regrow the trees that currently are on the site.

IX. Hazards and Hazardous Materials - Request that the EIR address how the project will use sustainable design / materials in construction so as to minimize environmental impact. Also, in addition to the EIR addressing disposal of hazardous materials I would also like to see it address the disposal of any non-hazardous materials, such as concrete, that might be able to be reused or recycled.

X. Noise – EIR should also address the solutions that might be used to minimize noise impact.

XI.

XII. Public Services – Not addressed anywhere that I noticed is the high voltage power lines that run directly adjacent to the site. How will this impact the project and the safety of the residents as well as any health issues that might be caused by proximity to the high power lines.

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net

January 24, 2008

Ms. Tess Nguyen
CITY OF HUNTINGTON BEACH
2000 Main Street
Huntington Beach, CA 92648

Re: SCH# 2008011069; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for The Ripcurl Project; City of Huntington Beach; Orange County, California

Dear Ms. Nguyen:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state agency designated for the protection of California's Native American cultural resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per the California Code of Regulations § 15064.5(b)(c) (CEQA Guidelines). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:

- If a part or the entire (APE) has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

* A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.

- Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact. In many cases a culturally-affiliated Native American tribe or person will be the only source of information about the existence of a cultural resource.

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f)of the California Code of Regulations (CEQA Guidelines). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigations plans.

- CEQA Guidelines §15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American groups, identified by the NAHE, to ensure the appropriate and dignified treatment of Native American human remains and any associated grave goods.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and CEQA Guidelines §15064.5(d) mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in CEQA Guidelines §15370 when significant cultural resources are discovered during the course of project planning or execution.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Contact List

Cc: State Clearinghouse

Native American Contacts
Orange County
January 24, 2008

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675
DavidBelardes@hotmail.com
(949) 493-0959
(949) 493-1601 Fax

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave, Suite 151 PMB Gabrielino Tongva
Culver City , CA 90230
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry , Tribal Manager & Cultural Resources
31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675
kaamalam@cox.net
(949) 493-0959
(949) 293-8522 Cell
(949) 493-1601 Fax

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribe.net
(213) 489-5001 - Officer
(909) 262-9351 - cell
(213) 489-5002 Fax

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
slfredgcruz@sbcglobal.net

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2008011069; CEQA Notice of Preparation (NOP) and draft Environmental Impact Report (DEIR) for The Ripcurl Project; City of Huntinton Beach; Orange County, California.

Native American Contacts
Orange County
January 24, 2008

Juaneno Band of Mission Indians
Adolph "Bud" Sepulveda, Chairperson
P.O. Box 25828 Juaneno
Santa Ana , CA 92799
bssepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Sonia Johnston, Tribal Vice Chairperson
Juaneño Band of Mission Indians
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
(714) 323-8312
sonia.johnston@sbcglobal.net

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807
(714) 779-8832

Juaneno Band of Mission Indians
Joe Ocampo, Chairperson
1108 E. 4th Street
Santa Ana , CA 92701
(714) 547-9676
(714) 623-0709-cell

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PUBLIC COMMENTS

Scoping Meeting—February 7, 2008

BOBBE MOOTCHNIK

- it is premature to analyze the project before the Beach/Edinger Corridor Study
- impact of high voltage towers on future residents
- impact of parking demand—onsite parking and street parking
- noise/vibration impacts from the railroads
- park facilities within the project and in the vicinity
- safety of residents
- the project is too dense
- impact on traffic flow

JIM KNAPP

- too many residents in this area
- traffic issues on Edinger Avenue (too congested)
- there should not be more residential units in Huntington Beach
- the project area should have commercial uses only
- Huntington Beach is not about mixing uses—residential and commercial uses should be separated
- impact on schools to service the residents
- "today's density is tomorrow's slums"
- "what is the highest and best use of the site?"

ROB STERNBERG

- the proposed project—highest density in the City
- impact on parking demand—onsite parking and street parking
- height issue—the proposed project should be scaled down
- impact on traffic congestion in the area
- provision of affordable housing
- provision of green space
- cumulative impacts should be evaluated—Fresh and Easy (Goldenwest and McFadden), projects in Midway City
- project is massive
- impact on police and fire services
- include comparable projects (density) in the analysis

JO ANN PURCELL

- traffic on McFadden Avenue
- impacts on school districts
- impacts on existing neighborhoods
- proposed housing types at project site
- shade and shadow impact resulting from building height
- "what is the community benefit of this project?"
- the proposed project is too big

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

ARNOLD SCHWARZENEGGER, *Governor*

February 19, 2008

Tess Nguyen
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Ms. Nguyen:

Re: SCH# 2008011069; The Ripcurl Project

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

Commission staff is in receipt of the *Notice of Completion & Environmental Document Transmittal-NOP* from the State Clearinghouse. The proposed development at 7302-7400 Center Avenue (lat=34.414314, long=-119.690128) may increase traffic volumes not only on streets and at intersections, but also at highway-rail grade crossings like McFadden Avenue (DOT# 748038R) and Center Drive (DOT# 748039X). This includes considering pedestrian circulation patterns/destinations with respect to Union Pacific Railroad Company right-of-way.

Mitigation Measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

Please advise us on the status of the project. If you have any questions in this matter, please contact me at (213) 576-7078 or at rxm@cpuc.ca.gov.

Sincerely,

Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Dan Miller, UP