ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
quality of the site and its surroundings? (Sources: 1, 16)	☐	☐	☑	☐

Discussion: The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. North of the site lies the ASCON Landfill, remediation of which is under evaluation by the California Department of Toxic Substances Control. To the east, the project site is buffered from sensitive residential uses across Magnolia Street by a landscaped greenbelt area. Pacific Coast Highway lies approximately 1000 linear feet from the southern portion of the subject property, which is bounded by the Huntington Beach Flood Control Channel. The project site is located adjacent to a power generating utility facility to the west which currently dominates the surrounding visual character. As discussed above, the subject oil storage tanks are visible from Pacific Coast Highway and contribute to the visual presence of the utility facilities along a designated Major Urban Scenic Corridor. Implementation of the project would remove the oil storage tanks from the subject site, eliminate their view from the surrounding area and Pacific Coast Highway, and preserve the greenbelt buffer area. Therefore, the project would improve the visual character and quality of the site and its surroundings. Impacts would be less than significant.

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)	☐	☐	☐	☑

Discussion: The proposed project involves the demolition and removal of three existing above-ground oil storage tanks and ancillary transfer piping. The project site previously operated as an oil storage and transfer facility which featured industrial type security lighting on the 40' high storage tanks. However, implementation of the proposed project would result in the removal of these lights, and would not result in the creation of a new source of light or glare that would adversely affect day or night time views in the area. No impacts would occur.

XIV. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in δ15064.5? (Sources: 1, 16)	☐	☐	☐	☑

Discussion: The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. The project site is not listed as a historical resource in Table HCR-1 or a local landmark in Table HCR-2 of the City's Historic and Cultural Resources Element of the General Plan. The oil storage tanks and transfer piping do not meet the definition of a historical resource and no impacts would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to δ15064.5? (Sources: 1, 16)	☐	☐	☑	☐

Discussion: The subject site, a former oil storage and transfer facility, is highly disturbed due to existing development of structures and piping equipment on and around the site. The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. Existing above ground structures feature below grade concrete support structures which would be removed and the materials processed for recycling or disposal. Following removal of the existing structures,

the project site would be graded to a level surface. The City of Huntington Beach, and subsequently the project site, lies within the area considered to have been occupied by the Gabrieliño culture group. Archaeological resources are frequently associated with riverine areas, such as those that historically occurred in the vicinity. However, there exist no recorded archaeological sites on or in the vicinity of the project site. Due to the existing developed nature of the site, the likelihood of encountering significant intact cultural resources is very low. Impacts would be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1,16) ☐ ☐ ☐ ☑

Discussion: As discussed above, the project site is highly disturbed due to existing development on and around the site. The subject site is not located within or adjacent to an identified paleontological site. Implementation of the proposed project would not result in a direct or indirect destruction of a unique paleontological resource or site unique geological feature. Therefore, no impacts would occur and no further analysis is required.

d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 1, 16) ☐ ☐ ☐ ☑

Discussion: No evidence is present to suggest that the presence of human remains exist on the project site given that the subject property is highly disturbed and the ground disrupted during prior site development activities. Therefore the likelihood of finding human remains is near negligible. Additionally, the project site is not located within or adjacent to an identified archaeological or paleontological site. Implementation of the proposed project would not disturb any human remains and no impacts would occur.

XV. **RECREATION.** Would the project:

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

Discussion: The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. The proposed project would not add population to the City and therefore would not cause increased usage of parks. No impact would occur.

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) ☐ ☐ ☐ ☑

Discussion: As discussed, implementation of the proposed project would result in the demolition and removal of a former oil storage and transfer facility. Upon completion, the site would remain vacant and no subsequent use of the site has been proposed. Additionally, the project would not result in the addition of population to the City and therefore would not result in a requirement to construct or expand recreational facilities which might have an adverse physical effect on the environment. No impacts would occur.

c) Affect existing recreational opportunities? (Sources: 1) ☐ ☐ ☐ ☑

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

Discussion: The subject property is the site of a former oil storage and transfer facility. Demolition and removal of this facility would not result in development or new uses with the potential to affect existing recreational opportunities. Therefore, the project would not affect existing recreational opportunities and no impacts would occur.

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, 16)	☐	☐	☐	☑

Discussion a) - c): The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. The project would have no effect on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, the project site is not zoned for agricultural development, nor is it under a Williamson Act contract. The project would not directly or indirectly result in the conversion of farmland to non-agricultural use. No impact to agricultural resources would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 16)	☐	☐	☐	☑

Discussion: See discussion a).

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, 16)	☐	☐	☐	☑

Discussion: See discussion a).

XVII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 17)	☐	☐	☑	☐

Discussion: The California Energy Commission calculated that in 2004, California produced 492,000,000 metric tons of carbon dioxide (CO_2) emissions. On an individual basis, a project generally would not generate enough GHG emissions to create a significant impact on global climate change. The proposed project would result in a total of approximately 203 tons of CO_2 emissions, resulting from on site demolition, removal and grading activities. This represents a negligible amount when compared to the overall contribution of the State's GHG emissions impacting

global climate change. A project's potential impact would be its incremental contribution of GHG emissions when combined with all other GHG emission sources to cause significant cumulative impacts that could result in global climate change impacts. The proposed project has the potential to result in GHG emissions from both demolition and grading activities.

Demolition Emissions. The proposed project involves the demolition and removal of a former oil storage and transfer facility. Demolition activities are estimated to range from approximately 3 to 4 weeks. Implementation of the proposed project would generate temporary GHG emissions primarily due to the operation of demolition equipment and truck trips. Emissions associated with demolition activities were estimated using the California Air Resources Board's URBEMIS 2007 (Version 9.2.4) computer model and the California Climate Action Registry General Reporting Protocol (March 2007). The model estimates that approximately 9,059.34 lbs. per day of CO_2 could be released as a result of project activities. The largest source of GHG emissions during demolition could occur from demolition equipment exhaust and vehicle trips for demolition workers.

Indirect Emissions. Following project completion, the project site would remain vacant. Therefore, the project would not produce indirect emissions of Greenhouse Gases from the use of electricity, combustion fuels, or other sources associated with development.

The project would reduce GHG emissions through the removal of a former oil storage and transfer facility. Compliance with local, state and federal guidelines for demolition activity would reduce overall emissions 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. The project would not result in any additional vehicle or truck trips and associated emissions upon removal of the storage tanks and ancillary piping and cessation of on-site demolition activities.

While there is no specific threshold of significance for GHG emissions, it is reasonable to apply the same requirements for criteria pollutants in that significance occurs when a project results in a cumulatively considerable net increase of GHG emissions. Therefore, since the project's contribution of CO_2 emissions is minor, impacts from GHG emissions during demolition activities would not result in a cumulatively considerable net increase of GHG emissions and impacts would be less than significicant. The proposed project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 17) — ☐ ☐ ☐ ☑

Discussion: See discussion a).

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) — ☐ ☐ ☑ ☐

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

Discussion: The proposed project involves the demolition and removal of three above-ground oil storage tanks and ancillary transfer piping. The project site is currently developed and is not located within any wildlife or biological resource area. Therefore, the proposed project would not impact a fish, wildlife, or plant community. The site does not contain any historic resources. Based on discussions in Sections I to XVII, the project would not have significant impacts on the quality of the environment.

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, 2, 16) ☐ ☐ ☑ ☐

Discussion: The project involves the demolition and removal of three empty above-ground crude oil storage tanks, transfer piping, and ancillary site improvements. The project does require mitigation for potentially significant impacts in the area of hazardous materials. However, all of the identified potentially significant impacts can be mitigated during and after project demolition and grading activities, and therefore do not represent a cumulatively considerable significant impact. Mitigation for impacts identified in the area of hazardous materials is due to the potential discovery of petroleum hydrocarbon soils contamination beyond what has been previously reported as a result of the storage of crude oil on the site, and not due to significant on-site contamination of other hazardous materials that would result in cumulatively considerable impacts. Project impacts are site specific and temporary (demolition, materials removal and grading activity) and would not contribute cumulatively considerable, incremental effects when viewed in connection with the effects of planned and pending development in the City. Therefore, the project would not result in cumulatively considerable significant impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1, 2, 16) ☐ ☐ ☑ ☐

Discussion: As discussed in Sections I to XVII, the project as proposed, with implementation of the recommended code requirements and conditions of approval, will have a less than significant or less than significant with mitigation (hazards and hazardous materials) impact on human beings, either directly or indirectly.

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:

Reference #	Document	Available for Review at:
1	City of Huntington Beach General Plan	City of Huntington Beach Planning & Building Dept., Planning/Zoning Information Counter, 2000 Main St., 3rd Floor, Huntington Beach, and at www.huntingtonbeachca.gov/Government/Departments/Planning/gp
2	City of Huntington Beach Zoning and Subdivision Ordinance	"
3	Project Vicinity Map	See Attachment #1
4	Reduced Site Plans	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Huntington Beach Municipal Code	City of Huntington Beach Planning & Building Dept. (see #1)
7	State Seismic Hazard Zones Map	"
8	City of Huntington Beach Geotechical Inputs Report	"
9	Geotracker search for leaking underground fuel tanks, 2010	http://geotracker.waterboards.ca.gov/
10	Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database, 2010	http://www.epa.gov/superfund/sites/cursites/
11	Investigations- Cleanups (SLIC) and Landfill sites, Cortese list of Hazardous Waste and Substances Site	www.calepa.gov/sitecleanup/cortese
12	The Department of Toxic Substances Control's Site Mitigation and Brownfields Database, 2010	http://www.envirostor.dtsc.ca.gov/public/
13	Project Implementation Code Requirements (October 20, 2010)	See Attachment #4

Reference #	Document	Available for Review at:
14	FEMA Flood Insurance Rate Map (December 9, 2009)	City of Huntington Beach Planning & Building Dept. (see #1)
15	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	"
16	City of Huntington Beach CEQA Procedure Handbook	"
17	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	"
18	Environmental Site Assessment MBC Applied Environmental Sciences (May 2010)	See Attachment #5
19	Phase I Environmental Site Assessment CH2M HILL (May 2000)	City of Huntington Beach Planning & Building Dept. (see #1)
20	Asbestos Sampling and Hazard Assessment J&M Environmental Control Group (May 18, 2010)	"
21	Lead Based Paint Inspection Report J&M Environmental Control Group (May 19, 2010)	"
22	URBEMIS 2007 Version 9.2.4 Report (October 12, 2010)	"
23	Summary of Mitigation Measure	See Attachment #6

Attachment No. 6
Summary of Mitigation Measures

Description of Impact	Mitigation Measure
• 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	**HAZ-1**: Prior to the issuance of a grading permit, the following shall be required: • A soil testing plan conforming to *City Specification #431-92, Soil Cleanup Standards* shall be submitted to the Fire Department for review and approval. The testing results shall be jointly reviewed and approved by the Fire and Public Works Departments. • A Remediation Action Plan (RAP) shall be submitted to the Fire Department based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standards*. The plan shall include methods to minimize remediation-related impacts on the surrounding properties. Qualified and licensed professionals shall perform the remediation activities and all work shall be performed under supervision of the City of Huntington Beach. • Closure reports or other reports acceptable to the City Fire Department that document the successful completion of required remediation activities for the contaminated soils, in accordance with City Specification #431-92, shall be submitted and approved by the Fire Department prior to issuance of grading permits. • The applicant shall submit the RAP to other County or State agencies as necessary. The applicant shall coordinate other agencies' permit and oversight requirements with the Fire Department.

Plains All American L.P.
Huntington Beach Facility
AST Removal Scope

1.0 INTRODUCTION

1.1 PURPOSE OF THE DEMOLITION WORK PLAN

Plains All American L.P. (PAALP) has prepared this Demolition and Removal Plan, hereafter referred to as the "Work Plan", for the purpose of providing a general description of demolition and removal procedures, which PAALP will be implementing during the on-site activities at the Huntington Beach AST Facility Demolition Project.

1.2 SITE LOCATION AND DESCRIPTION

The Huntington Beach AST Facility is located at 21845 and 22011 Magnolia Ave. in the City of Huntington Beach, CA. The facility is located on approximately 41 acres of land owned by PAALP. The structures consist of the following:

Table 1
Huntington Beach Pump Station – Tank Description

Tank ID	Contents	Tank Volume (bbls)	Tank Dimensions
T1	Crude Oil	444,089	Diameter: 300' Height: 40'
T2	Crude Oil	406,766	Diameter: 300' Height: 40'
T3	Crude Oil	444,976	Diameter: 300' Height: 40'

1.3 GENERAL WORK ACTIVITY OVERVIEW

The work covered under this Work Plan will be conducted in a sequential manner, with some activities being conducted concurrently with others. Demolition work will be performed in accordance with Cal OSHA, SCAQMD rules, the requirements of PAALP and the City of Huntington Beach. Depending upon site and other unknown conditions, PAALP general sequence of demolition activities may require alteration at any given time. A summary of the general sequence for the work activities is outlined as follows:

- Pre-construction activities and site mobilization
- Pre-Demolition Survey of each building
- Verification of utility disconnects and isolations by others
- Demolition of existing buildings
- Haul off of all building components to proper off site facilities.

1.4 PERSONNEL HEALTH & SAFETY

PAALP considers safety and the prevention of accidents an integral part of its operation. Under Federal, State and local laws, PAALP is responsible to provide a safe working environment, to protect life, health and safety of its employees and subcontractor's

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personnel. Although providing safe working conditions is primarily a management responsibility, safety and accident prevention can be accomplished only through coordinated efforts of all employees and subcontractor personnel. It is the policy of PAALP for this project as with all of our projects, that if the task or service being undertaken cannot be done safely, that work is to be stopped until proper controls can be established.

PAALP will hold daily tailgate meetings for its employees prior to work commencement. Additionally, PAALP will require that subcontractors be required to hold similar daily tailgate meetings covering their respective portion of the work. These meetings are designed to discuss the projected work schedule and prepare each worker for any potential hazards associated with the work activities. A copy of the daily or weekly safety meeting logs will be maintained onsite at all times. All personnel attending the safety meeting will be required to sign the safety-meeting log upon completion of the tailgate safety meeting. During the tailgate meetings, personnel will be reminded of site conditions and are encouraged to participate with health and safety concerns.

At the conclusion of the project copies of all daily activities will be presented in a final report to PAALP for distribution to relevant parties.

2.0 DEMOLITION ACTIVITIES

Prior to commencement of demolition, a thorough walk through and evaluation of the structures will be conducted to confirm that all appropriate measures have been completed to ensure that the area is ready for commencement of demolition activities. A Pre-Demolition Survey will be completed and filed in the PAALP field office or with the PAALP site manager. A copy of the Pre-Demolition survey will be provided to PAALP for as needed distribution to the Team.

In general, the tasks will include a wide variety of procedures. The most important aspect in the development of these procedures will be the safe conduct of the work. PAALP procedures will limit the use of labor to the most controlled and safe conditions and rely upon mechanized means of removal wherever possible. Excavators equipped with concrete breakers, concrete munchers, grapples, and other modern hydraulic demolition tools and attachments will be utilized. Wherever possible, large structures will be removed to ground level using mechanized means. Subsequent sizing of scrap materials such as steel and rebar and other material processing activities will take place at grade level, hauled off site and recycled accordingly.

General building/structure demolition will be conducted in a manner that does not interfere with or encroach upon the existing surrounding pedestrian and vehicular traffic during normal activities. PAALP currently maintains perimeter fencing around the project site and all construction work will be conducted within the confines of the site fencing. Depending upon site and structure conditions, alternative methods of demolition and alternative types of equipment may be used to ensure the safest and most efficient means of operation.

RFI's will be issued as needed if questions or scope issues arise during the course of the demolition activities. Field activities related to any RFI's will not occur until an appropriate answer has been provided.

2.1 PRE-STRUCTURAL DEMOLITION ACTIVITIES

PAALP will perform salvage operations in accessible areas where the power has been isolated while the soft demolition and remaining clean up activities are going on. PAALP will use Bobcat skid steer loaders and hand labor to remove all soft debris that is not easily separated from the concrete and steel material. After much of the soft debris is removed PAALP will commence the abatement activities and then resume with additional salvage demolition until the structures cleaned out of all soft demolition debris.

2.2 GENERAL STRUCTURE DEMOLITION

PAALP will utilize excavators, cranes and track loaders equipped with special demolition attachments (i.e. hydraulic breakers, concrete crushing, hydraulic shears, and grapples) to demolish the existing structures. The use of PAALP excavators, which can reach up to 36 feet, greatly reduces the need for demolition personnel to work at elevated heights, increases the efficiency of the demolition process, and allows a more controlled operation than conventional crane and ball wrecking procedure. The excavators will progress in an East to West fashion and continue the breaking in a top-down manner. As demolition progresses, concrete and steel debris will be cleared with excavators and relocated to the designated debris pile locations. The concrete debris will be sized into manageable pieces and hauled off site for recycling or disposal.

2.3 DEMOLITION OF CONCRETE STRUCTURES

Concrete demolition will consist primarily of removal of slabs, stub walls and footings. PAALP will use excavators to demolish the concrete down to slab or adjacent grade elevation. Track loaders may assist with debris removal, processing, stockpiling and loading.

2.4 FERROUS AND NON-FERROUS METALS RECYCLING

During demolition of the existing building structure, PAALP will process the demolition debris to recycle as much metal material as possible. Structural steel framing, metal roofing and siding, reinforcing steel in concrete, copper tubing, electrical cable, electrical gear, controls etc., will be separated prior to the demolition as much as possible. All metal materials recycled as part of this project will be documented with weight tickets which will be provided with each application for payment. These materials will be hauled to the following recycling facilities: Each of these facilities is well aware of the potential lead on various metal components. A letter acknowledging this will be provided from the facility.

2.5 CONCRETE AND ASPHALT RECYCLING

Clean concrete debris from the demolition activities will be stockpiled and then shipped off for re-cycling. All concrete and asphalt that is hauled off the project site will be recycled or disposed of (depending on classification). Documentation of the process will be provided upon completion of the project.

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2.6 DEMOLITION DEBRIS DISPOSAL

All demolition debris that will not be recycled or disposed of as a controlled waste by PAALP will be loaded into semi-end dumps and hauled to a disposal facility for further recycling or landfilling. The end dumps will be covered prior to leaving the site. The requirement of this contract in accordance with California Assembly Bill 75 is that 50% by weight of the construction and demolition debris be diverted form landfills by a combination of recycling and re-use.

2.7 DUST CONTROL

Dust control will be considered an important part of the overall project. PAALP will utilize a water trucks and/or fire hose attached to a local hydrant during demolition operations. PAALP will direct a localized fine water spray to the source of demolition activities, as required, thereby reducing airborne dust particles. To minimize the run-off of water, the water supply will be used only when necessary. A proper backflow devise will be installed at the hydrant locations we utilize.

2.8 SWPPP

PAALP will maintain any SWPPP measures that have been installed as well as maintain the requirements of the Notice of Intent once filed. Once PAALP work is completed future contractors will maintain the SWPPP measures.

ATTACHMENT NO. 3.40

City of Huntington Beach

2000 MAIN STREET CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division
714.536.5271

Building Division
714.536.5241

October 20, 2010

Grey Martz, WGR Southwest
11021 Winner Circle Ste. 101
Los Alamitos, CA 90720

SUBJECT: ENVIRONMENTAL ASSESSMENT NO. 2010-007; COASTAL DEVELOPMENT PERMIT NO. 2010-011 (MAGNOLIA OIL STORAGE TANKS DEMOLITION AND PIPELINE REMOVAL) – 21845 MAGNOLIA STREET PROJECT IMPLEMENTATION CODE REQUIREMENTS

Dear Mr. Martz,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at hbeckman@surfcity-hb.org or 714-374-5317 and/or the respective source department (contact person below).

Sincerely,

HAYDEN BECKMAN
Planning Aide

Enclosures

cc: Steve Bogart, Senior Civil Engineer – 714.374.1692
Eddie Lee, Plan Checker II – 714.374.1538
Darin Maresh, Fire Development Specialist – 714.536.5531
Herb Fauland, Planning Manager
Project File

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HUNTINGTON BEACH
PLANNING & BUILDING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	October 13, 2010
PROJECT NAME:	MAGNOLIA OIL STORAGE TANKS DEMOLITION AND PIPELINE REMOVAL
PLANNING APPLICATION NO.	2010-0136
ENTITLEMENTS:	COASTAL DEVELOPMENT PERMIT NO. 2010-011; ENVIRONMENTAL ASSESSMENT NO. 2010-007
DATE OF PLANS:	JUNE 29, 2010
PROJECT LOCATION:	21845 MANOLIA STREET, 92646 (NORTHWEST OF BANNING AVENUE AND MAGNOLIA STREET)
PLAN REVIEWER:	HAYDEN BECKMAN, PLANNING AIDE
TELEPHONE/E-MAIL:	(714) 374-5317 / HBECKMAN@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	**CDP:** TO PERMIT THE DEMOLITION OF THREE EXISTING 40' HIGH OIL STORAGE TANKS AND REMOVAL OF ANCILLARY TRANSFER PIPING ON A SITE LOCATED WITHIN THE COASTAL ZONE. **EA:** TO REVIEW THE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE DEMOLITION OF THREE EXISTING 40' HIGH CRUDE OIL STORAGE TANKS AND REMOVAL OF ANCILLARY TRANSFER PIPING FROM AN EXISTING OIL STORAGE FACILITY.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

COASTAL DEVELOPMENT PERMIT NO. 2010-007:

1. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed

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circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

2. Coastal Development Permit No. 2010-011 shall not become effective until the ten working day appeal period has elapsed for Coastal Development Permits. For projects in the **appealable area** of the coastal zone, there is an additional ten working day appeal period that commences when the California Coastal Commission receives the City's notification of final action. **(HBZSO SECT. 245.24)**
3. Coastal Development Permit No. 2010-011 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date. **(HBZSO SECT. 245.36)**
4. The Zoning Administrator reserves the right to revoke Coastal Development Permit No. 2010-011 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO SECT. 249.06)**
5. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
6. Demolition activities shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Demolition shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**

HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	OCTOBER 19, 2010
PROJECT NAME:	MAGNOLIA OIL TANK REMOVAL
ENTITLEMENTS:	COASTAL DEVELOPMENT PERMIT NO. 2010-011; ENVIRONMENTAL ASSESSMENT NO. 2010-007 (HUNTINGTON BEACH PUMP STATION OIL STORAGE TANK AND PIPING DEMOLITION AND REMOVAL)
PROJECT LOCATION:	21845 MAGNOLIA, HUNTINGTON BEACH, CA
PLANNER:	HAYDEN BECKMAN, PLANNING AIDE
TELEPHONE/E-MAIL:	(714) 374-5317/ hbeckman@surfcity-hb.org
PLAN REVIEWER-FIRE:	DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL:	(714) 536-5531/ dmaresh@surfcity-hb.org
PROJECT DESCRIPTION:	TO PERMIT THE DEMOLITION AND REMOVAL OF THREE (3) EXISTING 40 FOOT TALL BY 300 FOOT DIAMETER OIL STORAGE TANKS AND ANCILLARY TRANSFER PIPING. UPON DEMOLITION AND REMOVAL THE SITE WILL REMAIN VACANT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated July 8, 2010. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Environmental - FORMER GAS STATION OR UST SITE (Underground Storage Tanks)

a. ***CURRENT or FORMER GAS STATION OR UST SITE*** *(Underground Storage Tanks)*
Based on site characteristics, suspected soil contamination, hydraulic hoists, or proximity to former gas station, or underground storage tanks, the following is required:

"Soil Testing".

ATTACHMENT NO. 3.44

- A soil testing plan conforming to *City Specification #431-92 Soil Clean-Up Standards* shall be submitted and approved by the Fire Department.

- All soils shall conform to *City Specification #431-92 Soil Clean-Up Standards,* and testing results must be submitted, and approved by the Fire Department prior to issuance of a grading or building permit.

- Reference that all soils shall be in compliance with *City Specification #431-92 Soil Clean-Up Standards* in the plan notes. **(FD)**

"Remediation Action Plan" If contamination is identified, provide a Fire Department approved Remediation Action Plan (RAP) based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standard.* Upon remediation action plan approval, a rough grading permit may be issued. **(FD)**

a. ***Proof of OCHCA Site Closure or Corrective Action Plan.*** Removal of flammable or combustible liquid underground storage tanks (UST) requires the applicant to submit one of the following to the Huntington Beach Fire Department:

- An approved Orange County Health Care Agency UST ***Site Closure Letter***, or

- Provide an Orange County Health Care Agency UST ***Corrective Action Plan*** and written permission for co-existence.

If OCHCA requires on-going remediation and co-existence with the proposed development is permissible, a copy of the approved Orange County Health Care Agency plan and written permission for co-existence must be submitted in order to obtain Huntington Beach Fire Department approval. Each site will be evaluated on an individual basis.

Prior to building construction, all soils shall conform to *City Specification #431-92 Soil Clean-Up Standards,* and testing results must be submitted, and approved by the Fire Department prior to issuance of a grading permit. **(FD)**

b. ***Proof of South Coast Regional Water Quality Control Board Site Closure or Corrective Action Plan.*** Removal of flammable or combustible liquid underground storage tanks (UST) requires the applicant to submit one of the following to the Huntington Beach Fire Department:

- An approved South Coast Regional Water Quality Control Board UST ***Site Closure Letter***, or

- Provide a South Coast Regional Water Quality Control Board UST ***Corrective Action Plan*** and written permission for co-existence.

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If SCRWQCB requires on-going remediation and co-existence with the proposed development is permissible, a copy of the approved SCRWQCB plan and written permission for co-existence must be submitted in order to obtain Huntington Beach Fire Department approval. Each site will be evaluated on an individual basis.

California Regional Water Quality Control Board – Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348
Phone: (951) 782-4497
FAX: (951) 781-6288

Conformance to City Specifications **DOES NOT** relieve the developer's responsibility regarding other concerned agency notification and/or approval (South Coast Regional Water Quality Control Board, South Coast Air Quality Management District, Department of Toxic Substance Control, County of Orange Health Care Agency, etc.).

c. ***Vapor Extraction Treatment Equipment and Areas*** as outlined in the Orange County Health Care Agency UST ***Corrective Action Plan*** shall conform to *City Specification # 431, Oil Field Gas Fired Appliances – Stationary and Portable, City Specification # 434, Gas Station Remediation Requirements,* and the *Huntington Beach Oil Code and Building Codes.* **(FD)**

d. ***Vapor Extraction Treatment Equipment and Areas.*** If soil remediation equipment is required as outlined in the Orange County Health Care Agency UST ***Corrective Action Plan,*** all equipment shall conform to *City Specification # 431, Oil Field Gas Fired Appliances – Stationary and Portable, City Specification # 434, Gas Station Remediation Requirements,* and the *Huntington Beach Oil Code and Building Codes.* **(FD)**

e. ***Fire Code Permit for Tank Removal.*** If removal of underground flammable or combustible liquid storage tanks (UST) is required, the applicant shall first obtain an approved Orange County Environmental Health Care UST permit/site plan. This approved plan must be presented in order to obtain the required Huntington Beach Fire Department *Fire Code Permit Application* to conduct installation and/or removal operations. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED <u>DURING</u> CONSTRUCTION:

a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**

b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

OTHER:

ATTACHMENT NO. 3-46

a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**

b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:

Huntington Beach Fire Department Administrative Office

City Hall 2000 Main Street, 5th floor

Huntington Beach, CA 92648

or through the City's website at **www.surfcity-hb.org**

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

ATTACHMENT NO. 3-47

CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	JULY 26, 2010
PROJECT NAME:	OIL STORAGE TANKS DEMO
ENTITLEMENTS:	CDP 10-011 / EA 10-007
PLNG APPLICATION NO:	TBD
DATE OF PLANS:	JUNE 29, 2010
PROJECT LOCATION:	21845 MAGNOLIA STREET (EAST SIDE OF MAGNOLIA, NORTH OF BANNING AVENUE)
PROJECT PLANNER:	HAYDEN BECKMAN, PLANNING AIDE
TELEPHONE/E-MAIL:	714-374-5317 / HBECKMAN@SURFCITY-HB.ORG
PLAN REVIEWER:	STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL:	714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	TO REVIEW DEMOLITION AND REMOVAL OF THREE (3) EXISTING 40 FOOT TALL BY 300 FOOT DIAMETER OIL STORAGE TANKS AND ANCILLARY TRANSFER PIPING. UPON DEMOLITION AND REMOVAL, THE SITE WILL REMAIN VACANT.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A DEMOLITION PERMIT:

1. A Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
   a. Limits of all concrete and asphalt removal within the proposed demolition project.

ATTACHMENT NO. 3-48

b. Limits of all associated soil grading including earthwork quantities for soil export and any possible soil import.

c. An Erosion Control Plan to establish remedial measures to be taken during the demolition/grading process to comply with NPDES requirements.

2. If any mature trees are to be removed, the applicant shall provide a consulting arborist report on all existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain shall be protected and how far construction/grading shall be kept from the trunk. (Resolution 4545)

3. If any mature trees are to be removed, a Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)

   a. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk).

   b. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)

   c. Standard landscape code requirements apply. (ZSO 232)

4. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)

5. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)

6. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. (Resolution-4545)

7. The applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements shall be submitted to the Department of Public Works for review and acceptance. A copy of the current SWPPP shall be kept at the project site and another copy to be submitted to the City. (DAMP)

8. A Project Water Quality Management Plan (WQMP) conforming to the current Waste Discharge Requirements Permit for the County of Orange (Order No. R8-2009-0030) prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance. The WQMP shall address all surface water quality issues with the remaining site once the proposed demolition project is completed.

9. Any grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)

10. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall

be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.

11. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

12. A Grading Permit shall be issued.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

1. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)

2. The applicant shall obtain a Haul Route Permit with the Department of Public Works for the export or import of material (both soil and structural). This plan shall include the approximate number of truck trips and the proposed truck haul route(s). It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to public property and/or adjacent residents. The haul route shall be submitted for approval to the Department of Public Works prior to obtaining the Haul Route Permit. (MC 17.05.210)

3. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)

4. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)

5. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)

6. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)

7. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)

8. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)

9. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)

10. Wind barriers shall be installed along the perimeter of the site. (DAMP)

11. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION:

1. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)

ATTACHMENT NO. 3.51

CITY OF HUNTINGTON BEACH

DEPARTMENT OF PUBLIC WORKS

SUGGESTED CONDITIONS OF APPROVAL

DATE:	JULY 26, 2010
PROJECT NAME:	OIL STORAGE TANKS DEMO
ENTITLEMENTS:	CDP 10-011 / EA 10-007
PLNG APPLICATION NO:	TBD
DATE OF PLANS:	JUNE 29, 2010
PROJECT LOCATION:	21845 MAGNOLIA STREET (EAST SIDE OF MAGNOLIA, NORTH OF BANNING AVENUE)
PROJECT PLANNER:	HAYDEN BECKMAN, PLANNING AIDE
TELEPHONE/E-MAIL:	714-374-5317 / HBECKMAN@SURFCITY-HB.ORG
PLAN REVIEWER:	STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL:	714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	TO REVIEW DEMOLITION AND REMOVAL OF THREE (3) EXISTING 40 FOOT TALL BY 300 FOOT DIAMETER OIL STORAGE TANKS AND ANCILLARY TRANSFER PIPING. UPON DEMOLITION AND REMOVAL, THE SITE WILL REMAIN VACANT.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR CLOSEOUT OF THE PROJECT:

1. Any damage to the existing public improvements (curb, gutter and sidewalk) adjacent to the subject site's existing driveway approach to Magnolia Street shall be removed and replaced per City Public Works Standard Plans.
2. Any truck haul route plan as required by the project Code Requirements shall also depict locations designated for truck staging and queuing.

ATTACHMENT NO. 3-52

CITY OF HUNTINGTON BEACH
BUILDING AND SAFETY DEPARTMENT
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	**07/23/2010**
PROJECT NAME:	DEMOLITION OF FUEL OIL STORAGE AND TRANSFER FACILITY
ENTITLEMENTS:	COASTAL DEVELOPMENT PERMIT NO. 2010-011: ENVIRONMENTAL ASSESSMENT NO. 2010-007
DATE OF PLANS:	06/29/2010
PROJECT LOCATION:	21845 MAGNOLIA ST., HUNTINGTON BEACH
PROJECT PLANNER:	HAYDEN BECKMAN, PLANNING AIDE
PLAN REVIEWER:	EDWARD S. LEE, PLAN CHECKER II
TELEPHONE/E-MAIL:	(714) 374-1538 / ELEE@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	TO PERMIT THE DEMOLITION AND REMOVAL OF THREE (3) EXISTING 40 FT. TALL BY 300 FT. DIAMETER OIL STORAGE TANKS AND ANCILLARY TRANSFER PIPING: UPON DEMOLITION AND REMOVAL THE SITE WILL REMAIN VACANT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated 06/29/2010. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer. Compliance is required prior to building permit issuance and all applicable items must meet the Huntington Beach Municipal Code (HBMC) and the California Code of Regulations (CCR or Title 24).

GENERAL:

1. The codes in effect are the: 2007California Building Code ('07CBC), 2007California Plumbing Code ('07CPC), 2007California Mechanical Code ('07CMC), 2007California Electrical Code ('07CEC) and 2008California Energy Efficiency Standards as adopted by the City.

2. Comply with the city policy for the demolition permit procedures. (See attached.)

ATTACHMENT NO. 3.53

CITY OF HUNTINGTON BEACH

INTER-DEPARTMENT COMMUNICATION

C-1-11
PP-79

TO: Distribution

FROM: Khanh Nguyen, Permit and Plan Check Manager KN
Bill Grove, Inspection Manager B Grove
Herb Fauland, Senior Planner HF

SUBJECT: **DEMOLITION PERMIT PROCEDURES**
(For Historical Sites, See C-1-1/PP-71)

DATE: 06/28/2000

In an effort to improve customer service and to protect the public, this memo describes the new procedure to be used in processing Demolition permits. This memo outlines the demolition permit process from application to inspection.

I. APPLICATIONS AND PLAN CHECK

a) **PERMITS REQUIRED.** No person shall demolish any building or structure unless he/she has obtained a permit from the Department of Building and Safety. A separate permit shall be obtained for each separate building or structure.

EXCEPTION:

A permit is not required where the work is exempt from permit per Section 301.2.1 of the HB Municipal Code Chapter 17.02 and does not affect public safety.

b) **APPLICATIONS.** **To be verified by Planning staff.**

a) The applicant shall complete a Building Permit application. (Note: If demolition was proposed as part of an entitlement, Planning staff shall review any demolition conditions of approval located in the Zoning Administrator or Planning Commission Notice of Action).

b) The applicant shall complete the Demolition Disclosure (DD) form (see attachment A).

i) If the DD form is checked "YES" for all items (i.e., no asbestos), Planning staff shall fax the DD form and the Building Permit application to AQMD at **FAX NO. (909) 396-3342.** Planning staff shall approve the plans and Building Permit application and proceed with Step d) below.

ATTACHMENT NO. 3-54

ii) If the DD form is checked "NO" for any item (i.e., asbestos is present), Planning staff shall instruct the applicant to follow the AQMD Notification procedures. Applicant shall be informed to contact AQMD at **PHONE NO. (909) 396-2336** and Planner shall provide applicant with the "Notification of Demolition or Asbestos Removal" package. The demolition permit request shall be taken in for plan check. No permits shall be issued until the applicant submits a completed AQMD Asbestos Removal Notification form and a Clearance Letter (see attachment B) from the asbestos removal contractor verifying that all asbestos was properly removed.

c) All Demolition Disclosure forms, AQMD Notification forms, and Clearance Letters shall be kept with the plan check file to be microfilmed.

d) The applicant is then referred to the Building counter for plan check submittal and/or permit issuance.

c) **PLANS AND SPECIFICATIONS REQUIRED. To be reviewed by Building Plan Check staff.** No permit for demolition work will be issued until satisfactory plans and/or procedures have been submitted to and approved by the Department of Building and Safety.

a) A dimensioned plot plan showing the location of structure(s) and distances from property lines shall be required.

b) Additional plans and procedures may be necessary to show that the demolition work will be conducted without creating a hazardous condition. Some of the features or conditions requiring additional detailed plans and procedures are:

1) Walls more than 20 feet in height from story to story.
2) A basement within six feet of another building.
3) Footings adjacent to, and extending below, the footings of another building.
4) One or more party walls.
5) When, in the opinion of the Building Department, a hazardous condition exists or is created.
6) Any prestressed or post-tensioned concrete structure.
7) Swimming Pools.

c) Use $2 per square feet to establish Valuation.

d) Method of demolition shall be called out on the permit application and on the plans.

The methodology for storage and handling of material and the prevention of dust shall be stated clearly.

Free-fall dumping over the exterior wall of a building will not be permitted from a height greater than 25 feet.

ATTACHMENT NO. 3.55

e) PROTECTION DEVICES. Barricades; protection fences and protection canopies shall be provided and constructed according to the approved plans and/or permit application.

EXCEPTIONS:

1) For single-family dwellings, a barrier only will be required.

2) A protection canopy or protection fence will not be required where the adjoining public way is partially closed and properly barricaded so as to prohibit all pedestrian and vehicular traffic within the required clearance during the entire demolition operation.

II. PERMITTING

1. TO WHOM ISSUED. Demolition permits may be obtained by any of the following:

   - the owner of the structure or an agent for the owner with written authorization .
   - a general contractor (Class B-1).
   - a licensed wrecking contractor (Class C-21).

2. SPECIAL PERMITS/CLEARANCES. In all cases where a protection fence or canopy must be constructed in the public way or where barricading a street or portion thereof is necessary to comply with the instruction set for the herein, a permit shall be obtained from the Department of Public Works. This permit shall be obtained prior to issuance of a demolition permit.

   Approval by the Department of Public Works, Engineering, shall be obtained prior to the issuance of a permit for any demolition work which removes the lateral support from a public way. Also, all work over 10,000 sf shall require release from Public Works for "Solid Waste Management and Recycling" ordinance compliance.

   Permit for the removal of any underground or above ground tank used for storage of flammable liquids shall be obtained from the County Health Agency and the HB Fire Department Petro Chem Section.

III. INSPECTION

1. CALL FOR INSPECTION. A call for inspection (714 536-5241) must be made at least 24 hours before work is to be started.

2. PROTECTIVE DEVICE INSPECTION AND SEWER CAP. All required protection devices must be in place prior to starting any work. When the sewer has been capped, it shall not be covered until an inspection has been made.

Cc Ross Cranmer, Howard Zelefsky, Dave Webb, Duane Olson
Sam Vergara-SCAQMD

ATTACHMENT NO. 3.56

Attachment A

CITY OF HUNTINGTON BEACH

PLANNING AND BUILDING DEPARTMENTS

DEMOLITION DISCLOSURE FORM

PROJECT ADDRESS_____

California Health and Safety Code Section 19827.5 requires applicants for demolition permits to provide the city with a copy of the required EPA asbestos notification submitted to SCAQMD (South Coast Air Quality Management District). The intent is to assure that asbestos is removed from buildings prior to demolition.

The following questions must be answered before your application for a demolition permit can be processed.

1. Have you complied with the requirements of the South Air Coast Air Quality Management District under Rule 1403? (This rule requires that you notify the SCAQMD in writing 10 working days before you begin the demolition project.)

( ) YES ( ) NO - Follow SCAQMD notification procedure

2. Is the structure asbestos free? (If you are uncertain, you should contact an asbestos consultant to investigate the structure before answering this question. SCAQMD Rule 1403 requires an asbestos building survey prior to all demolitions.)

( ) YES ( ) NO - Follow SCAQMD notification procedure

_____ _____

SIGNATURE DATE

_____ _____

PRINT NAME PHONE NUMBER

_____

ADDRESS

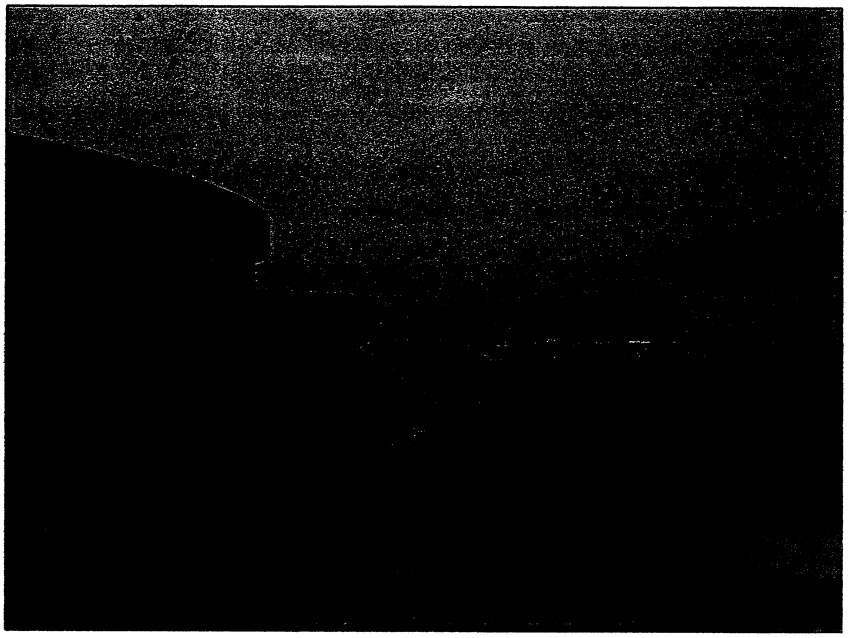
( ) OWNER

( ) CONTRACTOR

( ) ARCHITECT

( ) AUTHORIZED AGENT w/authorization letter

SITE ASSESSMENT OF THE PLAINS ALL AMERICAN PIPELINE PROPERTY, HUNTINGTON BEACH, ORANGE COUNTY, CALIFORNIA



Prepared for:

Plains All American Pipeline, L.P.
Long Beach, California
and
WGR Southwest, Inc.
Los Alamitos, California

Prepared by:

MBC *Applied Environmental Sciences*
Costa Mesa, California

May 2010

ATTACHMENT NO. 3.58

SITE ASSESSMENT OF THE PLAINS ALL AMERICAN PIPELINE PROPERTY, HUNTINGTON BEACH, ORANGE COUNTY, CALIFORNIA

Prepared for:

Plains All American Pipeline, L.P.
5900 Cherry Avenue
Long Beach, California 90805
and
WGR Southwest, Inc.
11021 Winners Circle, Suite 101
Los Alamitos, California 90720

Prepared by:

MBC *Applied Environmental Sciences*
3000 Red Hill Avenue
Costa Mesa, California 92626

May 2010

ATTACHMENT NO. 3.59

PROJECT STAFF

Plains All American Pipeline, L.P.

Thomas McLane

WGR Southwest, Inc.

Gray Martz

MBC *Applied Environmental Sciences*

Project Manager - D. G. Vilas

J. L. Rankin

C. L. Paquette

Carol Paquette Senior Scientist

David Vilas Senior Scientist

ATTACHMENT NO. 3.60

SITE ASSESSMENT OF THE PLAINS ALL AMERICAN PIPELINE PROPERTY, HUNTINGTON BEACH, ORANGE COUNTY, CALIFORNIA

INTRODUCTION

At the request of WGR Southwest, Inc. (WGR), MBC Applied Environmental Sciences (MBC) conducted a site assessment of the Plains All American Pipeline property in Huntington Beach, Orange County, California. The site, an above ground storage tank farm, is located adjacent to, and accessed from, Magnolia Street to the east (Photo 1). The Ascon Landfill, managed by the California Department of Toxic Substances Control, lies to the north, and the Huntington Beach Channel, which connects to the Pacific Ocean via the Talbert Channel, runs along the south and west. The tank farm property is approximately triangular in shape, with the apex facing south, where Magnolia Street crosses the Huntington Beach Channel. The property is separated from the channel by a chain link fence and a gated maintenance road that is not part of the property. Near the middle of the west side of the property, a bridge for pipelines crosses the channel from the tank farm to above ground storage tanks on the AES generating station property to the west. Across the channel to the south and southwest is the Magnolia Marsh, part of the Huntington Beach Wetlands. The property is approximately 41 acres overall, but separated into two distinct areas. The majority of the site, approximately 32 acres, encloses three large above ground storage tanks, along with access roads, pipelines, and support buildings (Tank Farm). The second area of the site is a greenbelt (Greenbelt) along the east and south edges of the property between the Tank Farm and Magnolia Street. The area of the Greenbelt is approximately 9 acres with 1 acre inside of a perimeter fence and 8 acres outside of the fence.

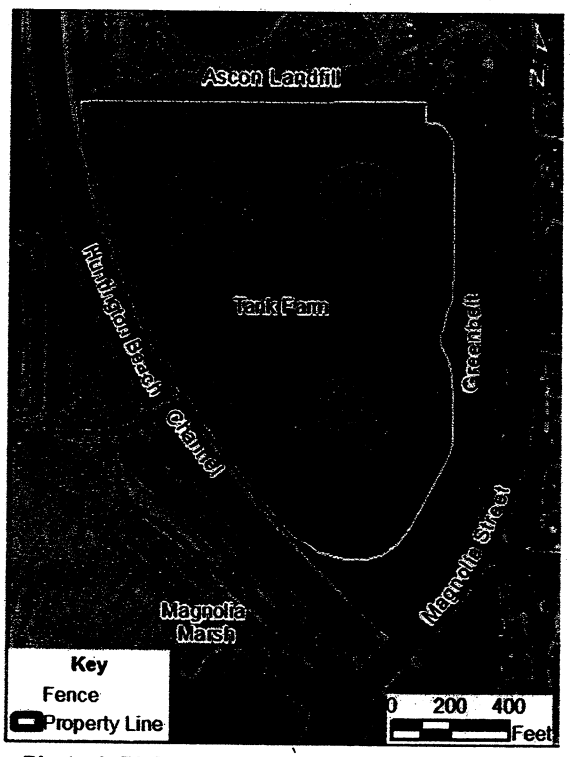


Photo 1. Plains All American Pipeline property, Huntington Beach, CA.

Photo 2. Concrete-walled basin with service road on top of the berm.

The habitat of the Tank Farm is highly modified and essentially cleared of all vegetation. Each of the three above ground storage tanks is situated in a separate concrete-walled basin approximately 6 ft deep enclosed by berms with unconsolidated fine dirt (with some shell debris) on the floor of the basins (Photo 2). The tops of the berms are asphalt paved and provide access for the site. In addition to the storage tanks, some pipelines are found within the basins, but no other structures are within the berms. Support buildings and pump facilities are located on the west side of the Tank Farm. On the north

ATTACHMENT NO. 3.61

and west sides of the Tank Farm to the property fence line and within the three basins, vegetation has been cleared, although some low-growing vegetation was observed. The eastern and southern sides of the Tank Farm have been built up to form a ridge that has been landscaped and planted to block the view of the Tank Farm from Magnolia Street with a perimeter fence that runs along the top of the ridge and divides the Greenbelt. The landscape inside of the fence is not regularly maintained. Outside of the fence southwest of the southern apex of the Greenbelt, damp ground and native marsh vegetation suggest that water from the Huntington Beach Channel may seep into local soils on high tide, though no standing water was observed. The Greenbelt is planted predominantly with ornamental species, including large, well established trees and bushes and an open grass area (Photo 3). Along Magnolia Street, the Greenbelt is open to public access to the fence, although dense vegetation on the ridge discourages access to the fence. This landscaped area is well maintained, presumably by the City of Huntington Beach.

Photo 3. Publically accessible area of the Greenbelt looking north along Magnolia Street.

SITE ASSESSMENT

MATERIALS AND METHODS

Two MBC biologists, Carol Paquette, a scientist with over 30 years of experience performing environmental evaluations of marine, wetland, riparian and coastal habitats, and Jen Rankin, a technician with more than three years experience at MBC assisting with field surveys, conducted a survey of the site on the morning of 26 May 2010. The biologists conducted an initial reconnaissance of the Tank Farm that included photographing the area and making notes on the local habitats, plant species and occurrences of animals. Following observations within the fenced area, the biologists conducted a similar survey along the public access Greenbelt adjacent to Magnolia Street, including the area of apparent seepage of water from the channel. Results of the survey are presented in this narrative report.

RESULTS

Thirty-three plant species, five insect, one lizard, nine bird, and one mammal species, along with evidence of presence of another mammal species, were observed during the survey of the Plains All American Pipeline property in Huntington Beach (Table 1). Eight of the plant species observed are native to southern California. Two of the native trees, coast live oak (*Quercus agrifolia*) and western sycamore (*Platanus racemosa*) are common ornamental trees and were likely planted as part of the landscape. The third native tree, fan palm (*Washingtonia filifera*), is also an ornamental species that tends to be weedy and the individuals present were probably started from seeds spread by animals. Of the animals, three insects, the lizard, all of the birds and the one mammal species observed are native to California.

The plant community within the Tank Farm was sparse, dominated by alkali weed (*Cressa truxillensis*), a native, salt tolerant species observed in the basins and along the berms and roads (Table 1). Other species included Bermuda grass (*Cynodon dactylon*), which was growing in a damp area near a dripping hydrant on the north side of the Tank Farm, a fan palm in the same area, and goosefoot (Chenopodiaceae), a non-native weed found in a patchy distribution on the western side of the site. All of these species would be considered opportunistic and the community characterized as ruderal or weedy. The native California ground squirrel

Table 1. Results of the biological reconnaissance of the Plains All American Pipeline property in Huntington Beach, California. 26 May 2010. Native species in bold.

Common Name	Species	Comments	Location
Plants			
alkali weed	***Cressa truxillensis***	**native**	**Tank Farm (thoughout)**
fan palm	***Washingtonia filifera***	**native ornamental**	**Tank Farm N & outside Greenbelt**
Bermuda grass	*Cynodon dactylon*	ornamental	Tank Farm N at hydrant seep
goosefoot	Chenopodiaceae	weed	Tank Farm by bridge
lemonade berry	***Rhus integrifolia***	**native**	**Greenbelt (inside)**
flax-leaved horseweed	*Conyza bonariensis*	weed	Greenbelt (inside)
Russian thistle, tumbleweed	*Salsola tragus*	weed	Greenbelt (inside)
alkali-mallow	***Malvella leprosa***	**native, weed**	**Greenbelt (inside & outside)**
Bald Island marlock	*Eucalyptus conferruminata*	ornamental	Greenbelt (inside & outside)
Brazilian pepper tree	*Schinus terebinthefolius*	invasive non-native	Greenbelt (inside & outside)
coral tree	*Erythrina caffra*	ornamental	Greenbelt (inside & outside)
eucalyptus	*Eucalyptus* sp.	ornamental	Greenbelt (inside & outside)
myoporum	*Myoporum laetum*	ornamental	Greenbelt (inside & outside)
natal plum	*Carissa macrocarpa*	ornamental	Greenbelt (inside & outside)
pine	*Pinus* sp.	ornamental	Greenbelt (inside & outside)
purple-flowered iceplant	*Carpobrotus chilenis*	ornamental	Greenbelt (inside & outside)
alkali heath	***Frankenia salina***	**native (salt marsh)**	**Greenbelt (outside)**
coast live oak	***Quercus agrifolia***	**native, ornamental**	**Greenbelt (outside)**
spike rush	***Eleocharis geniculata***	**native**	**Greenbelt (outside)**
western sycamore	***Platanus racemosa***	**native, ornamental**	**Greenbelt (outside)**
asparagus fern	*Asparagus setaceus*	ornamental	Greenbelt (outside)
Benjamin weeping fig	*Ficus benjamina*	ornamental	Greenbelt (outside)
common groundsel	*Senecio vulgaris*	weed	Greenbelt (outside)
cypress	*Cupressus* sp.	ornamental	Greenbelt (outside)
dallis grass	*Paspalum dilatatum*	non-native weed	Greenbelt (outside)
date palm	*Phoenix dactylifera*	ornamental	Greenbelt (outside)
daylilly	*Hemerocallis* sp.	ornamental	Greenbelt (outside)
giant bird of paradise	*Strelitzia nicolai*	ornamental	Greenbelt (outside)
Indian hawthorn	*Rhaphiolepis indica*	ornamental	Greenbelt (outside)
scarlet pimpernel	*Anagallis arvensis*	weed	Greenbelt (outside)
scrub oak	*Quercus turbinella*	ornamental	Greenbelt (outside)
sea lavender	*Limonium perezii*	ornamental	Greenbelt (outside)
St. Augustine grass	*Stenotaphrum secundatum*	ornamental	Greenbelt (outside)
Insects			
European honey bee	*Apis mellifera*	non-native	Greenbelt (inside)
darner dragonfly	**Aeshnidae**	**native**	**Greenbelt (outside)**
valley carpenter bee	***Xylocopa varipuncta***	**native**	**Greenbelt (outside)**
western tiger swallowtail	***Papilio rutulus***	**native**	**Greenbelt (outside)**
European cabbage butterfly	*Pieris rapae*	non-native	Greenbelt (outside)
Reptiles			
western fence lizard	***Sceloporus occidentalis***	**native**	**Greenbelt (inside)**
Birds			
house finch	***Carpodacus mexicanus***	**native**	**Greenbelt (inside)**
black phoebe	***Sayornis nigricans***	**native**	**Greenbelt (inside & outside)**
Allen's hummingbird	***Selasphorus sasin***	**native**	**Greenbelt (outside)**
American crow	***Corvus brachyrhynchos***	**native**	**Greenbelt (outside)**
Anna's hummingbird	***Calypte anna***	**native**	**Greenbelt (outside)**
bushtit	***Psaltriparus minimus***	**native**	**Greenbelt (outside)**
hooded oriole	***Icterus cucullatus***	**native**	**Greenbelt (outside)**
rufous hummingbird	***Selasphorus rufus***	**native**	**Greenbelt (outside)**
tanager	***Piranga* sp.**	**native**	**Greenbelt (outside)**
Mammals			
California ground squirrel	***Citellus beecheyi***	**native**	**Greenbelt (inside & outside)**
Likely Occurrence			
red fox	*Vulpes fulva*	native to northern eastern US, not S. Cal	Greenbelt (inside)

sources: Jameson and Peeters 1988, Hogue 1993, Hickman 1996, Nat Geo 2002, Stebbins 2003, Brenzel 2007, Clarke et al. 2007

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(*Citellus beecheyi*) was observed in the basins and black phoebe (*Sayornis nigricans*) was noted flying and feeding in the area of the storage tanks. Black phoebes commonly nest under eaves of houses, and may nest on the tanks.

Twelve plant species were noted in the Greenbelt inside of the fence line (Table 1). Two native species, lemonade berry (*Rhus integrifolia*) and alkali-mallow (*Malvella leprosa*), were noted. Lemonade berry is a large bushy species locally common in coastal upland communities. The one individual was found along the east side near the fence. Alkali-mallow is a salt tolerant weedy species which was found both inside and outside of the fence on the southern edge of the Greenbelt where saltwater influence was noted. Ornamental landscape species, including large trees and bushes and purple-flowered iceplant (*Carpobrotus chilenis*), dominated the plant community between the fence and the service road (Photo 4). The plants inside the fence do not appear to have been trimmed or maintained with the exception of regular watering. Animals observed in the Greenbelt inside of the fence included European honey bee (*Apis mellifera*), the native western fence lizard (*Sceloporus occidentalis*) and two native bird species, house finch (*Carpodacus mexicanus*) and black phoebe. California ground squirrel was very common both inside and outside of the fence, and burrows were observed throughout the Greenbelt at the base of trees and bushes. A large burrow was also observed, likely of a red fox (*Vulpes fulva*) (Photo 5). Red fox are known to occur locally, and would likely be attracted by the many squirrels in the Greenbelt (Burkett and Lewis 1992, Lewis et al. 1993). The fox, native to the northeastern United States, was introduced to California and is considered a nuisance where it competes with native predators.

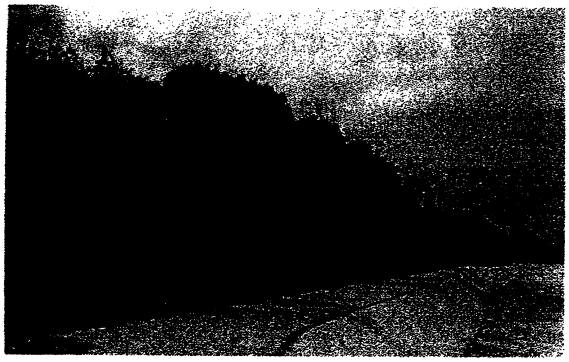

Photo 4. Plant community of Greenbelt inside of fence.

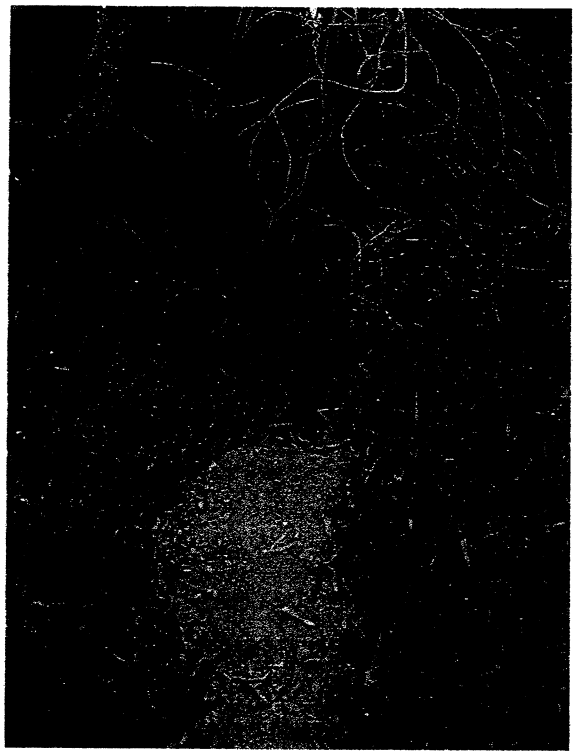

Photo 5. Large burrow, possibly red fox.

Twenty-seven plant species were observed in the publicly accessible area of the Greenbelt outside of the fence (Table 1). The area is well maintained and dominated by ornamental plant species (Photos 3 and 6). Five native plant species were observed including coast live oak and western sycamore, discussed above, and three salt tolerant species, alkali-mallow, alkali heath (*Frankenia salina*) and spike rush (*Eleocharis geniculata*), all found in the area of saltwater influence at the southern end of the property. Of these, alkali heath is considered a salt marsh species, although it was not abundant. Four insect species were noted, three of which, darner dragonfly (Aeshnidae), valley carpenter bee (*Xylocopa varipuncta*) and western tiger swallowtail (*Papilio rutulus*), are native to southern California. All nine bird species noted during the survey were observed in the Greenbelt outside of the fence. In addition to house finch and black phoebe, three species of hummingbird, Allen's (*Selasphorus sasin*), Anna's (*Calypte anna*)

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Photo 6. Publically accessible area of the Greenbelt looking south along Magnolia Street.

and rufous (*Selasphorus rufous*), American crow (*Corvus brachyrhynchos*), bushtit (*Psaltriparus minimus*), hooded oriole (*Icterus cucullatus*) and a tanager (*Piranga* sp.) were seen. All of these species are native and are likely to be found in areas with a dense multistory plant community such as the Greenbelt. California ground squirrel was very common.

DISCUSSION

No federal or state threatened or endangered species or habitats were present in the survey area (CDFG 2010, CNPS 2010, CNDDB 2010). Because of the proximity of the Huntington Beach Wetlands and the Huntington Beach Channel, the biologists were attentive to the possibility of salt marsh habitat on the property. Southern coastal salt marsh is considered sensitive, with a California state ranking of S2.1: 6-20 element occurrences, or 1,000 - 3,000 individuals, or 2,000 - 10,000 acres, and very threatened (CNDDB 2010). While alkali heath, a salt marsh species was observed on the property, it occurred in low abundance in a limited area that would not be considered salt marsh habitat. The presence of two sensitive bird species, Belding's savannah sparrow (*Passerculus sandwichensis beldingi*, state-listed Endangered) and California least tern (*Sternula antillarum browni*, federally- and state listed Endangered) was also investigated. Belding's savannah sparrow feed and nest on pickleweed (*Salicornia* sp.) and are known to reside in the Huntington Beach Wetlands. No habitat for the species was found on the property. California least tern nest in a protected beach habitat near the Santa Ana River mouth, about one mile southeast of the property and likely forage in the Talbert and Huntington Beach Channels. Foraging by California least terns or by any bird species was not observed during the survey. None of the plant or animal species that was observed during the survey is considered sensitive.

The Plains All American Pipeline property in Huntington Beach is located in a mixed urban and industrial use area, with nearby natural or recovering coastal habitats. The property is a combination of habitat highly modified for industrial use (Tank Farm) and a landscaped visual buffer (Greenbelt) dominated by mature ornamental plant species and common native animal species frequently found in similar urban habitats in southern California.

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Attachment No. 6
Summary of Mitigation Measures

Description of Impact	Mitigation Measure
• 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	**HAZ-1**: Prior to the issuance of a grading permit, the following shall be required: • A soil testing plan conforming to *City Specification #431-92, Soil Cleanup Standards* shall be submitted to the Fire Department for review and approval. The testing results shall be jointly reviewed and approved by the Fire and Public Works Departments. • A Remediation Action Plan (RAP) shall be submitted to the Fire Department based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standards*. The plan shall include methods to minimize remediation-related impacts on the surrounding properties. Qualified and licensed professionals shall perform the remediation activities and all work shall be performed under supervision of the City of Huntington Beach. • Closure reports or other reports acceptable to the City Fire Department that document the successful completion of required remediation activities for the contaminated soils, in accordance with City Specification #431-92, shall be submitted and approved by the Fire Department prior to issuance of grading permits. • The applicant shall submit the RAP to other County or State agencies as necessary. The applicant shall coordinate other agencies' permit and oversight requirements with the Fire Department.

RESPONSE TO COMMENTS FOR DRAFT MITIGATED NEGATIVE DECLARARTION NO. 2010-007

I. This document serves as the Response to Comments on Draft Mitigated Negative Declaration No. 10-007. This document contains all information available in the public record related to the Magnolia Oil Storage Tanks Demolition and Transfer Pipeline Removal Project as of January 19, 2011 and responds to comments in accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines.

This document contains five sections. In addition to this Introduction, these sections are Public Participation and Review, Comments, Responses to Comments, Errata to Draft Mitigated Negative Declaration No. 10-007, and Appendix.

The Public Participation section outlines the methods the City of Huntington Beach has used to provide public review and solicit input on Draft Mitigated Negative Declaration No. 10-007. The Comments section contains those written comments received from agencies, groups, organizations and individuals as of January 14, 2011. The Response to Comments section contains individual responses to each comment. The Errata of Draft Mitigated Negative Declaration No. 10-007 is provided to show clarifications and corrections of errors and inconsistencies in the Draft Mitigated Negative Declaration.

It is the intent of the City of Huntington Beach to include this document in the official public record related to Draft Mitigated Negative Declaration (MND) No. 10-007. Based on the information contained in the public record, the decision makers will be provided with an accurate and complete record of all information related to the environmental consequences of the project.

II. PUBLIC PARTICIPATION AND REVIEW

The draft MND was made available for public review from December 2, 2010 to January 3, 2011. The City of Huntington Beach notified all responsible and interested agencies and interested groups, organizations, and individuals that Draft Mitigated Negative Declaration No. 10-007 had been prepared for the proposed project. The City also used several methods to solicit input during the review period for the preparation of Draft Mitigated Negative Declaration No. 10-007. The following is a list of actions taken during the preparation, distribution, and review of Draft Mitigation Negative Declaration No. 10-007.

A Notice of Completion and copies of Draft Mitigated Negative Declaration No. 10-007 were filed with the State Clearinghouse on December 2, 2010. The State Clearinghouse assigned Clearinghouse Number 2010121002 to the proposed project. A copy of the Notice of Completion and the State Clearinghouse distribution list is available for review and inspection at the City of Huntington Beach, Planning and Building Department, 2000 Main Street, Huntington Beach, California 92648.

An official 30-day public review period for Draft Mitigated Negative Declaration No. 10-007 was established by the State Clearinghouse. It began on December 2, 2010 and ended on January 3, 2010. Public comment letters were received by the City of Huntington Beach through January 14, 2011.

Notice of Draft Mitigated Negative Declaration No. 10-007 was published in the Huntington Beach Independent on December 2, 2010 as well as advertised on the City's website. Notices were also sent to property owners and tenants within a 500' radius of the project site.

Copies of the document were made available to agencies, groups, organizations, and individuals at the following locations:

City Hall – City Clerk's Office
City Hall – Planning & Zoning Counter
Central Library
On the City's Website

III. COMMENTS

Copies of all written comments received as of January 14, 2011 are contained in Appendix A of this document. All comments have been numbered and are listed on the following pages. All comments are referenced by number with the responses directly adjacent to the reference number for clarity. Responses to Comments for each comment that was submitted on Draft Mitigated Negative Declaration No. 10-007 that raised an environmental issue are contained in this document.

IV. RESPONSE TO COMMENTS

Draft Mitigated Negative Declaration No. 10-007 was distributed to responsible agencies, interested groups, organizations, and individuals. The report was made available for public review and comment for a period of 30 days. The public review period for Draft Mitigated Negative Declaration No. 10-007 was established by the State Clearinghouse on December 2, 2010 and expired December 31, 2010. The City of Huntington Beach received comment letters through January 14, 2011.

Copies of all documents received as of January 14, 2011 are contained in Appendix A of this report. Comments have been numbered with responses correspondingly numbered. Responses are presented for each comment that raised a significant environmental issue.

Several comments do not address the completeness or adequacy of Draft Mitigated Negative Declaration No. 10-007, do not raise significant environmental issues, or request additional information. A substantive response to such comments is not appropriate within the context of the California Environmental Quality Act (CEQA). Such comments are responded to with a "comment acknowledged" or similar reference. This indicates that the comment will be forwarded to all appropriate decision makers for review and consideration.

RESPONSE TO COMMENTS – DRAFT MITIGATED NEGATIVE DECLARATION (MND NO. 10-007)

State Departments

Department of Transportation

DOT-1: The comment states that if any project work will occur in the vicinity of the Department's Right-of-Way, an encroachment permit is required prior to commencement of work. Comment acknowledged.

Native American Heritage Commission

NAHC-1: This comment states that the NAHC is a trustee agency pursuant to the Public Resources Code and states that the City, as the lead agency, must assess the project's potential to have significant adverse impacts on cultural resources pursuant to CEQA. The area of potential effect (APE) has been determined and the project has been analyzed for potential impacts on cultural resources within the APE. The analysis of impacts can be found on pages 29 – 30 of the draft MND. Comment acknowledged.

NAHC-2: The comment states that the NAHC performed a Sacred Lands File search and Native American Cultural Resources were not identified within on-half mile of the APE. The comment also suggests early consultation with Native American tribes during the process. The project site has not been identified as containing cultural resources and consultation with the NAHC was not warranted. However, in the event of the discovery of human remains or otherwise culturally significant resources during project demolition, compliance with all standard requirements, in accordance with NAHC protocols would be implemented to ensure impacts would remain less than significant.

NAHC-3: The comment states that the City should contact the Office of Historic Preservation (OHP). The project site is not listed as a historical resource or local landmark in the City's Historic and Cultural Resources Element of the General Plan. Additionally, the oil storage tanks and transfer piping do not meet the definition of a historical resource, and contact with the OHP is not necessary. Comment acknowledged.

NAHC-4: The comment cites existing codes and laws requiring Native American consultation. Since the site has not been identified as containing cultural resources, or triggers any thresholds requiring consultation under existing statutes, consultation was not warranted. Comment acknowledged.

NAHC-5: The comment states that lead agencies should consider avoidance when significant cultural resources could be affected by a project and outline provisions in the event of discovery of resources during ground disturbing activities. Although the site has not been identified as containing cultural resources, adherence to NAHC provisions is required in the event of discovery of any cultural resources on the project site during implementation.

NAHC-6: The comment states that the results of Sacred Lands File search are confidential and exempt from the California Public Records Act. However, Native Americans on the contact list are not prohibited from disclosing the nature of the cultural resources. The