

**ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
PLANNING & BUILDING DEPARTMENT
ENVIRONMENTAL ASSESSMENT NO. 12-004**

- 1. PROJECT TITLE:** Harmony Cove Marina Development
- Concurrent Entitlements:** Zoning Map Amendment No. 08-001
Conditional Use Permit No. 08-014
Coastal Development Permit No. 08-008
Variance No. 11-007
Tentative Parcel Map No. 11-138
- 2. LEAD AGENCY:** City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
- Contact:** Tess Nguyen, Associate Planner
Phone: (714) 374-1744
- 3. PROJECT LOCATION:** 3901 Warner Avenue (north side of Warner Avenue, west of Weatherly Lane)—formerly Percy Dock.
- The project site is 2.28 acres, 0.97 acre of which is terra firma and 1.31 acres which is submerged (Huntington Harbour). The majority of the project site (1.91-acres) is owned by the property owner, Bayview HB LLC, and the remainder (0.37-acre) is owned by the California State Lands Commission.
- 4. PROJECT PROPONENT:** John Trommald, Bayview HB, LLC, 13912 Seal Beach Boulevard, Seal Beach, CA 90740
- Contact Person:** John Trommald
Phone: (562) 430-3275
- 5. GENERAL PLAN DESIGNATION:** Land Portion - OS-P (Open Space-Park);
Water Portion - OS-W (Open Space-Water Recreation)
- 6. ZONING:** Land Portion – OS-P-CZ-FP2 (Open Space-Park - Coastal Zone - Flood Plain 2): Certified Local Coastal Program Implementing Ordinance and RL-CZ-FP2: City’s Zoning Map (not certified)
Water Portion – OS-WR-CZ (Open Space - Water Recreation - Coastal Zone)

7. PROJECT DESCRIPTION:

The proposed project is a request to allow the development of a 23-boat slip marina, an eating and drinking establishment with outdoor dining area and alcoholic beverage sales, and ancillary uses to the marina (a marina office and retail/rental of water-related recreational equipment). The project site is 2.28 acres, 0.97 acre of which is terra firma and 1.31 acres which is submerged. The majority of the project site (1.91-acres) is owned by the property owner, Bayview HB LLC, and the remainder (0.37-acre) is owned by the California State Lands Commission.

The marina consists of 22 boat slips (35-65 ft. in length) for lease to the public on a monthly or long-term basis; 14 boat slips are within the water portion of the property owned by the property owner and 8 boat slips are within the California State Lands Commission jurisdiction. One transient side-tie slip (100 ft.) is proposed to be available for first-come, first-serve basis for temporary mooring and located within the City and State channel area. A 50 ft. long and 8 ft. wide public dock is proposed to provide public access to the waterways. The total area of the proposed permanent and floating docks is 9,898 sq. ft. The marina would consist primarily of floating docks attached to a series of concrete piles placed in the channel. The floating docks are connected to the upland walkway or bulkhead by ramps. The dock improvements would include the installation of approximately 30 guide piles.

An 8 ft.-wide public sidewalk exists along the western perimeter of the site, adjacent to the proposed marina. The project proposes 44 metered parking spaces and access to the site is proposed via an existing two-way driveway on Warner Avenue. Two buildings are proposed at the site. Building 1 (1,200 sq. ft.) consists of an eating and drinking establishment (880 sq. ft.), a marina office (170 sq. ft.), restrooms (150 sq. ft.), and an screened and covered outdoor dining area (800 sq. ft.). Building 2 (600 sq. ft.) consists of storage, rental and sales areas for kayaks, paddleboards and other water-related recreational equipment. The proposed buildings are approximately 18 ft. in height.

The project will be constructed in two phases, lasting a total of approximately 10 months. The first phase of construction will include dredging approximately 12,000 cubic yards from the submerged channel area, repairing the existing revetted rock slope, and installation of the marina piles, floating boat docks and access ramps. The second phase of construction will involve construction of the ancillary commercial structures, utilities, parking, landscaping and signage. The marina portion will take approximately seven months (1-2 months for dredging and repair of rock slope and 4-5 months for installation of floating docks, utilities and gangways). The commercial structures and associated site improvements will take approximately 3 months to construct.

The project requires the following entitlements:

- Zoning Map Amendment—To amend the zoning designation of the land portion of the site from RL-CZ-FP2 (Residential Low Density—Coastal Zone—Flood Plain 2) to OS-PR-CZ-FP2 (Open Space—Parks and Recreation—Coastal Zone—Flood Plain 2). The site has a zoning designation of OS-P (Open Space-Park) on the Certified Local Coastal Program Land Use Map and the designation of RL-CZ-FP2 (Residential Low Density—Coastal Zone—Flood Plain 2) on the City’s Zoning Map. The request is to amend the zoning designation on the City’s Zoning Map to OS-PR (Open Space-Parks and Recreation) to be consistent with the zoning designation on the Certified Local Coastal Program Land Use Map.
- Conditional Use Permit—To permit the development of a 23-boat slip marina, an eating and drinking establishment with alcoholic beverage sales, ancillary uses to the marina (marina office, retail/rental uses), metered parking, and outdoor display of sale and rental equipment.
- Coastal Development Permit—To permit new development and associated infrastructure in the coastal zone, to review and “approve in concept” the boat slips/marina, and to allow metered parking.
- Variance—To permit a reduction in required setbacks, rooftop equipment location, backflow prevention device location, trash enclosure location, and landscaping.
 - setbacks: 10 ft. interior side setback in lieu of 25 ft., 8 ft. water side setback in lieu of 25 ft.

- rooftop equipment: 3 ft. roof equipment setback in lieu of 15 ft. from the edge of building
 - backflow prevention device: locate in the front yard setback in lieu of 25 ft. setback
 - trash enclosure: locate in the side yard setback in lieu of outside the required setback
 - landscaping: 10 ft. landscape setback along street in lieu of 25 ft., no landscaping in lieu of 750 sq. ft. of perimeter landscaping for off-street parking facilities, no trees in lieu of 9 trees per 90 sq. ft. of perimeter landscaping, 48 sq. ft. of interior landscaping in lieu of 397 sq. ft. of interior landscaping for off-street parking facilities
- Tentative Parcel Map—To subdivide the existing privately-owned portion of the site (1.91 acre parcel) into two parcels (0.94 acre parcel for the marina portion of the site and 0.97 acre for the land portion of the site).

The property, formerly known as Percy Dock, was used as a public boat dock/parking facility operated by the City’s Community Services Department from 1986 to 2002. This facility consisted of a 6-ft. long floating dock and 35-space parking lot. The land portion of the site was constructed to include 395 ft. of rip rap slope, 765 ft. of concrete curb and 24,465 sq. ft. of paving. The land portion of the site has not been in use since 2002. However, the onsite improvements (paved parking lot, sidewalk and railing, landscaping) remain and the site is fenced off. The water portion of the site is currently used as a waterway or open channel. Public and Marine Safety Division boats use the waterway to access docks to and from the Main Channel in Huntington Harbour.

8. SURROUNDING LAND USES AND SETTING:

Single-family residences are located to the north (across the channel) and east of the subject property. The Bolsa Chica Ecological Reserve-Outer Bolsa Bay is located across Warner Avenue to the south of the subject property. Fire Station No. 7, the Huntington Harbour Yacht Club, and multi-family residences are located to the west (across the channel) of the subject property.

The Huntington Harbour Main Channel surrounds the land portion of the subject site to the north and the west. The portion of the Main Channel to the west is used by the public as well as the City of Huntington Beach Marine Safety Division. The Warner Dock, a public dock, is used by the general public and the Yacht Club to secure and launch boats. The Marine Safety Division uses the dock to secure two to three rescue boats on a regular basis and gain access to the open waters for patrols and rescues. The portion of the Main Channel to the north is used by the public to access docks located to the east of the subject site.

9. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:

In 2010, the project applicant was processing a request for the construction of 15 residential condominium units and a 27-boat slip marina on the project site. Draft Mitigated Negative Declaration No. 08-004 was prepared by the City of Huntington Beach for this project and made available for public review and comment from April 15, 2010 to May 14, 2010. Comments were received by the California Coastal Commission, State Lands Commission, California Department of Fish and Game, California Department of Transportation, and the Huntington Harbour Yacht Club. After the comment period closed, the applicant decided not to proceed with the project.

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED)

- U.S. Army Corps of Engineers (404 Permit – Any Work Within Waters of the U.S.)
- California Department of Fish and Game (Streambed Alteration Agreement)
- California State Lands Commission (Recreational Pier License, Lease of the Water Portion North of the Project Site for Marina Use)
- Santa Ana Regional Water Quality Control Board (Harbor Permit, 404 Water Quality Certification, Deminimus De-Watering Permit)
- Clean Water Act Section 401 State Water Quality Certification or Waiver
- California Coastal Commission (Coastal Development Permit)
- Rivers and Harbors Act Section 10 Permit.

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.

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population / Housing | <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> 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

Date

Printed Name

Title

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 XIX, “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 XIX 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 XIX. 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.

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><i>Would the proposal result in or expose people to potential impacts involving:</i></p> <p><i>Landslides? (Sources: 1, 6)</i></p> <p><i>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).</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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, 28, 31) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Land Portion of the Site

The land portion of the project site is currently a vacant boat dock/parking facility. It has a General Plan designation of OS-P (Open Space-Park) and a zoning designation of OS-P (Open Space-Park) on the Certified Local Coastal Program Land Use Map and the designation of RL-CZ-FP2 (Residential Low Density—Coastal Zone—Flood Plain 2) on the City’s Zoning Map, which is inconsistent with the General Plan. The uses permitted under the current land use and Local Coastal Program designation include public parks and recreational facilities. The uses permitted under the City current zoning designation include a range of residential uses and other public and semipublic uses. In 1984, the Huntington Harbour Corporation (previous owner of the property) granted the City a revocable easement over this property for a boat dock/parking facility. In 2002, Tierrasanta (previous owner of the property after Huntington Harbour Corporation) recorded a Notice of Termination of the Easement on the Property. The Settlement Agreement between the City and Tierrasanta stipulated the reinstatement of R1 (currently RL) zoning on the unsubmerged (land) portion of the property. The City changed the zoning of the site in response to a court decision but did not process the zone change through the California Coastal Commission.

Implementation of the proposed project would require a Zoning Map Amendment from RL-CZ-FP2 (Residential Low Density—Coastal Zone—Flood Plain 2) to OS-PR-CZ-FP2 (Open Space—Parks and Recreation—Coastal Zone—Flood Plain 2) to change the City’s open space zoning designation for the land portion of the project site. The amendment is consistent with the General Plan and Local Coastal Program land uses currently allowed on the project site.

According to the California State Lands Commission, i.e. “State”, the project site is located in the survey of tidelands patented by the State as Tideland Location 221 (TLL 221). According to the State, there exists a Public Trust Easement over much of the areas patented pursuant to TLL 221. The Public Trust Easement over TLL 221 reserves the rights of the public to portions of said land for the purpose of access to navigable waters and to the rights of the public to fish therein and thereupon. Based on a letter from the California State Lands Commission dated February 23, 2012 (Attachment No. 5), the proposed uses of a public marina, restaurant, and rental shop are not inconsistent with the Public Trust Easement.

Water Portion of the Site

The water portion of the site has a General Plan designation of OS-W (Open Space—Water Recreation) and a zoning designation of OS-WR-CZ (Open Space—Water Recreation—Coastal Zone). The uses permitted under the current land use designation include uses for recreational purposes such as boating. The uses permitted under the current zoning designation include marinas and minor utilities. The current General Plan and zoning designations are not proposed to be amended.

		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

In addition to the Zoning Map Amendment, the following entitlements are required for project implementation: 1) a Conditional Use Permit for development of a 23-boat slip marina, an eating and drinking establishment with alcoholic beverage sales, ancillary uses to the marina, metered parking, and outdoor display of sale and rental equipment; 2) a Coastal Development Permit for the new development and infrastructure, and review and “approval in concept” of the boat slips/marina; 3) a Variance for reduction in required setbacks, rooftop equipment location, backflow prevention device location, trash enclosure location, and landscaping; and 4) a Tentative Parcel Map for subdivision of the existing 1.91 acre parcel into two parcels (0.94 acre parcel for the marina portion and 0.97 acre parcel for the land portion).

Eight of the proposed 23 boat slips are located in the area within the California State Lands Commission’s (CSLC) jurisdiction. In order to use this area for commercial boat slips, a lease from the CSLC would be needed. The applicant has provided a letter of intention to enter into a lease agreement with the CSLC. Based on the Harmony Cove Navigation Channel Impact Review, prepared by Moffat & Nichol (February 2009), there is currently adequate maneuvering area for boats to navigate the channel with implementation of the proposed project. However, there is a staff recommended condition to provide a setback from the property line to provide adequate maneuvering area based on the potential future Marine Safety Division’s needs and to accommodate the potential expansion of the docks on the west side of the channel.

The project includes variance requests to deviate from the following development standards of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) (refer to discussion under Section XIII.—Aesthetics item c): 1) minimum interior side and water side setbacks; 2) location of the rooftop equipment; 3) location of backflow prevention device; 4) location of trash enclosure; and 5) landscaping requirements along street frontage, perimeter and interior landscaping for off-street facilities. The proposed project complies with other provisions of the OS-PR (Open Space-Parks Recreation) zoning district and other applicable provisions of the HBZSO including building height, off-street parking, and lot coverage. The requested variances would not change the permitted uses, hamper the use of the project site, affect the aesthetic quality of the site, or generate significant noise or other adverse physical environmental impacts.

The proposed eating and drinking establishment, marina, and ancillary uses to the marina would be consistent with the current General Plan and Local Coastal Program allowable land uses. The proposed project would be consistent with the following goals and policies of the Land Use and Coastal Elements of the General Plan:

Policy LU 14.1.1—Accommodate the development of public parks, coastal and water-related recreational uses, and the conservation of environmental resources in areas designed for Open Space on the Land Use Plan Map and in accordance with Policy LU 7.1.1.

Goal C 1—Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Policy C 1.1.3—The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Policy C 1.1.3a—The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any of the private development.

Goal C 2—Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.

Policy C 2.5.1—Require that existing public access to the shoreline and Huntington Harbour waterways be

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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maintained and enhanced, where necessary and feasible, not withstanding overriding safety, environmental or privacy issues.

Policy C 3.2.1—Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.

Goal C 6—Prevent the degradation of marine resources in the Coastal Zone from activities associated with an urban environment.

Policy C 6.1.1—Require that new development include mitigation measures to enhance water quality, if feasible; and, at a minimum, prevent the degradation of water quality of groundwater basins, wetlands, and surface water.

The City’s land use policies generally encourage projects that are compatible and harmonious with surrounding development, be designed to convey a high level of quality, promote public access and enhance recreational opportunities in the Coastal Zone. The proposed project would not conflict with the identified goals and policies contained in the General Plan. The requested variances are due to the small and irregular shape of the property and the desire to maintain existing improvements on the site. The proposed deviations in development standards would not change the type of allowable uses onsite, hinder the use of the site for the proposed uses, diminish the aesthetic quality of the site, or generate noise impacts. The proposed project would provide public access to recreational opportunities in the Coastal Zone. In addition, the applicant has provided a letter of intention to pursue the lease to use the water portion of the project site for boat slips. Therefore, less than significant impacts are anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with any applicable habitat conservation plan or natural community conservation plan?
(Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan as none exists in the City. No impacts are anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Physically divide an established community?
(Sources: 3, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The proposed project would not disrupt or physically divide an established community. The project is proposed on a vacant lot adjacent to a residential development and channel and therefore it will not divide any established communities. The project would not impact access to surrounding development. No impacts are anticipated.

II. POPULATION AND HOUSING. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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, 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed project includes an eating and drinking establishment, a retail/rental of water-related recreational

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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equipment kiosk, and a 23-boat slip marina. The project will not induce substantial population growth in the area through construction or extension of roads or other infrastructure. The proposed commercial uses of the site will cater to local residents and regional visitors. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: 5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The proposed project site is currently vacant. No residential uses exist on the subject site. Therefore, the project will not result in the displacement of any existing housing. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The proposed project site is currently vacant. The project will not result in the displacement of any existing residents. No impacts are anticipated.

III. GEOLOGY AND SOILS. Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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: 1, 12, 16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The site is located within the seismically active southern California area. Although the site is not located within the Alquist-Priolo Earthquake Fault area, a portion of the Newport-Inglewood fault traverses through Huntington Harbour, and the project site is approximately 1,000 ft. from the southerly limit of the Special Studies Zone boundary for the Newport-Inglewood fault zone. Seismic hazards constitute an existing safety condition experienced by all development in the southern California region. According to the Preliminary Geology and Soils Report by TerraCosta Consulting Group Inc. (December 2011), the risk of ground rupture associated with fault movement is considered low as no active faults have been mapped across the site. Refer to discussion in III.a.ii. below, regarding standard construction and engineering practices required by the California Building Code (CBC). Less than significant impacts are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii) Strong seismic ground shaking? (Sources: 1, 12, 16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The project site is located in a seismically active region of Southern California. Therefore, the site could be subjected to strong ground shaking in the event of an earthquake. Structures built in Huntington Beach are required to comply

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

with standards set forth in the California Building Code (CBC) and standard City codes, policies, and procedures which require submittal of a detailed soils analysis prepared by a Licensed Soils Engineer. Based on the Preliminary Geology and Soils Report, ground shaking is influenced by the fault systems surrounding the site, the distance from the site to the faults, and the subsurface conditions at the site. To evaluate the potential level of ground shaking, a probabilistic assessment was performed. The approximate peak ground acceleration of 0.44g for the site is within range of the maximum peak ground acceleration of 0.66g for a design earthquake under CBC. Conformance with CBC requirements and standard City code requirements will ensure potential impacts from seismic ground shaking are less than significant.

- iii) Seismic-related ground failure, including liquefaction? (Sources: 1, 12, 16)

Discussion:

Huntington Harbour is located on a tidal flat alluvium. According to the Liquefaction Potential map in the City of Huntington Beach General Plan, the project site is located within an area identified as having a very high potential for liquefaction.

Land Portion of the Site

Based on the Preliminary Geology and Soils Report by TerraCosta Consulting Group, Inc. (December 2011), the landside portion of the site is prone to and exposed to the effects of seismic instability, which include lateral spreading and slope failure. Soils considered susceptible to liquefaction are generally loose to medium dense sands and non-plastic silt deposits that are located below the water table. At the project site, there is a layer of loose silts and silty sands between elevations -2 and -6 feet (NAVD 88). Within this zone of soil between elevations -2 to -6 ft., approximately 2 ft. of these soils are prone to liquefaction. The potential for slope displacement due to seismic-induced settlement and lateral movements would be up to several feet. Using conventional excavation and recompaction of soil under structures, and improvements and structural design of habitable structures would stabilize the soil to prevent slope displacement and liquefaction during a seismic-related event. To avoid fires following an earthquake, automatic seismic shutoff devices will be installed for utilities such as electricity and gas. The following mitigation measure is proposed to avoid fires after an earthquake:

GEO-1: Automatic seismic shutoff devices shall be installed for utilities such as electricity and gas.

Water Portion of the Site

The waterside portion of the project is not susceptible to the impacts of lateral spreading and slope failure because this portion would be dredged to an approximate elevation of -7 ft. (NAVD 88), which would remove the potentially liquefiable soils.

The marina portion of the project consists primarily of floating docks attached to a series of concrete piles placed in the channel. The floating docks are connected to the upland walkway or bulkhead by ramps that can move up and down with the tides. As described in the Preliminary Geology and Soils Report by TerraCosta Consulting Group, Inc., a total of approximately 30 guide piles will be installed in the channel using a combination of jetting (digging with jetted water) and driving of the final 5 ft. of penetration into competent earthen materials and consolidation of substrates around the piles for adequate lateral load resistance. The piles and docks will be designed to withstand constant tidal fluctuations, current movements, and storm flows in addition to a design seismic event as required by the California Building Code. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides? (Sources: 1, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

According to the City of Huntington Beach General Plan (1996), the site is not in an area susceptible to slope instability. However, the site is bound along the western and northern limits by a revetted slope that descends into the bay. Existing soil conditions of the slope are prone to and exposed to the effects of seismic instability, which could include lateral spreading and slope failure. There are no known landslides in the vicinity of the site, nor is the site in the path of any known or potential landslides. According to the Preliminary Geology and Soils Report, the proposed dredging work, repairing of the revetted slope, and excavation and recompaction of the soils under structures will be engineered to ensure stability of the soil. The existing revetted slope retains, protects, and provides lateral support for the bay front edge of the property. The seawall will undergo minor repairs, including additional concrete grout under the sidewalk. As such, impacts associated with slopes and non-seismic slope instability are considered negligible. In addition, no collapsible soils were encountered during site investigation. Construction activities and the project will be engineered to ensure the stability of the soil and to protect the surrounding properties and structures from landslides. Less than significant impacts are anticipated.

b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 6, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The project site and vicinity are urbanized and have relatively flat topography. Construction of the proposed project would require excavation to an approximate depth of 2 ft. below existing ground surface for the land portion of the site which could potentially result in erosion of soils or unstable soil conditions. Approximately 200 cubic yards of cut will be excavated. Erosion will be minimized by compliance with standard City requirements for submittal of an erosion control plan prior to issuance of building permits, for review and approval by the Department of Public Works. According to the Preliminary Geology and Soils Report, implementation of standard erosion control measures would sufficiently address potential impacts due to off-site soil erosion during construction. In addition, the report concluded that unstable soil conditions during construction would be less than significant as no significant excavations would occur and the site's grades will remain mostly unchanged. In the event that unstable soil conditions occur on the project site due to grading or placement of fill materials, these conditions would be remedied pursuant to the recommendations in the required geotechnical study for the project site. In addition, any plan for marina dredging and construction will incorporate recommendations of the Geotechnical Engineer to prevent landslides on the existing slope and adjacent properties and structures. Less than significant impacts are anticipated.

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, 6, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Subsidence is large-scale settlement of the ground surface generally caused by withdrawal of groundwater or oil in sufficient quantities such that the surrounding ground surface sinks over a broad area. The project site has not been identified as an area with the potential for subsidence. In addition, withdrawal of oil, or other mineral resources would not occur as part of the proposed project. The Preliminary Geology and Soils Report by TerraCosta Consulting Group, Inc. does not indicate that dewatering of the excavation is required. Since ground settlement or soil instability is caused

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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by the lowering of groundwater levels, the soil would not become unstable as a result of excavation. In addition, the proposed project will comply with all conditions imposed as part of any required 401 or 404 Water Quality Certification issued by the Regional Control Board. Refer to a.iii, a.iv, and b for other listed impacts. Less than significant impacts associated with subsidence are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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:, 16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

According to the Preliminary Geology and Soils Report, soils with medium expansive potential were found on the site. Construction of the project will be subject to compliance with the California Building Code regarding applicable soils, grading, and structural foundation requirements, codes and ordinances, such that any potential geologic impacts will be reduced to a level of insignificance. Less than significant impacts are anticipated.

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| 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: 1, 16) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project site is located in an urbanized area in which wastewater infrastructure is currently in place. Therefore, the capability of the soils to support septic tanks or alternative waste water systems is not relevant to the proposed project. No impact would occur related to septic tanks or alternative waste water disposal systems.

IV. HYDROLOGY AND WATER QUALITY.

Would the project:

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? (Sources: 1, 20, 21) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

The proposed project is located adjacent to a recreational boating channel in Huntington Harbour and will include 23 slips and commercial uses (restaurant and retail/rental of water-related recreational equipment). The currently vacant site contains landscaping and an asphalt concrete parking lot. Stormwater runoff drains to a catch basin located at the northeast corner of the parking area where it is collected and discharged directly into Huntington Harbor. There are currently no water quality treatment measures in place to mitigate pollutants in stormwater runoff discharged from the site. Since the project is subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements regarding discharge into impacted bodies of water, submittal of a Storm Water Pollution Prevention Program (SWPPP) is required to address construction site pollution prevention and a Water Quality Management Plan (WQMP) is required to address post-construction pollution prevention. The project proposes to install two flow-through planter boxes to capture and treat runoff. The planter boxes will allow biotreatment and evapotranspiration (ET) to occur, thereby reducing the pollutants discharged from the site. The existing catch basin will remain and will continue collecting a majority of the runoff from the site (e.g. existing parking lot and landscaping). A Kristar FloGard Plus Catch Basin Filter Insert or other City-approved LID BMP will be fitted to the existing catch basin to remove trash, debris, sediment, oil and grease from stormwater runoff.

Operation of the proposed marina and commercial uses may potentially result in the discharge of urban runoff into

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	No Impact
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surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity), including water disturbances common to recreational boat operation and floating docks within the man-made harbor with the addition of the new docks or slips. The implementation of the WQMP would ensure the installation of Best Management Practices (BMP's) to comply with water quality standards and waste discharge requirements of the NPDES and would reduce project impacts to a less than significant level.

Construction of the project, including dredging of approximately 12,000 cubic yards of material to accommodate boat navigation and the placement of piles and floats, will result in increases in turbidity, sedimentation and lowered dissolved oxygen levels associated with the disturbance of sulfidic anoxic sediments during dredging operations at the work site for a short duration. Dredging operations will occur over a one to two month period and may utilize a suction dredge or a mechanical excavator. During dredging and dock construction a general degradation of water quality will occur when bottom sediments are disturbed and fine particulates are suspended into the water column. The particulates could cause a short-term turbidity plume that would dissipate and clear with tidal movement of the water. Turbidity creates a murky condition in the water caused by the suspended particulates that absorb heat from the sunlight creating warmer waters. The suspended particulates also scatter the sunlight decreasing the photosynthetic activity of plants and algae. Impacts from turbidity can lead to a reduction in the concentration of oxygen in the water, which could inhibit growth of submerged aquatic plants and, in turn, affect the survival of other species dependent on those plants. The placement of filter fabric over the sediment within the water surrounding the dock construction zone will greatly reduce the likelihood of significant turbidity. Based on the scope of work, a less than significant increase in turbidity is anticipated. However, turbidity will be visually monitored during project implementation and a silt curtain will be installed to contain the suspended sediments if necessary. Use of a silt curtain will remain in place until the sediments settle and turbidity returns to normal. In cases where turbidity does not occur outside of the immediate work area and a silt curtain is not used, any localized turbidity will likely dissipate within one hour due to tidal flow. The silt curtain will be installed prior to construction within the water way and/or prior to any dredging activity. The following mitigation measures are proposed to prevent and control turbidity and reduce impacts to a less than significant level:

HYDRO-1: During all phases of the project during construction and post-construction, Best Management Practices (BMPs) shall be implemented to prevent and control untreated runoff, turbidity and implement water quality standards and waste discharge requirements. BMPs may include sandbags, detention basins, clarifiers, and silt curtain(s). The silt curtain(s) shall be continually maintained free and clear of debris, shall be properly maintained without holes, rips, or tears, and shall remain in place for the duration of the marina construction and dredging activities or until permanent BMPs are installed and operational.

HYDRO-2: If turbidity is observed at a distance of 100 ft. or greater from the actual work site, either the work shall be stopped until the water returns to normal or, if deemed necessary, a silt curtain shall be installed until turbidity returns to normal.

Furthermore, the project will be required to obtain a 401 and 404 Water Quality Certification from the Santa Ana Regional Water Quality Control Board.

- 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: 1, 19)

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

Discussion:

In 2010, the Huntington Beach Public Works Department prepared an Urban Water Management Plan (UWMP), which analyzed the City’s past and future water pipeline infrastructure, sources, supplies, reliability and availability. Based on the estimated water demand required for this project, it would not result in a significant increase in water demand consumption that was not previously planned for in the Water Master Plan and UWMP. Therefore, this project would not present a substantial impact to the groundwater supply and table.

According to the City’s 2010 UWMP, groundwater wells currently supply 62 percent of the City’s water, while the remaining 38 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 implementation 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 project. Therefore, the potential for a reduction in groundwater recharge would be negligible and would not affect City groundwater wells. Less than significant impacts are anticipated.

The project is subject to compliance with the City’s Water Ordinance, including the Water Efficiency Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which will ensure that water consumption is minimized. Less than significant impacts are anticipated.

- 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: 1, 20, 21)

Discussion:

The proposed project will increase the impervious area from the existing 70 percent to a proposed 81 percent impervious area where approximately 77 percent of the site will be paved, 4 percent will be covered with buildings, and 19 percent will be landscaped. The site currently drains from south to north where the majority of the runoff is collected in an onsite catch basin near the northwest corner of the parking lot and is discharged directly into Huntington Harbour. A small amount of runoff from the northernmost part of the site sheet flows directly into Huntington Harbour. In the proposed condition, the existing catch basin will continue collecting runoff from the site. However, the site runoff from the proposed development will first enter two proposed flow-through planter boxes to capture and treat runoff from the impervious surfaces prior to entering the catch basin and discharge into the Harbour. The increase in imperviousness of the project site is negligible and mitigated with the implementation of Low Impact Development (LID) BMP’s such as the flow-through planter boxes and therefore the proposed drainage pattern will not result in substantial erosion or siltation on or off-site.

The water portion of the proposed project will include docks and walkway areas for the marina, increasing the impervious area by a small amount. Since the existing dock drains directly into the Harbour and the new docks and the walkway areas for the marina are proposed to drain directly into the Harbour, there would be no change to the existing drainage pattern of the water portion of the site. The marina would not result in erosion or siltation on- or off-site. The proposed marina is approximately 135 ft. and 150 ft. away from the existing docks to the west and north of the main channel, respectively. Based on the location of the proposed marina and the locations of the surrounding properties, the marina would not alter the course of the harbor or cause increase in seawall erosion of surrounding properties. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	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: 1, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed project will increase the impervious area from the existing parking lot paving and sidewalks at approximately 70 percent of impervious area to approximately 81 percent impervious area where approximately 77 percent of the site will be paved, 4 percent will be covered with buildings, and 19 percent will be landscaped. The developer shall be required to evaluate the impacts from any additional runoff generated by the proposed project and design the project such that runoff for the proposed development does not exceed the pre-development condition. Any additional runoff will be mitigated by the implementation of Low Impact Development BMPs before being conveyed to the Harbour. Therefore, less than significant impacts are anticipated.

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: 1, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The project, including the additional dock and walkway area for the marina, would increase the impervious surface area within the project site, contributing to a potential increase in runoff of stormwater. A Hydrology and Hydraulics Study, subject to review and approval by the Public Works Department shall be required to evaluate impacts from runoff generated by the proposed project. However, any increase in the quantity of stormwater runoff is anticipated to be negligible and shall be required to be mitigated to pre-development flow rates. The runoff from the development currently flows through an existing catch basin and drains directly into Huntington Harbour. The runoff from the proposed development will continue to flow through the existing catch basin and drain into the Harbour. Since any increase in stormwater runoff will be mitigated, the existing catch basin would not handle any additional flows and is adequate in handling the stormwater runoff from the site. Less than significant impacts are anticipated.

Stormwater runoff may contain pollutants that could potentially degrade surface water quality. Since the project is subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements regarding discharge into impacted bodies of water, submittal of a Storm Water Pollution Prevention Program (SWPPP) is required to address construction site pollution prevention and a Water Quality Management Plan (WQMP) is required to address post-construction pollution prevention. A preliminary Water Quality Management Plan prepared by R.T. Quinn & Associates (December 2011) proposes to install two flow-through planter boxes to capture and treat runoff. The planter boxes will allow biotreatment and evapotranspiration (ET) to occur, thereby reducing the pollutants discharged from the site. The Report also indicates that the treatment devices are appropriate for removing pollutants from stormwater runoff to comply with Section 303(d) of the Clean Water Act. The required pollutants to be removed from runoff include chlordane, copper, lead, nickel, pathogens, PCBs, and sediment toxicity. Required SWPPP and WQMP, to be submitted in accordance with City of Huntington Beach standard development requirements, will ensure a less than significant impact associated with polluted runoff.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality? (Sources: 1, 20, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Refer to discussion under item IV (a).

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: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The Federal Emergency Management Agency (FEMA) has designated the land portion of the site as Flood Zone AE (partially) and the water portion as AE with a base flood elevation of 7.0 ft. (NAVD 88). Compliance with flood plain standards requires elevation of the nonresidential structures to be at least one foot above the base flood elevation, or 8.0 ft. (NAVD 88). The project proposes to construct the restaurant/office building at 9.1 ft. (NAVD 88) and the retail kiosk at 10.5 ft. (NAVD 88). The proposed construction, therefore, complies with the elevation requirements for new construction within the flood plain. The project does not propose housing on the site. Less than significant impacts are anticipated.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1, 7, 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Two commercial structures are proposed to be constructed on the project site with Building 1 at approximately 1,200 sq. ft. and Building 2 at approximately 600 sq. ft. The two structures with their small sizes and footprints would not impede or redirect flood flows within a 100-yr flood hazard area.

The proposed marina is located in the main channel of Huntington Harbour that provides tidal exchange between Huntington Harbour and existing wetlands. This channel conveys flood flow originating from the East Garden Grove Wintersburg Flood Control Channel that flows through Outer Bolsa Bay under Warner Avenue Bridge to Huntington Harbour and out to the Pacific Ocean. The location of the proposed marina is currently open water lined with a rock revetment adjacent to the Warner Avenue Bridge. The area has experienced sedimentation in the past, resulting in the formation of a shoal that presents a hazard to navigation. To allow safe navigation, the area of the proposed marina will be dredged.

An Analysis of Changes in Water Levels, Current Speeds, and Sedimentation for the proposed project was prepared by Everest International Consultants, Inc. (March 2009). A hydrodynamic model was used to estimate current speeds and water levels throughout the study area of Anaheim Bay, Seal Beach National Wildlife Refuge, Huntington Harbour and tidally connected parts of the Bolsa Chica Wetlands. As mentioned above, the area of the proposed marina will be dredged to allow for safe navigation. The dredging will increase the cross sectional area at the marina, creating a deeper underwater ground level. For long-term water levels and current speeds, the study found that there will be no discernible change in the water levels and the current speeds will become slower in ebb and flood tide currents associated with the proposed marina. For extreme water levels and current speeds (including flood flows of a 10-, 50-, and 100-year flood), the study concluded that there will be negligible changes in high water levels and current speeds with the proposed marina. Based on this information, the construction of the marina would not impede or redirect flood flows within a 100-yr flood hazard area. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 1, 7, 27)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The land portion of the subject property is located within Flood Insurance Rate Map Zone AE with the base flood elevation of 7.0 ft. (NAVD 88). Compliance with Federal Flood Development standards requires elevation of the nonresidential structures to be at least one foot above the base flood elevation, or 8.0 ft. (NAVD 88). The project proposes to construct the restaurant/office building at 9.1 ft. (NAVD 88) and the retail kiosk at 10.5 ft. (NAVD 88). Because the commercial buildings are built at least 2.1 ft. above the base flood elevation of 7.0 ft., the project will not expose people or structures to a significant risk of loss from a 100-year flood event, including levee failure.

According to Randy Mason of URS Cash & Associates, the marina designer for the Harmony Cove Project, the proposed marina (docks, guide piles) will be designed to accommodate the flood flow with high current velocity of a 100-year storm event. The docks nearest to the Warner Bridge will be designed as “wave-attenuator” dock type and the remaining docks will be designed in typical industry fashion. Pre-stressed concrete piles ranging from 20 to 24 inch diameter will be installed to support the “wave attenuator” docks and the guide piles will be set at +15.0 or +16.0 Mean Lower Low Water (MLLW) to ensure that docks will not be overtopped during severe high water conditions of a storm event. For floating docks to withstand the forces of a severe flood event, a standard design procedure for wave attenuator docks of using structural wide flange beams with nailers will be used to connect floating concrete modules together. In addition, the orientation of the proposed marina being slightly angled to the north will provide protection from floating debris during flood-type events. These design features would reduce the risk of damage to the proposed marina during a flooding event. Less than significant impacts are anticipated.

j) Inundation by seiche, tsunami, or mudflow? (Sources: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

According to the Moderate Tsunami Run-up Area map in the City of Huntington Beach General Plan and Local Coastal Program, the project site is not located in an identified moderate tsunami run-up area. The project site is not subject to inundation by seiche, tsunami, or mudflow and therefore no impacts are anticipated.

k) Potentially impact stormwater runoff from construction activities? (Sources: 1, 20, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Refer to discussion under item IV (a) and (e). Refer to the mitigation measures under Section IV (a).

l) Potentially impact stormwater runoff from post-construction activities? (Sources: 20, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Refer to discussion under item IV (a), (c) and (d). The preliminary Water Quality Management Plan, prepared by R.T. Quinn & Associates, discusses the Best Management Practices for marina/dock from the Clean Marinas California Program in order to prevent or reduce pollution in coastal waters. The project, including the additional dock and walkway area for the marina, will be subject to standard code requirements necessitating submittal of a final Water Quality Management Plan for review and approval by the Public Works Department to ensure compliance with water quality standards and water discharge requirements. The WQMP shall be submitted to the Public Works Department

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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for review and approval prior to issuance of a precise grading permit for the project. Less than significant impacts are anticipated.

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| 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? (Sources: 20, 21) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

Refer to discussion under item IV (a). In accordance with standard City of Huntington Beach development requirements, Hydrology and Hydraulic studies for both on-site and off-site facilities, Storm Drain, Storm Water Pollution Prevention Plans (SWPPP) and Water Quality Management Plans (WQMP) conforming with the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and approval. Specific requirements and measures to be incorporated into the required studies and plans are identified in City Policies, Standard Plans, and Code Requirements of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Code. The proposed commercial and marina project is not anticipated to have areas of material storage, vehicles or equipment fueling, vehicle or equipment maintenance, waste handling or storage, or other outdoor work areas. Less than significant impacts are anticipated.

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| n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources: 20, 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The receiving waters for the project site are Huntington Harbour channels. Designated beneficial uses for Huntington Harbour include: navigation; water and non-water contact recreation; commercial and sport fishing; wildlife habitat; rare, threatened, or endangered species; spawning, reproduction, and/or early development; and marine habitat. Huntington Harbour is on the 2006 Federal Clean Water Act Section 303(d) list for the following pollutants: chlordane, copper, lead, nickel, pathogens, PCBs, and sediment toxicity. The required Water Quality Management Plan will establish Best Management Practices (BMPs) to address the pollutants of concern from the discharge of stormwater.

The Preliminary Water Quality Management Plan identifies a stormwater treatment system (flow-through planters) as one potential treatment control BMP for the commercial portion of the project, chosen for its ability to treat and detain runoff without allowing seepage into the underlying soil. Pollutants entering the treatment system would be removed as the runoff passes through the soil layer and is collected in an underlying layer of gravel or drain rock. The treatment devices are appropriate for removing pollutants from stormwater runoff to levels acceptable in terms of water quality standards to comply with Section 303(d) of the Clean Water Act.

For the marina project, BMPs from the Clean Marinas California Program will be utilized to prevent or reduce pollution in coastal waters. These BMPs relate to good boat-keeping practices, education, signs, notices, marina rules and regulations, waste receptacles, spill prevention, and rapid clean-up plans such as:

- All spills must be cleaned up immediately. Use absorbent materials to clean up liquid spills. Do not rinse spills into the water. Dry sweeping techniques or vacuuming must be used for the cleanup of spills.
- Boaters must properly manage and dispose of all wastes and materials.
- Place trash receptacles and dumpsters in convenient locations for boaters and guests. Keep trash enclosures clean and free of debris.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul style="list-style-type: none"> ▪ Dispose all solid wastes in accordance with local, state, and federal laws and regulations. ▪ Use pamphlets, flyers, newsletters, inserts and/or meetings to convey the importance of any environmental precautions that the marina has instituted. ▪ Use signs to inform boaters about equipment, disposal containers, cleaning practices, etc. Special instructions should be clearly noted. 				

The requirement of submittal of and compliance with the approved Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) conforming with the current National Pollution Discharge Elimination System (NPDES) requirements would prevent violation of water quality standards. Existing regulations would ensure that the potential of discharges of polluted stormwater to affect beneficial uses of receiving waters would not be substantial. Implementation of the BMPs would minimize stormwater discharge pollution into the Harbour. Therefore, less than significant impacts are anticipated.

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| o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources: 20, 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

Refer to discussion under item IV (e).

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: 20, 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Refer to discussion under item IV (c). The precise grading plan will include an erosion control plan for the construction phase of the project. The repair of the revetted slope would protect the land side from the water side of the project and therefore minimize the potential erosion of the project. Less than significant impacts are anticipated.

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:

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| a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: 8, 9, 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

Short-term

Construction of the project may result in short-term air pollutant emissions from the following activities: the commute of workers to and from the project site; grading activities including the transport of any necessary soil import and/or export, delivery and hauling of construction materials and supplies to and from the project site; fuel combustion by on-site construction equipment; and dust generating activities from soil disturbance. To reduce emissions, standard City requirements regulate operational construction conditions by requiring construction equipment be maintained in peak operating condition, the use of low sulfur fuel by weight, prohibiting truck idling for periods longer than ten minutes, and discontinuing construction activity during second stage smog alerts. Emissions during construction were

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant	Less Than Significant Impact	No Impact
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calculated using CalEEMod program (version 2011.1.1). The allotment of equipment to be utilized during each phase was based on defaults in the CalEEMod program and was modified as needed to represent the specifics of the proposed project. The amount of soil excavation (200 cubic yards), dredged materials (12,000 cubic yards), and the truck trips necessary to haul the excavated soil were taken into consideration. The default level of detail was used to calculate fugitive dust emissions from activity on the approximately 1.00 acre site.

The CalEEMod model calculates total emissions, on-site and off-site, resulting from each construction activity which are compared to the SCAQMD Regional Thresholds. A comparison of the project's total emissions with the regional thresholds is provided below. A project with daily construction emission rates below these thresholds is considered to have a less than significant effect on regional air quality.

Construction Emissions						
SCAQMD Regional Pollutant Emission Thresholds of Significance						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM10	PM2.5	SOx
Estimated Construction Emissions for proposed project	108.9	47.3	60.0	3.5	3.1	0.3
Significance Threshold	550	75	100	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the aforementioned table, construction emissions from the proposed project would not exceed the regional thresholds. VOC levels are associated with only the exterior coating for the commercial structures. Therefore, a less than significant impact during construction is anticipated.

Long-term

Air pollutant emissions due to the project were also calculated using the CalEEMod program version (2011.1.1). The program was set to calculate emission for a 23-boat slip marina, restaurant/retail use, and office use. The default CalEEMod variables were used for the calculations.

Operational Emissions						
SCAQMD Regional Pollutant Emission Thresholds of Significance						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM10	PM2.5	Sox
Estimated Project Emissions for proposed project	364.6	21.1	38.1	3.1	0.9	0.0
Significance Threshold	550	75	55	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the aforementioned table, operational emissions from the proposed project would not exceed the regional thresholds.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Typical sensitive receptors include residences, schools, playgrounds, childcare centers, etc. The nearest sensitive receptors that have the potential to be affected by the project development are residences to the east and north of the project site. Since the project's emissions would not exceed the regional thresholds, impacts to sensitive receptors are less than significant.

The project site is located in the SCAQMD, which is currently in nonattainment for ozone and PM10 under national and State standards, and CO under national standards. Because the project would not exceed regional significance thresholds, the proposed project would not make a cumulatively considerable contribution with regards to criteria pollutants.

The 2007 Air Quality Management Plan (AQMP) is the region's applicable air quality plan and was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, to return clean air to the region, and to minimize the impact on the economy. Projects that are considered to be consistent with the General Plan are considered to be consistent with the AQMP. The proposed uses are consistent with the uses permitted in the General Plan (refer to discussion under Section I. Land Use and Planning). Therefore, the proposed project would not conflict with the AQMP and less than significant impacts are anticipated.

Based on the calculations using the CalEEMod program version (2011.1.1) and the CEQA Air Quality Handbook, less than significant impacts are anticipated.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 8, 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Refer to the discussion for items V (a).

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Create objectionable odors affecting a substantial number of people? (Sources: 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The operation of the 23-boat slip marina will contribute additional boat exhaust within Huntington Harbour. However, the marina is proposed within an existing recreational boating harbor, contributing only a small incremental increase in exhaust odors. The commercial uses are not expected to create any objectionable odors. The emissions of significant odors would not be anticipated during construction. Less than significant impacts are anticipated.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 8, 9, 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Refer to the discussion for items V (a).

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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: 8, 9, 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

Refer to the discussion for items V (a).

VI. TRANSPORTATION/TRAFFIC. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Sources: 1, 10, 23) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Based on the Harmony Cove Trip Generation and Parking Analysis prepared by LSA Associates, Inc. (December 2011), the proposed development is projected to result in approximately 303 new vehicle trips per day. The existing ingress and egress driveway is located along Warner Avenue, approximately 750 ft. east of the intersection of Pacific Coast Highway and Warner Avenue. Warner Avenue is designated as a Major Arterial Street in the Circulation Element of the General Plan (1996).

The Transportation Division of the City of Huntington Beach has indicated that acceptable levels of service (LOS) for roadway segments and intersections exist in the project vicinity. The City’s General Plan considers LOS for all surrounding roadway segments and intersections acceptable. The Trip Generation and Parking Analysis concluded that traffic generation associated with the project would not cause a significant increase in vehicle trips affecting levels of service on the surrounding roadways. The project is subject to standard code requirements including the payment of traffic impact fees to minimize any potential impacts.

Construction traffic resulting from development of the project may result in short-term interruptions to traffic circulation, including pedestrian, bicycle, and boat flow. Based on the scope of the project construction, the short-term interruptions to traffic are not considered to be significant. These potential impacts will be reduced through implementation of code requirements requiring Department of Public Works approval of a construction vehicle control plan.

With regard to the Harbour right-of-way, the project site is located adjacent to a public waterway cul-de-sac available to the City’s Marine Services Division, Huntington Harbour Yacht Club, and members of the public. There may be temporary disruptions to boat traffic within the channel but the flow of boat traffic would not be impeded as a result of construction because the staging area would be within the project boundary. Less than significant impacts are anticipated.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Conflict in an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Sources: 1, 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

Refer to the discussion under item VI.a. Increased trip generation from long-term operation of the project will not exceed level of service (LOS) standards on designated Orange County Congestion Management Program (CMP) intersections in the project vicinity, including Warner Avenue/Pacific Coast Highway and Bolsa Chica Street/Warner Avenue intersections. Less than significant impacts are anticipated.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: 10, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project site is located along a major arterial street that provides access to the site. Project access will be provided via an existing driveway off Warner Avenue. The project is subject to compliance with City standards for vision clearance at street/driveway intersections, minimum drive aisle widths and vehicle turning radii designed to ensure hazards are minimized. Less than significant impacts are anticipated.

The project site is located adjacent to a public waterway cul-de-sac available for use by the public as well as the City's Marine Services Division and Huntington Harbour Yacht Club across the channel. The proposed marina will be designed to accommodate the existing boat traffic volumes and uses in the waterway in terms of maneuvering and flow. The channel will be dredged to achieve the appropriate depth to support the different boat types and sizes. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Result in inadequate emergency access? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

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. The proposed marina would be designed to accommodate the emergency boat launching capabilities of the Marine Services Division's current operations at the Warner Dock, a city-owned dock located across the channel from the project site. The Marine Services Division utilizes the Warner Dock to store three 30-foot long boats which are used to patrol the city's coastline. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity? (Sources: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Chapter 231 (Off-Street Parking and Loading Provisions) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) requires eating and drinking establishments and outdoor dining areas (above 400 sq. ft.) to provide parking at a rate of one space per 100 sq. ft. of floor area, commercial establishments to provide one space per 200 sq. ft. of floor area, and offices to provide one space per 250 sq. ft. of floor area. In addition, the project proposes to provide ¾ space per boat slip. Based on the HBZSO, 40 parking spaces are required for the project (refer to the table below). A total of 44 parking spaces are proposed for the project. The proposed parking complies with parking requirements of the Huntington Beach Zoning and Subdivision Ordinance. No significant impacts are anticipated.

PARKING REQUIREMENT FOR HARMONY COVE PROJECT			
	Quantity	Parking Rate	Required Parking
Eating/Drinking & Outdoor Dining	1,830 sf	1 space/100 sf	18 spaces
Commercial	600 sf	1 space/200 sf	3 spaces
Office	170 sf	1 space/250 sf	1 spaces
Boat Slips	23 slips	¾ space/slip	18 spaces
Total			40 spaces

g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project will provide bicycle racks onsite, in accordance with the requirements of the HBZSO Section 231.20—*Bicycle Parking*. No impacts are anticipated.

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, 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, 9, 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The proposed project involves the construction of a new 23-boat slip marina within Huntington Harbour, which supports some marine biological habitats. The construction of the marina would result in the removal of the piles and dock floats, dredging, repairing the revetment of rock riprap, and construction of new piles and dock floats. In order to assess the potential impacts of the proposed marina project, a Biological Assessment was originally prepared by MBC

		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

Applied Environmental Sciences in 2009. The Biological Assessment included a survey of Intertidal Organisms, Subtidal Eelgrass, Algae, Fish and Invertebrates, Subtidal Organisms, and Subtidal Soft Bottom Benthos. Based on the survey in 2009, the Biological Assessment found the following marine resources within the project area: for the Intertidal Organisms, there were barnacles, limpets, bay mussels, oysters, sea squirts, and sponges; for the Subtidal Organisms, there were mollusks, snails, crabs, bay mussels, algae, and no eelgrass; for the Subtidal Soft Bottom Benthos, there were anemone and worms.

The Biological Assessment also identified sensitive species (two bird species and two marine mammals) that are identified as protected, rare, sensitive, threatened or endangered by the California Department of Fish and Game or the U.S. Fish and Wildlife Service that may be expected in the area at various times. They include California Brown Pelican, Peregrine Falcon, Harbor Seal, and California Sea Lion, but they were not observed at the time of the study in 2009.

In November 2011, MBC Applied Environmental Sciences revised the 2009 Biological Assessment to reflect the current project but did not resurvey the area. The consultant’s summary and explanation of changes to the Biological Assessment is included with the November 2011 Report provided as Attachment No. 9. Based on the project submittals, the 2011 Biological Assessment indicates a net increase in permanent and floating docks totaling approximately 9,898 sq. ft. from the previous cover of approximately 480 sq. ft. Development of the proposed project would have the following impacts to marine resources:

Subtidal Fish and Invertebrates—There would be a loss of infauna organisms during dredging but they would recolonize the area. Invertebrates and fish would move out of the area temporarily during construction including during periods of time when turbidity, noise, and vibrations would occur, such as when piles are being driven or dredging is occurring. There would be another small loss (46 sq. ft.) of subtidal habitat due to the placement of pier pilings. This loss would be small in area and mitigated by the increase in hard subtidal and intertidal area afforded by the pilings and docks. The placement of docks on the surface will enhance opportunities for fish and invertebrates to feed and provide habitat. There will be a gain in hard bottom habitat due to the installation of 26 pilings within intertidal and subtidal area of 1,690 sq. ft. The short term loss of these species is then mitigated by the additional hard bottom habitat.

Subtidal Eelgrass and Algae—While eelgrass is known to occur in the harbor area, small eelgrass beds could disappear and reappear on an irregular basis. An eelgrass bed was found to cover at least 23 square meters in one area of the project site in 2006 but was not observed in 2009. Because of the variability in eelgrass beds persistence, there is the potential for eelgrass to grow again in that location or in other areas at similar depths. The project would, however, affect the potential for eelgrass to reestablish at this location. Therefore, mitigation would be required if it is found during any future survey. The following mitigation measures for impacts to eelgrass in accordance with the Southern California Eelgrass Mitigation Policy shall be implemented:

BIO-1: Pre-construction (within 60 days of a disturbing activity) and post-construction (30 days after cessation of the marina portion of the project and prior to issuance of a Certificate of Occupancy or final inspection for the marina) eelgrass surveys shall be conducted to determine the level of eelgrass loss, if any, as a result for the project activities. This survey shall be valid for 60 days unless conducted between August and October, in which case it is valid until March 1 of the following year.

BIO-2: Prior to issuance of a Certificate of Occupancy or final inspection for the marina, any loss in acreage of eelgrass habitat shall be mitigated according to State and Federal environmental policies. Mitigation may include out-of kind mitigation (suitable to the resource agencies) if the total area is less than 10 square meters, or replacement at a 1.2 to 1 ratio (for every 1 square meter of eelgrass disturbed or lost, 1.2 square meters is to be replaced) in a suitable location if the total is more than 10 square meters. In the event of replacement,

		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

subsequent success monitoring at six months, and annually beginning at one year through five years with success criteria as determined in the Southern California Eelgrass Mitigation Policy.

BIO-3: Prior to issuance of a Certificate of Occupancy or final inspection for the marina, if no eelgrass is found on site then the project shall provide 50 square meters of eelgrass to compensate for other non-specific project impacts such as short term disruption of the epifauna and infauna biota. The eelgrass shall be monitored for subsequent success at six months, and annually beginning at one year through five years with success criteria as determined in the Southern California Eelgrass Mitigation Policy.

Sensitive Species—Although no sensitive species were observed within the project site during the survey, they are known to use the Harbour area for foraging and nesting. The close proximity of Huntington Harbour to other environmentally sensitive habitats such as Bolsa Chica suggests that some of these marine species have used and will continue to use the site for foraging or roosting. Increased turbidity during project construction may reduce localized foraging ability for these species within the immediate area of work. A reduction in local foraging ability may result in adverse effects if the turbidity plume extends over a large portion of the surrounding area. The marine mammals of concern include Harbor Seal and California Sea Lion. The avian species of primary concern is the California least tern, a migratory water-associated bird present in the Harbour from April to October of each year. An extensive least tern nesting colony exists at the nearby Bolsa Chica State Ecological Reserve located further up the tidal system. The nest sites are approximately 1.0 mile from the project area. To mitigate the potential significant impacts to the foraging opportunities for protected species, it is recommended that seasonal timing restrictions be employed for dredging and other turbidity generating work.

BIO-4: Dredging and other turbidity generating work shall be limited to the months of November to March to minimize impacts to foraging and nesting for protected avian species. If dredging and pile driving activities cannot be timed to avoid encroachment into the least tern nesting season, the applicant shall be required to effectively contain visibly detectable surface turbidity associated with in-water construction activities to the smallest footprint practicable and not more than 0.5 acre maximum during the least tern season. During construction, a qualified biologist shall conduct weekly monitoring of the silt curtain(s) and monitor water quality at a distance of no more than 10 meters outside of the silt curtain and 100 meters upcurrent of the silt curtain. Turbidity (via light transmittance) shall be measured at one meter above the bottom, mid-depth, and one meter below the surface both at 10 meters and 100 meters from the dredge operations. A decrease in light transmittance of more than 30% (average of the three readings) from that found 100 meter upcurrent shall result in a suspension of dredging until the cause is corrected. Additionally, dissolved oxygen concentrations (DO) and hydrogen ion concentrations (pH) shall be measured at the same depths and locations. Dredge operations shall be suspended at any time the biological oxygen demand causes concentrations of DO to be less than 5 mg/l and pH to drop below 7.5 (average of the three measurements) in the area within 10 meters of the silt curtain unless ambient condition DOs are below 5 mg/l and pH below 7.5 at the station 100 meters upcurrent. In the event that turbidity extends beyond the allowable limits, turbidity generating activities shall cease until such time as turbidity levels are brought back into compliance.

BIO-5: If sea lions, seals (or other marine mammals), or sea turtles are observed within 100 meters of the construction or dredging process, all in water activity shall cease until observations indicate the marine mammals or turtles have departed the work site.

With implementation of the mitigation measures recommended above, all impacts to sensitive biological special and their habitat can be mitigated to a less than significant level.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 9, 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Refer to discussion under item VII (a). Refer to mitigation measures under Section VII (a).

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, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The project does not contain any wetlands. However, the Bolsa Chica Ecological Reserve is located approximately 100 feet south of the project site across Warner Avenue. The construction and operation of the project would not have a substantial adverse effect on federally protected wetlands through removal or hydrological interruption. Less than significant impacts would occur.

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, 9, 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Refer to discussion under item VII (a). Refer to mitigation measures under Section VII (a).

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1, 9, 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The Coastal Element of the City’s General Plan includes goals and policies to prevent degradation of marine resources in the Coastal Zone from activities associated with an urban environment. Per the Coastal Element, new development within the coastal zone is required to include measures to mitigate adverse impacts of human activities on the marine environment and to protect areas and species of biological significance. The development of the commercial and marina project would have potentially significant impacts upon marine organisms and sensitive biological species. Refer to item VII (a) for the discussion on biological resources impacts and mitigation measures. The incorporation of the mitigation measures would ensure that the project would conform to the policies of the Coastal Element. With mitigation, less than significant impacts are anticipated.

The site currently contains approximately eight trees that would be impacted by construction. All the trees are

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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proposed to be removed, stored and planted back on the site after the construction. Construction of the project will be subject to standard City requirements for the submittal of landscape plans demonstrating compliance with current code requirements and the replacement of existing mature healthy trees to be removed at a minimum of 2:1 ratio. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

There is no Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan for the area; therefore, no impacts are anticipated.

VIII. MINERAL RESOURCES. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The proposed development will not result in the loss of a known mineral resource. The project site is not designated as a known mineral resource recovery site in the General Plan. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project site is not designated as an important mineral resource recovery site in the General Plan or any other land use plan. Development of the project is not anticipated to have any impact on any mineral resource. No impacts to mineral resources are anticipated.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1, 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Development and operation of the proposed project does not include uses that involve the routine transport, use or disposal of hazardous materials beyond typical commercial wastes and cleaning products. In addition, the recreational boat marina does not include any fueling stations. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	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: 1, 13, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Recreational boating activities are currently present within Huntington Harbour. The proposed 23 floating docks represent a small increase in boat storage capacity and therefore a small increase in boat traffic within the vicinity. Although the additional boat traffic may result in a small increased risk of accident, the increase of 23 boat slips is not considered significant.

Hazardous or flammable substances that would be used during the construction phase would include vehicle fuels and oils in the operation of heavy equipment for onsite excavation and construction. Construction vehicles may require routine or emergency maintenance that could result in the release of oil, diesel fuel, transmission fluid or other materials. The proposed construction and operation 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. All fill soil (on-site and imported) shall meet City Specification #431-92 – Soil Cleanup Standards and would be submitted to the Fire Department for review and joint approval with the Public Works Department prior to issuance of a grading permit. Discovery of additional soil contamination during ground disturbing activities is required to be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92.

According to Preliminary Geology and Soils Report by TerraCosta Consulting Group, Inc., the construction of the marina would require dredging 12,000 cubic yards of sediment from the channel. The dredged materials could be disposed of at sea or processed on land and disposed of by trucking to an off-site landfill. Because the dredged materials may contain contaminants, the method of disposal is dependent on approvals of federal (Army Corps of Engineers and Environment Protection Agency) and state (California Coastal Commission and State Regional Water Quality Control Board) regulatory agencies based on the chemical and biological composition of the dredged sediment. The project would be required to comply with the applicable regulations by the federal and state agencies for the disposal of dredged materials. Less than significant impacts are anticipated.

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: 1, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The nearest school, Harbour View Elementary School, is approximately one mile from the project site. The proposed commercial and marina uses do not represent uses that involve the routine use or transport of hazardous materials beyond typical wastes and cleaning products. Less than significant impacts are anticipated.

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: 1, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

The project site is not listed on any list of hazardous materials sites. No impacts are anticipated.

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| 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 result in a safety hazard for people residing or working in the project area? (Sources: 1, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project site is not within the vicinity of a private airstrip. Although the City of Huntington Beach is included in the Orange County Airport Environs Land Use Plan due to the Los Alamitos Armed Forces Reserve Center, the project does not propose any structures with heights that would interfere with existing airspace or flight patterns. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: 1, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The project site is not located near any private airstrips. No impacts are anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 11, 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project has been reviewed by the Fire Department and is designed to be in compliance with fire access and circulation requirements. Based on the Harmony Cove Navigation Channel Impact Review, prepared by Moffat & Nichol (February 2009), there is currently adequate maneuvering area for boats to navigate the channel with implementation of the proposed project. However, there is a staff recommended condition to provide a 25-ft. setback from the property line to provide adequate maneuvering area based on future Marine Safety Division needs and to accommodate the potential expansion of the docks on the west side of the channel. The proposed development of the site will not interfere or conflict with an adopted emergency response plan or emergency evacuation plan. No impacts are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project is located in Huntington Harbour, a man-made residential marina complex constructed in the 1960s and is not near any wildlands. No impacts would occur.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. NOISE. Would the project result in:

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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: 1, 14, 29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

Implementation of the proposed project would involve the construction of two commercial buildings and a 23-boat slip marina. Construction would involve dredging, repairing the existing revetted rock slope, construction of the marina, construction of commercial structures, utilities, parking, and landscaping, all of which would involve the use of heavy equipment and therefore sources of noise. Each stage of construction would involve a different mix of operating equipment and noise levels would vary based on the number and types of equipment in operation and the location of the activity. Residential uses near the property will experience audible noise levels during construction of the proposed project. The closest sensitive uses to the proposed project site would be the occupants of the residential uses across the Harbour channel to the north, approximately 250 ft. from the project site, the residential uses east of the site, approximately 90 ft. from the project site, and the residential uses across the Harbour channel to the west, approximately 250 ft. from the project site. The construction phase that would generate the greatest noise levels would be the pile driving phase associated with the construction of the marina, which is anticipated to last approximately 4 months total. The installation of the piles will be spread over a six-week period with one week for the initial guide piles and five weeks for the remaining piles. The guide piles will be jetted into place while a vibratory hammer will only be used to penetrate the last five feet to the final depth recommended by the soils engineer. It is anticipated that it could take approximately 30 minutes to two hours to install each pile. Based on the installation methods, the noise and vibration impacts are intermittent. With a total of 30 piles and the duration of six weeks, an average of one pile per day will be installed. Based on the Environmental Noise and Vibration Analysis, prepared by Gordon Bricken & Associates (February 2012), the approximate noise levels experienced by these adjacent sensitive uses due to construction activities occurring at the project site have been estimated to reach 89 dBA for uses to the north, 111 dBA for uses to the east, and 89 dBA for uses to the west. These noise levels could exceed the maximum measured ambient noise levels by as much as 25 dBA to the north, 47 dBA to the east, and 30 dBA to the west.

Short-Term

Under Section 8.40.090 (d) of Chapter 8.40 of the City’s Municipal Code, noise sources associated with construction are exempt from the requirements of the Municipal Code, provided that the applicant has acquired the proper permit(s) from the City and construction activities do not occur between the hours of 8:00 PM and 7:00 AM on weekdays, including Saturdays, or at any time on Sundays or federal holidays. In order to minimize disruptions to adjacent properties, the project will be required to comply with the limitation of construction hours. Noise related to construction activities are exempt by the Municipal Code. Therefore, less than significant impacts are anticipated.

Recognizing that there are residential uses in the vicinity of the project site that will experience audible noise levels during construction, mitigation measures are recommended to minimize the noise levels to the extent feasible. These mitigation measures include:

NOISE-1: The Applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the Harbour channel from the project site area providing a schedule for major construction activities that will occur through the duration of the construction period. In

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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addition, the notification shall include the identification and contact number for a community liaison and designated construction manager that shall be available on-site during all construction activities. Contact information for the community liaison and construction manager shall be located at the construction office, City Hall, and the Police Department.

- Ensure that construction equipment is properly muffled according to industry standards. Shut off or run noise generating equipment and machinery on their lowest settings when not in use.
- Implement the best available technology throughout all construction activities in noise attenuation measures, including but not limited to sound barriers and noise blankets.
- Ensure that all construction work that would be expected to create high noise and/or vibration levels shall be carefully scheduled to be performed in the least amount of time possible.
- All project personnel shall be made aware of the potential for noise and vibration impacts and shall practice good neighbor policies designed to minimize noise and vibration impacts at all times.

NOISE-2: The Applicant shall require by contract specifications that construction staging areas, along with the operation of earthmoving equipment within the project site, are located as far away from vibration- and noise-sensitive sites as possible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed and approved by the City.

NOISE-3: The applicant shall be required to submit a noise and vibration control plan to the Planning and Building Director for approval prior to the start of construction. Features that shall be included in the noise and vibration control plan are:

- A list of all major noise and vibration generating equipment that will be used on the site for each phase of construction.
- Noise and vibration predictions at each of the sensitive receptors that were identified in the report for each phase of the construction.
- Locations, heights, and materials for noise barriers that may be employed and schedule for their installation.
- Other mitigation measures that will be used. These might include use of temporary noise barriers for stationary equipment, use of low-noise and vibration equipment or highly efficient mufflers, and alternative construction methods.

Under mitigation measure NOISE-1, the implementation of noise attenuation measures may include the use of noise barriers (e.g., sound walls) or noise blankets. As a general rule, a sound wall is able to reduce noise by 5 dBA. In addition, mitigation measure NOISE-2, which requires that construction staging areas and earthmoving equipment be located as far away from noise and vibration-sensitive land uses as possible, would also reduce construction-related noise levels. Mitigation measure NOISE-3 would assist surrounding residential properties anticipate the timing and duration of noise activities by providing information on noise and vibration generating equipment and their installation schedule.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

Long-Term

The 23-boat slip marina and commercial buildings are proposed within an existing waterway of a recreational and residential Harbour channel. Boat traffic in and around the Harbour is common. The proposed project will contribute to current ambient boat noise within the recreational boat harbor. However, the project is not anticipated to create long-term noise impacts different from existing ambient conditions and no services typically found in a marina are proposed. The site will not provide pump-out facilities, fueling, laundry, restrooms, showers, or any other type of amenity that may produce noise impacts.

The potential noise impacts for proposed commercial uses would come from the outdoor dining area, air conditioning units, and guest parking areas. Based on the Environmental Noise and Vibration Analysis, prepared by Gordon Bricken & Associates (February 2012), the approximate noise levels experienced by the nearest sensitive receptors (residential uses to the east) are 48 dBA associated with people talking in the outdoor dining area, 32 dBA associated with air conditioning units, and 27 dBA associated with guest parking areas. The daytime noise threshold is 55 dBA for residential properties. Since these noise levels do not exceed the daytime noise threshold for residential properties, less than significant impacts are anticipated.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1, 14, 29, 30)

Discussion:

Short-Term

Groundborne Vibration and Noise Affecting People

Certain construction activities, such as pile driving activities, related to the proposed project would have the potential to generate groundborne vibration and noise and impact sensitive receptors surrounding the project site. Groundborne noise from vibration that would impact sensitive receptors was analyzed by Gordon Bricken & Associates in the Environmental Noise and Vibration Analysis (February 2012). According to the Study, the vibration levels due to construction of the proposed project would exceed the vibration impact threshold of 85 VdB set by the Federal Transit Administration for sensitive receptors. The approximate vibration levels experienced by these adjacent sensitive uses due to construction activities occurring at the project site have been estimated to reach 102 VdB for uses to the north, 129 VdB for uses to the east, and 98 VdB for uses to the west. These vibration levels could exceed the vibration threshold levels by as much as 17 VdB to the north, 44 VdB to the east, and 13 VdB to the west.

The vibration levels are associated only with construction of the marina and will be temporary in nature. The pile driving phase during construction of the marina is anticipated to last approximately six weeks. The pile driving activities will last approximately 30 minutes to two hours per pile with an average of one pile per day installed. Although construction of the proposed project would generate groundborne noise and vibration levels higher than the threshold for residential properties, noise sources associated with construction are exempt under Chapter 8.4 – *Noise Control* of the City’s Municipal Code. Consequently, impacts are considered less than significant. However, in addition to a standard condition of approval limiting construction to 7:00 AM to 8:00 PM, Monday through Saturday and prohibiting construction on Sundays and Federal holidays, a mitigation measure further limiting the hours and duration of pile-driving activities is recommended to reduce noise from groundborne vibration resulting from construction of the proposed project.

To reduce the groundborne noise and vibration resulting from construction of the proposed project to the extent possible, the following mitigation measures shall be implemented:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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NOISE-4: Pile-driving activities shall be scheduled between the hours of 8:00 AM and 4:00 PM on Mondays through Fridays only. Piles shall be installed with jetting, predrilling, or pile cushioning to reduce the duration of pile-driving.

Groundborne Vibration and Noise Affecting Structures

Groundborne vibration impacting sensitive structures was analyzed by TerraCosta Consulting Group, Inc. in the Preliminary Geology and Soils Report (December 2011). The study utilized the Caltrans Vibration Manual in determining vibration threshold criteria for possible damage to structures. According to the study, vibration levels at which structures could be potentially damaged vary depending on the type of structure. For instance, the threshold for possible damage to older residential buildings is 0.30 ips (inches per second), whereas the threshold for engineered structures would be 1.5 ips. Within the limits of the study area, there are four structures that may potentially be impacted due to vibration from construction activities. The structures include the Weatherly Bay swimming pool complex (approximately 22 ft. from the eastern property line), Weatherly Bay tennis court (approximately 9 ft. from the eastern property line), Weatherly Bay eastern site property wall (adjacent to the eastern property line), and the Warner Avenue Bridge (adjacent to the southern property line). Attachment # 4 shows the proximity of the project site to these four structures. Although the tennis court is not necessarily a structure, there is a potential “trip” hazard that could be created due to movement between panels or cracks as a result of groundborne vibration. Therefore, for purposes of this analysis, the tennis court has been categorized as a “special structure”. Of the various construction activities, pile driving activities and the vibratory hammer for the installation of piles for the marina would exceed the established thresholds for groundborne vibration and potentially cause damage to all of the structures described above.

Groundborne vibration that could result in damage to structures would not be considered noise in the same way that groundborne noise and vibration affecting humans would. As such, impacts from groundborne vibration to structures would not be a construction activity that is exempt under the City’s Noise Ordinance and would be potentially significant unless mitigated. To mitigate the potential risk of damage to the structures during construction activities involving pile driving activities and the vibratory hammer for the installation of piles for the marina, the following mitigation measure shall be implemented:

NOISE-5: The applicant shall perform the following tasks:

- Conduct pre- and post-construction video and survey inspections of the Weatherly Bay Swimming Pool complex, Weatherly Bay tennis court, Weatherly Bay perimeter wall adjacent to the project site, and Warner Avenue Bridge.
- Install meters to measure and monitor vibrations.
- Visually monitor the above structures for damage on a daily basis, and video and survey once per week during construction.
- Upon evidence of structural damage to the above structures, the applicant shall cease construction operations immediately and assess, repair, and remediate any damages to the structures in accordance with the recommendations in the Preliminary Geology and Soils Report.
- Provide a bond in an amount determined by the City Engineer for the repair and/or replacement of structural damage to the Weatherly Bay Swimming Pool complex, Weatherly Bay tennis court, Weatherly Bay perimeter wall adjacent to the project site, and Warner Avenue Bridge.

Implementation of the above mitigation measure would reduce the potentially significant risk of structural damage to a less than significant level.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Long-Term

The long-term operation of the 23-boat slip marina and commercial buildings are not expected to create excessive groundborne vibration or noise levels. No substantial sources of groundborne vibration would be built as part of the proposed project; therefore, operation of the proposed project would not expose sensitive receptors on-site or off-site to excessive groundborne vibration levels. Less than significant impacts related to long-term groundborne vibration resulting from the new development project are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 14, 29) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Refer to discussion under item X (a) for long term noise impacts.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 14, 29) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

Refer to discussion under item X (a).

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: 1, 9, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion:

The project site is located within the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos, but is not located within two miles of a public airport. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: 1, 9, 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project site is not within the vicinity of a private airstrip that would expose residents and users of the proposed project to excessive noise levels. No impacts are anticipated.

XI. PUBLIC SERVICES. 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

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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performance objectives for any of the public services:

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|----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Fire and emergency services to the project and vicinity are provided by the City of Huntington Beach Fire Department. Primary response services are provided by the Warner Station, Fire Station No. 5, located at 3831 Warner Avenue, approximately 330 ft. west of the project site. The proposed development can be adequately served by existing Fire protection service levels. Less than significant impacts are anticipated.

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|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Police Protection? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Police services to the project site and vicinity are provided by the City of Huntington Beach Police Department. The closest police station is the Harbour Sub-Station at 16889 Algonquin Street, approximately 0.75 mile northeast of the project site. The proposed development can be adequately served by existing Police protection service levels. Less than significant impacts are anticipated.

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|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Schools? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project site is located approximately 1.0 mile from the nearest elementary school (Harbour View) and will not result in substantial adverse physical impacts. The project does not propose new residential development that may increase demand on schools. However, the project is subject to payment of school impact fees for improvements to school facilities. Less than significant impacts are anticipated.

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|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Parks? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed project will not interfere with any parks, and the 23-boat slip marina will increase recreational boating opportunities within the Huntington Harbour area. The proposed project is not expected to have significant impacts to park facilities nor result in a significant demand on existing park facilities. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Other public facilities or governmental services?
(Sources: 1, 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The Huntington Harbour Main Channel surrounds the land portion of the subject site to the north and the west. The portion of the Main Channel to the west is used by the City of Huntington Beach Marine Safety Division on a regular basis to gain access to the open waters for patrols and rescues and to secure rescue boats. Based on the Harmony Cove Navigation Channel Impact Review, prepared by Moffat & Nichol (February 2009), there is currently adequate maneuvering area for boats to navigate the channel with implementation of the proposed project. However, there is a staff recommended condition to provide a 25-ft. setback from the property line to provide adequate maneuvering area based on future Marine Safety Division needs and to accommodate the potential expansion of the docks on the west side of the channel. With compliance of standard code requirements and compliance with City conditions of approval and specifications, less than significant impacts to public facilities or governmental services are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed sewer flow at the project site will be approximately 1,100 gpd. The new wastewater discharges from the proposed project would place additional demand upon regional treatment facilities. The operational discharges of the proposed project will be sent to the project's sewer system, which would ultimately be treated at one or more of the OCSD wastewater treatment plants. The OCSD wastewater treatment plants are required to comply with their associated waste discharge requirements (WDRs). WDRs set the level of pollutants allowable in water discharged from a facility.

Compliance with any applicable WDRs as monitored and enforced by the OCSD would ensure that the proposed project would not exceed the applicable wastewater treatment requirements of the Santa Ana Regional Water Control Board with respect to discharges to the sewer system. This would result in a less than significant impact.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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: 1, 22) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

The project site is currently vacant. There are existing public water pipelines along Warner Avenue that could satisfy the demands of the project. A Utility Plan for new water service connections shall be reviewed and approved by the Public Works Department. All utility connections to the project site will be in accordance with all applicable City standards and will be required to pay a sewer connection fee for the installation of the proposed sewer lateral. Wastewater services for the proposed project will be provided by a 12-inch sewer main located on Warner Avenue, which is owned by the City of Huntington Beach. The system connects to the sewer lift station #9 (D Station) at Edgewater and Warner, which is pumped to a 12-inch OCSD line in Marina View Place. A previous Sewer Study prepared by Nunez Engineering (December 2008) identified the 12" main on Warner Avenue as deficient and flowing above the allowable levels. Therefore, implementation of the proposed project would contribute to flows to the existing deficient system. The following mitigation measure is proposed to reduce impacts from the proposed project to a less than significant level:

UTIL-1: Prior to issuance of a Certificate of Occupancy for the land portion of the site, the developer shall be required to pay a fair-share fee for mitigation of the impacts to the public sanitary sewer system resulting from the increase in flow anticipated as a result of the development.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

The existing private storm drain and catch basin are adequate in handling the stormwater runoff from the site. However, a Hydrology and Hydraulics Study, subject to review and approval by the Public Works Department, will evaluate impacts from runoff generated by the proposed project. If the storm water drainage facility is determined to be inadequate per the Hydrology and Hydraulics Study, the construction impacts of the replacement of the private storm water facility will be addressed by the required precise Grading Plan, Storm Drain Improvement Plan, and Storm Water Pollution Prevention Program. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
(Sources: 1, 19) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project site is currently vacant. Because the proposed project would be consistent with the General Plan land use designation of OS-P (Open Space-Park), the allocation of water usage has been planned for in the 2005 Water Master Plan and 2010 Urban Water Management Plan. As compared to the total City water usage of over 30,000 acre feet per year, the estimated water usage of 3 acre feet per year for the site does not represent a significant impact and could be accommodated by the City's water supply. The project is subject to compliance with the City's Water Ordinance, including the Water Efficiency Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which ensure water consumption is minimized. Less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

The proposed project would generate approximately 1,100 gallons of wastewater per day. Sewage from the proposed project will be delivered to City-owned sewer lines that connect to the Orange County Sanitation District's trunk sewer lines. The wastewater generated from the proposed project would be treated by Orange County Sanitation District's Plants No. 1 and No. 2. The two plants have a treatment capacity of 276 million gallons per day (mgd). Average daily flow to both plants combined is 243 mgd. These levels provide an additional capacity of 33 mgd for both Plants No. 1 and No. 2. The proposed project would generate negligible wastewater and would require the use of approximately 0.00333% of the remaining capacity of the OCSD's facilities; therefore, less than significant impacts are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

Rainbow Environmental Services is the exclusive hauler of all solid waste for the City of Huntington Beach. Rainbow Environmental Services operates a Transfer Station, located at 17121 Nichols Street within the City of Huntington Beach, and two Materials Recovery Facilities (MRFs) through which all solid waste is processed. Rainbow Environmental Services' Transfer Station has a design capacity of 2,800 tons per day, and current utilization ranges between 53 and 71 percent. Assuming a worse-case scenario of 71 percent utilization, the daily solid waste contribution to this transfer station under the proposed project would be less than one percent at approximately

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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0.000002 percent of its entire design capacity. Utilization of the transfer station would not be noticeably impacted with implementation of the proposed project.

The Orange County Integrated Waste Management Department (IWMD) currently owns and operates three active landfills that serve the Orange County region, including: Frank R. Bowerman Landfill in Irvine; Olinda Alpha Landfill in Brea; and Prima Deschecha Landfill in San Juan Capistrano. All three landfills are permitted as Class III landfills and have a combined design capacity of 20,500 tons per day. Solid waste from the project site **would** be sent to the Frank R. Bowerman Landfill in Irvine. Permitted capacity for the landfill is limited to 8,500 tons per day. However, if the per day capacity is reached at the Bowerman Landfill, trucks are diverted to one of the other two landfills: Olinda Alpha in Brea (capacity 8,000 tons/day) and Prima Deschecha in San Juan Capistrano (capacity 4,000 tons/day) in the county.

Using the solid waste generation factors identified by the California Integrated Waste Management Board (CIWMB), the estimated amount of solid waste generated by the proposed project is shown in the table below.

Land Use	Solid Waste Generation Rates (lbs/unit/day)	Proposed Project	
		S.F.	Waste Generated (lbs/day)
Restaurant	0.005 lbs/sf/day	1,680 S.F	8.4 lbs/day
Retail	0.006 lbs/sf/day	600 S.F.	3.6 lbs/day
Total		2,280 S.F.	12 lbs/day (tons/day) 4,380 lbs/yr (tons/yr)
SOURCE: California Integrated Waste Management Board, Estimated Solid Waste Generation Rates, http://www.ciwmb.ca.gov/wastechar/wastegenrates .			

Based on landfill capacity, the solid waste contribution to any of the three landfills that serve the project site is less than one percent of their allowed daily capacity. With Rainbow Disposal able to accept all commercial and construction waste from the project site and with sufficient current and future landfill capacity, the solid waste impacts resulting from the proposed project would be less than significant.

- g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1)

Discussion:

The project will be served by Rainbow Disposal and will be subject to participation in any solid waste reduction programs presently required in the City including AB 939 compliance.

- h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources: 1, 20, 21)

Discussion:

Stormwater runoff may contain pollutants which could potentially degrade surface water quality. A preliminary Hydrology Report and Water Quality Management Plan prepared by R.T. Quinn & Associates (December 2011) indicates that the proposed site runoff will enter the two proposed flow-through planter boxes to capture and treat runoff from the impervious surfaces prior to release into the Harbour. The Report indicated that the treatment devices are appropriate for removing pollutants from stormwater runoff to comply with Section 303(d) of the Clean Water Act. The required pollutants to be removed from Huntington Harbour include chlordane, copper, lead, nickel, pathogens, PCBs, and sediment toxicity.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. AESTHETICS. Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista?
(Sources: 1, 3, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

According to the City of Huntington Beach General Plan, enhancing and preserving the aesthetic resources of the City, including natural area, beaches, bluffs, and significant public views is a City objective. The proposed project consists of development of a currently vacant parcel of land adjacent to a water channel of Huntington Harbour, one of the visual strengths of the community. The project includes two structures with maximum building height of 18 ft. However, scenic vistas in the City are primarily located along the coast. Since the site is located approximately 1,200 ft. away from the ocean, views of the ocean are limited from this vantage point. Views of the coast, wetlands, bluff areas, and Harbour will be available along the public sidewalk adjacent to Warner Avenue and from some portions of the eight-foot public walkway adjacent to the marina. The site itself is not a scenic vista and development of the parcel will not have a substantial adverse effect on a scenic vista. Less than significant impacts are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
(Sources: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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) scenic highway. In addition, as the project site is presently a vacant boat dock/parking facility, the site does not contain rock outcroppings or historic buildings. No impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?
(Sources: 1, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed commercial development and 23-boat slip marina will not degrade the existing visual character or quality of the site. Single family dwellings and private boat docks are located to the north, east, and to a certain extent west of the property. Degradation of existing visual character or quality of the site would occur if the project introduces a new visible element that would be inconsistent with the overall quality, scale, and character of the surrounding development. Existing structures adjacent to the project site consist of two-story structures to the immediate east and north, two-story to three-story structures to the west, and four-story structures to the east (Bay Club). The proposed one-story structures at 18 ft. would be consistent with the established development pattern in the area based on the surrounding buildings. The project also includes variance requests to deviate from the following development standards: 1) minimum interior side and water side setbacks; 2) location of the rooftop equipments; 3) location of backflow prevention device; 4) location of trash enclosure; and 5) landscaping requirements along street frontage, perimeter and interior landscaping for off-street facilities. The applicant is requesting the variances due to the small and irregular shape of the property and the desire to maintain existing improvements on the site. The restaurant/marina office building is proposed to be placed in the narrowest part of the site. The applicant is proposing to provide a 10 ft. interior side setback and an 8 ft. water side setback because there is not enough land to comply with the required 25 ft. setback. The proposed restaurant/marina office building is small (1,200 sq. ft.) and therefore there is not enough room to provide a 15 ft. setback for rooftop equipment. However, the rooftop equipment will be screened from view. The

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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backflow prevention device and trash enclosure, to be screened from view, will be located in areas that are not occupied by the existing parking lot. The applicant is proposing to maintain the existing parking lot and the existing landscaping planter along Warner Avenue without providing the additional landscaping required by the HBZSO. However, the applicant is proposing to provide 19 percent of the site in landscaping in lieu of the 8 percent required by the HBZSO. The majority of the site landscaping will be along the eastern portion of the site. The proposed project is subject to the City’s urban design guidelines to ensure compatibility with the surroundings in terms of architectural quality and use of property. Therefore, less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 3, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed project is located within a highly urbanized area. Because the project site is currently vacant, implementation of the proposed project would introduce new light sources within the vicinity and result in additional nighttime lighting and the potential for glare from the building, parking lot, and the increased number of vehicles and boat traffic on the project site. Although the project will result in changes to light in the area, the project’s contribution to ambient lighting in the area is considered negligible. The project will be subject to standard code requirements, which require that lighting be directed to prevent spillage onto adjacent properties. Although the project will result in the potential for glare in the area due to building materials such as window glass, the orientation of the building will minimize the amount of glare to sensitive uses. Glare sensitive uses within the project vicinity include single-family residential uses to the east and north (approximately 200 ft. across the channel) and multi-family residential uses to the northwest (approximately 350 ft. across the channel). The majority of the glare-producing building materials are oriented to the west and south, away from glare sensitive uses. Less than significant impacts are anticipated.

XIV. CULTURAL RESOURCES. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: 1, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

The project site is located in Huntington Harbour, a man-made residential marina that was dredged out of mudflats in the early 1960s. In addition, the project site is previously graded and disturbed and does not have any existing structures. Intact cultural, paleontological, archeological or historic resources would not exist within the project site. The site is not located within the vicinity of any identified archaeological sites, paleontological sites, or cultural resources. No impacts are anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 1, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

Refer to discussion under item XIV (a).

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

Refer to discussion under item XIV (a).

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 1, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

Refer to discussion under item XIV (a).

XV. RECREATION. Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The project includes commercial buildings and a 23-boat slip marina. The commercial buildings will not generate significant demand for or use of neighborhood, community, or regional parks. The retail/rental kiosk for kayaks, paddleboards, and other equipment would slightly increase the use of the Harbour for water-related recreation. The new marina will enhance the public’s use of recreational resources in the Harbour through the proposed transient side-tie slip that is available to the public for temporary boat mooring and the public dock to launch recreational watercrafts. The proposed addition of 23 boat slips to the existing approximately 2,000 boat slips in the Harbour would not cause significant physical deterioration of the Harbour. Less than significant impacts are anticipated.

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion:

In accordance with the Open Space – Water Recreation zoning designation on the submerged portion of the site, the developer proposes to construct a 23-boat slip marina with floating docks and a floating pedestrian access ramp. The marina and boat slips will contribute to the recreational boating opportunities available in Huntington Harbour. The proposed facility is intended to provide dock space for a variety of boats and sizes. Furthermore, an eight-foot wide sidewalk is existing and would remain for ingress and egress to the proposed docks allowing public access to the waterfront.

As discussed in the Hydrology and Water Quality, Biological Resources, and Noise sections, construction of the marina and docks will result in impacts to water quality due to dredging, disturbance of sensitive species and habitat, and noise and vibration associated with pile driving activities. Although the project does have the potential for significant environmental impacts, the project design and recommended mitigation measures would reduce impacts to less than significant levels.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Affect existing recreational opportunities? (Sources: 1, 31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

During construction of the marina’s boat slips, there may be temporary disruptions to boat traffic within the channel. However, most of the construction activities will be staged from land and the width of the adjacent channel is wide enough to accommodate boats during the temporary construction process. There exists a Public Trust Easement over a portion of the project site that reserves the rights of the public to access navigable waters and to fish. The project is consistent with this easement pursuant to correspondence from the California State Lands Commission. Currently, there are no recreational opportunities on the land portion of the project site. Although there is an existing dock, due to sedimentation, the channel adjacent to the project site is not navigable except by canoes or kayaks. The project proposes to develop a public marina, restaurant, and retail/rental shop for water-related recreational equipment. The proposed 23-boat slip marina will provide additional recreational opportunities to complement other facilities in the Huntington Harbour area. During construction of the commercial structures, there would be temporary interruption (approximately three months) of the use of the bike lane and sidewalk on the north side of Warner Avenue. However, there is a bike lane on the south side of Warner Avenue and the Bolsa Chica Reserve Wetlands bridge south of Warner Avenue to accommodate bicycle and pedestrian traffic and provide continued access to the coast during project construction. Less than significant impacts are anticipated.

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: 1, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

Refer to discussion under item XVI (b) below.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The land portion of the subject site is presently zoned OS-P (Open Space-Park) on the Certified Local Coastal Program Land Use Map and the designation of RL-CZ (Residential Low Density—Coastal Zone) on the City’s Zoning Map. It is located in Huntington Harbour, a man-made residential marina complex developed in the 1960s. The water portion of the subject site is presently zoned OS-WR-CZ (Open Space—Water Recreation—Coastal Zone). The land portion of the site was previously used as a parking facility with a 35-space paved parking lot and the water portion of the site was used as public boat dock with a 6-foot long floating dock. There is no agriculturally zoned property in the vicinity

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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of the project. In addition, the project site is not under a Williamson Act contract. Development of the site will not conflict with agricultural uses or zoning or convert farmland mapped by the California Resources Agency. No impacts are anticipated.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

This site is currently vacant but is surrounded by institutional and residential uses. No environmental changes associated with the proposed project would result in the conversion of farmland to non-agricultural uses. No impacts are anticipated.

XVII. GREENHOUSE GAS EMISSIONS Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

The proposed project would result in a total of approximately 394 tons of CO₂ emissions during construction and would emit 13.1 tons of CO₂ amortized over the 30-year lifetime. Operational CO₂ emissions would be approximately 959 tons/year. Therefore, the project would produce GHG emissions. Other GHG emissions could result from increases in electricity and natural gas usage and solid waste production, all of which would occur with the proposed project. The total annual project GHG emissions, including amortized construction emissions, are expected to be 972.1 tons, which is less than the 3,000 ton annual threshold proposed by the SCAQMD. Therefore, construction and operational emissions are expected to result in less than significant impacts based on the total GHG emissions.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

AB 32 codifies the state’s goal to reduce its global warming by requiring that the state’s greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on greenhouse gas emissions that will be phased in starting in 2012. In order to effectively implement the cap, AB 32 directs the California Air Resources Board (CARB) to develop appropriate regulations and establish a mandatory reporting system to track and monitor greenhouse gas emissions levels. In addition, the Natural Resources Agency recently adopted amendments to the CEQA guidelines (effective March 18, 2010) that require an evaluation and determination of the significance of a project’s greenhouse gas emissions. The amendments require the lead agency to make a good faith effort in describing, calculating or estimating the amount of greenhouse gas emissions resulting from a project using qualitative and/or quantitative analyses and methodologies.

The proposed project would incorporate design features that promote energy efficiency and a reduction in GHG emissions, both directly and indirectly. In addition, the project is required to comply with all applicable City codes and requirements pertaining to energy efficiency and water use efficiency as well as applicable requirements for construction equipment that would limit truck and equipment idling times, exhaust and dust. The identified project design features and applicable requirements are consistent with the GHG reduction strategies recommended by the

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

California Climate Action Team (CCAT), the California Air Pollution Control Officers Association (CAPCOA) and the California Attorney General’s office. The proposed project’s impacts on greenhouse gases emissions are described in item (a) above.

Because the proposed project would comply with City codes and the project emissions would be less than the SCAQMD threshold for annual GHG emissions, the project would not conflict with adopted plans to carry out AB 32. Less than significant impacts are anticipated.

XVIII. 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: 1, 3, 4, 24)
-

Discussion:

The project site is currently a vacant boat dock/parking facility.

As discussed in section IV. Hydrology and Water Quality, the project construction activities would have the potential to increase in water turbidity and degrade water quality for a short duration. Mitigation measures relative to prevent and control turbidity shall be implemented to reduce potential impacts to a less than significant level.

As discussed in section VII. Biological Resources, the proposed project site contains some sensitive species that may be impacted as a result of the proposed project. Mitigation measures relative to the sensitive species shall be implemented to reduce potential impacts to a less than significant level.

As discussed in section XIV. Cultural Resources, the project site does not contain any historically aged structures or any unique archeological or paleontological resources.

- 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, 9, 14)
-

Discussion:

As discussed in Sections I to XVII, the project with implementation of standard code requirements and mitigation measures is anticipated to have less than significant impacts due to the small scale of the project and would not result in any cumulatively considerable impacts.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1, 9, 14)
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

As discussed in Section X. Noise, the project construction activities would have the potential to generate noise and groundborne vibration that impact sensitive receptors surrounding the project site. Mitigation measures relative to noise and groundborne vibration shall be implemented to reduce the potential impacts to a less than significant level.

XIX. EARLIER ANALYSIS/SOURCE LIST

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, as well as sources of information are as follows:

Earlier Documents Prepared and Utilized in this Analysis:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan	City of Huntington Beach Planning and Building Dept., 2000 Main St., Huntington Beach and at http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main St., Huntington Beach and at http://www.huntingtonbeachca.gov/government/elected_officials/city_clerk/zoning_code/index.cfm
3	Project Vicinity Map	See Attachment #1
4	Reduced Site Plan	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach
7	FEMA Flood Insurance Rate Map (December 3, 2009)	“
8	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	“
9	City of Huntington Beach CEQA Procedure Handbook	“
10	Trip Generation Handbook, 7 th Edition, Institute of Traffic Engineers	“
11	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (October 17, 2002)	“
12	State Seismic Hazard Zones Map	“
13	Hazardous Waste and Substances Sites List	www.calepa.gov/sitecleanup/cortese
14	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office, 2000 Main St., Huntington Beach and at

15	CalEEMod Air Quality Assessment (December 2011)	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach
16	Preliminary Geology and Soils Prepared by Terra Costa Consulting Group, Inc. (December 2011)	“
17	Phase 1 Environmental Site Assessment Prepared by Cornerstone Technologies, Inc. (February 2006)	“
18	Limited Phase 2 Environmental Site Assessment Prepared by Cornerstone Technologies, Inc. (February 2006)	“
19	2005 Urban Water Management Plan	“
20	Preliminary Water Quality Management Plan Prepared by R.T. Quinn & Associates, Inc. (December 2011)	“
21	Hydrology Report Prepared by R.T. Quinn & Associates, Inc. (April 2009)	“
22	Sanitary Sewer Report Nunez Engineering (December 22, 2008)	“
23	Trip Generation and Parking Analysis Prepared by LSA Associates, Inc. (December 2011)	“
24	Biological Assessment Prepared by MBC Applied Environmental Sciences (November 2011); Comments on Biological Assessment (January 2012)	“
25	Sediment Characterization Results Report Bayview HB Marina Maintenance Dredging Prepared by Anchor Environmental CA, L.P. (June 2008)	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach
26	Analysis of Changes in Water Levels, Current Speeds, and Sedimentation Prepared by Everest International Consultants, Inc. (March 2009)	“
27	Dock Design Prepared by URS Cash & Associates (March 2009)	“
28	Harmony Cove Mitigation Channel Impact Review Prepared by Moffat and Nichol (February 2009)	“

29	Environmental Noise and Vibration Analysis Prepared by Gordon Bricken & Associates (February 2012)	“
30	Structures Sensitive to Groundborne Vibration	See Attachment #4
31	California State Lands Commission Letter (February 2012)	See Attachment #5
32	Summary of Mitigation Measures	See Attachment #6
33	Code Requirements Letters	See Attachment #7