



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Mary Beth Broeren, Planning Manager *MBB*
DATE: November 12, 2013

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 13-001 (Brookhurst and Adams Street Improvements)

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

PROPERTY

OWNER: The City of Huntington Beach owns the existing street right-of-way. Implementation of the project analyzed in Environmental Impact Report No. 13-001 would require the acquisition of land owned by others to expand the right-of-way. A list of these property owners is provided in Attachment No. 4.

LOCATION: Intersection of Brookhurst Street and Adams Avenue (Improvements would extend along Brookhurst Street, up to approximately 1,000 feet north of Adams Avenue and 800 feet south of Adams Avenue, and along Adams Avenue up to approximately 1,300 feet west of Brookhurst Street and 1,200 feet east of Brookhurst Street.)

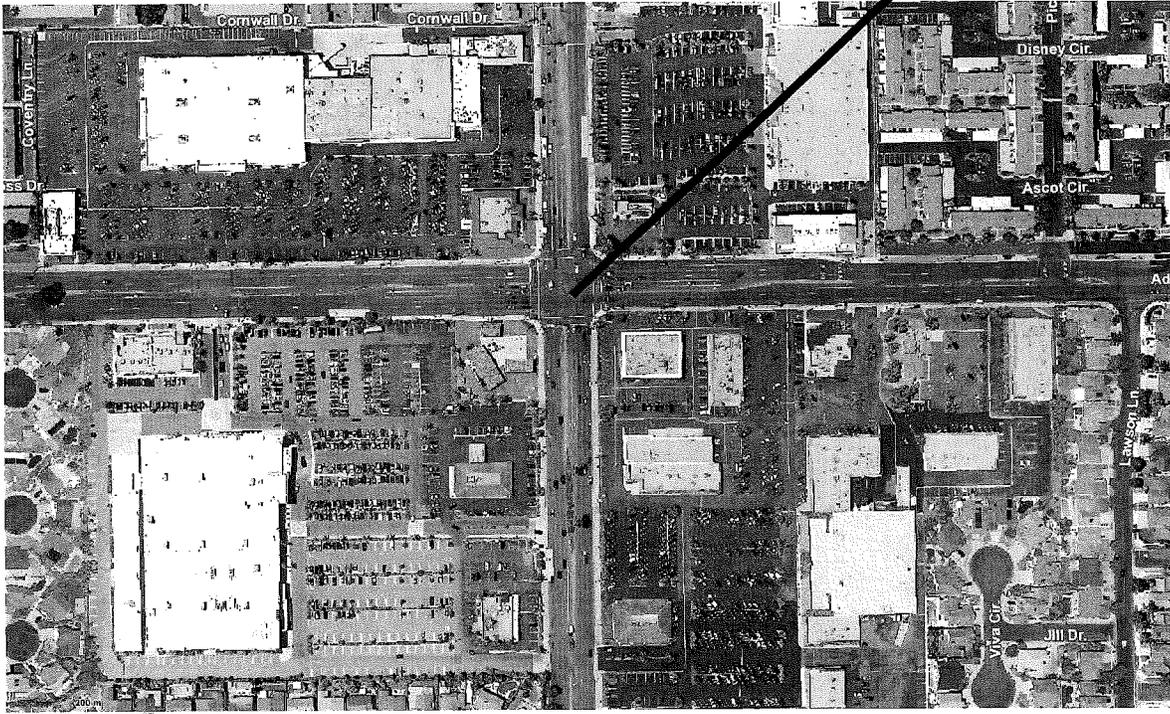
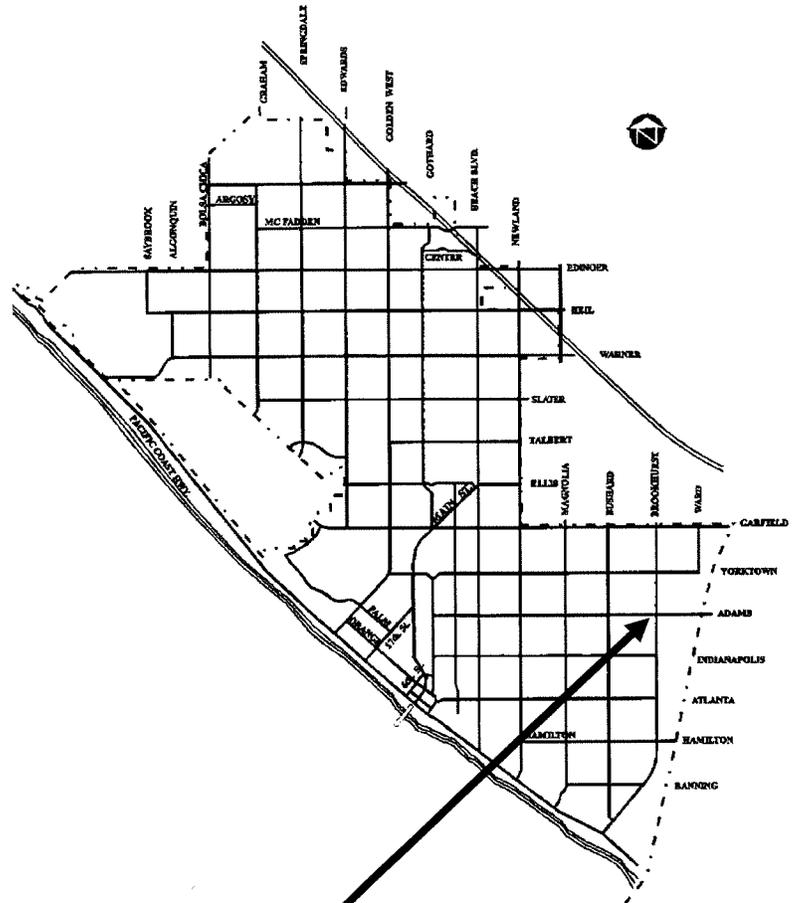
STATEMENT OF ISSUE:

- ◆ Environmental Impact Report (EIR) No. 13-001 request:
 - Analyzes the potential environmental impacts associated with a proposal to widen the Brookhurst Street and Adams Avenue intersection in all directions.
 - Evaluates two alternatives to the proposed project.
 - Concludes that all potential impacts can be mitigated to a less than significant level with the exception of impacts to Land Use and Planning due to the loss of parking for one parcel, which remain significant and unavoidable.
- ◆ Staff's Recommendation: Certify EIR No. 13-001 based upon the following:
 - It was prepared in accordance with the California Environmental Quality Act (CEQA); and
 - It adequately analyzes the potential environmental impacts associated with the proposed project, evaluates project alternatives, and identifies mitigation measures to lessen the project's impacts consistent with General Plan policies.

RECOMMENDATION:

Motion to:

“Certify Environmental Impact Report No. 13-001 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1675 (Attachment No. 1).”



VICINITY MAP
Environmental Impact Report No. 13-001
(Brookhurst and Adams Street Improvements)

The Planning Commission may take alternative actions such as:

- A. "Continue EIR No. 13-001 and direct staff accordingly."
- B. "Deny certification of EIR No. 13-001 with findings for denial."

PROJECT PROPOSAL:

Environmental Impact Report No. 13-001 represents a request to analyze the potential environmental impacts associated with a proposal by the City to widen the Brookhurst Street/Adams Avenue intersection in all directions (Attachment No. 2). The proposed project would add travel lanes on both roadways. The following new travel lanes are proposed: two additional northbound right-turn lanes (Brookhurst Street); one additional southbound right-turn lane (Brookhurst Street); one additional eastbound through lane (Adams Avenue); and one additional westbound through lane (Adams Avenue).

The proposed intersection widening would require right-of-way (ROW) acquisition on all four legs of the intersection on both sides of each street. The proposed project would require approximately 31,230 square feet of ROW acquisition, predominantly from commercial properties but with one partial residential land acquisition (approximately 143 square feet). Table 2-1 of the Draft EIR provides a list by Assessor's Parcel Number of the ROW acquisition impacts in terms of land area, landscaping and parking. The EIR analyzes the proposed street improvement and intersection project occurring in a single phase, with construction activity taking place on all four quadrants of the intersection concurrently. In an effort to minimize impacts a reduced ROW alternative was also analyzed, which eliminates the need for the partial acquisition of the residential property and reduces the amount of acquisition needed from a commercial property while still achieving project objectives. The project also includes adding a bus turnout to an existing bus stop and replacing an existing bus shelter.

Analysis completed for the City's recently updated General Plan Circulation Element documents the need for the proposed intersection improvements to maintain traffic operational standards based on forecasted traffic as growth occurs. The subject EIR is part of the initial process in developing a project to allow future construction of the improvements and meet General Plan traffic operation policies. Its approval will facilitate the City's ability to apply for funding to complete land acquisition and construction in the future. Any project to acquire right-of-way or fund construction would be subject to City Council approval as part of the Capital Improvement Program. The City will rely on the certified EIR as it goes forward with project implementation, but certification of the EIR itself does not represent approval of the project.

Background:

An initial catalyst for the project was the requirements of a Memorandum of Understanding (MOU), signed in 2006, between the Cities of Costa Mesa, Fountain Valley, and Huntington Beach and the Orange County Transportation Authority. The MOU establishes a multi-jurisdictional approach to alleviating traffic congestion along the Garfield Avenue and Gisler Avenue corridors and identifies numerous improvements within the area to be implemented by the MOU cities in lieu of constructing the Garfield-Gisler Bridge Crossing. As specified in the MOU, the widening of the Brookhurst Street and Adams Avenue intersection is one of the improvements.

Study Session: The request was presented to the Planning Commission for study session on October 22, 2013. The Planning Commission inquired about various aspects of the project related to timing, alternatives, variances, comments and questions raised in the Notice of Preparation comment letters, cumulative impacts, tree replacement and building demolition. Staff confirmed information contained in the Draft EIR relevant to the inquiries and indicated the Final EIR also provides pertinent responses.

Two questions asked by the Planning Commission required staff follow-up. In response to the Planning Commission question regarding traffic volume data and how long Adams and Brookhurst have been three lane streets, Public Works' research indicates that they have been three lanes for at least 30 years (since approximately 1980). Traffic volume data for Adams indicate that the eastbound peak period traffic (AM) did increase by a little over 10 percent (in comparing available data from the late 1980s to mid-2000s) while the westbound peak (PM) showed little change. Staff also researched the files for the Starbucks in response to the question regarding queuing at that site. The approved plans allow for approximately six cars to queue on the Starbucks parcel, which exceeds code requirements by one space. In addition, there is a reciprocal access agreement for the Starbucks parcel that could allow for additional cars to stack on the adjacent parcel. If the proposed project progresses and it is determined that queuing is a concern, the City could work with the property owner to direct queuing in a counterclockwise manner around Starbucks' parking area or develop another solution as part of the property acquisition negotiations.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Right-of-Way CG (Commercial General) RL (Residential Low Density)	Right-of-Way CG (General Commercial) RL (Low Density Residential)	Street, Commercial, Single family
North and West of Subject Property:	CG, RMH (Residential Medium High Density)	CG, RMH (Medium High Density Residential)	Commercial, Residential
South of Subject Property:	CG, RL	CG, RL	Commercial Single family
East of Subject Property:	RL, RMH	RL, RMH	Residential

General Plan Conformance:

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

A. Air Quality Element

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

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

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

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

The EIR analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from construction activities. Although project-related construction air quality impacts would be less than significant, EIR Mitigation Measure MM AQ-1 would be implemented to reduce emissions and minimize impacts to sensitive uses surrounding the project site to the extent feasible. In this regard, the EIR discusses the requirement for the project to comply with South Coast Air Quality Management District (SCAQMD) Rule 403 and Rule 402, which would reduce short-term/construction emissions. The analysis in the greenhouse gas emissions section of the EIR documents emissions associated with the project consistent with industry practice concluding less than significant impacts.

B. Circulation Element

Goal CE 1: Provide a balanced transportation system that moves people and goods throughout the City efficiently, promotes economic development, preserves residential neighborhoods, meets safety standards, and minimizes environmental impacts.

Policy CE 1.5: Provide adequate capacity for circulation needs while minimizing significant negative environmental impacts.

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

Objective CE 2.1: Maintain the following city-wide level of service (LOS) standards for traffic-signal controlled intersections during peak hours...Principal Intersections: LOS D (0.81-0.90 ICU)...LOS to be determined during weekday morning and evening peak hours. Expanded timeframes may be applied to individual uses that generate high volumes of traffic during off-peak hours or weekends.

Policy CE 2.3: Require additional right-of-way and restrict parking on segments adjacent to principal intersections to allow for future intersection improvements and turning movements as needed to satisfy performance standards.

Policy CE 2.5: Require development projects to mitigate to the maximum extent feasible traffic impacts to adjacent land uses and neighborhoods as well as vehicular conflicts related to the project.

Policy CE 6.3: Allow for shared parking and other creative parking arrangements that optimize available parking areas.

The EIR analyzes the potential for adverse impacts on existing transportation and traffic conditions resulting from implementation of the proposed project. A traffic analysis was completed and analyzed potential adverse traffic impacts on the intersection with and without the project. The EIR identifies one traffic mitigation measure to be implemented during construction that requires preparation of a Traffic Management Plan. The EIR also analyzes the project's potential to create adverse impacts from inadequate parking capacity, alternative transportation policies, and emergency access. Mitigation measures related to parking impacts are identified for some parcels where feasible.

C. Environmental Hazards Element

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

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

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

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

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

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

The environmental analysis analyzes the existing physical setting of the project site as it relates to hazards and hazardous materials and its potential impact on human health resulting from implementation of the proposed project. The EIR identifies mitigation measures and code requirements to ensure that impacts related to environmental hazards and hazardous materials would be less than significant, including compliance with the City's methane requirements.

D. Hazardous Materials Element

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

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

As indicated above, the EIR identifies mitigation measures that ensure remediation of contaminated soils containing hazardous materials, if any, and the proper disposal of contaminated materials. The

EIR also identifies procedures in the event of unanticipated discoveries of contaminants during construction.

E. Land Use Element

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

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan.)

Policy LU 10.1.3: Require the incorporation of facilities to promote the use of public transit, such as bus turnouts and drop-offs where appropriate.

The environmental analysis documents that the project is needed to accommodate projected traffic volumes, as was determined with the recent General Plan Circulation Element update. The EIR analyzes potential land use impacts consistent with the CEQA Guidelines and statutes and the project's inclusion of facilities to promote the use of public transit, e.g. bus turnout and bus shelter.

F. Noise Element

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

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

Objective N 1.6: Minimize the impacts of construction noise on adjacent uses.

Policy N 1.6.1: Ensure that construction activities be regulated to establish hours of operation, to prevent and/or mitigate the generation of excessive or adverse noise impacts through the implementation of the existing Noise Ordinance and/or any future revisions to the Noise Ordinance.

The EIR includes a noise analysis consistent with CEQA requirements. The EIR concludes that the proposed project would have a minimal effect on the existing noise environment within and adjacent to the project site. Mitigation Measure MM N-1 would be required to minimize noise impacts associated with construction to ensure that impacts associated with construction activities are minimized to the maximum extent feasible. As such, impacts would be less than significant.

G. Urban Design Element

Policy UD 1.1.3: Require a consistent design theme and/or landscape design character along the community's corridors that reflects the unique qualities of each district. Ensure that streetscape standards for the major commercial corridors, the residential corridors, and primary and secondary

image corridors provide each corridor with its own identity while promoting visual continuity throughout the City.

The EIR provides a description of the existing site conditions and analyzes the extent to which the visual character of the project site would change as a result of the proposed project. The EIR indicates that any removed landscaping would be replaced as feasible but that variances to landscaping may be necessary.

H. Utilities Element

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

The Initial Study, which is part of the EIR documentation, includes an analysis of the project's impacts on hydrology and water quality. As indicated in the Preliminary Water Quality Management Plan prepared for the project, the project would incorporate bioretention sidewalk planters and vegetated swales to minimize water quality effects. The project would comply with National Pollution Discharge Elimination System requirements during construction as well. Impacts would be less than significant.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

In accordance with the California Environmental Quality Act, EIR No. 13-001 was prepared by RBF Consulting to analyze the potential impacts of the project as well as identify appropriate mitigation measures. The required CEQA procedure that was followed is outlined below:

January 31 to March 1, 2013	Staff conducted an initial study and determined that an EIR would be necessary for the project. A Notice of Preparation (NOP) was filed with the State Clearinghouse to notify public of intent to prepare an EIR.
February 21, 2013	Public scoping meeting held to solicit comments and issue areas to be studied in the EIR.
July 12 to August 26, 2013	Draft EIR made available for public review and comment for 45 days. A Notice of Completion was filed with the State Clearinghouse.
July 31, 2013	Public comment meeting held on the adequacy of the Draft EIR.
November 12, 2013	Public hearing is scheduled before Planning Commission to certify EIR No. 13-001.

Staff has responded to all comments received as part of the Final EIR. Through the use of appropriate mitigation measures and code requirements identified in the EIR, the majority of the potentially adverse impacts associated with the project can be mitigated to a level of insignificance. However, there is a significant parking impact that cannot be eliminated through mitigation measures. Prior to certification and adoption of the EIR by resolution, the Planning Commission may amend the document. It should be noted, however, that removal of any of the recommended mitigation measures will require findings and justification.

Environmental Board:

The Environmental Board was notified of the NOP and the Draft EIR but did not submit a comment letter.

Coastal Status: Not applicable.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements: The Departments of Public Works, Fire, and Community Services have reviewed the EIR and department comments have been incorporated.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on October 31, 2013 and notices were sent to property owners of record and tenants within an approximate 1000 ft. radius of the intersection corresponding with the limits of construction, individuals/organizations requesting notification (Planning Division's Notification Matrix), and interested parties. As of November 5, 2013 the City had received one communication after the Draft EIR public comment period, which is provided as Attachment No. 3.

Application Processing Dates:

<u>DATE OF COMPLETE APPLICATION:</u>	<u>MANDATORY PROCESSING DATE(S):</u>
March 20, 2013	March 20, 2014

ANALYSIS:

The analysis section provides an overview of the EIR and its conclusions, project alternatives, and the Response to Comments.

EIR Overview

The EIR provides an analysis of potential impacts associated with the proposed project consistent with CEQA guidelines and statutes. The issues discussed in the EIR are those that have been identified in the course of extensive review of all potentially significant environmental impacts associated with the project.

In the Initial Study, the project was determined to have less than significant or no impacts in the following areas or for certain threshold questions in these areas and that no further analysis is required in the EIR: Aesthetics (partial), Agricultural Resources, Air Quality (partial), Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials (partial), Hydrology and Water Quality, Land Use and Planning (partial), Mineral Resources, Noise (partial), Population and Housing, Public Services, Recreation, Transportation/Traffic (partial) and Utilities and Service Systems.

The EIR provides detailed analysis of the potential adverse impacts in the issue areas outlined below. The cumulative impacts of the project are addressed, as are the impacts of project alternatives. A summary of key issues and mitigation measures resulting from the EIR is provided below.

◆ Land Use and Planning

The EIR analyzed the project with respect to conflicting with any applicable land use plan, policy or regulation; substantially degrading the existing visual character or quality of the site and its surroundings; and parking capacity. The latter two items are Aesthetics and Transportation/Traffic items, respectively; however, they were included in the Land Use and Planning section due to the nature of the project and its associated issues and to assist with the overall understanding of the project's potential impacts. For ease of analysis and to provide a comprehensive assessment, the EIR groups the properties into one of the four quadrants of the intersection, each of which function as an integrated whole despite multiple property owners. Addresses of businesses are listed so that individual impacts are also understood.

The EIR identifies how the project may impact code compliance for the affected properties and analyzes aesthetics on an individual property and cumulative basis. In many cases, implementation of the project will result in exacerbating existing nonconforming issues or will create them. The most extreme example is the southeast corner of the intersection (referred to as the US Bank property) that is notably nonconforming today with respect to landscaping and parking and will be even more so with implementation of the project. The EIR documents these potential impacts and identifies mitigation measures to minimize the impacts. In cases where no code compliance issue is created by the project, mitigation measures have not been suggested. The recommended mitigation measures indicate that property owner agreement will be needed to complete improvements on private property, e.g. to rebuild a landscape planter. In the event that such agreement is not reached, or if there is not enough room on a site to complete improvements needed for code compliance, the EIR indicates the City would process a variance. The intent of the mitigation measures is to identify potentially feasible solutions to the impacts of the project. It is possible that other solutions may develop, agreement with property owner(s) is not reached or that a variance(s) is denied. As the City proceeds with the project, timing and design will be subject to these issues. The EIR concludes less than significant impacts with the exception of parking impacts for the US Bank parcel referenced above. Although the EIR identifies a mitigation measure for this parcel to address these impacts, due to its location directly at the corner, site characteristics and the extent of ROW acquisition needed, there is not a guarantee that a sufficient amount of parking could be replaced; thus, parking impacts for this parcel would be significant and avoidable.

◆ Traffic and Circulation

The proposed project is needed to improve intersection level of service and reduce future traffic impacts. A traffic analysis was completed that evaluated project impacts considering existing and long-range

(2030) timeframes, based on the General Plan Circulation Element. The study concludes less than significant impacts. The EIR also considers temporary construction impacts, property access and emergency access. A mitigation measure requiring a Traffic Management Plan is recommended. In response to concerns raised in NOP comment letters, the EIR also discusses potential access issues at Piccadilly Lane and Ranger Lane. Overall, the EIR concludes less than significant traffic impacts.

◆ Air Quality

The EIR considered both short-term (construction) and long-term (operational) air quality impacts of the project consistent with CEQA and South Coast Air Quality Management District (SCAQMD) guidance. Temporary air emissions will occur during demolition and construction activities and were calculated using the recommended SCAQMD model. A mitigation measure to reduce construction dust and emissions has been identified. Long term operational air emissions were determined to be less than significant with no mitigation required. The project would result in a beneficial air quality impact because it would alleviate traffic congestion, increase efficiency and improve level of service during both existing conditions and forecast year 2030 conditions.

◆ Greenhouse Gas Emissions

The project's direct and indirect greenhouse gas (GHG) emissions were calculated. The EIR concludes that the project's GHG emissions do not exceed the SCAQMD's significance threshold. Therefore, impacts are less than significant. It also concludes that the project would not conflict with any applicable GHG reduction plan, policy, or regulation. No mitigation is needed.

◆ Noise

As part of the EIR analysis, short-term and long-term noise measurements were taken. Noise measurement locations were chosen based on sensitive uses, i.e. residential areas. The project will generate short-term noise impacts during construction activities but not in a continuous manner. In addition, these activities are temporary and exempt from the provisions of the City's Noise Ordinance. Therefore, the EIR concludes a less than significant impact will result. Vibration impacts during construction were also analyzed and because ground-borne vibration decreases rapidly with distance, impacts to adjacent development is anticipated to be less than significant. The EIR also evaluates long-term noise impacts, which were determined to be less than significant. Future traffic noise was modeled with and without the project and demonstrated that the only project-related increase was adjacent to the Lawson Lane property; however, the increase was less than significant.

◆ Hazards and Hazardous Materials

The EIR considered potential hazards and hazardous materials impacts associated with implementation of the project such as existing soil and/or groundwater contamination, lead-based paints in structures that may be demolished, an off-site dry cleaner operation, traffic striping material, utilities, methane and the transport of hazardous materials. Seven mitigation measures are recommended to address potential impacts associated with hazards, including Mitigation Measure HAZ-7, which pertains to unknown waste or materials that may be encountered. The EIR concludes that less than significant impacts will result with the recommended mitigation measures.

Alternatives to the Proposed Project

CEQA guidelines require that an EIR evaluate a reasonable range of alternatives to the project that would meet the project objectives while potentially avoiding or reducing any of the significant impacts caused by the project. The two alternatives below were evaluated in the EIR:

Alternative 1: No Project – This alternative assumes no intersection improvements occur.

Alternative 2: Reduced ROW Alternative – This alternative involves 1) shortening the westbound right-turn pocket along Adams Avenue to eliminate impacts to the “Comerica Bank” building at 10111 Adams Avenue and 2) reducing the width of the sidewalk on the south side of Adams adjacent to the 20011 Lawson Lane residential property to eliminate the need to acquire any ROW from that property or disturb its blockwall.

The EIR concludes that Alternative 2 is the environmentally superior alternative. However, this alternative does not eliminate the parking impacts at the southeast corner US Bank parcel, and thus, these impacts remain significant and unavoidable. At such time as the City proceeds with the intersection improvements, it will be required to adopt a Statement of Overriding Considerations due to this outstanding impact. This would be done by the City Council in conjunction with its approval of project construction documents.

The EIR also briefly reviews alternatives that were considered but not carried forward for additional analysis. One of these is a “Reduced Land Width” alternative that contemplates nine feet wide travel lanes instead of the 10 feet wide lanes proposed as part of the project. This alternative was eliminated from consideration because the City does not permit such narrow lanes as they do not provide an adequate factor of safety. Conversely, another alternative rejected for further analysis was one in which the lanes were 12 feet wide, which is fairly typical for major arterials such as Brookhurst and Adams. This alternative was eliminated because it would result in even greater ROW acquisition impacts than the proposed project.

Public Comments and Errata

During the EIR public review period, the City received a total of 13 comment letters. Seven were from area property owners and the remainder from agencies. In addition, verbal comments were received at a public comment meeting during the 45 day review period for the Draft EIR. Comments from area property owners cited concerns regarding traffic safety, need for the project, traffic congestion, impacts to parking, air quality and noise impacts, and generally did not support the project as proposed. Topical responses addressing traffic safety and the project purpose and need were prepared due to the frequency of these issues being raised in the comments and to avoid redundancy in the responses. The comment letters from agencies did not identify any significant concerns with the EIR analysis or the project itself.

All comment letters were responded to in the Response to Comments of the Final EIR. The Final EIR also includes revised EIR sections (errata) to clarify or correct information in response to comments or as identified subsequent to the circulation of the EIR (Attachment No. 2).

SUMMARY:

EIR No. 13-001 serves as an informational document with the sole purpose of identifying potential environmental impacts associated with the Brookhurst and Adams street improvements, project alternatives, and appropriate mitigation measures:

- ◆ Staff's Recommendation: Certify EIR No. 13-001 based upon the following:
 - It was prepared in accordance with the California Environmental Quality Act (CEQA); and
 - It adequately analyzes the potential environmental impacts associated with the proposed project, evaluates project alternatives, and identifies mitigation measures to lessen the project's impacts consistent with General Plan policies.

ATTACHMENTS:

1. Draft Planning Commission Resolution No. 1675 certifying EIR No. 13-001
2. EIR No. 13-001 comprised of three volumes: Draft EIR No. 13-001, Technical Appendices and Final (Response To Comments and Errata) (not attached but previously provided under separate cover and available for review at City Hall, Central Library, Banning Branch Library and City's website: <http://surfcity-hb.org/government/departments/Planning/Environmentalreports.cfm>)
3. Additional communication received after the close of the Draft EIR comment period
4. List of Property Owners of parcels from which land acquisition may be required

SH:MBB:kdc

RESOLUTION NO. 1675

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH#2013011057)
FOR THE BROOKHURST STREET AND ADAMS AVENUE INTERSECTION
IMPROVEMENTS PROJECT**

WHEREAS, Environmental Impact Report No. 13-001, State Clearinghouse #2013011057 (“EIR”) was prepared by the City of Huntington Beach (“City”) to address the environmental implications of the proposed Brookhurst Street and Adams Avenue Intersection Improvements Project (the “Project”); and

- On January 31, 2013, a Notice of Preparation/Initial Study for the Project was distributed to the State Clearinghouse, other responsible agencies, trustee agencies and interested parties; and
- After obtaining comments received in response to the Notice of Preparation, the City completed preparation of the Draft EIR and filed a Notice of Completion with the State Clearinghouse on July 12, 2013; and
- The Draft EIR was circulated for public review and comment from July 12, 2013 to August 26, 2013, and was available for review at several locations including Planning and Building Department, Central Library, Banning Branch Library and the City’s website; and

WHEREAS, public comments have been received on the Draft EIR, and responses to those comments have been prepared and provided to the Planning Commission; and

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

WHEREAS, the Planning Commission held a public meeting on the EIR on November 12, 2013 and received and considered public testimony.

NOW, THEREFORE, the Planning Commission of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. Consistent with CEQA Guidelines Section 15132, the Final EIR for the Project is comprised of the Draft EIR and Appendices, the comments received on the Draft EIR, the Responses to Comments (including a list of persons, organizations, and public agencies

commenting on the Draft EIR), the Text Changes to the Draft EIR (bound together with the Responses to Comments) and all Planning and Building Department Staff Reports to the Planning Commission, including all minutes, transcripts, attachments and references. All of the above information has been and will be on file with the City of Huntington Beach Department of Planning and Building, 2000 Main Street, Huntington Beach, California 92648.

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

SECTION 3. The Planning Commission finds that although the Final EIR identifies certain significant environmental effects that will result if the Project is approved, all significant effects which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of Project features, standard requirements, and by the imposition of mitigation measures on the approved Project. All mitigation measures are included in the "Mitigation Monitoring Reporting Program" attached as Exhibit "A" to this Resolution and incorporated herein by this reference.

SECTION 4. The Planning Commission finds that the Final EIR has described reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project, even when these alternatives might impede the attainment of Project objectives. Further, the Planning Commission finds that a good faith effort was made to incorporate alternatives in the preparation of the Draft EIR and that a reasonable range of alternatives was considered in the review process of the Final EIR and ultimate decisions on the Project.

SECTION 5. The Planning Commission finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented that would call into question the facts and conclusions in the EIR.

SECTION 6. The Planning Commission finds that no "significant new information" (as that term is defined pursuant to CEQA Guidelines Section 15088.5) has been added to the Final EIR after circulation of the Draft EIR. The Planning Commission finds that the minor refinements that have been made to the Project as a result of clarifications in the mitigation measures and EIR text do not amount to significant new information concerning the Project, nor has any significant new information concerning the Project become known to the Planning Commission through the public hearings held on the Project, or through the comments on the Draft EIR and Responses to Comments.

SECTION 7. The Planning Commission finds that the Mitigation Monitoring Reporting Program establishes a mechanism and procedures for implementing and verifying the mitigations pursuant to Public Resources Code 2108.6 and hereby adopts the Mitigation Monitoring Reporting Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each mitigation measure.

SECTION 8. The Planning Commission finds that the Final EIR reflects the independent review and judgment of the City of Huntington Beach Planning Commission, that the Final EIR was presented to the Planning Commission, and that the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving it.

SECTION 9. The Planning Commission finds that the Final EIR serves as adequate and appropriate environmental documentation for the Project. The Planning Commission certifies that the Final EIR prepared for the Project is complete, and that it has been prepared in compliance with the requirements of the California Environmental Quality Act and CEQA Guidelines.

PASSED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting thereof held on November 12, 2013.

AYES: Dingwall, Posey, Peterson, Bixby, Kalmick, Franklin, Pinchiff
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

Scott Hess, Secretary

Chairperson, Planning Commission

Exhibit A: Mitigation Monitoring Reporting Program

EXHIBIT A

ATTACHMENT NO. 1.4



4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the Brookhurst Street/Adams Avenue Intersection Improvements Project (the project). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Brookhurst Street/Adams Avenue Intersection Improvements Project file.

This Mitigation Monitoring and Reporting Program delineates responsibilities for monitoring the project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the EIR, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.

**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**



- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the Mitigation Monitoring and Reporting Program, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code Section 21081.6.



Table 1
MITIGATION MONITORING AND REPORTING CHECKLIST

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
LAND USE LU-1	Prior to final plan approval for the proposed project, the City of Huntington Beach shall consult with the property owner of the Stater Brothers property in an effort to reconstruct as many landscape planters along Brookhurst Street and Adams Avenue as possible or feasible (as determined by the City of Huntington Beach Planning and Building Director, in consultation with the property owner).	City of Huntington Beach Planning and Building Director and City of Huntington Beach Public Works Director	Prior to Final Plan Approval	City of Huntington Beach Planning and Building Director	Prior to Final Plan Approval/ During Consultation with Property Owner		
LU-2	Prior to final plan approval for the proposed project, the City of Huntington Beach shall consult with the property owner of the US Bank property in an effort to eliminate or minimize incidences of non-compliance with the Zoning Code in regards to landscape planter width, percentage of on-site landscaping, and parking stalls. The following options may be considered by the City and the property owner: <ul style="list-style-type: none"> The City shall reconstruct as many landscape planters along Brookhurst Street and Adams Avenue as possible or feasible (as determined by the City of Huntington Beach Planning and Building Director, in consultation with the property owner). It is noted that a maximum nine-foot wide landscape planter could be accommodated along Adams 	City of Huntington Beach Planning and Building Director and City of Huntington Beach Public Works Director	Prior to Final Plan Approval	City of Huntington Beach Planning and Building Director	Prior to Final Plan Approval/ During Consultation with Property Owner		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<p>Avenue; however, a Variance for one foot of landscaping would still be required;</p> <ul style="list-style-type: none"> The City shall reduce the amount of building square footage (by potentially demolishing the former Goodyear building which may accommodate additional parking) in order to provide the minimum parking stalls required by the Zoning Code; and Pursue a reciprocal parking agreement that may be established between the Stater Brothers property and the US Bank property, which may support a parking Variance request. 						
LU-3	<p>Prior to final plan approval for the proposed project, the City of Huntington Beach shall consult with the property owner of the Target property in an effort to eliminate or minimize incidences of non-compliance with the Zoning Code in regards to landscape planter width. The City may issue a Variance for the number of parking spaces provided and provide a 10-foot wide replacement landscape planter along Adams Avenue.</p>	<p>City of Huntington Beach Planning and Building Director and City of Huntington Beach Public Works Director</p>	<p>Prior to Final Plan Approval</p>	<p>City of Huntington Beach Planning and Building Director</p>	<p>Prior to Final Plan Approval/ During Consultation with Property Owner</p>		
LU-4	<p>Prior to final plan approval for the proposed project, the City of Huntington Beach shall consult with the property owner of the Kohl's property in an effort to eliminate or minimize incidences of non-compliance with the Zoning Code in regards to landscape planter width and percentage of on-site landscaping. As</p>	<p>City of Huntington Beach Planning and Building Director and City of Huntington</p>	<p>Prior to Final Plan Approval</p>	<p>City of Huntington Beach Planning and Building Director</p>	<p>Prior to Final Plan Approval/ During Consultation with Property Owner</p>		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
LU-5	<p>determined by the Planning and Building Director and property owner, the City may remove surplus parking stalls in an effort to regain some of the landscaping area that would be removed by the project, thereby potentially eliminating the need for a Variance for landscape planter width and on-site landscaping (depending on the size of the planters).</p> <p>Prior to final plan approval for the proposed project, the City of Huntington Beach shall consult with the property owner of the Ralph's property in an effort to eliminate or minimize incidences of non-compliance with the Zoning Code in regards to landscape planter width. The following options may be considered by the City and the property owner:</p> <ul style="list-style-type: none"> The City may construct a new landscape planter at the Building E location (assumed to be demolished as part of the project) with a minimum width of eight feet; and To avoid a Variance to the reduction in the required landscape planter width for areas between Building E and Starbucks, the City may remove 14 parking stalls in order to construct a 10-foot wide landscape planter to be compliant with the minimum Zoning Code requirements. However, the following shall be considered under this option: 	<p>Beach Public Works Director</p> <p>City of Huntington Beach Planning and Building Director and City of Huntington Beach Public Works Director</p>	<p>Prior to Final Plan Approval</p>	<p>City of Huntington Beach Planning and Building Director</p>	<p>Prior to Final Plan Approval/ During Consultation with Property Owner</p>		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<p>- Assuming Building E square footage is replaced somewhere on the Ralph's property site (e.g., as a second level, as there is no room to replace it in its entirety at grade level without impact parking), a Variance for 11 parking spaces would be required because the Ralph's property was approved with a surplus of three parking spaces;</p> <p>- Under the scenario that Building E is demolished and not replaced, demand for parking would be reduced by 45.9 spaces. Thus, the net surplus after removal of 14 spaces is 31.9 spaces. This would allow the Ralph's property to re-tenant remaining square footage with uses that require more parking, such as restaurants; and</p> <p>- Under the scenario that Building E is rebuilt in the same approximate location, replacement square footage of up to 6,380 retail square feet would be allowed with the remaining 31.9 parking space capacity. This building size would fit between the existing row of parking to the</p>						



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
TRAFFIC AND CIRCULATION							
TR-1	<p>north and the new right-of-way and an eight-foot wide landscape planter.</p> <p>Prior to commencement of any construction activities, the City of Huntington Beach shall prepare a Traffic Management Plan (TMP) to address temporary safety and traffic concerns at and surrounding the Brookhurst Street/Adams Avenue intersection. At a minimum, the TMP shall include plans clearly denoting any proposed lane closures, proposed vehicle/bicyclist/pedestrian rerouting plans, and a traffic signage plan to ensure adequate circulation during the short-term construction process. The TMP shall be subject to review and approval by the City of Huntington Beach City Engineer. In addition, road/lane closure notification shall be provided to the Huntington Beach Fire Department and Police Department. The City of Huntington Beach shall also consult with the California Department of Transportation (Caltrans) prior to construction to coordinate the proposed project with any Caltrans construction activities on Interstate 405.</p>	City of Huntington Beach City Engineer/ Contractor	Prior to Commencement of Any Construction Activities/ During Construction	City of Huntington Beach City Engineer	Prior to Commencement of Any Construction Activities/ During Construction		
AIR QUALITY							
AQ-1	<p>Prior to issuance of any Grading Permit, the City Engineer shall confirm that the Grading Plan and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in</p>	City of Huntington Beach City Engineer/ Contractor	Prior to Issuance of Any Grading Permit/ During Construction	City of Huntington Beach City Engineer	Prior to Issuance of Any Grading Permit/ During Construction		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<p>the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> • All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust; • Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance; • Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or non-toxic soil binders shall be applied; • All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour; 						



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<ul style="list-style-type: none"> Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area; Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt trackout from unpaved truck exit routes. Alternatively a wheel washer shall be used at truck exit routes; On-site vehicle speed shall be limited to 15 miles per hour; All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; and Reroute construction trucks away from congested streets or sensitive receptor areas. 						
NOISE							
N-1	<p>Prior to issuance of any Grading Permit, the City Engineer shall confirm that the project contractor provides evidence acceptable to demonstrate that the project complies with the following:</p> <ul style="list-style-type: none"> Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and 	City of Huntington Beach City Engineer/Construction Contractor	Prior to Issuance of Any Grading Permit/During Construction	City of Huntington Beach City Engineer	Prior to Issuance of Any Grading Permit/During Construction		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<p>maintained mufflers and other state required noise attenuation devices.</p> <ul style="list-style-type: none"> Property owners and occupants located within 100 feet of the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City Engineer, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints. If impact equipment (e.g., jack hammers, pavement breakers, and rock drills) is used during project construction, hydraulically or electric-powered equipment shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler 						



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<p>on the compressed-air exhaust shall be used (a muffler can lower noise levels from the exhaust by up to about 10 dBA).</p> <ul style="list-style-type: none"> Construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. Construction activities shall not take place outside of the allowable hours specified by the City's Municipal Code Section 8.40.090(d) (7:00 AM and 8:00 PM) on weekdays and Saturdays. 						
HAZARDS AND HAZARDOUS MATERIALS							
HAZ-1	<p>Prior to site disturbance, the City shall contact the Orange County Health Care Agency in order to inform the Agency that site disturbance activities will be conducted in the vicinity of 20001 Brookhurst Street (the former Shell Station), and 9971 Adams Avenue (the former Chevron Station). The City shall also coordinate with the Orange County Health Care Agency in order to confirm the exact locations of on-site wells prior to site disturbance.</p>	City of Huntington Beach City Engineer	Prior to Site Disturbance	City of Huntington Beach City Engineer	Prior to Site Disturbance/ Review of Project Plans		
HAZ-2	<p>Prior to issuance of a grading permit, the City shall submit a Worker Safety Plan for</p>	City of Huntington	Prior to Issuance of a Grading	City of Huntington	Prior to Issuance of a		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
HAZ-3	<p>site disturbance/construction activities, in consultation with California Division of Occupational Safety and Health (Cal/OSHA) and the Huntington Beach Fire Department. The Worker Safety Plan shall include safety precautions (e.g., personal protective equipment or other precautions to be taken to minimize exposure to hazardous materials) to be taken by personnel when encountering potential hazardous materials, including potential contaminated soil/groundwater.</p> <p>If paint is separated from building materials (chemically or physically) during demolition of the block wall structure at 20011 Lawson Lane, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.</p>	<p>Beach City Engineer/ Construction Contractor</p> <p>City of Huntington Beach City Engineer/ Construction Contractor</p>	<p>Permit</p> <p>If Paint is Separated from Building Materials During Demolition of Block Wall at 20011 Lawson Lane</p>	<p>Beach Fire Department/ City of Huntington Beach City Engineer</p> <p>City of Huntington Beach City Engineer</p>	<p>Grading Permit/ During Construction</p> <p>During Demolition of Block Wall at 20011 Lawson Lane</p>		
HAZ-4	<p>Should construction activities result in the disturbance of traffic striping materials, the generated waste shall be disposed of at an appropriate, permitted disposal facility as determined by a Lead specialist.</p>	<p>City of Huntington Beach City Engineer/</p>	<p>During Construction Activities that Disturb Traffic Striping Materials</p>	<p>City of Huntington Beach City Engineer</p>	<p>During Construction Activities that Disturb Traffic Striping</p>		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
HAZ-5	Prior to site disturbance, the contractor shall contact Dig Alert (Underground Service Alert of Southern California) in order to confirm the location of the existing petroleum pipelines, if any. If present, the contractor shall coordinate with the owner(s) of the existing petroleum pipelines in order to ensure that a rupture during disturbance activities does not occur.	Construction Contractor	Prior to Site Disturbance	City of Huntington Beach City Engineer	Prior to Site Disturbance/ Review of Project Plans		
HAZ-6	Any transformer to be relocated/removed during site construction/demolition shall be conducted under the purview of the local electricity provider to identify proper-handling procedures regarding PCBs.	Construction Contractor	Prior to and During the Relocation of Any Electrical Transformer	City of Huntington Beach City Engineer	Prior to and During the Relocation of Any Electrical Transformer/ Review of Project Plans		
HAZ-7	If unknown wastes or suspect materials are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor shall comply with the following: <ul style="list-style-type: none"> • Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area; • Notify the City Engineer and Fire Department of the City of Huntington Beach; • Secure the area as directed by the City Engineer; and 	Construction Contractor	During Construction Activities	City of Huntington Beach City Engineer	During Construction Activities		



**Brookhurst Street/Adams Avenue
Intersection Improvements Project EIR**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	VERIFICATION OF COMPLIANCE	
						Signature	Date
	<ul style="list-style-type: none"> Notify the Orange County Health Care Agency's Hazardous Materials Division's Hazardous Waste/Materials Coordinator (or other appropriate agency specified by the City Engineer). The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required. 						

ATTACHMENT NO. 2

EIR NO. 13-001

NOT ATTACHED

AVAILABLE FOR REVIEW AT:

CITY WEBSITE

[http://www.surfcity-hb.org/
Government/Departments/Planning/Environmentalreports.cfm](http://www.surfcity-hb.org/Government/Departments/Planning/Environmentalreports.cfm)

AND

City of Huntington Beach Central Library, Banning Branch Library
and Department of Planning and Building

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646

(714) 962-2951

e-mail: huntingtonBay@roadrunner.com

October 22, 2013

Mary Beth Broeren
Planning Manager
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

RE: Brookhurst Street and Adams Avenue
Intersection Improvements Project

Dear Ms. Broeren:

Once again, we are writing on behalf of the Huntington Bay Homeowners Association a 253 home planned development located at 10199 Holburn Drive. This is a response to the packet, "2.0 RESPONSE TO COMMENTS."

6.1 9.2 & 9.4 We disagree with some of the assertions in 2.1 TOPICAL RESPONSES A. TRAFFIC SAFETY. The city indicates the improvements would result in safety benefits based on studies. As resident in Huntington Bay since 1987, along with many long time neighbors, we are very familiar with traffic patterns on Adams Avenue. Additional lanes will make a dangerous intersection more dangerous. There will be more merging traffic and more risks.

Access patterns to Huntington Bay will be affected. Presently it is difficult to exit Huntington Bay to proceed east (left turn). This is true during off peak traffic hours. During peak traffic hours it is basically suicide. Additional lanes will compound the problems.

Present congestion during peak hours is more than adequately served. It is certainly better than it was before the current right turn lane was implemented for traffic transitioning from westbound Adams to northbound Brookhurst. However additional lanes will add more merging and more risk.

6.2 & 9.1 The present divider/island between Adams Avenue and the frontage road west of Piccadilly lane is 10 feet wide. What does the city mean by the term, "minimal impact?" With an additional westbound lane, what would be left?

We understand that the Comerica Bank building will be spared. We support that. It is the right thing to do.

6.4 We understand that the property at 20011 Lawson Lane will be spared. We support that. It is the right thing to do.

6.5 9.5 & 9.6 We disagree with some of the assertions in 2.1 TOPICAL RESPONSES B. PROJECT PURPOSE AND NEED. With all due respect to the city and the contractors providing the studies and projections, they are at best guesses. They may be educated guesses, but we do not agree with them. There is not enough room in Huntington Beach or the surrounding cities to support the growth projected.

We see this project as a "Plan B strategy" to address the MOU C-6-0834 although the city clearly states otherwise. I hate to state that we doubt the city's veracity, but it really is hard not to. Somehow I am reminded of a text I was assigned a long time ago at UCLA, How To Lie With Statistics.

Please consider the press release here:

<http://www.huntingtonbeachca.gov/government/departments/pd/news/Traffic-collision-Brookhurst-and-Adams.pdf>

Finally, we are tired of having to travel west on Adams Avenue to merge across three traffic lanes to make a U-turn in order to proceed east only to be blocked by motorists exiting Beachmont Plaza from behind the Comerica Bank building either turning left onto eastbound Adams Avenue or proceeding directly across Adams Avenue into the Stater Brothers shopping center. It happens all the time. More lanes will compound the problem.

Thanks for your consideration of our concerns. If there are any questions, please let us know.

Sincerely,

Paul Haussler,
President
Huntington Bay Homeowners' Association
(e-mailed but not signed)

cc: Huntington Bay
Bill Janusz
Mayor Connie Boardman



CITY OF HUNTINGTON BEACH

2000 MAIN STREET

CALIFORNIA 92648

P.O. BOX 70

POLICE DEPARTMENT

Tel: (714) 960-8811

Kenneth W. Small
Chief of Police

PRESS RELEASE

Release Date: December 6, 2011 **Time:** 6:30 PM **Prepared by:** Sgt. J. Haught

Type of Incident: Fatal Traffic Collision

Location: Brookhurst Street south of Adams Avenue, Huntington Beach

Date/Time of Occurrence: December 6, 2011 at 1:50 PM **Case Number:** 2011-020384

Details:

On December 6, 2011 at about 1:50 PM, the Huntington Beach Police Department received a report of a traffic collision on Brookhurst Street south of Adams Avenue. The arriving officers discovered a maroon colored 1982 Chevrolet, Silverado, pick-up truck had collided with a black and orange 2009 Yamaha motorcycle. It appears the motorcycle was travelling south on Brookhurst Street prior to the collision. The motorcycle rider was wearing khaki pants, a black leather jacket, a camouflage backpack and a black/white/red helmet.

The Chevrolet pick-up truck was driven by a 20 year old male resident of Huntington Beach.

The motorcycle rider was treated at the scene by Huntington Beach Fire Department paramedics. He sustained severe injuries and was pronounced deceased at the collision scene. The identity of the motorcyclist will not be released until next of kin is notified by the Orange County Coroner's Office.

No arrest or citation has been issued at this time, and this is an ongoing investigation. The Huntington Beach Police Department is seeking witnesses regarding this collision. Anyone who saw the collision or who has information regarding the driving behaviors of those involved is encouraged to contact Officer Barr at 714-536-5666.

List of Property Owners, whose property is identified for partial acquisition to implement the project analyzed in EIR No. 13-001.

Southwest Quadrant

Target Corporation, PO Box 9456, Minneapolis, MN, 55440-9456

Southeast Quadrant

Michael Nguyen, 20011 Lawson Ln., Huntington Beach, CA 92646;

US Bank, 2800 E. Lake St., Minneapolis, MN 55406-1930;

Business Properties Partnership No. 15, 17631 Fitch, Irvine, CA 92614-6021;

Northwest Quadrant

Towne House Plaza Inc., 140 Newport Center Dr., Ste. 260, Newport Beach, CA 92660-6977;

L&M Center, LLC, 140 Newport Center Dr., Ste. 260, Newport Beach, CA 92660-6977;

Northeast Quadrant

Avondale-h Trust, 567 Via Codo, Fullerton, CA 92835-1453;

Beachmont Properties LLC, 2760 E. Spring St., Ste. 200, Long Beach, CA 90806-2257;

Deborah S. & Shere Gail Cowgill, 555 S. Flower St. #29, Los Angeles, CA 90071;