



City of Huntington Beach Planning Department  
**STUDY SESSION REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning  
**BY:** Jennifer Villasenor, Associate Planner *JV*  
**DATE:** September 22, 2009

**SUBJECT: ZONING MAP AMENDMENT NO. 06-003/ANNEXATION NO. 06-002/RECIRCULATED MITIGATED NEGATIVE DECLARATION NO. 08-017 (Goodell Property Pre-zoning and Annexation)**

**LOCATION:** 6.2 acre site located at the terminus of Bolsa Chica Street, south of Los Patos Avenue on the Bolsa Chica Mesa, in an unincorporated area of Orange County, adjacent to the City of Huntington Beach

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**PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

Annexation No. 06-002 is a City-initiated proposal to annex the approximately 6.2-acre site, generally referred to as the Goodell property, into the City of Huntington Beach. The property is currently located within the jurisdiction of the County of Orange. The City agreed to process this annexation at the request of the Orange County Local Agency Formation Commission (LAFCO) in conjunction with the annexation of the Brightwater Residential Project into the City of Huntington Beach. The annexation of Brightwater resulted in the subject site becoming an unincorporated “island,” which is contrary to LAFCO policies. (Refer to Attachment No. 1)

Zoning Map Amendment No. 06-003 is a request to amend the City of Huntington Beach Zoning Map to pre-zone the site with the following zoning designations: 3.2 acres of Residential Low Density (RL); 2.0 acres of Open Space – Parks and Recreation (OS-PR); and 1.0 acre of Coastal Conservation (CC). The entire 6.2-acre property would be designated with a Coastal Zone (CZ) Overlay. (Refer to Attachment No. 2) Pre-zoning is required for annexation to be approved.

Recirculated Mitigated Negative Declaration No. 08-017 analyzes the potential environmental impacts associated with the pre-zoning and annexation of the subject site. (Refer to Attachment No. 3)

The proposed entitlements only allow the site to be annexed into the City of Huntington Beach. Any development proposed on the site would require a coastal development permit (CDP) and environmental assessment and most likely require a conditional use permit (CUP) and tentative tract map depending on the type of project proposed. Prior to or concurrent with a specific project request, the property would also require a general plan amendment and a local coastal program amendment to establish land use designations in the General Plan Land Use Element and the City’s Certified Local Coastal Program. The Local Coastal Program Amendment is subject to review and approval by the California Coastal Commission before the site becomes certified as part of the City’s Local Coastal Program.

## **CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS**

The site is currently undeveloped and consists of large cleared or graded areas, ruderal, non-native and ornamental vegetation, chenopod scrub, informal walking and bike trails and the foundation of a World War II-era bunker. The eastern portion of the site consists of a slope approximately 50 feet higher than the adjacent property to the east. Historically, the entire project site has been disturbed by previous uses, including agriculture, World War II activities and terracing for a pole yard. An underground structure containing a plotting and switchboard room was built by the U.S. Army to support Battery 128 on the site in 1943.

The current County of Orange zoning designation is Planned Community (PC) with a General Plan land use designation of Suburban Residential (0.5 – 18 du/ac). Existing zoning designations surrounding the project site are shown in Attachment No. 2. The state-owned 118-acre Lower Bench of the Bolsa Chica Mesa is located southwesterly of the subject property, and the Brightwater Development, a single-family residential subdivision consisting of 349 homes currently under construction and open space conservation areas, is located immediately west and southwest of the project site. An undeveloped 5-acre site, owned by Hearthside Homes and located within the City of Huntington Beach, is located north of the project site. An application has been submitted for the development of 22 single-family residences on the adjacent 5-acre site. Property owned by Shea Homes and approved by the City for single-family residential development (Parkside Estates) with trails and open space conservation areas is adjacent to the project site on the east, approximately 50 feet below the subject site.

## **APPLICATION PROCESS AND TIMELINES**

### **DATE OF COMPLETE APPLICATION**

Environmental Assessment (MND), Zoning Map Amendment (ZMA), Annexation: July 10, 2009

### **MANDATORY PROCESSING DATE**

- Draft MND: Within 180 days of complete application: January 6, 2010
- Legislative Action: Not Applicable

The tentative public hearing date for the Planning Commission is October 13, 2009.

## **CEQA ANALYSIS/REVIEW**

Draft Mitigated Negative Declaration (MND) No. 08-017 was prepared to analyze the potential environmental impacts from the proposed project. Although the project does not propose development of the site, the draft MND identified mitigation measures, based on information contained in technical reports, in the impact areas of biological and cultural resources that would be required to be incorporated if development of the property were proposed in the future. Draft MND No. 08-017 was made available for public review from March 26, 2009 to April 24, 2009. Comments received during the comment period identified presence of biological resources on the property, specifically southern Tarplant, that were not identified in the draft MND and supporting technical reports. Subsequent to the comment period, an updated biological survey was prepared as well as an updated cultural resources report. Based on the information contained in the comment letters as well as the updated technical reports, revisions to the draft MND were made including the addition of two new mitigation measures. These changes resulted in a requirement to recirculate the draft MND in accordance with the provisions of CEQA. Recirculated Draft MND No. 08-017 was made available for a 30-day public review period from July 27, 2009 to August 25, 2009.

All comments received on Draft MND No. 08-017 and Recirculated Draft MND No. 08-017 are included as Attachments 4 and 5 to this report. Staff will prepare responses to all comments received during both comment periods and make the responses available to the public prior to the Planning Commission public hearing on the project.

Previous environmental review of the subject property included Recirculated Environmental Impact Report (EIR) No. 551, which analyzed a proposed County Land Use Plan that included development of 2,500 homes on the Bolsa Chica and Huntington Beach Mesas including the subject site. Although the Land Use Plan was never adopted, the County Board of Supervisors certified the Recirculated EIR in June, 1996. Development of the entire subject site was analyzed as part of a larger 34-acre planning area within the Bolsa Chica at a density of 6.5 – 12.5 dwelling units per acre.

### **COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES**

The conclusions of Recirculated Draft MND No. 08-017 were developed in coordination with other City departments including Fire, Community Services and Public Works. Each department has also analyzed annexation of the property for an Annexation Feasibility Study, which will be presented to the City Council. Additionally, the City has been working with the County of Orange and LAFCO regarding annexation procedures.

### **PUBLIC MEETINGS, COMMENTS AND CONCERNS**

There have been no public meetings on the proposed project. Planning staff have met with interested persons and organizations on the project. In addition, staff has conducted consultations with tribal members listed on the Native American Heritage Commission tribal contact list in accordance with Government Code Sections 65300 and 65450 (SB18).

### **PLANNING ISSUES**

The primary issues for the Planning Commission to consider when analyzing this project are:

- Impacts of the proposed annexation on City services and consistency of the proposed annexation with surrounding land uses
- Consistency of the proposed amendment to the Zoning Map with the findings contained in Section 247.10 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO)
- Findings that Draft Recirculated Mitigated Negative Declaration No. 08-017 will not result in significant adverse environmental impacts

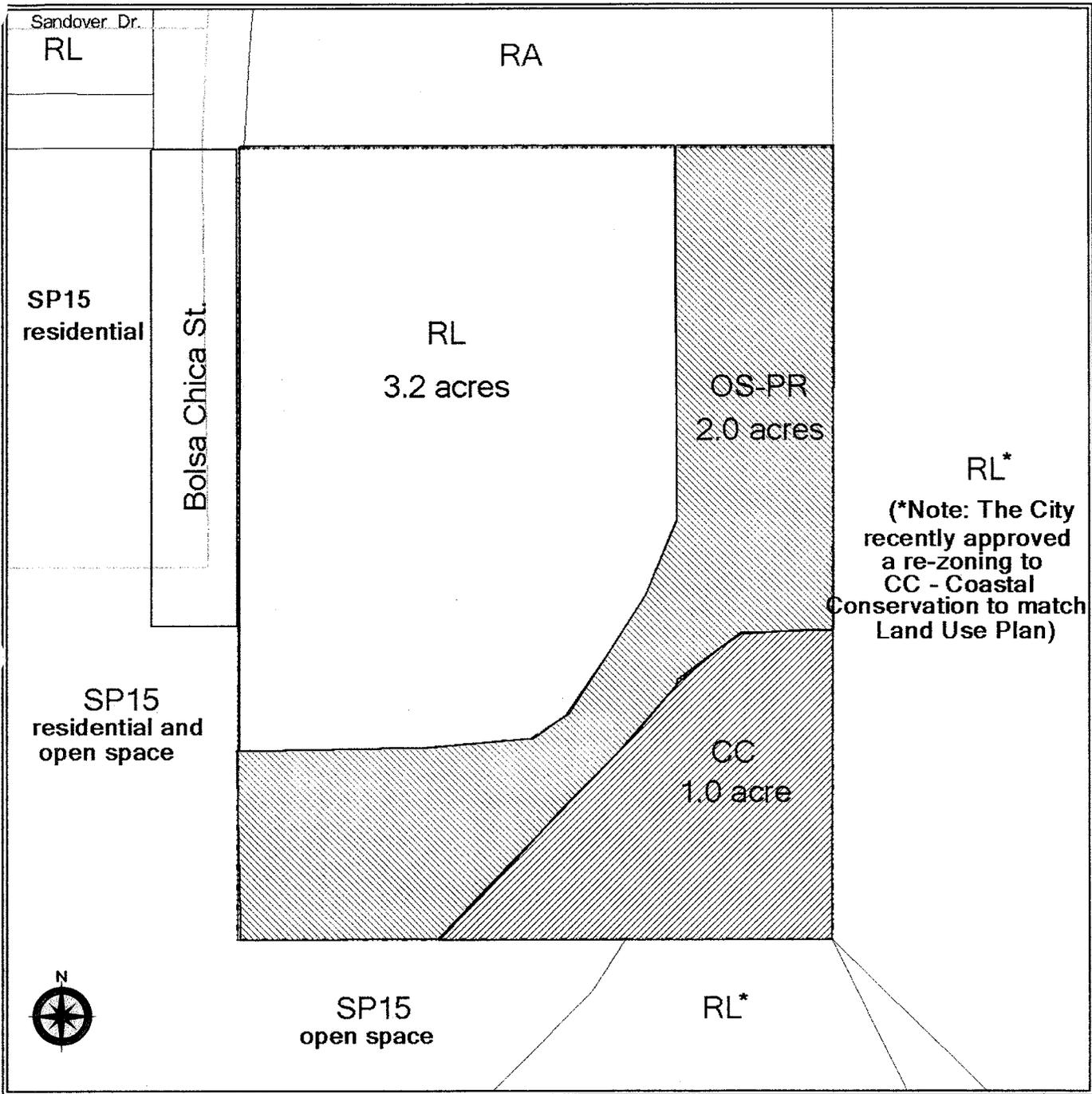
### **ATTACHMENTS:**

1. Location Map
2. Pre-zoning map
3. Draft Recirculated Mitigated Negative Declaration No. 08-017
4. Public comments received during 1<sup>st</sup> public comment period (3/26/09 – 4/24/09)
5. Public comments received during recirculated comment period (7/27/09 – 8/25/09)
6. HBZSO Section 247.10 – Determination Before Making Recommendation on Change in Zoning District Classification or Zoning or Subdivision Provision or Standard

LOCATION MAP



**PROPOSED ZONING DESIGNATIONS**



Legend

**RL** – Residential Low Density  
**OS-PR** – Open Space-Parks and Recreation  
**CC** – Coastal Conservation  
**RA** – Residential Agricultural  
**SP15** – Specific Plan 15 (Brightwater)

**ENVIRONMENTAL CHECKLIST FORM**  
**CITY OF HUNTINGTON BEACH**  
**PLANNING DEPARTMENT**  
**RECIRCULATED ENVIRONMENTAL ASSESSMENT**  
**NO. 08-017**

- 1. PROJECT TITLE:** Goodell Property Pre-Zoning and Annexation
- Concurrent Entitlements:** Zoning Map Amendment (ZMA) No. 06-03 and Annexation No. 06-02
- 2. LEAD AGENCY:** City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648
- Contact:** Jennifer Villasenor, Associate Planner  
**Phone:** (714) 374-1661  
**Email:** jvillasenor@surfcity-hb.org
- 3. PROJECT LOCATION:** The approximately 6.2 acre site is located at the terminus of Bolsa Chica Street, south of Los Patos Avenue, in an unincorporated area of Orange County, adjacent to the City of Huntington Beach. The site is located on the Upper Bench of an approximately 1,600 acre area commonly known as Bolsa Chica (refer to Figure 1).
- 4. PROJECT PROPONENT:** City of Huntington Beach  
Planning Department  
2000 Main Street  
Huntington Beach, CA 92648
- Contact Person:** Jennifer Villasenor  
**Phone:** (714)374-1661
- 5. GENERAL PLAN DESIGNATION:** County of Orange: Suburban Residential (0.5 – 18 du/ac)
- 6. ZONING:** County of Orange: PC (Planned Community)
- 7. PROJECT DESCRIPTION:**

The proposed project involves the pre-zoning and annexation of approximately 6.2 acres of property in the County of Orange unincorporated Bolsa Chica area located on the Upper Bench of the Bolsa Chica Mesa. The City agreed to process this annexation at the request of the Orange County Local Agency Formation Commission (LAFCO) in conjunction with the annexation of the Brightwater

Project into the City of Huntington Beach. The annexation of Brightwater resulted in the subject site becoming an unincorporated "island," which is contrary to LAFCO policies. (Refer to Figure 2).

**FIGURE 1 – BOLSA CHICA AREA**

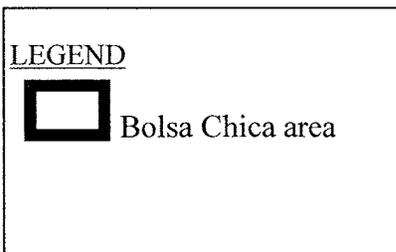
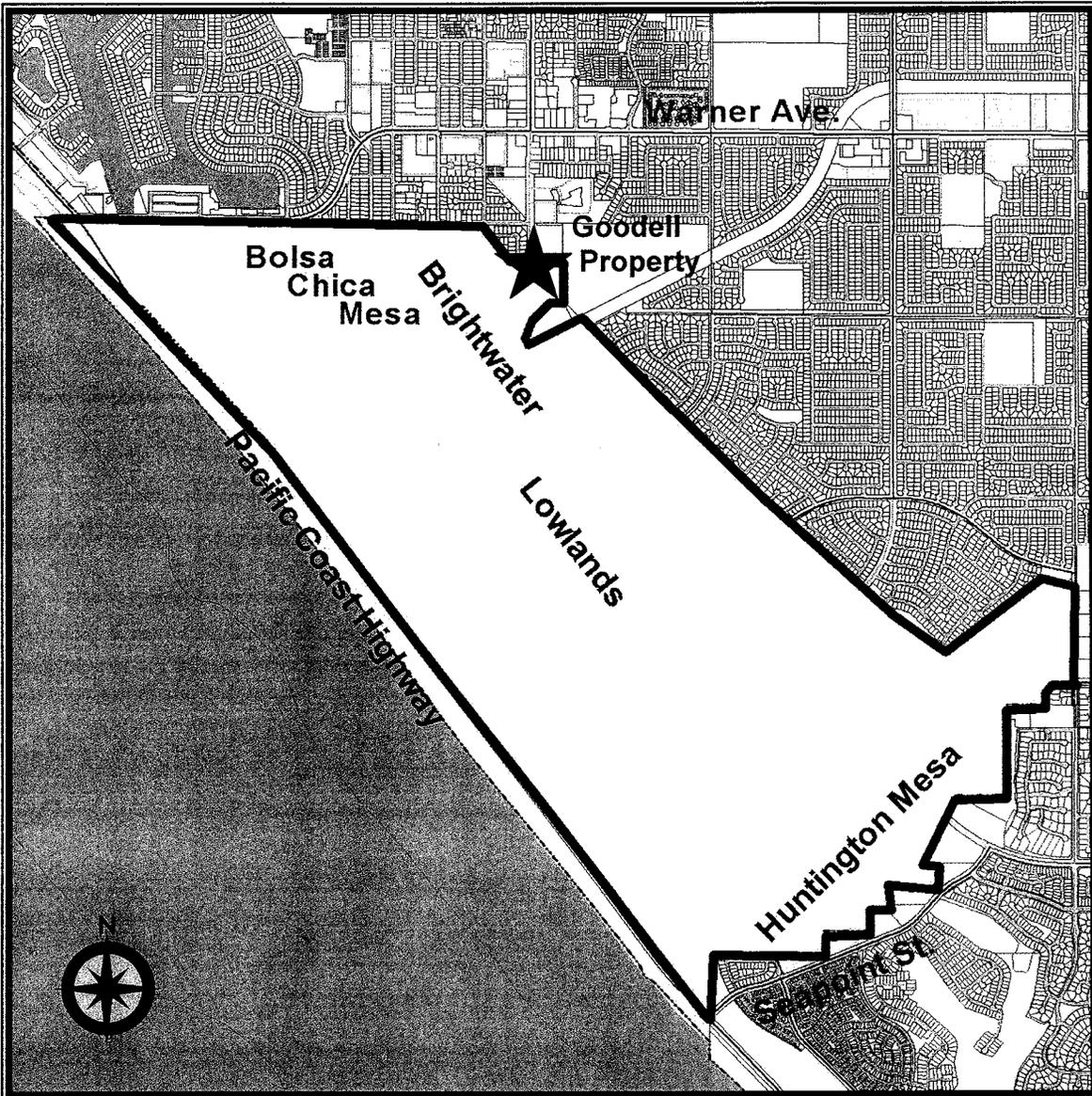
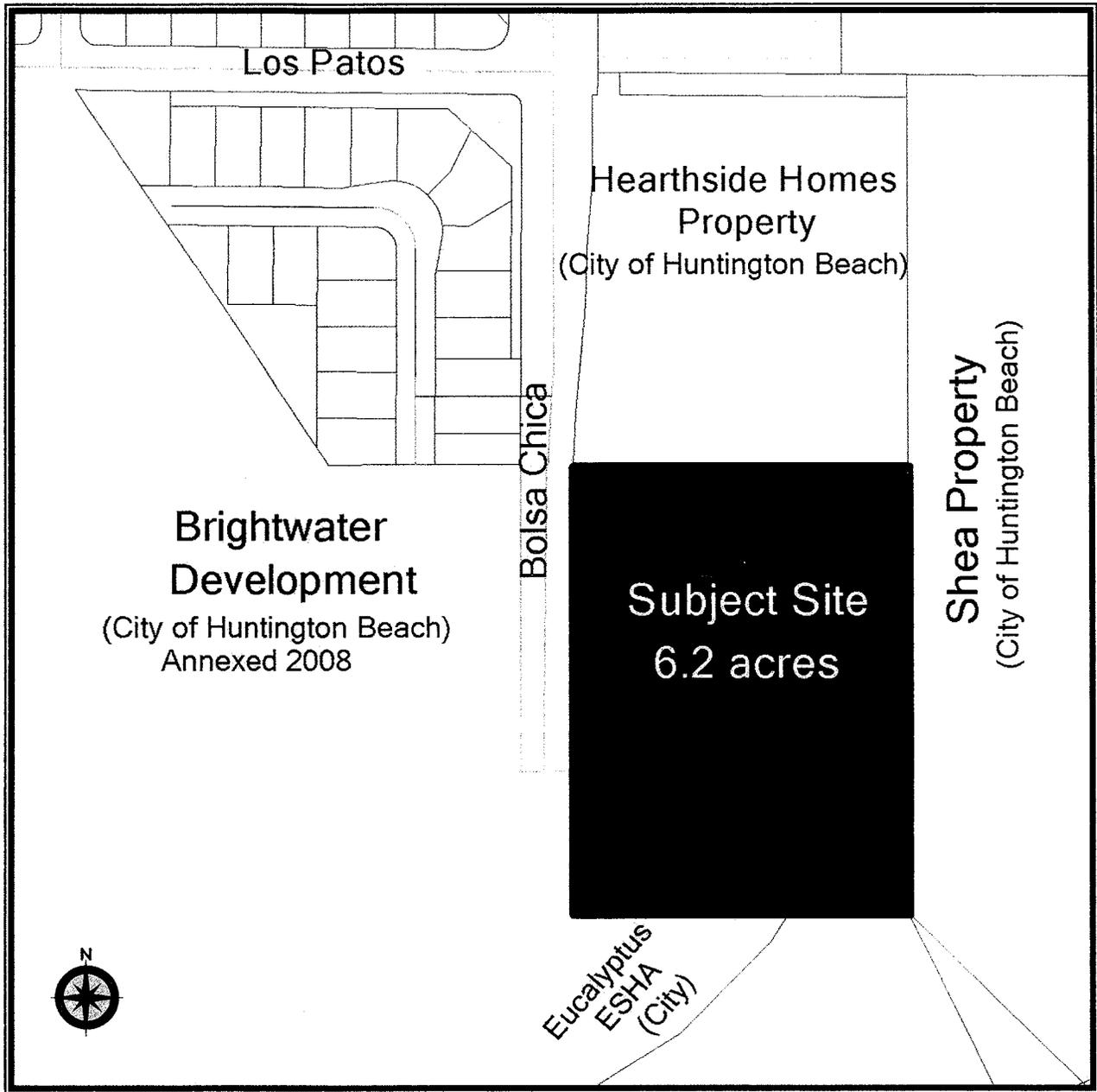


FIGURE 2 – PROJECT LOCATION



Prior to submittal of an annexation application to the LAFCO, the City must establish zoning for the property and adopt the annexation by resolution. Pre-zoning of the subject site includes a Zoning Map Amendment to establish zoning designations of Residential Low Density (RL), Open Space – Parks & Recreation (OS-PR) and Coastal Conservation (CC) for the 6.2 acre site. The entire site will also have a CZ (Coastal Zone) Overlay designation.

The proposed zoning configuration of the site is depicted in Figure 3 and includes the following breakdown of land uses:

Zoning Designation	Acreage (approximate)
RL	3.2
CC	1.0
OS-PR	2.0
Total	6.2

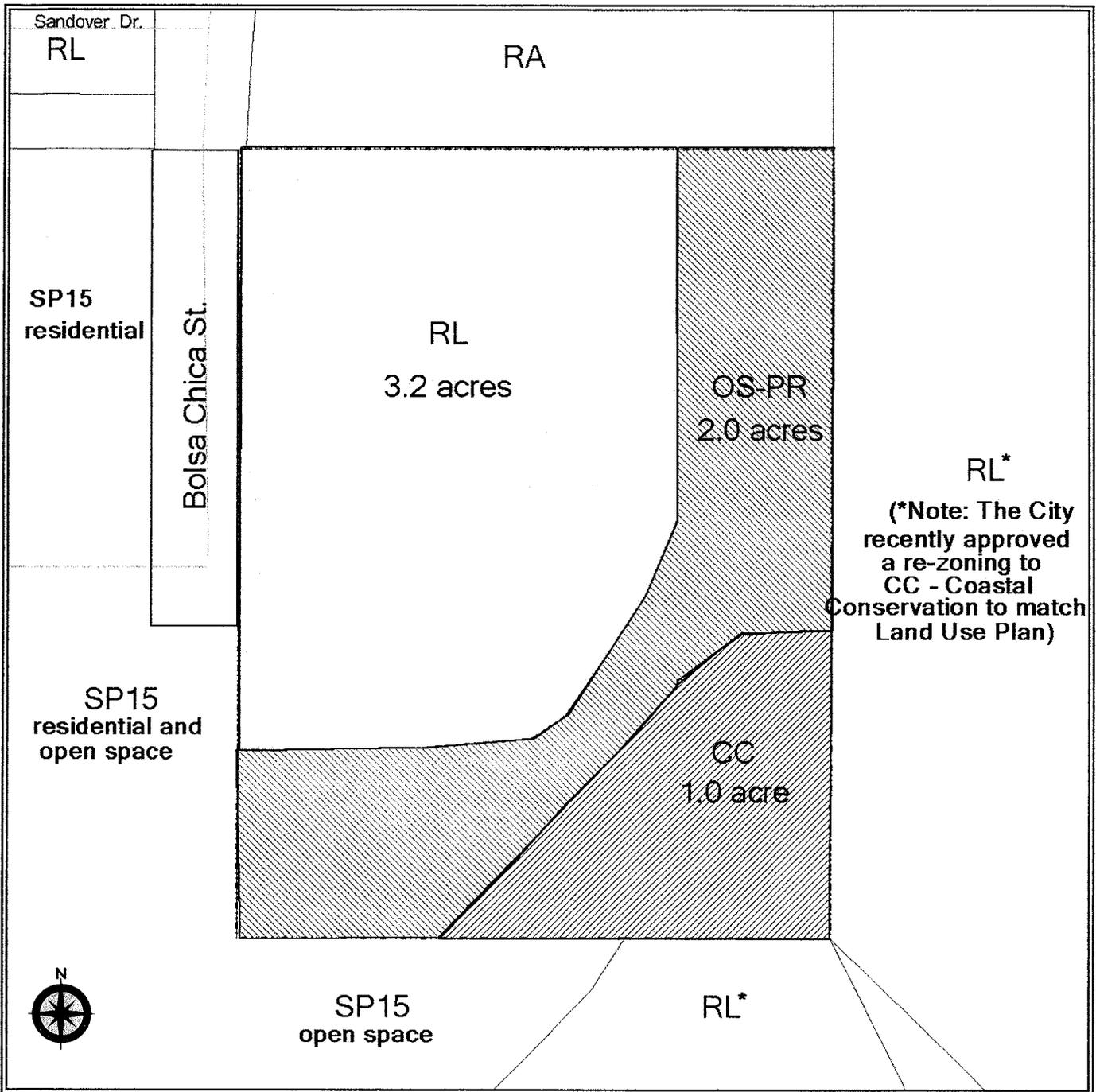
With the proposed RL zoning designation, the site would allow development of up to 22 dwelling units based on the RL zoning provisions of seven dwelling units per acre. Other uses that could potentially be developed on the subject site provided all applicable codes and regulations can be complied with are: limited day care and residential care homes, nurseries and horticulture facilities and wireless communications facilities.

The CC zoning designation is intended to preserve important chenopod scrub habitat on the site and protect environmentally sensitive species within and adjacent to the project site. This area consists of steep bluffs and would not be developed. In addition, the CC designation contains a small fraction of the required 100-foot buffer from the agricultural pond area that was designated as wetlands on the adjacent Shea property located at the toe of the slope.

The OS-PR zoning designation would carve out a small 0.5-acre recreational area in the southwest portion of the site overlooking the wetlands, lowlands and ESHA below. This area may be developed in the future with a bench and walking path to provide users with a tranquil space for reflection and contemplation. This area may also be a start/finish area for users of the existing decomposed granite trail along the boundary of the Brightwater development adjacent to the project site. The remaining portion of the OS-PR designation consists of a sloped area between the RL zoned portion of the site and the Shea property to the east, which begins at the toe of the slope. This area is intended to remain as a passive area and could potentially be enhanced with native and/or coastal vegetation.

No development is proposed for the site. Any development proposed on the site would require a coastal development permit (CDP) and environmental assessment and most likely require a conditional use permit (CUP) and tentative tract map depending on the type of project proposed. Once the zoning of the site has been established and annexation has been approved by LAFCO, the property would also require a general plan amendment and a local coastal program amendment to establish land use designations in the General Plan Land Use Element and the City’s Certified Local Coastal Program.

**FIGURE 3 – PROPOSED ZONING DESIGNATIONS**



Legend

**RL** – Residential Low Density  
**OS-PR** – Open Space-Parks and Recreation  
**CC** – Coastal Conservation  
**RA** – Residential Agricultural  
**SP15** – Specific Plan 15 (Brightwater)

## 9. SURROUNDING LAND USES AND SETTING:

The site is currently undeveloped and consists of large cleared or graded areas, ruderal, non-native and ornamental vegetation, chenopod scrub, informal walking and bike trails and the foundation of a World War II-era bunker. Historically, the entire project site has been disturbed by previous uses, including agriculture, World War II activities and terracing for a pole yard. An underground structure containing a plotting and switchboard room was built by the U.S. Army to support Battery 128 on the site in 1943.

The state-owned 118-acre Lower Bench of the Bolsa Chica Mesa is located southwesterly of the subject property, and the Brightwater Development, a single-family residential subdivision consisting of 349 homes currently under construction, is located immediately west and southwest of the project site. State-owned lands containing eucalyptus trees and a lowland area between the Mesa and the East Garden Grove Wintersburg (EGGWC) flood control channel are adjacent to the southwest. These areas are state-owned properties established as permanent open spaces. An undeveloped 5-acre site, owned by Hearthside Homes and located within the City of Huntington Beach, is located north of the project site. An application has been submitted for the development of 22 single-family residences on the adjacent 5-acre site. Property owned by Shea Homes and approved for single-family residential development (Parkside Estates) with trails and open space is adjacent to the project site on the east, approximately 50 feet below the subject site.

## 10. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:

Recirculated Environmental Impact Report (EIR) No. 551 was certified by the County of Orange in June, 1996. The EIR analyzed a proposed Land Use Plan for the entire Bolsa Chica area. Although the Land Use Plan was never adopted, the County Board of Supervisors certified the Recirculated EIR, which analyzed development of 2,500 homes on the Bolsa Chica and Huntington Beach Mesas, which included the subject site. Development of the subject site was analyzed as part of a larger 34-acre planning area at a density of 6.5 – 12.5 dwelling units per acre.

In 2002, Subsequent EIR No. 551 was prepared to evaluate the Brightwater project Master Site/Area Plan and Project Site Plans and Vesting Tentative Tract Map 15460 in the County of Orange. The subsequent EIR was required because the project description and environmental setting had changed substantially since certification of the Final Recirculated EIR No. 551, specifically: the substantial decrease in the number of units being analyzed for the Brightwater Development compared to what was previously analyzed for development on the Bolsa Chica Mesa; the State's purchase of a substantial portion of the Lowlands for restoration; and new interpretations of the Coastal Act by the California Court of Appeals. An Addendum to Subsequent EIR No. 551 was approved by the County of Orange in 2005 to address changes in the Brightwater development plans that included a reduction in the number of units from 387 to 349.

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

Local Agency Formation Commission (LAFCO) approval of the proposed annexation of the subject property is required after completion of the City of Huntington Beach Zoning Map Amendment in order for the annexation to become effective.

Once the pre-zoning of the site has been established and annexation has been approved by LAFCO, a local coastal program amendment is subject to review and approval by the California Coastal Commission before the site becomes certified as part of the City's Local Coastal Program

**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 type="checkbox"/> Utilities / Service Systems   |
| <input type="checkbox"/> Geology / Soils           | <input type="checkbox"/> Mineral Resources                             | <input type="checkbox"/> Aesthetics                    |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials               | <input checked="" type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality               | <input type="checkbox"/> Noise   | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Agriculture Resources     | <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.
2. 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.
3. “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.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVIII. Other sources used or individuals contacted have been cited in the respective discussions.
  - g) 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>
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*Would the proposal result in or expose people to potential impacts involving:*

*Landslides? (Sources: 1, 6)*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*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).*

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:

- 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, 14, 15, 16 & Figure 3)

**Discussion:** See discussion below.

- b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: #1, 2, 14, 15, 16 & Figure 3)

**Discussion:** See discussion below

- c) Physically divide an established community? (Sources: #1, 2, 14, 15, 16 & Figure 3)

**Discussion a – c:** The proposed annexation and pre-zoning of the 6.2-acre project site will not result in 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The site is currently zoned as Planned Community in the County of Orange. The County of Orange General Plan land use designation for the site is suburban residential and would allow for low and medium density residential development to occur on the site. The 6.2-acre site is proposed to have the following zoning designations: 3.2 acres of Residential Low Density (RL); 2.0 acres of Open Space – Parks and Recreation (OS-PR); and 1.0 acre of Coastal Conservation (CC). The proposed zoning designations for the City of Huntington Beach would permit similar uses that would be permitted under the County designations such as single-family residences and open space areas. In addition, the proposed zoning is consistent with the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), which requires a minimum of two contiguous acres for properties to be zoned with the OS-PR designation.

The proposed pre-zoning and annexation is consistent with the City’s General Plan Land Use Element goal LU 3 and related policies LU 3.1.1 and 3.2.1 relating to annexation as follows:

“Achieve the logical, orderly, and beneficial expansion of the City’s services and jurisdictional limits.” (Goal LU 3)

“Require that any lands proposed for annexation are contiguous with the City.” (Policy LU 3.1.1)

“Require that the existing and future land uses located within the proposed annexation area are compatible with the adjacent City uses.” (Policy LU 3.1.2)

The proposed annexation is within the City’s sphere of influence and is contiguous with the City boundary on the north, south, east and west sides. The proposed project is a logical and orderly extension of the City’s boundaries and services. The proposed zoning of the project site consists of

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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single-family residential uses and open space/conservation areas that are consistent with existing, ~~approved proposed~~ or under-construction single-family development adjacent to the project area on the north, east, and west **and northwest** and the open space areas to the east, south and southwest. **The zoning would also be consistent with the RA (Residential Agricultural) zoning to the north that allows agricultural uses and single-family development. In addition, the residential zoning designation on the subject site would not conflict with the OS-P (Open Space – Parks) General Plan land use designation on the site to the north as it is common throughout the City to find residential development, single-family homes in particular, adjacent to parks and land designated as OS-P.**

Upon annexation, the project site will require a general plan amendment and local coastal program amendment, subject to approval by the California Coastal Commission (CCC), to establish land use designations in the General Plan Land Use Element and the City’s Certified Land Use Plan.

Any future development proposed on the site would require a coastal development permit (CDP) and environmental assessment and most likely require a conditional use permit (CUP) and tentative tract map depending on the type of project proposed. All development would be required to meet the applicable provisions of the City’s Local Coastal Program, HBZSO, Municipal Code (HBMC) and all other applicable provisions.

The open space/conservation area is intended to preserve important chenopod scrub habitat on the site and protect potential environmentally sensitive species within and adjacent to the project site. The CC designation contains a small fraction of the required 100-foot buffer from the agricultural pond area that was designated as wetlands on the Shea property adjacent to the subject site at the toe of the slope and is consistent with the Open Space-Conservation designation on the City’s Land Use Plan for that property. A 0.5-acre portion of the proposed open space/recreation area is located at the southwest portion of the site and overlooks the Bolsa Chica. This proposed open space area is intended to provide a viewing area of the lowlands, eucalyptus ESHA and wetlands, which are visible from the project site as well as provide recreational open space area that is contiguous with an open space trail for the Brightwater residential development adjacent to the site. The remaining portion of the OS-PR designation consists of a sloped area between the RL zoned portion of the site and the Shea property, which begins at the toe of the slope. This area is intended to remain as a passive area and could potentially be enhanced with new vegetation.

The project will not physically divide an established community and does not conflict with a habitat conservation plan or natural community conservation plan as there are not any adopted for the City of Huntington Beach.

**II. POPULATION AND HOUSING.** Would the project:

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

**Discussion:** See discussion below.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: #1, 2 & Figure 3)

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: #1, 2 & Figure 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion a – c:** The site is currently vacant; no existing homes or residents will be demolished or displaced. The annexation and pre-zoning of the 6.2 acre property does not propose construction of housing that would induce population growth in the City of Huntington Beach. The proposed project establishes zoning on the subject site that would allow for the development of up to 22 residential units on a portion of the property. The 2008 Housing Element indicates that the average household size in Huntington Beach is 2.56 persons, which would result in potentially 57 new residents in the City. This represents 0.03% of the total population of Huntington Beach, which would not be considered substantial population growth.

As discussed in Section I. Land Use and Planning, residential uses were anticipated for this area as part of the Planned Community zoning designation in the County of Orange. However, since the property is not currently within the City of Huntington Beach, the project would allow for residential uses not previously accounted for in the General Plan. The General Plan identifies an increase of 18,500 new units to the year 2010. Future residential development on the project site would not result in substantial population growth in the context of allowed General Plan growth, nor in combination with anticipated and planned growth as identified in the City’s 2008 Housing Element. Less than significant impacts would occur.

**GEOLOGY AND SOILS.** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                          |                          |                          |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Sources: #5 & 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| ii) Strong seismic ground shaking? (Sources: #5 & 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) Seismic-related ground failure, including liquefaction? (Sources: #5 & 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |                                |                          |                          |                          |                                     |
|--------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Landslides? (Sources: #5 & 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: #5 & 13)

**Discussion:** See discussion below.

- 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: #5 & 13)

**Discussion:** See discussion below.

- 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: #5 & 13)

**Discussion:** See discussion below.

- 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: #5 & 13)

**Discussion a – e:** Although the seismically active Newport-Inglewood Fault crosses the Bolsa Chica area, the fault does not traverse the project site. In addition, previous environmental analysis (Recirculated EIR No. 551) indicates that potential for liquefaction and subsidence to occur on the site is low. Due to the steep natural slopes that exist on the site, there is potential for slope instability and erosion of the bluffs if disturbance activities were to occur.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to geology and soils and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities. Impacts related to geology and soils would be analyzed if and when development is proposed. No impacts would occur.

**IV. HYDROLOGY AND WATER QUALITY. Would the project:**

- a) Violate any water quality standards or waste discharge requirements? (Sources: #5)

**Discussion:** See discussion below.

- 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

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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: # 5)

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 of surface runoff in a manner that would result in flooding on or off-site? (Sources: #5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Sources: #5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? (Sources: #5) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: #8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: #8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as | <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
a result of the failure of a levee or dam? (Sources: #8)				
<b>Discussion:</b> See discussion below				
j) Inundation by seiche, tsunami, or mudflow? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
k) Potentially impact storm water runoff from construction activities? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
l) Potentially impact storm water runoff from post-construction activities? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
m) Result in a potential for discharge of storm water 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? (Source: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
n) Result in the potential for discharge of storm water to affect the beneficial uses of the receiving waters? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
o) Create or contribute significant increases in the flow velocity or volume of storm water runoff to cause environmental harm? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Discussion:</b> See discussion below.				
p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: #5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**Discussion a – p:** The 6.2-acre project site is undeveloped and does not contain any streams or rivers. However, designated wetland areas east of the subject site on the Shea Property are located within 200 feet of the site and the East Garden Grove Wintersburg Flood Control Channel (EGGWC) is located southeast of the project site. Previous environmental analysis (Recirculated EIR No. 551) for the Bolsa Chica area indicates that potential for tsunami and seiche to impact the Bolsa Chica mesa is considered very remote due to the site's higher elevation above mean sea level and insulation provided by the inner Bolsa Bay. Although a majority of the site is located in FEMA Flood Zone X, including the area that would be zoned for residential uses, a small portion of the site at the lowest elevation along the base of the bluff is located within Flood Zone A.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to hydrology and water quality and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Impacts related to hydrology and water quality would be analyzed if and when development is proposed. No impacts would occur.

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

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

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: : #9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: : #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 a – e:** The City of Huntington Beach is located within the South Coast Air Basin. The entire Air Basin is designated as a national-level nonattainment area for ozone, carbon monoxide (CO), respirable particulate matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>). The Basin is also a State-level nonattainment area for ozone, PM<sub>10</sub> and PM<sub>2.5</sub>.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to air quality and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Impacts related to air quality would be analyzed if and when development is proposed. No impacts would occur.

**VI. TRANSPORTATION/TRAFFIC.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?<br>(Sources:#1, 6 & 17) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?<br>(Sources: #1, 6 & 17) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Result in inadequate parking capacity? (Sources: #1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

ATTACHMENT NO. 3.16

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: #1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion a – f:** Existing intersections near the project site at Bolsa Chica Street/Warner Avenue and Bolsa Chica Street/Los Patos Avenue operate at acceptable levels of service. Previous environmental documentation (Subsequent EIR No. 551) for the Brightwater residential development, which analyzed the development of 387 single-family units on land adjacent to the project site, studied several intersections that are within the vicinity of the subject site. These intersections included Bolsa Chica Street at Warner Avenue and Bolsa Chica Street at Los Patos Avenue. The results of the study indicated that project traffic for the Brightwater Development in the year 2005 (assuming construction of 300 homes had occurred) as well as long-term project traffic would not change the level of service (LOS) at any of the study intersections under “without project” baseline and long-term conditions. In terms of the intersection of Pacific Coast Highway at Warner Avenue, although the LOS would not change, the existing LOS at the intersection of Pacific Coast Highway at Warner Avenue was considered unacceptable and the development of the Brightwater residential project would further impact the intersection. Physical constraints of the intersection and Coastal Act requirements pertaining to the presence of coastal wetlands along Warner Avenue prevented the implementation of any feasible mitigation measures **at that time**. It is important to note that an Addendum to Subsequent EIR No. 551 was certified in 2005 based on changes to the Brightwater residential project that included a reduction in the number of units from 387 to 349, but did not negatively affect the conclusions of the earlier traffic/transportation analysis for the project.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to traffic and transportation and does not contemplate development of the site. Although future development of the subject site would likely be single-family residential units, other uses consistent with the Residential Low Density (RL) zoning of the site could potentially be developed. Given the size of developable land and likely potential uses, the annexation and pre-zoning of the site for future development in the City would not result in significant impacts to traffic even when combined with the completion of the Brightwater residential development. However, impacts related to traffic and transportation would be analyzed if and when development is proposed. No impacts would occur.

**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: #3, 18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** See discussion below.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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: #3, 18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

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: #3, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** See discussion below.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: #3, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** See discussion below.

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: #3, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion a – f:** The proposed project is for the pre-zoning and annexation of a 6.2-acre site. The proposed zoning includes approximately 3.2 acres for single-family residential (RL) uses, 1.0 acre for Coastal Conservation (CC) area and approximately 2.0 acres designated as Open Space – Parks and Recreation (OS-PR).

Existing Setting

The site is currently undeveloped and consists of large cleared or graded areas, ruderal, non-native and ornamental vegetation, chenopod scrub, informal walking and bike trails and the foundation of a World War II-era bunker. The chenopod scrub area is approximately 0.23 acres in size and located in the southeastern portion of the site along the bluff. ~~In addition, six shrubs were planted in the spring of 2007 adjacent to the chenopod scrub patch as a mitigation measure for the removal of nesting trees from the site.~~ The chenopod scrub patch and adjacent shrubs are located in the area that would be zoned for Coastal Conservation. There are three eucalyptus trees on the site. **Also, mature eucalyptus trees are located on the adjacent property to the west, along the western boundary of the subject site. These trees would be preserved in place by Signal/Hearthside, the owner of the adjacent property.** A Monterey pine tree and a Mexican elderberry shrub were also planted as mitigation for the removal of trees on the site. **In addition, two Monterey pine trees and a Mexican elderberry shrub, which are located in the proposed OS-PR designated area, also exist on the site.** A grove of eucalyptus trees determined to be an Environmentally Sensitive Habitat Area (ESHA) is located immediately south of the site.

**Coastal Commission Action: The property owner was previously cited for removing trees that provided nesting and foraging habitat on the property. Six existing shrubs adjacent to the chenopod scrub habitat**

ISSUES (and Supporting Information Sources):

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

**in the southeastern portion of the site as well as the Monterey pines and Mexican elderberry shrubs were planted in 2007 to mitigate impacts from the removal of the tree habitat on the site.**

Sensitive Habitats

A Biological Resources Assessment was prepared for the site by the consulting firm of SWCA in November 2007. The report included a survey of the various vegetation types existing on the site. The report concluded that there were no sensitive habitat types located on the site. **The report states that the site provides only marginal habitat for amphibians, reptiles and small mammals due to repeated ground disturbance over time. The ruderal vegetation as well as the ornamental non-native trees on the site provide foraging area for several raptor species including ferruginous hawk, red-tailed hawk, white-tailed kite, northern harrier, prairie falcon and American Kestrel but are not considered sensitive habitat. In addition, consultation with staff from the California Department of Fish and Game (CDFG) in 2007 concluded that the site is not considered an important foraging area for raptors. It was also determined during the consultation that removal of non-native ornamental trees may be beneficial as they provide perches for raptors that hunt threatened and endangered species within the nearby Bolsa Chica Ecological Reserve. While ornamental habitat is not considered a sensitive habitat type, existing eucalyptus trees on the site are contiguous with the ESHA and are considered a significant biological resource. In addition, the coastal California gnatcatcher, a Federally Threatened species, is known to forage and nest within adjacent coastal scrub habitat and was previously observed within the chenopod scrub patch in 2005. However, a subsequent biological survey was conducted by LSA, Inc. in June 2009 for the presence of coastal California gnatcatchers. No gnatcatchers were present on the site or on the adjacent property. The results of the survey concluded that the coastal California gnatcatcher is no longer present in the project area. It was also noted that due to habitat restoration activities on the adjacent Brightwater development project site, there is significantly more coastal sage scrub, the coastal California gnatcatcher's preferred habitat, in the vicinity and, therefore, the patch of chenopod scrub habitat on the Goodell site is likely less critical to potential reoccupation of the species on the Bolsa Chica mesa and bluffs in the future. However, since it is unknown if and when development would occur on the site, a mitigation measure is recommended to require focused surveys prior to ground disturbing activities.**

No potential jurisdictional waters of the U.S. were identified within the project site, however potentially jurisdictional wetland features occur as close as 100 feet east of the site's boundary. Also, the project site does not serve as a wildlife corridor because of its isolation from other similar habitat areas.

The Biological Assessment Report recommends that any future development avoid all eucalyptus trees on the project site. There are three existing eucalyptus trees on the site. All three are within the area proposed to be zoned for Open Space – Parks and Recreation and will be preserved on the site. The report also recommends that all non-native trees to be removed as part of any future development, be replaced with native trees that will provide nesting sites for raptors. Chapter 221 of the HBZSO requires that a **minimum** 100-foot buffer be maintained between any development adjacent to an ESHA and the ESHA boundary. The area on the project site within 100 feet of the ESHA boundary would be zoned for open space or conservation area and the uses that would be permitted are similar in nature to existing uses near the project site and existing ESHA; therefore, any future development in the RL zoned area would be in compliance with the minimum 100-foot buffer in accordance with the HBZSO.

Although future development would be analyzed for environmental impacts at the time development is proposed, any future development proposal shall, at a minimum, include the following mitigation measures to protect sensitive habitats surrounding the project site:

- ***BIO-1: The three eucalyptus trees shall be preserved on the site. If the trees cannot be preserved in place, they shall be relocated and preserved elsewhere on the site prior to any ground disturbing***

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	No Impact
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*activities. Specifications for any eucalyptus trees to be relocated shall be submitted by a qualified arborist for review and approval by the Department of Public Works in coordination with the California Coastal Commission (CCC) and California Department of Fish and Game (CDFG). If the trees cannot be relocated, Bio-2 shall be required.*

- **BIO-2:** All non-native ornamental trees to be removed from the site shall be replaced on-site with native trees species that will provide suitable nesting sites for raptors, such as the coast live oak or western sycamore. Each tree shall be replaced with either two 24-inch box trees or four 5-gallon trees. Trees should be of local stock and acquired from a reputable local native plant nursery. Details of these replacement measures, including a final number, size, planting design, method for installation, watering plan, maintenance and establishment criteria shall be included in a revegetation plan prepared by a qualified botanist or arborist and approved by the City of Huntington Beach Public Works Department.
- **BIO-3:** A minimum 100-foot buffer from the boundary of the existing ESHA located immediately south of the project site shall be provided pursuant to the provisions of Chapter 221 of the HBZSO.

To minimize erosion and sediment deposition in wetland areas within the vicinity of the project site, the following standard practices may be implemented: scheduling construction so that it occurs during the dry season, installation of silt-fencing or straw wattles to trap sediments that may escape from construction areas, application of a mulch layer to keep topsoil in place, installation of vegetative buffers along the base of the bluff to trap sediments and management of stormwater runoff using appropriate drainage methods.

Special Status Species

According to the 2007 SWCA report, no special status plant species were identified or expected to occur within the project site. More recent botanical surveys conducted by LSA in June 2009 confirmed the presence of southern Tarplant on the site. Most of the southern Tarplant was documented in the center of the project site in the area proposed to be designated as residential low density (RL) and along the eastern boundary of the site in the proposed Open Space- Parks and Recreation (OS-PR) and Coastal Conservation (CC) designations. While southern Tarplant is not listed as threatened or endangered by any State or federal agency, it is listed as endangered by the California Native Plant Society. The survey notes the frequency of small numbers of the species throughout the site and in recently disturbed areas and the presence of a large group of very small seedlings, which indicates that the introduction of southern Tarplant in the area is recent and has high dispersal rates. The survey also notes the species ability to flourish in harsh environments and disturbed conditions. The report indicates that a population of several thousand in a relatively natural habitat should be considered significant, warranting avoidance or relocation; however, the number of well-developed Tarplant individuals on the subject site would not be a significant population because they are fairly recent in disturbed non-native habitat. The report concludes by stating that a finding of significance at this time would be speculative.

The survey indicates that implementation of a tarplant relocation program in the event development is proposed in the future and avoidance cannot be achieved would mitigate impacts. The most suitable area for relocation would be within the one-acre area designated for Coastal Conservation (CC) and, given the species' ability to flourish in disturbed areas, along the southern boundary of the site, which is proposed for Open Space – Parks and Recreation (OS-PR). The survey notes that successful relocation of southern Tarplant has been well documented. As such a mitigation measure is proposed to reduce potential impacts to southern Tarplant. Southern tarplant has the potential to occur within the project site but was not observed during field surveys because no suitable habitat is present for it to exist on the site.

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Although the project site provides habitat for the monarch butterfly, wandering skipper, silvery legless lizard, San Diego black-tailed jackrabbit, western (California) mastiff bat and western yellow bat, which are all sensitive wildlife species, it is not likely that they would occur on the site because the habitat quality is marginal or more abundant in areas adjacent to the project site. Therefore, no significant adverse impacts to these species would occur if the site were developed in the future and no mitigation would be required. The project site provides suitable foraging and nesting habitat for a variety of special status and protected bird species. Some of these birds including the white-tailed kite, great-horned owl, barn owl, Anna's hummingbird and Costa's hummingbird are known to nest year-round. The report recommends several mitigation options for potential impacts to special status species including the California gnatcatcher, Burrowing owl, nesting raptors and nesting migratory birds and raptors. Although future development would be analyzed for environmental impacts at the time development is proposed, any future development proposal shall, at a minimum, include the following mitigation measures to protect special status species:

- **BIO-4: coastal California gnatcatcher**: *Prior to any ~~ground-disturbing~~ **demolition, grading or equivalent** activity, focused surveys shall be conducted within the project site and accessible areas within 500 feet of the site during the appropriate season in accordance with United States Fish and Wildlife Service (USFWS) established protocols. If the survey results are negative for presence of coastal California gnatcatchers, no further mitigation is required. If the surveys detect coastal California gnatcatchers adjacent to but not within the project site, construction shall be limited to outside of the nesting season and a qualified biological monitor shall be present during construction to ensure that no adults are destroyed. The project applicant shall coordinate construction scheduling with the USFWS.*

*If the surveys detect coastal California gnatcatchers within the project site, additional mitigation would be required as determined through the Section 7 or Section 10 consultation process with USFWS. Mitigation options are likely to include: avoidance of impacts to occupied habitat; creation/restoration of habitat on property adjacent to the project site; creation/restoration or preservation of habitat on other local property that has occupied or unoccupied habitat; preservation of occupied and/or unoccupied coastal sage scrub habitat in a bank such as the Viejo conservation Bank in Orange County; preservation of occupied and/or unoccupied scrub habitat in other portions of Orange County; or other mitigation options developed in conjunction with USFWS and the United States Army Core of Engineers (USACE).*

- **BIO – 5: Burrowing Owl**: *Prior to ~~ground-disturbing~~ any **demolition, grading or equivalent** activity, surveys shall be conducted for burrowing owls where suitable habitat is present within the construction areas. Surveys shall be conducted in accordance with established protocols of the California Burrowing Owl Consortium (CBOC) and the California Department of Fish and Game (CDFG).*

*If unoccupied burrows are found during the non-breeding season, the property owner may collapse the unoccupied burrows, or otherwise obstruct their entrances to prevent owls from entering and nesting in the burrows. This measure would prevent inadvertent impacts during construction activities. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the City and CDFG for review and approval, and no further mitigation is necessary.*

*If occupied burrows are found, impacts on the burrows shall be avoided by providing a buffer of 165 feet during the non-breeding season (September 1 through January 31) or 250 feet during the breeding season (February 1 through August 31). The size of the buffer area may be adjusted if a*

ISSUES (and Supporting Information Sources):

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

qualified biologist and CDFG determine it would not be likely to have adverse effects on the owls. No project activity shall commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If the burrow is occupied by a nesting pair, a minimum of 7.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. If impacts on occupied burrows are unavoidable, onsite passive relocation techniques approved by CDFG shall be used to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Mitigation for foraging habitat for relocated pairs shall follow guidelines provided in the California Burrowing Owl Consortium's April 1995 Burrowing Owl Survey Protocol and Mitigation Guidelines, which ranges from 7.5 to 19.5 acres per pair.

- **BIO – 6: Nesting Migratory Birds:** Prior to any construction ~~or ground-disturbing~~, **demolition, grading or equivalent** activity, a qualified Biologist shall survey the project impact area for the presence of any active bird nest (common or special status) within 72 hours prior to the onset of construction activities. Any nest found during the survey efforts will be mapped on the construction plans. If no active nests are found, no further mitigation is required. Results of the surveys will be provided to the CDFG and the City of Huntington Beach.

If any active migratory bird nest is present, the nest will be protected until nesting activity has ended to ensure compliance with Section 3503 of the California Fish and Game Code. To protect any active nest, the following restrictions on construction are required until the nests are no longer active, as determined by a qualified biologist: (1) clearing limits will be established with a 300-foot buffer around any occupied nest, or as otherwise determined by a qualified Biologist. Any encroachment into the buffer area around the known nest will only be allowed if the qualified Biologist determines that the proposed construction activities would not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified Biologist has determined that the construction activities are not a disruption to the breeding activities or if the fledglings have left the nest.

- **BIO-7: Nesting Raptors:** Prior to any construction ~~or ground-disturbing~~, **demolition, grading or equivalent** activity, a qualified Biologist shall survey within 500 feet of the project impact area for the presence of any active raptor nests (common or special status) at least seven days prior to the onset of construction activities. Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG and the City of Huntington Beach.

If nesting activity is present at any raptor nest site, the active nest site will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. To protect any nest site, the following restrictions on construction are required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits shall be established with a 500 foot buffer, or as otherwise determined by a qualified Biologist, around any occupied nest. Any encroachment into the buffer area around the known nest shall only be allowed if the qualified Biologist determines that the proposed construction activities would not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified Biologist has determined that the construction activities are not a disruption to the breeding activities or if the fledglings have left the nest.

If an inactive nest is observed within the area to be directly impacted during the non-nesting season,

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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*the nest site shall be monitored by a qualified Biologist, and when the raptor is away from the nest, the nest will be relocated so raptors cannot return to it. The qualified Biologist will supervise the relocation of the nest.*

- **BIO-8: southern Tarplant: Prior to any construction, demolition, grading or equivalent activity, a qualified Biologist shall survey the project site for presence of southern Tarplant. Any impacted colonies of southern Tarplant within the project site shall be relocated to open space areas on the site. A southern Tarplant relocation program shall be prepared by a qualified Biologist and implemented prior to construction.**

**VIII. MINERAL RESOURCES.** Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: #5)

**Discussion:** See below.

- 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: #5)

**Discussion a & b:** Although Huntington Beach has been the site of oil and gas extraction since the 1920s, oil production has decreased over the years, and today, oil producing wells are scattered throughout the City. Previous environmental analysis (Recirculated EIR No. 551) for the Bolsa Chica area indicates that there are no existing wells on the project site.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to mineral resources and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Given that there are no known mineral resources on the site and no development is being proposed, the project will not result in the loss of a known mineral resource. No impacts would occur.

**IX. HAZARDS AND HAZARDOUS MATERIALS.**

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: #)

**Discussion:** See discussion below.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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materials into the environment? (Sources: #1)

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 & 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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:** See discussion below.

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

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: #1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 items a – h:** The nearest school, Marine View Middle School, is located approximately ½ mile from the project site. In addition, the project site is not listed on any list of hazardous sites. The City 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 or private airport.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts from hazards and hazardous materials and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Impacts related to hazards and hazardous materials would be analyzed if and when development is proposed. No impacts would occur.

**X. NOISE.** Would the project result in:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: #1 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Sources: #1 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

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

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 & 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 & 14) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion a – f:** The City is located within the Airport Environs Land Use Plan for the Joint Forces Training

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Base Los Alamitos, but is not located within two miles of a public or private airport. The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in noise impacts and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Impacts related to noise would be analyzed if and when development is proposed. No impacts would occur.

**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 performance objectives for any of the public services:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Fire protection? (Sources: #1, 5 & 6)                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>Discussion:</b> See discussion.  |                          |                          |                                     |                                     |
| b) Police Protection? (Sources: #1, 5 & 6)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>Discussion:</b> See discussion below.                                  |                          |                          |                                     |                                     |
| c) Schools? (Sources: #1, 5 & 6)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>Discussion:</b> See discussion below.                                  |                          |                          |                                     |                                     |
| d) Parks? (Sources: #1, 5 & 6)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>Discussion:</b> See discussion below.                                  |                          |                          |                                     |                                     |
| e) Other public facilities or governmental services? (Sources: #1, 5 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion a – e:** The proposed project involves the pre-zoning and annexation of a 6.2 acre site and does not propose any new construction or development that would cause immediate impacts on public services. However, the project does propose annexation in the City and pre-zoning of a site that would allow future development on a portion of the site. The proposed zoning would allow up to 22 residential units to be developed.

Currently, the Orange County Sheriff-Coroner Department (OCSCD) and Orange County Fire Authority (OCFA) would provide police and fire/emergency services to the site. However, through mutual aid agreements, the City of Huntington Beach is also a first responder. Upon annexation of the site into the City of Huntington Beach, police and fire/emergency services would be provided directly by the City of Huntington Beach. The City’s Fire Department has indicated that the proposed project would have less than significant impacts on the City’s fire protection services. The project site is located within the Ocean View School District (grades K-8) and the Huntington Beach Union High School District. Five City parks, Bolsa Chica State Beach and the Bolsa Chica Ecological Reserve are all located within one mile of the project site. Libraries in both the City of Huntington Beach and County of Orange library systems would serve the project site. Previous environmental documentation (Recirculated EIR No. 551) for the Bolsa Chica Land Use Plan,

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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analyzed the development of 2,500 residential units on the Bolsa Chica and Huntington Beach mesas, which included development on the project site at a density of 6.5 – 12.5 dwelling units per acre. Impacts to public services were determined to be either less than significant (police, fire, schools, parks and libraries) or less than significant with mitigation (emergency services specific to OCFA capability of meeting adequate response times).

Future residential development on the site would be required to pay park, school and library fees as applicable. Given that the scope of future development would be much smaller than what was previously analyzed and anticipated for the Bolsa Chica mesa, less than significant impacts to public services would occur.

**XIV. UTILITIES AND SERVICE SYSTEMS.** Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: #1, 5 & 6)

**Discussion:** See discussion below.

- 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, 5 & 6)

**Discussion:** See discussion below.

- 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, 5 & 6)

**Discussion:** See discussion below.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: #1, 5 & 6)

**Discussion:** See discussion below.

- 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, 5 & 6)

**Discussion:** See discussion below.

- f) Be served by a landfill with sufficient permitted capacity

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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to accommodate the project's solid waste disposal needs? (Sources: #1, 5 & 6)

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: #1, 5 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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, 5 & 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion a – h:** The proposed project involves the pre-zoning and annexation of a 6.2 acre site and does not propose any new construction or development that would cause immediate impacts or create additional demand on utilities and service systems with the exception water supply to the site. However, the project does propose zoning that would allow future development on a portion of the site. The proposed zoning would allow up to 22 single-family homes to be developed and irrigation (temporary and permanent) may be needed for the open space areas.

Previous environmental documentation (Recirculated EIR No. 551) for the Bolsa Chica Land Use Plan, analyzed the development of 2,500 residential units on the Bolsa Chica and Huntington Beach mesas, which included the project site. It was determined at the time, that existing utilities were available to serve the development and any potential impacts to utilities and service systems were determined to be either less than significant or less than significant with mitigation. The Public Works Department has indicated that the water demand for the subject site was not accounted for in the 2005 Water Master Plan Update and 2005 Urban Water Management Plan (UWMP). Although the project would result an increase in water demand, it would not present a significant impact to the current water supplies according to the water surplus identified in the 2005 UWMP. In addition, future development proposals would require a separate environmental analysis in which the water supply available to serve the property would be assessed using the water surplus identified under the adopted UWMP at the time development is proposed. Therefore, impacts would be less than significant.

**XV. AESTHETICS.** Would the project:

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

**Discussion:** See discussion below.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: # Figure 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially degrade the existing visual character or | <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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quality of the site and its surroundings? (Sources: # Figure 3)

**Discussion:** See discussion below.

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

**Discussion a – d:** The subject site is situated at approximately 50 feet above mean sea level (msl) and views of the wetlands, lowlands, eucalyptus ESHA as well as distant views of the Pacific Ocean can be captured from the site. A portion of the Open Space – Parks and Recreation (OS-PR) area is proposed to maintain existing views from the site and provide a public vista point. The Coastal Conservation (CC) as well as the remaining OS-PR area will maintain views of the slope to persons on the bicycle trail along the channel. The existing character of the surrounding area consists of residential and open spaces uses, which are similar to the uses that would be allowed under the proposed zoning of the site.

The project involves the pre-zoning and annexation of a 6.2-acre site currently located in unincorporated County of Orange. The project would not result in impacts to aesthetics and does not contemplate development of the site. However, a portion of the site is proposed to be zoned for single-family residential uses and would allow for a range of residential uses as well as limited commercial use classifications such as nurseries and wireless communication facilities to be proposed. Impacts related to aesthetics would be analyzed if and when development is proposed. No impacts would occur.

**XVI. CULTURAL RESOURCES.** Would the project:

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: #4,19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** See discussion below.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: #4, 19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** See discussion below.

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: #4, 19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Discussion:** See discussion under item d.

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: #4, 19) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 items a – d:** The proposed project will establish zoning on a 6.2 acre site that would be annexed into the City of Huntington Beach. The proposed zoning includes approximately 3.2 acres for single-family residential uses, 1.0 acre for Coastal Conservation area and approximately 2.0 acres designated as Open Space – Parks and Recreation. Historically, the project site has been disturbed by previous uses, including agriculture, World War II activities and terracing for a pole yard. An underground structure containing a plotting and switchboard room was built by the U.S. Army to support Battery 128 on the site in 1943. City planning staff observed a portion of an underground structure during a site visit in June 2008. It is likely that the structure is related to structures that may have been constructed on the site during World War II.

A Cultural Resources Survey Report for the 6.2 acre site was prepared by the consulting firm of SWCA in November 2007. The Report indicated that 16 cultural resource studies have been conducted within or adjacent to the project area. 11 of the studies are specific to the previously recorded prehistoric archaeological site CA-ORA-83, which is listed on the California Native American Heritage Commission registry of sacred sites. A pedestrian survey was conducted for the Cultural Resources Survey Report by SWCA in September 2007. The pedestrian survey identified indications of the presence of CA-ORA-83 within the project area. These indications included scattered concentrations of shell and possible midden soils. A possible historic World War II concrete foundation for the underground plotting/switchboard room was also observed during the site survey.

**In addition to the survey that was conducted by SWCA in 2007, a report on the history of archeological investigations on the project site was prepared by Scientific Resource Surveys (SRS), Inc. in May 2009. The report refers to the Goodell property as part of the archeological site CA-ORA-144 or “The Water Tower Site”, which is part of the larger archeological site CA-ORA-83 or “The Cogged Stone Site.” The report also provides an aerial photograph history of land use on the site. The aerial history shows the amount of disturbance that has occurred on the Goodell property over the years. The most significant disturbance occurred during World War II and the construction of the Bolsa Chica Military Reservation. Construction included Batteries 128 and 242, which have since been demolished, and placement of a plotting and spotting room (PSR) on the Goodell site. The war ended before the facilities were completed and the facilities were used for training and storage until the Bolsa Chica Military Reservation was closed permanently in 1948.**

**Construction of the PSR building on the Goodell site required heavy grading and excavation on the site, consequently destroying most of the archeological site on the property. Other disturbances that occurred on the site include agricultural plowing and disking, terracing for a pole yard and activities from the Bolsa Chica Gun Club. The report concludes that as a result of all the disturbance that has occurred on the Goodell property, only the western and northern boundaries of the site have the potential to contain remnants of subsurface deposits. However, it should be noted that previous excavations on the adjacent property to the north, as well as previous site disturbance, indicate that it is not likely that deposits would remain in the northern portion of the property.**

According to ~~the both~~ reports, the subject site has never been tested to determine the vertical and horizontal extent of CA-ORA-83/CA-ORA-144 and that it is likely that the project area contains intact subsurface deposits that may be important to local and regional prehistory. **Only one archeological excavation has occurred on the site. In 1963, two hand-excavated units were dug, but only produced a “few flakes” and no midden deposit was located (SRS 2009).** In addition, large portions of the excavated areas of CA-ORA-83 outside of the project boundaries have documented presence of a prehistoric cemetery. As such, further testing would be required prior to future development of the site.

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project would not directly result in impacts to cultural resources, however it would establish zoning that would allow for future development of the site. Therefore, the following mitigation measures shall be required prior to any proposal for future development:

- CR-1:** *Prior to determination of a complete application submittal for development of the site, testing shall be done by a qualified archaeologist to determine the vertical and horizontal extents of site CA-ORA-83/CA-ORA-144 within the property, including the presence or absence of subsurface deposits. The testing program should be multi-phased including a full property survey and documentation of present condition. Backhoe trenching in and amongst historic structure locations and along parcel boundaries shall be conducted to verify the presence or absence of intact historic and prehistoric deposits if such exist. Hand excavations shall be conducted in order to establish the extent, depth, nature and content of midden deposits if such remain. Depending on the results of the subsurface excavation, additional studies may be warranted. Such studies may include a Research Design and Treatment Plan. If site remnants are located, in-situ preservation shall be considered. If preservation is not possible, a data recovery program shall be required. If required, data recovery excavation shall be completed prior to any ground disturbing activities.*

Although future development would be analyzed for environmental impacts at the time development is proposed, any future development proposal shall, at a minimum, include the following mitigation measure in the environmental assessment:

- CR-2:** *Documentation of the World War II PSR building shall be documented using the same methodology and techniques developed for documenting Batteries 128 and 242 prior to demolition, which includes photo documentation. The documentation shall be available for a comparison of interior and exterior construction techniques and other uses, such as for graffiti or artistic expression, between all three bunkers and associated outbuildings.*
- CR-3:** *If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.*

**XVII. 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 & Figure 3)
- 

**Discussion:** See discussion below.

- 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
-

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant	No Impact
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environment? (Sources: #1 & Figure 3)

**Discussion:** See discussion below.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Affect existing recreational opportunities? (Sources:#1 & Figure 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion items a – c:** The proposed project will establish zoning on a 6.2 acre site that would be annexed into the City of Huntington Beach. The proposed zoning includes approximately 3.2 acres for single-family residential uses (RL), 1.0 acre for Coastal Conservation (CC) area and approximately 2.0 acres designated as Open Space – Parks and Recreation (OS-PR). A 0.5-acre portion of the proposed open space is located at the southwest portion of the site and overlooks the Bolsa Chica. The proposed open space area is intended to provide a viewing area of the lowlands, eucalyptus ESHA and wetlands, which are visible from the project site. In addition, this area is adjacent to an existing decomposed granite trail that is part of the Brightwater Development. The trail meanders along the southern boundary of the residential portion of the Brightwater development adjacent to the open space ESHA within the Brightwater Specific Plan area.

Currently, the site is used by hikers, joggers and kids riding their bikes through informal paths on the site. However, the site is private property and not considered a recreational amenity by the City.

Five City parks, Bolsa Chica State Beach and the Bolsa Chica Ecological Reserve are all located within one mile of the project site. The General Plan Recreation and Community Services Element includes a standard of five acres of parks per 1,000 residents. Based on a maximum density of seven units per acre, there is potential for approximately 22 homes to be constructed, which would result in approximately 57 people. Although it is possible that some of the residents of any future proposed development on the site would already be Huntington Beach residents, the park requirement for 57 people would be 0.30 acres. While the introduction of new homes would contribute to increased usage of parks in the vicinity of the project site, the project is proposing to designate approximately 2.0 acres for park space. In addition, future development would be required to comply with HBZSO requirements for dedication of land and/or payment of park fees. Therefore, the project would not result in a substantial deterioration of existing park facilities. Less than significant impacts would occur.

**XVIII. 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: #15, 16 & Figure 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See discussion below.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: #15, 16 & Figure 3)

**Discussion:** See discussion below.

- 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: #15, 16 & Figure 3)

**Discussion a – c:** The proposed pre-zoning and annexation of the subject property will not convert farmland or conflict with existing zoning for agricultural use. The site is currently located within the County of Orange and zoned Planned Community (PC), which would allow for the development of residential and open space uses. The proposed project would establish similar zoning on the project site and as such, no impacts would occur.

**XIX. 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: #1-16)

**Discussion:** As discussed in Sections VII (Biological Resources) and XVI (Cultural Resources), the pre-zoning and annexation of the subject site would not result in direct impacts to fish and wildlife species and their habitat, nor would it result in direct impacts to cultural resources. However, the proposed project would allow for a portion of the site to be developed in the future, which could potentially result in impacts to biological and cultural resources. Based on the analysis in the sections referenced above, these impacts can be reduced to less than significant levels with implementation of the proposed mitigation measures.

- 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: #1-16)

**Discussion:** See discussion below.

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

**Discussion:** The proposed project will establish zoning on a 6.2 acre site that would be annexed into the City of Huntington Beach. The proposed zoning includes approximately 3.2 acres for single-family residential uses (RL), 1.0 acre for Coastal Conservation (CC) area and approximately 2.0 acres designated as Open Space – Parks and

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Recreation (OS-PR). Although, the project does not contemplate development of the site and would not result in adverse impacts to the environment, including cumulatively considerable impacts, the project does propose zoning that would allow development on a portion of the site. The site could potentially be developed with up to 22 single-family residences and open space areas. If and when development is proposed, a separate environmental analysis based on the project description would be required. Therefore, the proposed project will not result in cumulatively considerable impacts or a substantial increase in environmental effects that will cause adverse effects on human beings. Less than significant impacts would occur.

## **XX. EARLIER ANALYSIS.**

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

Earlier Documents Prepared and Utilized in this Analysis:

<b><u>Reference #</u></b>	<b><u>Document Title</u></b>	<b><u>Available for Review at:</u></b>
1	City of Huntington Beach General Plan	City of Huntington Beach Planning Dept., Planning/Zoning Information Counter, 2000 Main St., 3 <sup>rd</sup> Floor, Huntington Beach
2	City of Huntington Beach Zoning and Subdivision Ordinance	“
3	Biological Resources Assessment (November 2007)	“
4	Cultural Resources Survey Report (November 2007)	“
5	Recirculated EIR No. 551 – County of Orange (1996)	“
6	Subsequent EIR No. 551 – County of Orange (2002)	“
7	City of Huntington Beach Geotechnical Inputs Report	“
8	FEMA Flood Insurance Rate Map (February 18, 2004) Map No. 06059C0233H	“
9	CEQA Air Quality Handbook, South Coast Air Quality Management District (1993)	“
10	City of Huntington Beach CEQA Procedure Handbook	“
11	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	“
12	Hazardous Waste and Substances Sites List	“
13	State Seismic Hazard Zones Map	“
14	City of Huntington Beach Municipal Code	“
15	Orange County General Plan Map	“
16	Orange County Zoning Map	“
17	Addendum to Subsequent EIR No. 551 – County of Orange (2005)	“
18	Supplemental Biological Surveys (LSA, July 2009)	“
19	History of Archeological Investigations (SRS, May 2009)	“

## Summary of Mitigation Measures

### Description of Impact

#### Biological Resources

- ◆ 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
- ◆ 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
- ◆ 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
- ◆ 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

### Mitigation Measure

- **BIO-1:** The three eucalyptus trees shall be preserved on the site. If the trees cannot be preserved in place, they shall be relocated and preserved elsewhere on the site prior to any ground disturbing activities. Specifications for any eucalyptus trees to be relocated shall be submitted by a qualified arborist for review and approval by the Department of Public Works in coordination with the California Coastal Commission (CCC) and California Department of Fish and Game (CDFG). ~~If the trees cannot be relocated, Bio-2 shall be required.~~
- **BIO-2:** All non-native ornamental trees to be removed from the site shall be replaced on-site with native trees species that will provide suitable nesting sites for raptors, such as the coast live oak or western sycamore. Each tree shall be replaced with either two 24-inch box trees or four 5-gallon trees. Trees should be of local stock and acquired from a reputable local native plant nursery. Details of these replacement measures, including a final number, size, planting design, method for installation, watering plan, maintenance and establishment criteria shall be included in a revegetation plan prepared by a qualified botanist or arborist and approved by the City of Huntington Beach Public Works Department.
- **BIO-3:** A minimum 100-foot buffer from the boundary of the existing ESHA located immediately south of the project site shall be provided pursuant to the provisions of Chapter 221 of the HBZSO.
- **BIO-4:** coastal California gnatcatcher: Prior to any ~~ground disturbing~~ demolition, grading or equivalent activity, focused surveys shall be conducted within the project site and accessible areas within 500 feet of the site during the appropriate season in accordance with United States Fish and Wildlife Service (USFWS) established protocols. If the survey results are negative for presence of coastal California gnatcatchers, no further mitigation is required. If the surveys detect coastal California gnatcatchers adjacent to but not within the project site, construction shall be limited to outside of the nesting season and a qualified biological monitor shall be present during construction to ensure that no adults are destroyed. The project applicant shall coordinate construction scheduling with the USFWS.

If the surveys detect coastal California gnatcatchers within the project site, additional mitigation would be required as determined through the Section 7 or Section 10 consultation process with USFWS. Mitigation options are likely to include: avoidance of impacts to occupied habitat; creation/restoration of habitat on property adjacent to the project site; creation/restoration or preservation of habitat on other local property that has occupied or unoccupied habitat; preservation of occupied and/or unoccupied coastal sage scrub habitat in a bank such as the Viejo conservation Bank in Orange County; preservation of occupied and/or unoccupied scrub habitat in other portions of Orange County; or other

mitigation options developed in conjunction with USFWS and the United States Army Core of Engineers (USACE).

- **BIO – 5: Burrowing Owl:** Prior to ~~ground-disturbing activity~~, **demolition, grading or equivalent**, surveys shall be conducted for burrowing owls where suitable habitat is present within the construction areas. Surveys shall be conducted in accordance with established protocols of the California Burrowing Owl Consortium (CBOC) and the California Department of Fish and Game (CDFG).

If unoccupied burrows are found during the non-breeding season, the property owner may collapse the unoccupied burrows, or otherwise obstruct their entrances to prevent owls from entering and nesting in the burrows. This measure would prevent inadvertent impacts during construction activities. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the City and CDFG for review and approval, and no further mitigation is necessary.

If occupied burrows are found, impacts on the burrows shall be avoided by providing a buffer of 165 feet during the non-breeding season (September 1 through January 31) or 250 feet during the breeding season (February 1 through August 31). The size of the buffer area may be adjusted if a qualified biologist and CDFG determine it would not be likely to have adverse effects on the owls. No project activity shall commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If the burrow is occupied by a nesting pair, a minimum of 7.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. If impacts on occupied burrows are unavoidable, onsite passive relocation techniques approved by CDFG shall be used to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Mitigation for foraging habitat for relocated pairs shall follow guidelines provided in the California Burrowing Owl Consortium's April 1995 Burrowing Owl Survey Protocol and Mitigation Guidelines, which ranges from 7.5 to 19.5 acres per pair.

- **BIO – 6: Nesting Migratory Birds:** Prior to any construction or ~~ground disturbing~~, **demolition, grading or equivalent** activity, a qualified Biologist shall survey the project impact area for the presence of any active bird nest (common or special status) within 72 hours prior to the onset of construction activities. Any nest found during the survey efforts will be mapped on the construction plans. If no active nests are found, no further mitigation is required. Results of the surveys will be provided to the CDFG and the City of Huntington Beach.

If any active migratory bird nest is present, the nest will be protected until nesting activity has ended to ensure compliance with Section 3503 of the California Fish and Game Code. To protect any active nest, the following

restrictions on construction are required until the nests are no longer active, as determined by a qualified biologist: (1) clearing limits will be established with a 300-foot buffer around any occupied nest, or as otherwise determined by a qualified Biologist. Any encroachment into the buffer area around the known nest will only be allowed if the qualified Biologist determines that the proposed construction activities would not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified Biologist has determined that the construction activities are not a disruption to the breeding activities or if the fledglings have left the nest.

- **BIO-7: Nesting Raptors: Prior to any construction or ground disturbing, demolition, grading or equivalent activity, a qualified Biologist shall survey within 500 feet of the project impact area for the presence of any active raptor nests (common or special status) at least seven days prior to the onset of construction activities. Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG and the City of Huntington Beach.**

If nesting activity is present at any raptor nest site, the active nest site will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. To protect any nest site, the following restrictions on construction are required until nests are no longer active, as determined by a qualified Biologist: (1) clearing limits shall be established with a 500 foot buffer, or as otherwise determined by a qualified Biologist, around any occupied nest. Any encroachment into the buffer area around the known nest shall only be allowed if the qualified Biologist determines that the proposed construction activities would not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified Biologist has determined that the construction activities are not a disruption to the breeding activities or if the fledglings have left the nest.

If an inactive nest is observed within the area to be directly impacted during the non-nesting season, the nest site shall be monitored by a qualified Biologist, and when the raptor is away from the nest, the nest will be relocated so raptors cannot return to it. The qualified Biologist will supervise the relocation of the nest.

- **BIO-8: southern Tarplant: Prior to any construction, demolition, grading or equivalent activity, a qualified Biologist shall survey the project site for presence of southern Tarplant. Any impacted colonies of southern Tarplant within the project site shall be relocated to open space areas on the site. A southern Tarplant relocation program shall be prepared by a qualified Biologist and implemented prior to construction.**

### Cultural Resources

- ◆ Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5
  - ◆ Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5
  - ◆ Directly or indirectly destroy a unique paleontological resource or site unique geologic feature
  - ◆ Disturb any human remains, including those interred outside of formal cemeteries
- **CR-1:** Prior to determination of a complete application submittal for development of the site, testing shall be done by a qualified archaeologist to determine the vertical and horizontal extents of site CA-ORA-83/CA-ORA-144 within the property, including the presence or absence of subsurface deposits. **The testing program should be multi-phased including a full property survey and documentation of present condition. Backhoe trenching in and amongst historic structure locations and along parcel boundaries shall be conducted to verify the presence or absence of intact historic and prehistoric deposits if such exist. Hand excavations shall be conducted in order to establish the extent, depth, nature and content of midden deposits if such remain.** Depending on the results of the subsurface excavation, additional studies may be warranted. Such studies may include a Research Design and Treatment Plan. **If site remnants are located, in-situ preservation shall be considered. If preservation is not possible, a data recovery program shall be required.** If required, data recovery excavation shall be completed prior to any ground disturbing activities.  
  
**CR-2: Documentation of the World War II PSR building shall be documented using the same methodology and techniques developed for documenting Batteries 128 and 242 prior to demolition, which includes photo documentation. The documentation shall be available for a comparison of interior and exterior construction techniques and other uses, such as for graffiti or artistic expression, between all three bunkers and associated outbuildings.**
  - **CR-3:** If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

## CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
Oceangate, Suite 1000  
Huntington Beach, CA 90802-4302  
(562) 590-5071



April 22, 2009

Jennifer Villasenor, Associate Planner  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

Re: Mitigated Negative Declaration/Environmental Assessment No. 08-017  
Goodell Property Pre-Zoning and Annexation

Dear Ms. Villasenor:

Coastal Commission staff received the above referenced document on March 30, 2009. The City is in the process of soliciting comments from interested parties on the Mitigated Negative Declaration (MND) prepared for the proposed pre-zoning and annexation of the site known as the Goodell property. The subject site is an approximately 6.2 acre site located at the terminus of Bolsa Chica Street, south of Los Patos Avenue, in an unincorporated area of Orange County, adjacent to the City of Huntington Beach. The proposed pre-zoning includes 3.2 acres of Residential Low Density (RL), 2 acres of Open Space - Parks and Recreation (OS-PR), and 1 acre of Coastal Conservation (CC). Thank you for forwarding the document for Coastal Commission staff review. Commission staff appreciates the opportunity to comment early in the process. Following are our comments.

As noted in the MND, final land use designations and zoning for the subject site will need to be approved by the Coastal Commission via a Local Coastal Program amendment. Commission staff has concerns with aspects of the proposed pre-zoning, as described in further detail below. The most significant areas of concern are with the adequacy of the proposed pre-zoning to protect: 1) identified and potentially present sensitive habitats and species, 2) archaeological/cultural resources likely to be present on site; and 3) compatibility with surrounding land uses (existing or approved); and, 4) whether the proposed pre-zoning reflects the most recent actions in the surrounding areas with regard to the above-identified biological and cultural/archaeological resources, and with recently approved land uses).

### **Biological Resources**

The MND identifies areas to be pre-zoned Coastal Conservation (CC) and Open Space - Parks Recreation (OS - PR). The area proposed to be pre-zoned OS - PR includes three eucalyptus trees. Also present at the site are a Monterey pine and Mexican elderberry shrub which were planted as mitigation for removal of trees without appropriate authorization, including the necessary coastal development permit. It is not clear from the information included in the MND what pre-zone category these trees fall within. The MND references a

ATTACHMENT NO. 4.1

Biological Resources Assessment (November 2007) prepared by SWCA. According to the MND, the Biological Assessment finds that the existing eucalyptus trees on site are considered a significant biological resource.

It should be noted however, that eucalyptus trees are not the only type of vegetation in and around the subject site that have been deemed Environmentally Sensitive Habitat Area (ESHA). Although ESHA identified in this area is typically referred to as "eucalyptus grove ESHA", other trees included in this ESHA are palm trees and pine trees that are used by raptors and herons. None of the trees are part of a native plant community. Rather, they have been recognized as ESHA due to the important ecosystem functions they provide to a suite of raptor species. The "eucalyptus grove" in the vicinity has been recognized as ESHA not because it is part of a native ecosystem, or because the trees in and of themselves warrant protection, but because of the important ecosystem functions the grove provides. It is important that all the trees on the subject site be considered in this context and pre-zoning be assigned accordingly.

In addition, the habitat function provided by the trees that were removed without authorization should be considered as if the unauthorized work had not occurred. The trees that were removed were mature trees that may have had greater habitat value than the newer replacement trees presently do. This should be taken into consideration when assigning appropriate zoning for the subject site. It should also be noted that the mitigation for the unauthorized removal included planting four trees (two western sycamores, two Catalina cherries), and two shrubs (two toyon). If vegetation (including but not limited to eucalyptus, palm and pine trees) on the subject site is found to constitute ESHA, the appropriate zoning would be Coastal Conservation. Also, necessary buffer area would be appropriately zoned Coastal Conservation as well.

Also, as noted in the MND, other sensitive plant and animal species have been found in the vicinity such as California gnatcatchers (*Poliioptila californica californica*), a species listed as "threatened" under the Endangered Species Act, Southern tarplant (*Centromedia parryi* ssp. *Australis*), a California Native Plant Society "1b.1" species (seriously endangered in California), and the Burrowing Owl. Biological surveys should address whether these or other sensitive species exist on the subject site. Gnatcatcher habitat and Southern tarplant were identified on the adjacent Shea property. These habitats are located in areas now land use designated Open Space – Conservation.

The MND states: "Chapter 221 of the HBZSO requires that a 100-foot buffer be maintained between any development adjacent to an ESHA and the ESHA boundary." Chapter 221, Section 221.22 requires a *minimum* buffer of 100 feet. At the adjacent Parkside site, the appropriate buffer distance from the eucalyptus grove ESHA was found to be a range of between 297 feet to 650 feet. A one hundred foot buffer distance may not be adequate to protect ESHA.

The MND establishes biological mitigation measures. The first would "preserve" the three eucalyptus trees, but allows them to be relocated on-site. The second mitigation measure

would allow removal of all non-native trees and replacement with natives, but does not specify replacement on-site. The third mitigation measure requires a 100 foot buffer from the ESHA identified on the adjacent Shea Homes property. Preservation of the eucalyptus trees should include preservation in place, not relocation. The mitigation measure allowing removal of non-native trees on site appears to conflict with the requirement to preserve the three eucalyptus trees on site. In addition, if the non-native trees are determined to provide significant habitat value and/or determined to be ESHA, relocation and/or removal would not be allowed under the Coastal Act. As described above, the 100 foot buffer requirement is a minimum requirement. All area determined to be ESHA and all area necessary for buffer area would be appropriately zoned Coastal Conservation. Open Space - Parks Recreation does not protect against significant disruption of ESHA and does not afford the protection necessary to assure the continuance of the ESHA.

A recent, comprehensive Biological Assessment will be required at the time an LCP amendment request is submitted to the Commission for consideration.

### Cultural Resources

The MND states:

*"A Cultural Resources Survey Report for the 6.2 acre site was prepared by the consulting firm of SWCA in November 2007. The report indicated that 16 cultural resource studies have been conducted within or adjacent to the project area. 11 of the studies are specific to the previously recorded prehistoric archaeological site CA-ORA-83, which is listed on the California Native American Heritage Commission registry of sacred sites. A pedestrian survey was conducted for the Cultural Resources Survey Report by SWCA in September 2007. The pedestrian survey identified indications of the presence of CA-ORA-83 within the project area. These indications included scattered concentrations of shell and possible midden soils. A possible historic World War II concrete foundation for the underground plotting/switchboard room was also observed during the site survey.*

*According to the report, the subject site has never been tested to determine the vertical and horizontal extent of CA-ORA-83 and that it is likely that the project area contains intact subsurface deposits that may be important to local and regional prehistory. In addition, large portions of the excavated areas of CA-ORA-83 outside of the project boundaries have documented presence of a prehistoric cemetery. As such, further testing would be required prior to future development of the site."*

Due to the known significance of CA-ORA-83, it may be most appropriate to develop an Archaeological Research Plan (ARP) prior to submittal of an LCP amendment request to the Commission. Without such information it will be difficult to find that the zoning proposed for the site is consistent with the requirements of Coastal Act Section 30244. Approval of a coastal development permit for an Archaeological Research Plan would be necessary prior to carrying out the ARP.

Developing future zoning for the subject site as well as preparing an Archaeological Research Plan for the site must include consultation with affected Native Americans/Most Likely Descendants. Evidence of such consultation, as well as any written comments received, must be included with any applications for a coastal development permit and/or LCP amendment request.

The MND includes cultural resources mitigation measures. However, preservation in place is not identified as one of the alternatives. Please note that the preferred alternative, based on the directions of the affected Native American(s)/Most Likely Descendant(s), may be preservation in place (in situ preservation). This is particularly important if pre-historic human remains are discovered. This possibility underscores the need for early consultation with affected Native Americans/Most Likely Descendants.

The historic extent and significance of on-site World War II era structures should be examined.

### **Figure 3 – Proposed Zoning Designations**

Although Figure 3 shows current City zoning on surrounding sites, Commission staff is concerned that it does not adequately reflect recent Commission and City actions relative to land uses and/or surrounding land use designations. Although the City zoning on the Shea property (immediately east and southeast of the subject site) at this point is Residential Low Density (RL), the City recently adopted a land use designation of Open Space – Conservation at this site in the area that abuts the subject Goodell site. Zoning for the Shea site is expected to be modified to reflect this land use designation. Although the MND discusses the OS - C designation on the Shea property elsewhere in the body of the document, it is not shown on a graphic and does not appear to have been factored into the City's analysis of land use compatibility.

In addition, while the zoning on the Hearthside property immediately to the north of the subject site is Residential Agriculture (RA), the land use designation for that site is Open Space – Parks (OS - P). Please see below for further discussion on this. Finally, the SP 15 (Specific Plan 15) zoning shown on Figure 3 for the area of the Brightwater site that abuts the subject property to the west and southwest, does not adequately convey that the area to the southwest is preserved as open space for habitat protection. Commission staff believes these distinctions are important when considering appropriate zoning for the subject site.

### **Land Use and Planning**

Page 6 of the MND, under the heading "Surrounding Land Uses and Setting, includes the following description of the 5 acre Hearthside property to the north: "An application has been submitted for the development of 22 single-family residences on the adjacent 5-acre site." In addition, on page 9 – 10, the MND states: "The proposed zoning of the project site consists of single-family residential uses and open space/conservation areas that are consistent with

existing, **proposed** or under-construction **single-family development adjacent to the project area on the north, east** and west and the open space areas to the east, south and southwest.” This seems to treat the Hearthside property to the north as if it has been approved for single family residential development. And it does not adequately reflect the fact that the entire east and south sides of the subject property are preserved in open space for habitat protection.

Commission staff has concerns that in considering compatibility with surrounding land uses, the site to the north is being considered as if residential development is the accepted land use. However, the certified land use designation at that site is Open Space – Parks. As such, compatibility with the OS – P land use designation should be included in the MND analysis. Commission staff points out that before development other than that which is consistent with the current OS- P land use designation could proceed, that site would first need to receive approval of an LCP amendment by the Coastal Commission. Staff cautions that OS-P is a higher priority use under the Coastal Act and conversion to the lower priority residential use is by no means certain.

Furthermore, with regard to land use, the proposed pre-zone includes pre-zoning 3.2 acres as Residential Low Density (RL). This would allow up to 22 single family residences on the single parcel subject site. A residential low density zone at the subject site may result in zoning that could allow development that would be inconsistent with the Chapter 3 policies of the Coastal Act and may result in more development than the subject site could support.

The MND compares the proposed pre-zoning of the site to the County’s zoning for the site. The MND also refers to Recirculated EIR No. 551 – County of Orange (1996)[MND Reference No. 5]. While the MND also includes the Subsequent EIR No. 551 – Orange County (2002) [MND Reference No. 6] and Addendum to Subsequent EIR No 551 – Orange County (2005) [MND Reference No. 17] in the list of references, the 2002 EIR document is cited much less frequently in the MND and the 2005 EIR document is not cited at all.

The project considered in EIR 551 (1996) was a project that contemplated considerably more development than what has ultimately come to pass. While these are appropriate to include in the analysis, consideration of appropriate zoning for the site should not use these as the basis for what constitutes appropriate zoning today. Because there will be less development than was once contemplated, does not necessarily mean all resources needing protection will be protected. Appropriate zoning designations must be based on current, site specific information including current surrounding land use and zoning designations and recent site specific studies.

### **Aesthetics**

The MND states:

*“The subject site is situated at approximately 50 feet above mean sea level (MSL) and views of the wetlands, lowlands, eucalyptus ESHA as well as distant views of the Pacific*

*Ocean can be captured from the site. A portion of the Open Space – Parks and Recreation (OS – PR) area is proposed to maintain existing views from the site and provide a public vista point. The Coastal Conservation (CC) as well as the remaining OS – PR area will maintain views of the slope to persons on the bicycle trail along the channel.”*

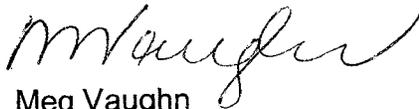
Commission staff concurs with this assessment of the need to protect public views to and from the subject site. It is important to note that if the area zoned Coastal Conservation must be expanded beyond what the MND currently contemplates, these public views must still be protected and maintained.

### **Recreation**

The site appears to be the subject of historic public use. Aerial photographs clearly depict pathways pioneered through human use. In addition, it may be strategically located to link future public trails that are anticipated within the adjacent Shea property to the east at lower elevation, and the public trail system along the Bolsa Chica Mesa that exists within the Brightwater development. Public trail connectivity should be considered as part of the pre-zoning and zoning process for the subject site.

Again thank you for the opportunity to comment on the proposed pre-zoning and Mitigated Negative Declaration. Please contact me if you have any questions regarding these comments.

Sincerely,



Meg Vaughn  
Staff Analyst

cc: Mary Beth Broeren, Senior Planner

Goodell MND EA 08-017 later 4.21.09 me

ATTACHMENT NO. 4.6