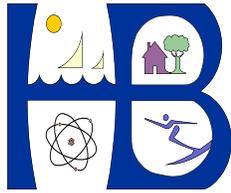


APPENDIX A

Notice of Preparation and
Comment Letters Received



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

October 8, 2015

NOTICE OF PREPARATION

To: Agencies, Organizations, and Interested Parties

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update

Lead Agency:

Agency Name: City of Huntington Beach
Street Address: 2000 Main Street

City/State/Zip: Huntington Beach, CA
92648

Contact: Jennifer Villasenor
Planning Manager

Consulting Firm:

Firm Name: Atkins
Street Address: 3570 Carmel Mountain
Road, Suite 300

City/State/Zip: San Diego, CA 92130

Contact: Diane Sandman
Program Manager

The City of Huntington Beach publicly announces the preparation of a Program Environmental Impact Report (EIR) for the following project, as defined by the California Environmental Quality Act (CEQA) and set forth in Public Resources Code Section 21065. A description of the project, as well as an explanation of potential environmental effects, is provided in this Notice of Preparation (NOP). We need to know your views as to the scope and content of the environmental information included in the EIR to address the project's potential environmental effects.

SCOPING MEETING: Pursuant to Section 21083.9 of the Public Resources Code, a scoping meeting will be held for the general public and responsible and trustee public agencies. The purpose of the scoping meeting is to learn about the proposed project, review the anticipated scope of the EIR, and assist the City in identifying the range of actions, alternatives, mitigation measures, and potentially significant effects to be analyzed in depth in the EIR. Below, the date, time, and location of the scoping meeting are provided.

Scoping Meeting Date
**Wednesday, October 21,
2015**

Scoping Meeting Time
Agencies: 4 p.m. to 5 p.m.
Public: 6 p.m. to 7 p.m.

Scoping Meeting Location
**Room B-7, City Hall –
Lower Level, 2000 Main
Street, Huntington Beach,
CA 92648**

PUBLIC REVIEW AND COMMENT PERIOD: A 30-day public review period for submitting comments on the scope of the EIR is:

Starting Date: Thursday, October 8, 2015

Ending Date: Friday, November 6, 2015 at 5 p.m.

All comments need to be mailed or submitted no later than 5 p.m. on November 6, 2015. Please send your response, including your name, address, and concerns, to:

Jennifer Villasenor, Planning Manager
City of Huntington Beach
2000 Main Street, Huntington Beach, CA 92648 or via e-mail to:
jvillasenor@surfcity-hb.org.

A copy of the NOP describing the project location and potential environmental effects is available at the following locations:

- City of Huntington Beach Planning and Building Department, 2000 Main Street, Huntington Beach, California, 92648;
- City of Huntington Beach Clerk's Office, City Hall – 2nd floor, 2000 Main Street, Huntington Beach, CA 92648;
- Central Library, 7111 Talbert Avenue, Huntington Beach, CA 92647;
- The project website: <http://www.hbthenextwave.org>
- The City's website:
<http://www.huntingtonbeachca.gov/government/departments/planning/major/>

PROJECT TITLE: City of Huntington Beach General Plan Update

PROJECT APPLICANT: City of Huntington Beach

PROJECT LOCATION: City of Huntington Beach and surrounding unincorporated areas, Orange County, California

PROJECT DESCRIPTION: The City of Huntington Beach has initiated a comprehensive program to update its General Plan. State law (Government Code Section 65300) requires each city to adopt a comprehensive, long-term general plan for its physical development. The proposed project consists of the adoption and implementation of a Draft General Plan, which establishes an overall development capacity for the city and serves as a policy guide for determining the appropriate physical development and character of Huntington Beach over an approximate 25-year planning horizon (to 2040). The draft General Plan must comply with State law (Government Code Section 65300), which requires each city to adopt a comprehensive, long-term general plan for its physical development. The draft General Plan Update project also includes a Greenhouse Gas (GHG) Reduction Program and a Coastal Resiliency Program (CRP). A GHG Reduction Program provides near-term specific and measurable actions, programs, and projects to achieve greenhouse gas reduction goals as required by State legislation, and provides performance indicators and a monitoring tool. A CRP provides guiding engineering, ecological, and community resilience principles to address potential sea level rise in accordance with the adopted guidelines of the California Coastal Commission. It also identifies preparedness goals, actions, and an implementation strategy.

General Plan update documents and presentations developed to date are available at the following website: <http://www.hbthenextwave.org/>.

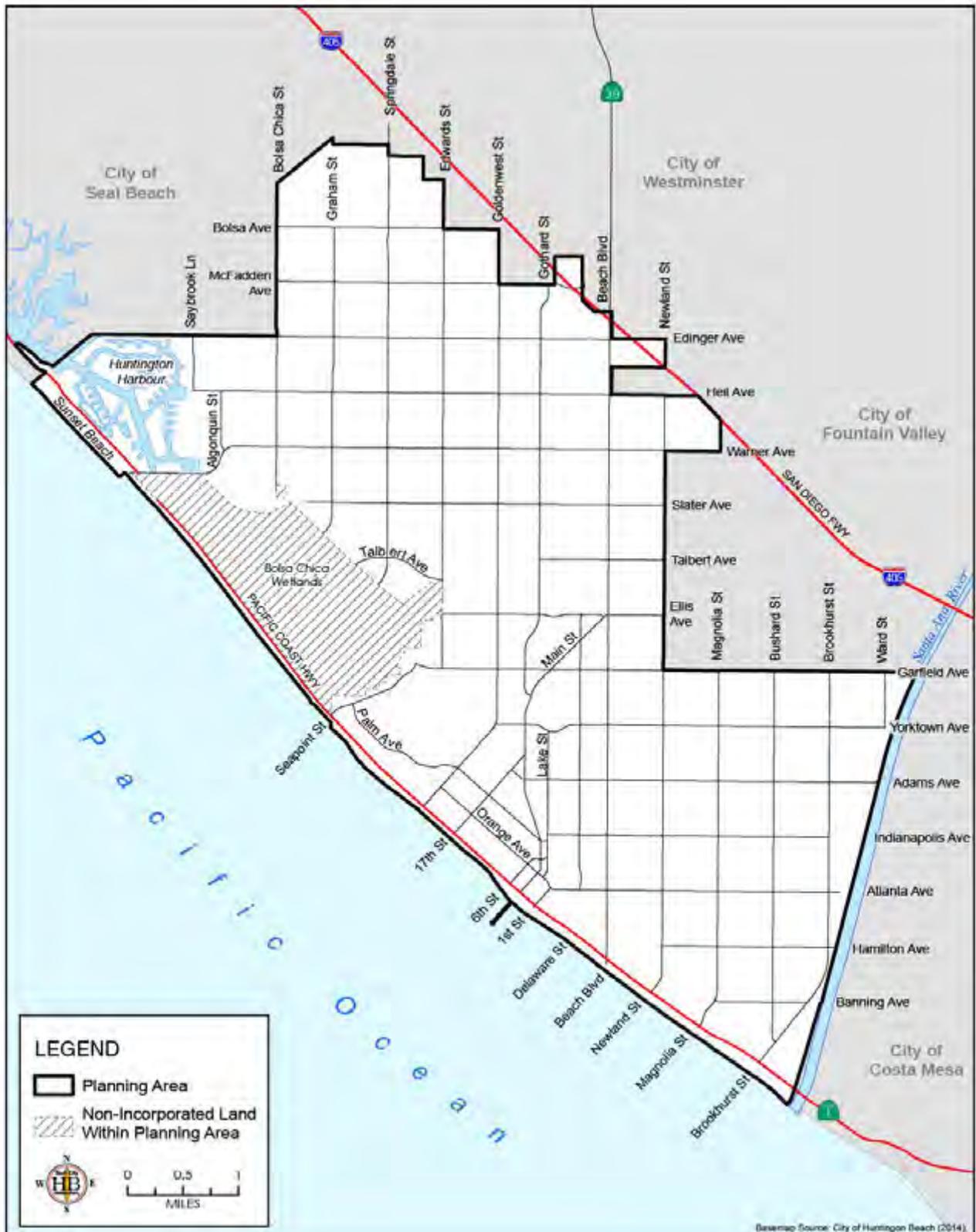
The City's current General Plan was last comprehensively updated in 1996. The Coastal Element was last updated in 2001, the Growth Management Element was last updated in 2002, and the Housing and Circulation Elements were last updated in 2013. The Housing Element is currently being updated again to comply with State requirements.

PROJECT LOCATION AND SETTING: The City of Huntington Beach is located in the northwestern portion of Orange County along the Pacific Ocean. The city is bounded by the Pacific Ocean to the southwest, the City of Seal Beach to the northwest, the City of Westminster to the north, the City of Fountain Valley to the northeast, and the Cities of Newport Beach and Costa Mesa to the east (see **Figure 1**).

The planning area, shown on **Figure 2**, includes the entire corporate limits of the City of Huntington Beach, as well as unincorporated areas surrounded by the city, including the Bolsa Chica Wetlands. The General Plan applies to all properties within the planning area.



Figure 1 – Regional Vicinity



Basemap Source: City of Huntington Beach (2014).



Figure 2 - Planning Area

PROJECT GOALS AND OBJECTIVES: The General Plan and implementing programs serve as the blueprint for future growth and development. As a blueprint for the future, these documents must contain policies and programs designed to provide decision-makers with a solid basis for decisions related to land use and development.

Vision Statement: The following community vision supports the draft General Plan Update project:

In 2040, the City of Huntington Beach is...

A **desirable destination for all people to live, work, play, and visit.** Huntington Beach is a **healthy and safe, family-oriented community** with flourishing schools and accessible community services for all ages. Natural resources are protected, while parks, open spaces, and the beach provide a variety of recreation opportunities. Community members travel easily by automobile, by bicycle, on foot, and using transit.

Well-maintained, high-quality infrastructure and cutting-edge technology help **all businesses throughout the city prosper in a culture of innovation**, offering a variety of job opportunities for residents and the region. **Development is guided to ensure responsible growth** while preserving and enhancing our community character, the beach, Surf City culture, and the environment.

The community and its priorities are resilient, withstanding the challenges posed by a changing coastline and economic base, and shifting demographics. The City, in partnership with the community, is sustainable – **considering the needs of future generations while protecting what is valued today.**

Huntington Beach’s vision is supported by ten overarching guiding principles that set the tone and direction of how the city will change over the next 25 years. These guiding principles are a benchmark to ensure that the City’s goals, policies, and actions align with the community’s vision for the future. They describe the future conditions in Huntington Beach in 2040, based on successful implementation of the proposed plan and programs.

The guiding principles for the General Plan update have been modified as follows to serve as project objectives for the EIR:

Objective 1 – Economic Vitality: Maintain an innovation-friendly environment where local businesses thrive and become a top choice for highly qualified job seekers.

Objective 2 – Infrastructure: Update water, sewer, street, and other infrastructure facilities through a comprehensive systems approach to adequately serve future growth while supporting the existing community.

Objective 3 – Open Space and Recreation: Maintain a balance of open space and recreational activities throughout the community.

Objective 4 – Surf City Community Image: Promote Huntington Beach’s unique Surf City image, identity, and culture as a beach community.

Objective 5 – Public Safety: Create a safe and secure community by preparing for natural hazards and improving street lighting and design to enhance safety in public areas, parks, and streets.

Objective 6 – Redevelopment and Revitalization: Revitalize commercial corridors and older industrial areas to support economic development. Enhance the community through successful infill development and a diverse array of housing types.

Objective 7 – Mobility and Access: Retrofit high-traffic corridors to better connect cyclists, pedestrians, and transit users, support use of alternative fuel vehicles, and reduce traffic congestion.

Objective 8 – Resource Conservation: Protect natural resources within the community and become a regional leader in sustainability. Shift toward renewable energy resources and conservation practices to achieve the city’s self-sufficiency goals.

Objective 9 – Resident Services: Update and expand community and social services to meet the needs of all community members, including youth and seniors.

Objective 10 – Culture and Arts: Support programs, activities, and facilities that celebrate the city’s historical and cultural heritage.

GENERAL PLAN COMPONENTS: The General Plan must include the subject matter required for the following state-required elements: Land Use; Circulation; Housing; Conservation; Open Space; Noise; and Safety. In addition, Measure M, approved by Orange County voters in 1990 and renewed in 2006 as Measure M2, requires all jurisdictions within the County to maintain a Growth Management Plan and a seven-year Capital Improvement Program. Measure M2 raises the County’s sales tax, for a 22 year period, to pay for specific voter-approved transportation projects. Local jurisdictions may receive tax monies for approved local projects if their Growth Management Plan and Capital Improvement Program conform to measure requirements. The City’s Growth Management Plan is addressed in the Land Use and Infrastructure and Public Services Elements of the General Plan. Because a portion of the City is located in the Coastal Zone, the General Plan also includes a Coastal Element.

The Draft General Plan will be divided into nine elements, which together address the mandated topics as well as additional topics of interest to the City. Each of these elements is briefly described below.

The **Land Use Element** guides future development in Huntington Beach and designates appropriate locations for different land uses including open spaces, parks, residences, commercial uses, industry, schools, and other public uses. The Land Use Element establishes standards for residential density and non-residential building intensity for land located throughout the city. This element also presents long-term urban design and economic development goals and policies.

The Land Use Diagram (**Figure 3**) establishes the general pattern of uses in the planning area and identifies maximum permitted land use densities and intensities. These parameters can be used to identify the anticipated level of development in the planning area between 2015 and 2040. Future uses within Specific Plan areas will continue to be regulated primarily by the development standards established by each Specific Plan. As the density and intensity standards for each land use designation are applied to future development projects and land use decisions, properties will gradually transition from one use to another, and land uses and intensities will gradually shift to align with the intent of the plan.

Table 1 identifies anticipated land use changes that would occur between 2014 and 2040 with implementation of the General Plan.

Table 1 – Anticipated Land Use Changes between 2014 and 2040

	Land Use	
	Residential Uses (Dwelling Units)	Non-Residential Uses (Square Feet)
Existing (2014)	78,175	45,052,000
Proposed (2040) ¹	85,403	50,437,000
Net Difference	7,228	5,385,000
Source: City of Huntington Beach		
Note:		
1. Some land uses identified as proposed at the time the land use inventory was completed in 2014 have recently been occupied or are currently under construction.		

The **Circulation Element** defines the transportation network and describes how people move throughout the city, including the streets, railways, transit routes, bicycle paths, and sidewalks. The transportation network is a major determinant of urban form and land use. Factors such as, but not limited to, traffic patterns and congestion, access to transit, and ease and safety of walking and biking may determine where people choose to live, work, and visit. **Figure 4** illustrates the adopted Arterial Plan. No change to the Arterial Plan has been made relative to the plan adopted as part of the 2013 Circulation Element update.

The **Environmental Resources and Conservation Element** describes the conservation, development, and use of natural resources and addresses Huntington Beach’s parks and recreation opportunities. This element also addresses key issues related to environmental resources and conservation areas, including biological resource areas, energy and water conservation, air quality, greenhouse gas emissions, and coastal resources.

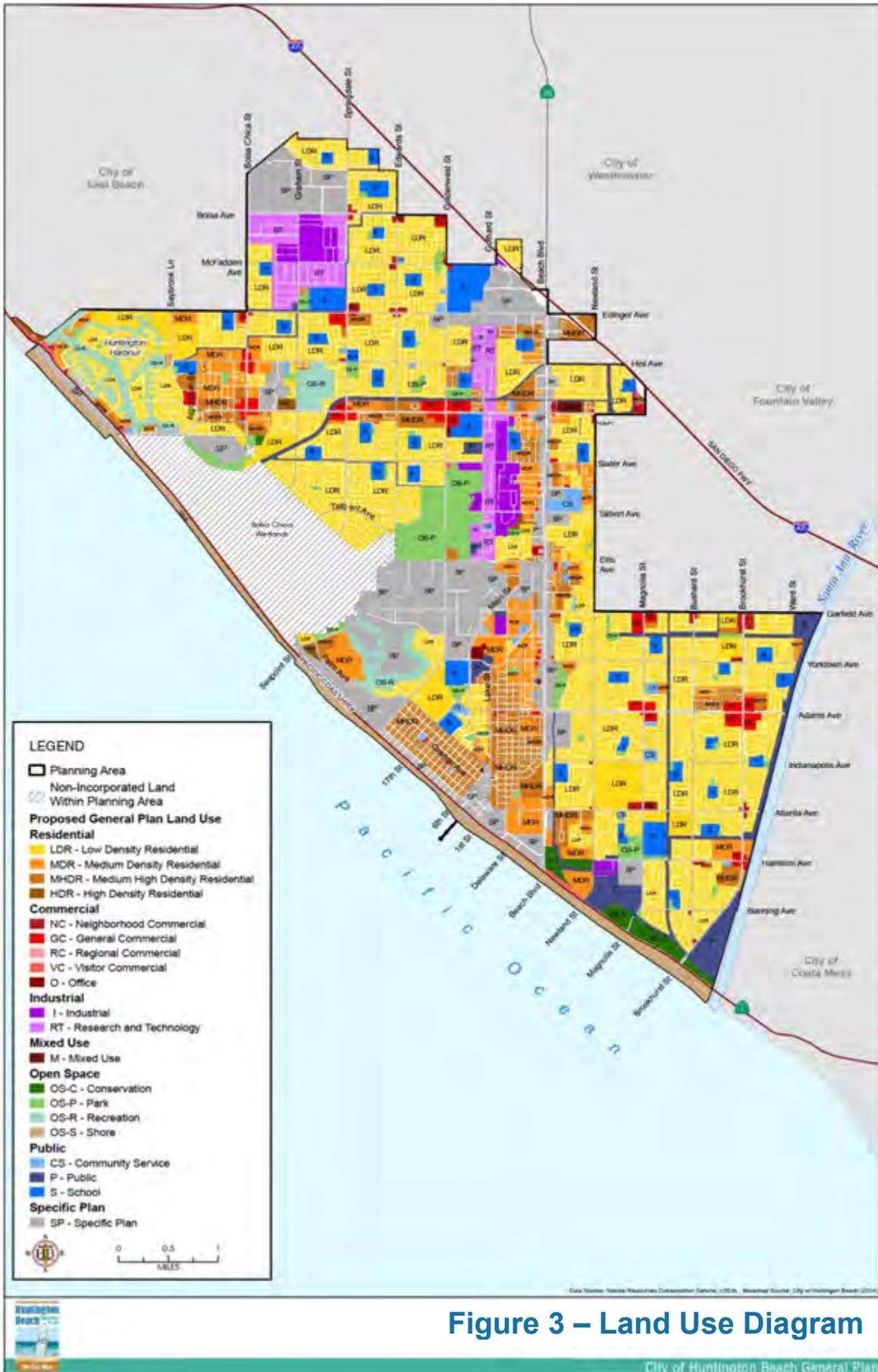


Figure 3 – Land Use Diagram

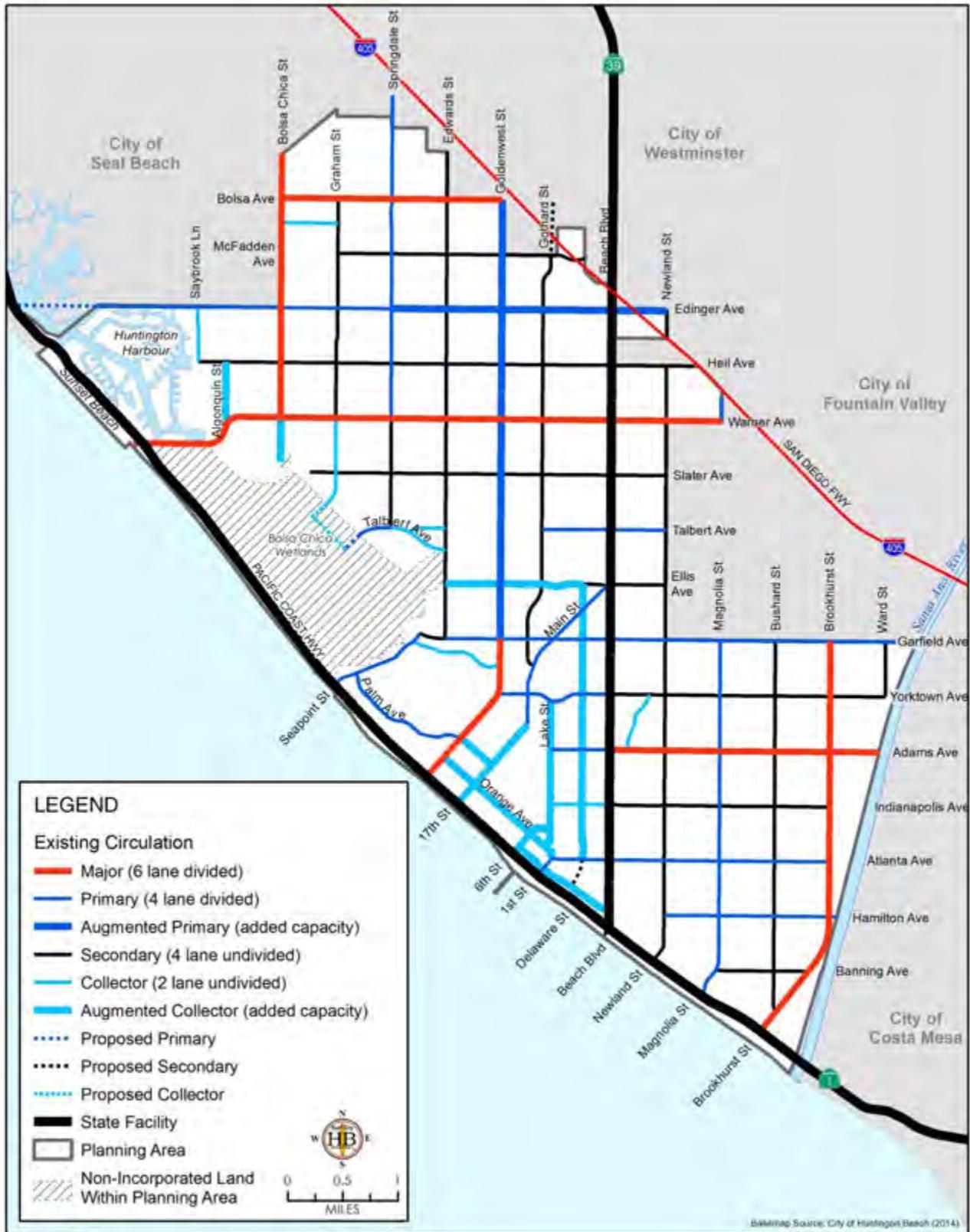


Figure 4 – Arterial Plan

The **Natural and Environmental Hazards Element** identifies areas prone to natural hazards and potentially hazardous conditions including ground shaking, surface rupture from earthquakes, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other geologic hazards; flooding and sea level rise; urban fires; hazardous materials; and evacuation routes.

The **Noise Element** describes the existing noise environment in Huntington Beach, identifies noise sources and problems affecting community safety and comfort, and establishes policies and programs that limit community exposure to excessive noise levels. The Noise Element sets standards for acceptable noise levels by various land uses and provides guidance to balance the noise created by an economically healthy community with the public's desire for peace and quiet.

The **Infrastructure and Public Services Element** describes the water delivery system, wastewater collection and treatment system, stormwater and urban runoff, solid waste disposal, power, communications, and infrastructure finance. The element also identifies Huntington Beach's plans for preparing for health and safety hazards, including police protection, fire protection, emergency response and preparedness, and airport safety.

The **Historic and Cultural Resources Element** identifies important local cultural, archaeological, and historic resources and establishes goals, policies, and actions for the protection and preservation of those resources. This element is currently being updated separately and not considered a part of the proposed project that will be analyzed in this EIR.

The **Housing Element** serves as a policy guide to address the housing needs of the City of Huntington Beach. The element outlines housing needs, barriers or constraints to providing housing, and actions proposed to address these concerns over an eight-year period. The Housing Element is currently being updated under a separate process from the comprehensive update to the General Plan and is anticipated to be complete by early 2016. This element is not considered a part of the proposed project that will be analyzed in this EIR.

The **Coastal Element** addresses the requirements of the California Coastal Act within the portions of Huntington Beach located within the Coastal Zone. Goals and policies in this element guide civic decisions regarding growth, development, enhancement, and preservation of coastal resources. This element is not being updated at this time, and is not considered a part of the proposed project that will be analyzed in this EIR.

Additional Components of the General Plan Update project

Greenhouse Gas Reduction Program

The Greenhouse Gas Reduction Program will provide a baseline for emissions in Huntington Beach that coincides with State emissions reduction targets, as well as a GHG inventory for a current year to more accurately assess progress toward the GHG reduction goal set by Assembly

Bill (AB) 32. Using the inventories prepared, a forecast of GHG emissions will be included for both 2020 and 2050 to ensure compliance with the AB 32 reduction target and the General Plan. This information will be used to develop an implementation program that identifies time frames, responsible parties, indicators, potential costs and benefits, funding sources, and monitoring mechanisms.

Coastal Resiliency Program

The Coastal Resiliency Program evaluates the resiliency and adaptation strategies and policies to address potential sea level rise effects along the coastline of Huntington Beach. This program will include an analysis of past trends and calculations of the future effects of sea level rise. It will identify the exposure to sea level rise effects in Huntington Beach; how specific functions, structures, and populations will be affected; and the ability of those affected to adapt to the changing conditions. It will then assess their vulnerability and identify adaptation strategies to increase the resiliency of the vulnerable functions, structures, and populations.

PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT: The City of Huntington Beach is the lead agency for the preparation of this EIR. The City will prepare a comprehensive Program EIR addressing all topics required by CEQA. Thus, in accordance with CEQA Guidelines Section 15063(a), no Initial Study has been prepared. In accordance with CEQA Guidelines Section 15168, a Program EIR may be prepared on a series of actions that can be characterized as one large project and are related in connection with issuance of rules, regulations, plans or other criteria to govern the conduct of a continuing program, such as the General Plan and associated implementation programs. The EIR will evaluate the proposed project's potential direct, indirect, and cumulative environmental impacts on the following issues:

Visual and Aesthetic Resources: The EIR will examine the potential impacts of the proposed project on the visual character and quality of the planning area related to urban form, building design, aboveground utilities, commercial signage, and other factors as well as potential impacts to visual resources such as views of the Pacific Ocean, Bolsa Chica Ecological Reserve, and the Huntington Beach Municipal Pier.

Agricultural Resources: The EIR will describe existing agricultural resources located in the planning area and analyze potential impacts from land use changes on the agricultural resources, if any.

Air Quality: The EIR will describe the regional air quality conditions in the South Coast Air Basin and will address air quality impacts expected to result from the proposed project in conformance with criteria identified by the South Coast Air Quality Management District. The EIR will address potential impacts from construction-related activities, as well as operational air quality impacts, toxic air contaminant exposure, and consistency with air quality improvement plans.

Biological Resources: The EIR will evaluate biological resources conditions in the planning area and potential impacts of the proposed project to any biological or marine resources. The EIR will address the presence/absence of special-status plant and animal species and sensitive habitats in Huntington Beach, with particular focus on the ocean,

beach, parks, and open spaces.

Cultural Resources: The EIR will describe archeological, tribal, and historic resources (including any offshore resources) and the potential for the proposed project to affect the integrity of those resources.

Energy: The EIR will evaluate the proposed project's energy consumption during construction, operation, and maintenance. The EIR will also address peak energy demand, alternative renewable fuels, and recycling of non-renewable resources.

Geology and Soils: The EIR will describe the geologic, seismic, and paleontological setting of the planning area, and will address potential impacts associated with the proposed project.

Greenhouse Gas Emissions: The EIR will analyze the potential for the proposed project to generate cumulatively considerable greenhouse gas emissions and will describe whether the proposed project is consistent with applicable plans or policies designed to reduce greenhouse gas emissions.

Hazards and Hazardous Materials: The EIR will describe existing conditions in the planning area, including the potential for soil and groundwater contamination to affect future uses. Existing or potential hazards or hazardous waste generators in the planning area will be identified, along with federal, state, and local legislation concerning hazards and hazardous material use, handling, or transport.

Hydrology and Water Quality: The EIR will analyze issues concerning hydrology and water quality, including the existing stormwater conveyance system, flood hazards, and groundwater quality. The EIR will also address potential water quality impacts and conformance with Regional Water Quality Control Board requirements.

Land Use and Planning: The EIR will address the issue of consistency and compatibility of proposed land use and transportation changes and policies resulting from the proposed project in relation to physical effects on the environment and evaluate all policies that might result in physical changes for land use compatibility or conflicts.

Noise and Vibration: The EIR will discuss the existing noise setting and will evaluate potential stationary and traffic-related noise impacts associated with the proposed project and future development patterns. The EIR will also evaluate exposure of excessive groundborne vibration. A noise and vibration analysis will be conducted, and its results will be analyzed in the EIR. The analysis will evaluate existing ambient noise exposure and noise and vibration levels during construction and operation of the proposed project.

Population and Housing: The EIR will analyze the potential changes in population, housing, and employment resulting from the proposed project, and determine whether those changes would result in substantial adverse physical effects on the environment.

Public Services: The EIR will compare existing demand for police, fire, schools, parks, and other public facilities to proposed demand in 2040 with implementation of

the proposed project, and determine whether changed demand would create the need for provision of new or physically altered facilities to maintain acceptable service ratios, the construction of which could result in substantial adverse physical impacts on the environment.

Recreation: The EIR will assess the number of facilities within existing parks and compare this to established local, state, and national standards, and consider the potential for future development resulting from implementation of the proposed project to increase the use of existing parks such that substantial physical deterioration of existing park facilities would occur.

Transportation: Continued growth, both in Huntington Beach and in surrounding communities, could increase vehicle miles traveled and the amount of traffic congestion experienced in the planning area. A traffic analysis will be conducted, and its results will be analyzed in the EIR. The traffic analysis will evaluate existing and long-term impacts of the proposed project on roadway systems and alternative and active transportation facilities in the planning area and in adjacent jurisdictions.

Utilities and Service Systems: The EIR will analyze whether the proposed project will require or result in the construction of new or expanded water or wastewater treatment facilities, storm water drainage facilities, and landfills. The EIR will also analyze if the proposed project would have sufficient water supplies and comply with regulations related to solid waste.

Cumulative Impacts: The EIR will address the potentially significant cumulative impacts of the proposed project related to the Southern California Association of Governments' population and jobs forecasts and reasonably foreseeable future projects in the region.

Growth-Inducing Impacts: The EIR will discuss the ways in which the proposed project could foster growth in the surrounding environment and the types of growth that could result.

Alternatives: The EIR will describe and analyze multiple alternatives to the proposed project which are capable of meeting the project objectives, but also designed to avoid or minimize significant impacts that would otherwise occur under the proposed project. CEQA requires an EIR to provide adequate information for decision makers to make a reasonable choice between alternatives based on the environmental aspects of the proposed project and alternatives. The impacts of the alternatives will be compared to those of the proposed project. As a result of this analysis, the EIR will identify an environmentally superior alternative.

EIR AND GENERAL PLAN UPDATE PROCESS: The Draft EIR will be based on the input received at the scoping meeting and comments submitted on the NOP. The purpose of the Draft EIR is to fully examine and disclose the potential environmental impacts of the proposed project and identify mitigation measures and alternatives that would reduce and/or avoid significant impacts.

The Draft EIR will have a 45-day public review period in which public agencies and members of

the public will review and comment on the Draft EIR. Comments received on the Draft EIR will be reviewed and addressed in the Final EIR. The Final EIR will be a document consisting of the Draft EIR, errata or changes to the Draft EIR, "Responses to Comments," as well as additional technical reports or follow-up documentation that may be necessary. The Huntington Beach Planning Commission will hold a public hearing on the Final EIR and make a recommendation to the City Council regarding the Final EIR prior to action on the General Plan Update. The City Council will hold its own public hearing on the Final EIR and make its own determination on certification of the Final EIR prior to action on the General plan Update.



ASSOCIATION of GOVERNMENTS

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- Energy & Environment
Dorothy Robertson, Rialto
- Transportation
Alan Wagner, San Bernardino Associated Governments

November 6, 2015

Ms. Jennifer Villaseñor, Planning Manager
City of Huntington Beach, Department of Planning and Building
2000 Main Street
Huntington Beach, California 92648
Phone: (714) 536-5271
E-mail: jvillaseñor@surfcity-hb.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update [SCAG NO. IGR8640]

Dear Ms. Villaseñor,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including its Sustainable Communities Strategy (SCS) component pursuant to SB 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of the regional goals and policies in the RTP/SCS.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update in Orange County. The proposed project includes a comprehensive update of its General Plan which also includes a Greenhouse Gas Reduction Program and a Coastal Resiliency Program (CRP). The City's current General Plan was last comprehensively updated in 1996.

When available, please send environmental documentation to SCAG's office in Los Angeles or by email to sunl@scag.ca.gov providing, at a minimum, the full public comment period for review. If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Lijin Sun, Esq., Senior Regional Planner, at (213) 236-1882 or sunl@scag.ca.gov. Thank you.

Sincerely,

Ping Chang
Program Manager II, Land Use and Environmental Planning

¹ SB 375 amends CEQA to add Chapter 4.2 Implementation of the Sustainable Communities Strategy, which allows for certain CEQA streamlining for projects consistent with the RTP/SCS. Lead agencies (including local jurisdictions) maintain the discretion and will be solely responsible for determining "consistency" of any future project with the SCS. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a finding of consistency under SB 375 for purposes of CEQA streamlining.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE HUNTINGTON BEACH GENERAL PLAN UPDATE [SCAG NO. IGR8640]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS.

2012 RTP/SCS GOALS

The SCAG Regional Council adopted the 2012 RTP/SCS in April 2012. The 2012 RTP/SCS links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations (see <http://rtpscs.scag.ca.gov>). The goals included in the 2012 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2012 RTP/SCS are the following:

SCAG 2012 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and non-motorized transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format. Suggested format is as follows:

SCAG 2012 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
etc.	etc.

RTP/SCS STRATEGIES

To achieve the goals of the 2012 RTP/SCS, a wide range of strategies are included in SCS Chapter (starting on page 152) of the RTP/SCS focusing on four key areas: 1) Land Use Actions and Strategies; 2) Transportation Network Actions and Strategies; 3) Transportation Demand Management (TDM) Actions and Strategies and; 4) Transportation System Management (TSM) Actions and Strategies. If applicable to the proposed project, please refer to these strategies as guidance for considering the proposed project within the context of regional goals and policies. To access a listing of the strategies, please visit <http://rtpscs.scag.ca.gov/Documents/2012/final/f2012RTPSCS.pdf> (Tables 4.3 – 4.7, beginning on page 152).

REGIONAL GROWTH FORECASTS

At the time of this letter, the most recently adopted SCAG forecasts, at the jurisdictional level, consists of the 2020 and 2035 RTP/SCS population, household and employment forecasts. To view them, please visit <http://scag.ca.gov/Documents/2012AdoptedGrowthForecastPDF.pdf>. The forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts		Adopted City of Huntington Beach Forecasts	
	Year 2020	Year 2035	Year 2020	Year 2035
Population	19,683,000	22,091,000	199,800	205,500
Households	6,458,000	7,325,000	75,800	79,200
Employment	8,414,000	9,441,000	80,100	80,600

MITIGATION

SCAG staff recommends that you review the SCAG 2012 RTP/SCS Final Program EIR Mitigation Measures for guidance, as appropriate. See Chapter 6 (beginning on page 143) at: <http://rtpscs.scag.ca.gov/Documents/peir/2012/final/Final2012PEIR.pdf>

As referenced in Chapter 6, a comprehensive list of example mitigation measures that may be considered as appropriate is included in Appendix G: *Examples of Measures that Could Reduce Impacts from Planning, Development and Transportation Projects*. Appendix G can be accessed at: http://rtpscs.scag.ca.gov/Documents/peir/2012/final/2012fPEIR_AppendixG_ExampleMeasures.pdf



November 03, 2015

RECEIVED

NCL-15-025

Ms. Jennifer Villasenor, Planning Manager
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

NOV 09 2015
Dept. of Planning & Building

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update

Dear Ms. Villasenor:

The County of Orange has reviewed the Notice of a Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update:

Flood Programs:

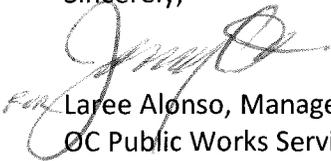
1. The proposed General Plan encompasses the entire corporate limits of the City of Huntington Beach (City) and unincorporated areas surrounded by the City. The DEIR should identify all flood control/drainage facilities and unimproved, natural watercourses that are likely to be impacted by the proposed General Plan. Drainage Facility Base maps that depict existing local and regional drainage facilities and as-built drawings of facilities owned by the Orange County Flood Control District (OCFCD) are available for review at <http://ocflood.com/docs/drawings#maps>.
2. When projects are implemented, increases in runoff are likely to result from greater imperviousness caused by development. Consequently, before implementation of projects resulting from the General Plan, an analysis of possible impacts to OCFCD's existing facilities, and natural, unimproved watercourses must be accomplished and appropriate mitigation measures proposed in consultation with OC Public Works/OC Infrastructure Programs to alleviate resulting conditions. Hydrology and hydraulic analyses must be consistent with the prevailing criteria of the Orange County Hydrology Manual (OCHM), Addendum No. 1 to the OCHM and the Orange County Flood Control Design Manual.
3. Intensification of land uses and resulting increases in impermeable areas beyond current levels when combined with improved local drainage facilities are likely to result in higher than previously planned discharges being delivered to downstream areas adjacent to or within floodplains, and those lacking adequate flood control/drainage facilities. Consequently, project

implementation must include necessary hydrology and hydraulic studies to identify project impacts to downstream facilities and floodplain areas, and include appropriate mitigation measures to alleviate adverse impacts.

4. Any deviation from the existing drainage patterns associated with new developments adjacent to OCFCD facilities will need to receive prior approval from the Manager, Flood Program Support Division.
5. The City, as floodplain administrator for areas within City limits, should require developments within flood hazard areas to conform to FEMA regulations and require letters of Map Revision (LOMR) to be processed through FEMA when grading or development changes the floodplain.
6. Hydraulic analysis should be performed to ensure that proposed facilities (recreation/community facilities) within floodway portions of the FEMA designated 100-year floodplain will not make existing hydraulic conditions worse or shift flooding elsewhere or impact buildings, structures and adjacent properties.
7. Project proponents should be required to analyze impacts to earthen and natural channels due to proposed developments within floodways including effects of sediment deposition, scour, and erosion. Slope protection structures such as revetments may be necessary to ensure bank stability and to protect adjacent buildings, structures and properties.
8. All proposed work within Orange County Flood Control District (OCFCD) right-of-way (fee owned or subject to easement) will require encroachment permit from OC Public Works/County Property Permits for information regarding permit application, please visit our web site <http://ocplanning.net>.

If you have any questions or need clarification please do not hesitate to contact Editha Llanes at (714) 647-3985 or Anna Brezezick at (714) 647-3989.

Sincerely,



Laree Alonso, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Laree.Alonso@ocpw.ocgov.com

cc: Mehdi Sobhani, Manager, OC Public Works/Flood Programs

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LAUREN A. MCKAY



CONNOR, FLETCHER & HEDENKAMP LLP

ATTORNEYS AT LAW

November 5, 2015

VIA PERSONAL DELIVERY

Ms. Jennifer Villasenor
Planning Manager
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

Re: Response to Notice of Preparation of Draft Environmental Impact Report for the
Huntington Beach General Plan Update ("NOP")

Dear Ms. Villasenor:

We are the attorneys for the Ocean View School District (the "School District"), and we have been asked to respond to the NOP on behalf of the School District. As an initial matter, when the Draft Environmental Impact Report ("DEIR") and Draft General Plan ("DGP") are available for public review, we would greatly appreciate if you would send copies of both these documents to the School District and to our office. Please also provide the School District and our office with notices of any public meetings or hearings concerning the DEIR and DGP.

The School District has the following response to the NOP:

Table 1 of the NOP indicates that between 2014 and 2040 the proposed general plan will allow an additional 7,228 residential dwelling units and 5,385,000 square feet of non-residential uses. On July 6, 2015 in a joint study session of the city council and planning commission city staff stated that this projected growth would occur in four (4) transformation areas identified as: Northwest Industrial, Gothard Street Industrial Corridor, Peters Landing, Southeast Opportunity Area. Staff explained a new land use designation was proposed, Research and Technology, characterized as Light Industrial that would serve as a buffer between existing sensitive land uses from heavy industry and manufacturing characterized in the Industrial general plan designation. Direction was given to include Alternative "C" for the Gothard Street Corridor. (See Exhibit 1 – Gothard Street Industrial Corridor.) Alternative "C" replaces all industrial zoning west of the train tracks along Gothard Street with the new research and technology zoning, but leaves virtually all of the existing industrial zoning to the east in place. Another Alternative "C" was also prepared for the Northwest Industrial area. That alternative replaces most of the existing industrial zoning south of Bolsa Avenue with research and technology zoning. (See Exhibit 4.)

Because heavy industrial activity would be allowed in the remaining industrial zones, but not in the research and technology zone, any new heavy industrial uses will be concentrated in the eastern portion of the Gothard Street Corridor as the growth projected in the DGP takes place. This is

extremely concerning to the School District, as this area of intensified heavy industrial uses lies adjacent to the Oak View Elementary School and Oak View Preschool (collectively, the "Oak View Schools"), along with the rest of the Oak View Community. (See Exhibit 2.) Concentrating heavy industrial activity in this area with no research and technology buffer, while providing a large buffer to other residential areas is unfair, unwise, and not in harmony with the professed goals of the General Plan Update, particularly since this community already suffers from the environmental impacts of the most noxious industrial use in the City—the Rainbow Transfer Station.

The School District feels strongly that this unfairness must be addressed by the City before approval of the General Plan Update. A crucial step in adequately addressing this issue will be the preparation of a complete, valid, and CEQA compliant DEIR. It is the School District's hope that once a valid EIR is prepared, showing the adverse impacts of Alternative "C," the City will choose to take a different path, that more fairly distributes the environmental burden of future industrial development.

As explained in the sections below, a valid EIR will require: (1) a candid and comprehensive description of the baseline environmental conditions, including the environmental impacts suffered by the Oak View community as a result of the Rainbow Transfer Station and other existing industrial uses, (2) an honest appraisal of the environmental impacts that will occur in the Oak View community as a result of the reasonably foreseeable intensification of heavy industrial uses in the easterly portion of the Gothard Street Corridor that will result from Alternative "C," (3) an analysis of the cumulative impacts from the existing industrial uses when considered together with the intensified industrial development that will occur as a result of Alternative "C," (4) an analysis of additional project alternatives that would include a more equitable apportionment of the research and industrial "buffer zones," so that the Oak View community would not be forced to bear a disproportionate share of the impacts from future industrial development, (5) a discussion of reasonable mitigation measures to address the impacts of intensifying industrial uses next to a residential neighborhood, and (6) a discussion of the known areas of controversy, including the claims that the Oak View Community has already been the victim of environmental injustice, and that Alternative "C" will increase, rather than address, that injustice.

As you know, the disputes between the School District and the City over two prior EIRs have led to litigation resulting in both of the EIRs being decertified. While it was unfortunate that these matters led to litigation, the School District felt strongly that its concerns had been entirely ignored by the City, and that, therefore, it had no choice but to resort to litigation to make its concerns heard. The School District would very much like to avoid litigation this time, and therefore is attempting to engage in the process earlier in the hopes that the City will listen to the School District's valid concerns, and modify its course of action before it is too late.

Accordingly, in order to ensure that the DEIR for the General Plan Update adequately addresses the relevant environmental impacts, the School District requests that City staff acknowledge and address each of the areas discussed below when preparing the DEIR. In addition, the School District invites City staff to confer with the School District during the process of preparing the DEIR, as required by CEQA Guidelines § 15086(a)(3) and Implementation Program Nos. I-PF 14 and 15 in the City's existing General Plan.

Adequate Description Of Baseline Environmental Conditions

One of the most important prerequisites of an adequate environmental analysis is an accurate description of the baseline environmental conditions. Since the DGPA involves the intensification of industrial uses adjacent to the Oak View community, this will include, without limitation, an adequate analysis of the environmental impacts that are imposed on the community by the existing industrial activities. A summary of some of the existing impacts that must be discussed and considered in the baseline environmental conditions is set forth below.

Air Quality

Currently, and for many years the staff and students of Oak View Elementary School and Preschool have endured severe air quality impacts from the operations of the Rainbow Transfer Station, operated by Rainbow Disposal Co., Inc. and Rainbow Transfer/Recycling, Inc. ("Rainbow") located at 17121 Nichols Lane. The Transfer Station has a general plan land use designation General Industrial and a zoning classification of Utility, Major. Since 1997 Rainbow has received over 33 Notices of Violation from the South Coast Air Quality Management District (the "AQMD"), including 28 notices of violation for creating a public nuisance at the Transfer Station. (See Exhibit 3.)

The School District has repeatedly complained to the City about the open air storage and processing of garbage at the Transfer Station, which violates the Huntington Beach Municipal Code, but the City has failed to take any action, perhaps because the City profits from the operation of the Transfer Station through franchise fees paid by Rainbow.

In Mitigated Negative Declaration No. 06-006, the City claimed that the Transfer Station's approved operations would have no significant adverse impact on air quality, despite the fact that the air quality study cited in the Mitigated Negative Declaration states on page 29 that "onsite operations-period emissions would be below SCAQMD's localized significance thresholds for NOX and CO, but would exceed thresholds set for PM₁₀ and PM_{2.5}. Impacts from emissions of these criteria pollutants would be significant." Oddly, the numbers in the table below that passage show emissions of 0.54 and 0.32 lbs per day of these pollutants, which is not above the SCAQMD significance thresholds of 4 and 2 lbs per day, respectively. However, Appendix A to the report, which is the actual output sheet from the emissions model, shows net project emissions of 12.7 lbs per day of PM₁₀, and 2.74 lbs per day of PM_{2.5}, which would exceed the threshold. Accordingly, there appears to have been some deliberate tampering with the data in an attempt to disguise this significant environmental impact. Regardless of whether the error was intentional or inadvertent, it must be corrected in the DEIR's statement of baseline environmental conditions, and it must be acknowledged that the Transfer Station is currently posing a significant environmental impact on air quality.

In addition, the Solid Waste Facility Permit ("SWFP") for the Transfer Station allows the crushing and grinding of concrete and asphalt, which does not appear to have been addressed at all in the air quality study for the Mitigated Negative Declaration. Rainbow was allowed by the City's land use permits to accumulate 30 to 40 foot piles of concrete aggregate and store this accumulation outdoors at its facility. Visible dust clouds from these exposed piles of aggregate blew onto the school playground and lunch tables causing irritation and health concerns to students and staff at the Oak View Schools. Compared to other schools in the School District, the nurse reports from the Oak View Schools show a significant increase in cold/sore throats, headaches and nausea during

the time that concrete was crushed and stored at the Transfer Station. Currently, the piles have been removed, however, the city land use permit and the SWFP still allow this type of operations to be resumed at anytime.

Diesel fumes generated from truck traffic are also a significant current environmental impact that must be acknowledged. Children are 10 times more sensitive to diesel pollutants than adults. Although some of the trash trucks used by Rainbow/Republic have been converted to CNG, a majority of truck traffic generated by this industrial use, including all of the transfer trucks used to haul waste to the landfill, are diesel fueled. These trucks all enter and exit the Transfer Station directly adjacent to the playing fields at the Oak View Schools.

These sorts of environmental impacts from the operations allowed by the currently applicable permits, along with the impacts from other existing industrial uses in the Gothard Street Corridor, must be addressed in the existing environmental baseline section of the DEIR for the General Plan Update.

Traffic

The DEIR also needs to include an analysis to the existing impacts of truck traffic generated from the industrial land uses in the Gothard Street Corridor, including the Rainbow Transfer Station. As reported by Rainbow to the Orange County Health Care Agency, ("OCHCA"), Rainbow alone generates significant truck traffic on Nichols Lane next to the Oak View Preschool and Elementary school. From June 1, 2015 through June 30, 2015, Rainbow/Republic reported 14,972 truck trips between 5:00 am and 10:00 pm during Monday through Friday operations. 11,484 of these truck trips occurred when school was in session. (See Exhibit 5.) The DEIR needs to analyze the existing condition concerning truck and traffic impact to Nichols Lane generated from existing industrial uses and the impact of intensifying industrial land uses along Nichols Lane and its impact to the sensitive land use of a public school and playgrounds, as well as residents near Nichols Lane.

Noise

The DEIR needs to analyze the environmental impact on noise from the existing industrial uses on Nichols Lane in the Gothard Street Industrial Corridor. Under the existing condition, noise generated from traffic and industrial uses on Nichols Lane exceeds the City's Noise Ordinance and the Noise Element of the Huntington Beach General Plan. Oak View Elementary is a public school and is considered a sensitive land use under the Noise Element and is subject to the same noise limits as residential. These allowed limits are shown in Table 1. Table 2 shows the daytime noise level readings, and Table 3 shows the nighttime readings from three (3) areas on the Oak View School grounds from an acoustical analysis prepared in 2006 for Rainbow by Gordon Bricken & Associates. Table 3 shows the nighttime noise level readings. Noise levels readings above the noise ordinance limits are shown in **Bold** in Table 2 and 3.

Table 1 – Noise Ordinance Limits			
Allowed Duration	Residential/Sensitive Land Uses		Noise Reading Symbols
	Day (7:00 am to 10:00 pm)	Night (10:00 pm to 7:00 am)	
30 Minutes in hour	55	50	L50
15 minutes in hour	60	55	L25
5 minutes in hour	65	60	L8
1 minute in hour	70	65	L2
Anytime in hour	75	70	Lmax

Table 2 – Noise Level Readings for Daytime					
Location	L50	L25	L8	L2	Lmax
#4 - East side of Nichols opposite from public entrance	72	62	61	59	58
#5 East side of Nichols opposite the trash truck entrance	79	68	66	62	58
# 6 Oak View Preschool parking lot	67	67	56	55	54

Table 3 – Noise Level Readings for Nighttime					
Location	L50	L25	L8	L2	Lmax
#4 - East side of Nichols opposite from public entrance	72	62	61	59	58
#5 East side of Nichols opposite the trash truck entrance	79	68	66	62	58
# 6 Oak View Preschool parking lot	67	67	56	55	54

The noise readings generated from Rainbow/Republic are the same in both the daytime and nighttime. This has a significant impact to teachers and children as well as residents along Nichols Lane.

Land Use

The undeniable land use conflicts that have arisen as a result of having industrial zoning adjacent to the Oak View Community must be addressed as well.

Environmental Justice

The DEIR needs to take into consideration and analyze the existing conditions of environmental injustice in the Oak View Community.¹

The Oak View neighborhood, identified as located north of Slater Avenue, east of the railroad tracts, south of Warner Avenue and west of Beach Blvd., is part of a Census Tract 994.02 in Huntington Beach. The area of Census Tract 994.02 is located in an area north of Talbert Avenue, east of Goldenwest Street, south of Warner and west of properties facing Beach Blvd.



The 2010 census indicates the area is one square mile with a population of 8,090 with 2,075 housing units and 1,974 households. Of the total population 5,681 are Hispanic or Latino or 74%. Of the total housing units 1,534 are renter occupied or 74%. Of the 440 housing units owner occupied 365 were not Hispanic or Latino householders or 83%; therefore, there is a low percentage of owner occupied housing by Latinos. However, census tract information does not adequately describe the community of concern because of the proximity of Oak View neighborhood to Rainbow's solid waste transfer station, its population and economic/socio status. The Oak View community should be considered under reported for census purposes because of possible undocumented residents.

Socio/Economic Indicators

The School District collects data on its students for specific government programs. Oak View Elementary school boundaries are located north of Slater Avenue, east of Nichols Lane, south of Warner and west of Beach Blvd. This is the smallest elementary school boundary in the OVSD and has a school population of 750 children. There are two preschools located on the Oak View school property consisting of the Oak View Preschool operated by OVSD and draws its population from anywhere in the OVSD who meet the low income qualifications and Head Start operated under a federal grant. Oak View Preschool has 217 students and Head Start has 136 students. There are approximately 100 teachers and staff at the schools. 1,203 students and staff are impacted by Rainbow's solid waste transfer station each school day.

¹ See Office of the California Attorney General, "Environmental Justice at the Local and Regional Level – Legal Background," (May 8, 2012), p. 3, at http://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet_final_050712.pdf [as of Nov. 3, 2015].

Oak View Elementary School is a Title 1, Provision 2 School. A typical Title 1 school is made up 60 to 70% of students who come from Department of Education low-income households (2014-\$36,375 for a family of 4). Oak View Elementary is composed of 100% of student living at or under this threshold. The school data better describes the community of concern than the census tract data. Based on the school data the community of concern is 100% minority and 98.9% participate in the free and reduced lunch program. There is a lack of education among the Oak View community. School data indicates 70% do not graduate from high school. Furthermore, there has been reluctance among the community to voice concerns about the environmental impact because many in the community have jobs at Rainbow and are concerned that jobs would be affected if the community raised environmental justice concerns.

Oak View community has a disproportionate population of minority and/or low-income residents when compared to other elementary schools in the School District. For example Circle View Elementary School boundary census tracts has a population of approximately 9,946 comprised of a range of 62 to 74% white among the five census tracts that make up the school boundary area. Latino population ranges from 12 to 17% of the school boundary area. Poverty in the school boundary area ranges from 9 to 30%. Less than 2% of Circle View parents did not graduate from high school. Only 19% of students at Circle View participate in free or reduced lunch program.

Environmental Indicators

Factors that contribute to potential environmental justice concerns include proximity and exposure to source pollution, unique exposure pathways, physical infrastructure, multiple environmental stressors, capacity to participate in decision making and higher risk in response to exposure among minority and/or low-income populations. A majority of the population of Oak View lives within 1,000 feet of the Rainbow Transfer Station, and the Oak View Schools are entirely within 1,000 feet with a majority within 40 to 300 feet of the Transfer Station. The only community open spaces are the school fields and a small city park, which are also within 40 to 500 feet of the Transfer Station. The unique pathways for exposure to the community include children playing on contaminated playground equipment, pavement and eating at school lunch tables. The Oak View community is more than 74% rental occupancy and could be as high as 100% rental with little opportunity to improve the quality of housing. The poor housing conditions are indicated by lack of air conditioning, single pane windows and over-crowding that compounds the impact on the community of noise, dust and odors.

Multiple environmental stressors include: the solid waste facility, noise, diesel fumes, sea gulls, odors, dust, CNG fueling station and below standard street paving. These environmental stressors are compounded by the length of exposure, 25 years, and that processing at the transfer station takes place 24 hours a day and seven days a week. CalEPA provides a Calenviroscreen 2.0 Pollution Burden score for communities in California by census tract. The 994.02 Census Tract has a high burden score of 74. The higher score represents a higher relative burden. This score indicates a low ozone burden of 2, a moderate participant matter (PM) burden of 50, a diesel burden of 49, pesticide burden of 0, a very high toxic release burden of 92, a high traffic burden of 72 and a moderate drinking water burden of 31. The census tract for Circle View Elementary School and community with its school boundary area has a Calenviroscreen 2.0 Pollution Burden of an average 36. Therefore, the Oak View community has a disproportionately high environmental stressor burden compared to other communities in Huntington Beach.

The Oak View community has a very low capacity to participate in decision-making concerning the environmental effects on the community. The community is almost 100% Latino and the school provides all communications in both English and Spanish. Calenviroscreen rated the Oak View census tract as 74 for linguistic isolation. Circle View Elementary has an average rating of 33 for linguistic isolation among the five census tracts. The Oak View community has a lack of trust of government because of possible undocumented status. There is an inability to access traditional communication channels because of a significant language barrier with many in the community limited to Spanish only. The community has very limited access to the Internet and few have telephones and lack access to transportation due to limited auto ownership. This is compounded with all public notices from City of Huntington Beach in English only.

The community of concern is at higher risk of exposure to pollutants because of a lack of health care and reduced access to health care, nutrition and or fitness. Minority and/or low-income communities because of lack of access to health care have less ability to handle the impact of pollution on health. When comparing school nurse data from Oak View Elementary School to Village View, Star View, Sun View, College View and Harbor View elementary schools, the Oak View students have among the highest reported symptoms of headache, nausea and stomachaches. Although Oak View has the lowest reported symptoms of allergies and asthma among these elementary schools this could be an indicator of lack of access to medical care and a medical allergy or asthma diagnosis.

The existing environmental baseline in the DEIR should address the disproportionate environmental impacts that are being born by the politically marginalized members of the Oak View Community.

Environmental Impacts From Intensified Industrial Uses

In addition to the analysis of the environmental impacts from existing industrial uses, the DEIR must include an analysis of the impacts from the reasonably foreseeable development that will occur as a result of Alternative "C." Given the City's projected growth, along with the elimination of heavy industrial activity in other areas of the City, it is reasonably foreseeable that heavy industrial use will be intensified in the easterly portion of the Gothard Street Corridor adjacent to the Oak View Community.

Accordingly, the environmental impacts from intensified heavy industrial activity must be estimated, analyzed, and mitigated. These impacts include, but are not limited to, air quality and odor impacts, traffic impacts, land use impacts, noise impacts, and environmental justice impacts.

The environmental justice impacts of Alternative "C" are particularly important to an adequate CEQA analysis, since Alternative "C" increases the disproportionate environmental burden placed on the Oak View Community by funneling any new heavy industrial development into the adjacent portion of the Gothard Street Corridor. Because this exacerbates an already unacceptable level of environmental injustice, it is significant, and must be addressed in the DEIR.

Cumulative Impacts

Once an analysis of the existing impacts and foreseeable future impacts is complete, the cumulative impact of existing and future uses must be quantified to determine if they meet CEQA's threshold of significance. Given the undeniable significance of the existing impacts, it is

undisputable that the concentration of more heavy industrial uses next to the Oak View Community will result in significant cumulative impacts.

Project Alternatives

Given the impacts discussed above, including environmental justice, the School District submits that the reasonable project alternatives must include an alternative that provides a more equitable distribution of the new research and technology "buffer" zones. Specifically, a strip on the easterly portion of the Gothard Street Corridor including all parcels bordering Nichols Lane and the Oak View community should be dedicated to the new research and technology "buffer" zone. The strip should be equal in width to the buffer provided under Alternative "C" to other areas to the west of the Gothard Street Corridor, and to the north of Bolsa Avenue in the Northwest Industrial Area. This buffer area should specifically prohibit further expansion of the Rainbow Transfer Station,

Mitigation Measures

Of course once the environmental impacts of Alternative C have been adequately analyzed, mitigation measures must be considered and implemented. The primary mitigation measure would be to rezone the industrial parcels adjacent to Nichols Lane to the new research and technology buffer zone. Some other suggested mitigation measures short of rezoning are set forth below. These are provided simply as examples, and the professionals who prepare the DEIR should exercise creativity and earnest effort in order to come up with effective mitigation measures.

Suggested mitigation for air quality impacts could include mandatory emission monitoring and limits, and mandatory enclosure, ventilation, and air filtration requirements for new or intensified industrial uses. Mitigation measures to address cumulative air quality impacts could include phased-in requirements for existing facilities to comply with mandatory emission monitoring and limits, and mandatory enclosure, ventilation, and air filtration.

Suggested mitigation measures for traffic is to prohibit or limit projects that will result in an increase in truck/vehicle trips on Nichols Lane, in order to provide a level of traffic that is compatible with the sensitive land uses of a public elementary school, preschool and playground and residential.

Mitigation measures for environmental justice impacts could include outreach programs and protocols to invite and encourage participation from the Oak View Community in land use decisions by the City. This could include free transportation from the Oak View Schools to City Council and Planning Commission Meetings that involve industrial uses in the Gothard Street Corridor, translation and distribution of public notices in Spanish to the Oak View Community, and the availability of Spanish translators at such meetings. In connection with the General Plan Update itself, the City could go a long way to restoring the confidence of the Oak View Community by holding meetings in the Oak View Community Center to explain the General Plan Update and DEIR process, and to solicit the community's comments and participation.



Conclusion

Thank you again for the opportunity to respond to the NOP. Please feel free to contact our land use consultant, Susan Whittaker, at Susan@WhittakerPlanningServices.com if you have any questions or need any additional information.

Very Truly Yours,



Douglas A. Hedenkamp

Exhibits

- Exhibit 1 Gothard Street Industrial Corridor
- Exhibit 2 Aerial Map of Oak View Schools
- Exhibit 3 AQMD List of Notice of Violations
- Exhibit 4 Northwest Industrial Corridor
- Exhibit 5 Rainbow Disposal Truck Per Hour Report June 2015

Exhibit 1



Legend

☐ Opportunity Site ☐ Parcel Boundary

Proposed General Plan Land Use

Residential

- LH - Low Density Residential
- MH - Medium Density Residential
- MHR - Medium High Density Residential

Commercial

- CC - Community Commercial
- VC - Visitor Commercial
- O - Office

Mixed Use

- M - Mixed Use

Industrial

- RT - Research and Technology
- I - Industrial

Open Space and Recreational

- OS-C - Conservation
- OS-P - Park

Public and Community Service

- CS - Community Service
- P - Public



Gothard Street Industrial Corridor

Exhibit 2



Exhibit 3



Facility Information Detail (FIND)

[Search Again](#) |
 [Search Results](#) |
 [Facility Details](#) |
 [Equipment List](#) |
 [Compliance](#) |
 [Emissions](#) |
 [Hearing Board](#) |
 [Transportation](#)

Compliance

Facility ID 20061
Company Name RAINBOW ENVIRONMENTAL SERVICES
Address 17121 NICHOLS ST
 HUNTINGTON BEACH, CA 92647

Notices Of Violation

Notice Number	Notice Issue Date	Violation Date	Disposition Date	Disposition
P63156	10/23/2015	10/23/2015		
P63155	10/15/2015	10/15/2015		
P63154	9/9/2015	9/8/2015		
P45974	9/11/2015	9/9/2015		
P45973	7/14/2015	7/6/2015		
P63150	6/25/2015	6/24/2015		
P53991	11/19/2013	11/19/2013		
P51537	1/17/2014	1/13/2014		
P45976	10/23/2015	10/16/2015		
P53999	3/6/2015	3/6/2015		
P53995	10/24/2014	10/16/2014		
P53997	10/24/2014	10/24/2014		
P53996	10/24/2014	10/15/2014		
P14474	7/15/1997	7/11/1997	8/10/1998	Closed Case
P13285	7/18/1997	7/17/1997	8/10/1998	Closed Case
P12773	6/18/1997	6/17/1997	8/10/1998	Closed Case
P14473	6/27/1997	6/13/1997	8/10/1998	Closed Case
P12758	9/18/1995	9/15/1995	12/5/1996	Closed Case
P14456	8/1/1995	7/14/1995	12/5/1996	Closed Case
P14475	8/21/1997	8/7/1997	8/10/1998	Closed Case
P12757	8/8/1995	8/7/1995	12/5/1996	Closed Case
P13274	6/22/1995	6/12/1995	12/5/1996	Closed Case
P25829	5/15/2001	5/10/2001	10/25/2001	Closed Case
P12780	7/6/1999	7/6/1999	11/12/1999	Closed Case
P14477	10/2/1997	9/29/1997	8/10/1998	Closed Case

Notices To Comply

Notice Number	Violation Date	Re-inspection Date	Status
D06793	5/31/2007	8/2/2007	In Compliance
D15126	3/5/2008	3/5/2008	In Compliance
E07841	1/4/2013		In Compliance
E17722	12/19/2013		In Compliance
E24054	11/6/2013	12/3/2013	In Compliance
E24057	12/20/2013	1/2/2013	NC information supplied

Page 1 of 1 (6 records) Page [Export To Excel](#)

Exhibit 4



Legend

<ul style="list-style-type: none"> Opportunity Site Parcel Boundary 	<p>Proposed General Plan Land Use Residential</p> <ul style="list-style-type: none"> LR - Low Density Residential MR - Medium Density Residential MHR - Medium High Density Residential 	<p>Commercial</p> <ul style="list-style-type: none"> CC - Community Commercial VC - Visitor Commercial O - Office 	<p>Mixed Use</p> <ul style="list-style-type: none"> M - Mixed Use <p>Industrial</p> <ul style="list-style-type: none"> RT - Research and Technology I - Industrial 	<p>Open Space and Recreational</p> <ul style="list-style-type: none"> OS-C - Conservation OS-P - Park 	<p>Public and Community Service</p> <ul style="list-style-type: none"> CS - Community Service P - Public 	<p>0 1,000 2,000 feet</p>
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Northwest Industrial Area

Exhibit 5

RAINBOW TRANSFER/RECYCLING
Trucks Per Hour Report

Page 1 of
08/12/20
12:52

Transactions From 6/1/2015 through 6/30/2015
Inbound and Outbound Tickets
Third Party and Intercompany Customers
Recycle and Disposal Waste

Hour	Total Trucks Per Hour
05:00 - 06:00	4
06:00 - 07:00	715
07:00 - 08:00	747
08:00 - 09:00	979
09:00 - 10:00	1,257
10:00 - 11:00	1,719
11:00 - 12:00	1,553
12:00 - 13:00	1,407
13:00 - 14:00	1,488
14:00 - 15:00	1,535
15:00 - 16:00	1,546
16:00 - 17:00	1,080
17:00 - 18:00	727
18:00 - 19:00	187
19:00 - 20:00	28
Report Grand Total	14,972

14972 tickets and 14972 transact

24-hour average trucks/hour: 623.8
Activity-hour average trucks/hour: 998.1



CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

PO Box 190 • Huntington Beach, CA 92648

November 6, 2015

Ms. Jennifer Villasenor, Planning Manager
Department of Planning and Building
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via email to: jvillasenor@surfcity-hb.org

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Huntington Beach General Plan Update

Dear Ms. Villasenor:

At the October 21, 2015 Huntington Beach Environmental Board (HBEB) meeting, a committee of three HBEB members (Eric Bornstein, Debbie Killey, and Mark Sheldon) was appointed to review and prepare comments on the subject Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Huntington Beach General Plan Update, with said response submitted for approval by HBEB Chair Tony Soriano and subsequent forward to you as the designated City Contact.

Using the procedure described above, the representatives of the HBEB offer the following comments for your consideration.

General:

A1. We appreciate the efforts taken by City Officials, Staff, Committee Members and other members of the public to shape a meaningful update to the Huntington Beach General Plan, including the subject NOP document in preparation for an EIR to meet the requirements under the California Environmental Quality Act (CEQA) Guidelines to address the many interconnected environmental impacts of the General Plan.

A2. We are also pleased that the NOP acknowledges the Vision Statement, Guiding Principles, and Components of the General Plan Update.

A3. We are also pleased that the City acknowledges the need for a Greenhouse Gas Reduction Program to assess progress in Greenhouse Gas (GHG) emissions set by Assembly Bill (AB) 32, and a Coastal Resiliency Program.

A4. We are also pleased that the NOP acknowledges the need to consider potential direct, indirect, and cumulative environmental impacts on the following issues: Visual and Aesthetic Resources, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise and Vibration, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, Cumulative Impacts, and Growth Inducing Impacts. These are being addressed in a Program EIR in accordance with CEQA Guidelines Section 15168, to characterize the implementation actions as one large project, with actions related in connection with issuance of rules, regulations, plans, or other criteria to govern the conduct of a continuing program such as the General Plan and associated implementation programs. The EIR is planned to describe multiple alternatives to the proposed project which meet the project objectives while avoiding significant impacts which would otherwise occur under the proposed project, and in the resulting comparative analysis identify an environmentally superior alternative.

Proposed Document Scope:

B1. The proposed Draft EIR does not address the following elements of the General Plan: the Historic and Cultural Resources Element, the Housing Element, and the Coastal Element. The NOP acknowledges these elements, stating that they are not considered a part of the proposed project that will be analyzed in this EIR. We are concerned that omitting these Elements because they are being revised in a separate process takes the risk of overlooking the interactive, cascading effects on the environment that revisions to those General Plan Elements may have or create duplicative efforts when those portions of the General Plan are completed. For example, the Housing, Historic and Coastal elements, and reviewable environmental issues related to them, would be expected to be affected by updates to circulation or land use elements. An EIR addressing all General Plan Elements would provide a better opportunity to more comprehensively address their interrelated impacts.

B2. While we agree with the need for documentation of the City's GHG Reduction Program and Coastal Resiliency Program, we note the likely need for future updates on these two programs on a more regular basis than for most General Plan elements. Following passage of Senate Bill (SB) 350 in 2015, and SB 32 on the agenda for the next legislative cycle, there can be expected to be additional updates needed to the City's Plan for Sustainability. For this reason, there might be some advantage to addressing the GHG Reduction Program and Coastal Resiliency Program in separate documents, unless there is a State requirement to address them in the General Plan (in which case, we recommend citing that requirement).

Project Goals and Objectives:

C1. For “Objective 1 – Economic Vitality,” support for sustainability might be mentioned as an additional potential enhancement of business opportunity.

C2. For “Objective 5 – Public Safety,” there would seem to be a broader range of public safety issues than the current statement reflects. It would seem appropriate to acknowledge more comprehensive needs and growth demands on police, fire, and other public safety services, as reflected in the later statements on “Probable Environmental Effects.”

General Plan Components:

D1. The Circulation Element, last updated in 2013, does not appear to have been reviewed comprehensively in the context of other more recent changes to the Housing Element and other elements that could impact circulation. For example, the NOP acknowledges that there is no change to the Arterial Plan from the 2013 Circulation Element Update. This approach introduces some risk that the Circulation element may not fully address the issues posed by the other element updates.

D2. The Coastal Resiliency Program, as described in the NOP, could benefit from more specific language on possible mitigation strategies that can be used in Huntington Beach to address the vulnerabilities of sea level rise including projected increases in storm surges. We encourage inclusion of this additional detail in the Draft EIR language on this subject.

Probable Environmental Effects of the Project:

E1. We recommend reference to potential impact on infrastructure and/or other City resources of drought or other climatic impacts. This impact could influence several other impact categories already identified, and therefore may merit consideration as an additional impact category.

E2. Visual and Aesthetic Resources: Currently the EIR is scheduled to examine the “potential impacts to visual resources such as views of the Pacific Ocean, Bolsa Chica Ecological Reserve, and the Huntington Beach Municipal Pier.” While the ocean is a vital part of Huntington Beach’s economy, these coastal features are only a small part of the land area in which Huntington Beach’s citizens and visitors live and work. We recommend consideration of the visual impacts of all parts of the city including developed as well as open areas. Notably included in our open areas are the parks, especially Central Park, which must be included in the evaluation as visitors from not only the local area, but also surrounding communities make it a travel destination. Some events such as the Civil War Reenactment and Cherry Blossom Festival attract visitors from other states so maintaining the visual and aesthetic quality of this resource is vital to Huntington Beach’s economy.

E3. Agricultural Resources: We recommend that the EIR include consideration of urban agriculture and gardening in Huntington Beach including: the Community Garden, Home gardening and associated cooperatives such as the Harvest Club, public gardens such as Shipley Nature Center and Butterfly park, botanical nurseries, apiaries, the Huntington Central Park Equestrian Center and other Equestrian infrastructure.

E3. Air Quality: The EIR should address the complete inventory of industrial, commercial, public, and other applicable air pollutant sources for Huntington Beach, both stationary and mobile.

E4. Biological Resources: We recommend that Wetlands be added to the list of particular focus areas.

E5. Energy: We recommend editing the last sentence to read something like: “The EIR will also address peak energy demand, projections for smart grid and micro grid technology, alternative energy applications and sources including renewable fuels, resource recycling, and preferential use of renewable resources.”

E6. Hazards and Hazardous Materials: Hazardous waste sources to consider include industrial and commercial, and utility operations, historical cleanup sites such as ASCON, and household hazardous waste. Some wastes (such as electronic waste) may be beneficially recyclable.

E7. Hydrology and Water Quality: In addition to Storm Drain compliance with all applicable standards, the ongoing need for enforcement of laws against storm drain dumping should be noted.

E8. Recreation: The effect of changes in accessible public space (for example, proposed development of the Rogers Senior Center site) and facilities (such as public trails) should be considered. Mitigation measures to avoid “physical deterioration of existing park facilities” should be addressed.

E9. Transportation: As acknowledged in the NOP, continued growth in Huntington Beach and surrounding communities will increase the number of cars and traffic using the roads. When evaluating alternative and active transportation studies to address project impacts, we recommend that plans for availability of transportation alternatives such as bicycles (manual and electric), bike share, ride share, and improved public transportation throughout the city be clearly defined and addressed.

E10. Utilities and Service Systems: In this section, solid waste is discussed, but legislation will require the city to go beyond current solid waste infrastructure to meet regulations so it is recommended that an analysis addressing alternative technologies and services be added to

address further growth in this sector. The mitigation of impacts on the public associated with waste processing and other utility operations should also be addressed.

In addition, Utilities and Service Systems should consider opportunities in the context of the General Plan to facilitate conservation of limited utility resources such as water.

Conclusions

The Huntington Beach Environmental Board, in keeping with its duty to "advise the City Council and staff on sustainability challenges and opportunities to enhance the overall sustainability, economic, ecological and social environments of Huntington Beach," appreciates the opportunity to review and comment on the subject document and note specific ways in which the Draft EIR can be strengthened. We realize that many of the considerations we have raised may well already be understood by those preparing the EIR; however, we want to be sure that points not clearly addressed in the NOP are overlooked.

We look forward to reviewing the Draft EIR when it is available for review, and are pleased to contribute to the community effort of developing an excellent General Plan Update.

Please let us know if you have any questions regarding our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Soriano', written in a cursive style.

Tony Soriano
Chairperson, Huntington Beach Environmental Board

CALIFORNIA COASTAL COMMISSION

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RECEIVED November 3, 2015



NOV 06 2015

Dept. of Planning & Building

Jennifer Villasenor, Planning Manager
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: Notice of Preparation of Draft Environmental Impact Report for the
Huntington Beach General Plan Update (SCH# 2015101032)

Dear Ms. Villasenor:

Coastal Commission staff received two Notices of Preparation (NOP) for the above referenced draft Environmental Impact Report (DEIR); the notice from the City was received on October 9, 2015 and the notice from the State Clearinghouse was received on October 16, 2015. The City is in the process of soliciting comments from interested parties as to the scope and content of the environmental information included in the EIR to address the potential environmental effects that may be associated with the comprehensive program update to the City's General Plan. Thank you for forwarding the Notice of Preparation for Coastal Commission staff review. Commission staff appreciates the opportunity to comment early in the process. Following are our comments.

Coastal Element

The City's NOP states, on page 11, that the Coastal Element segment of the General Plan "is not being updated at this time, and is not considered a part of the proposed project that will be analyzed in this EIR." However, the second and third page of the State Clearinghouse cover pages (titled *Document Details Report State Clearinghouse Data Base*, second page; and *Notice of Completion & Environmental Document Transmittal*, third page) both state in the project description "The draft General Plan will update nine elements, which include Land Use, Circulation, Environmental Resources/Conservation, Natural and Environmental Hazards, Noise, Infrastructure/Public Services, Historic/Cultural Resources, Housing, and *Coastal*." [Emphasis added]. Please clarify whether the General Plan update will include an update of and/or any changes to the City's Coastal Element. The General Plan Coastal Element is the Land Use Plan portion of the City's Local Coastal Program, which has been certified by the Coastal Commission. Any changes to the Coastal Element will require approval of an LCP Amendment by the Coastal Commission. The Coastal Element was last comprehensively updated via Local Coastal Program Amendment No. 3-99, approved by the Coastal Commission, with suggested modifications, on June 14, 2001. Thus, it has been 14 years since the Coastal Element was last updated, and given the expected effects of Sea Level Rise and the City's preparation of a Coastal Resiliency Program (CRP), updating the Coastal Element along with the rest of the General Plan at this time appears appropriate.

Sea Level Rise

The project description indicates that the draft General Plan Update project includes a Coastal Resiliency Program (CRP) that will provide guiding engineering, ecological, and community resilience principles to address sea level rise in accordance with the adopted guidelines of the California Coastal Commission. The CRP will also identify preparedness goals, actions, and an implementation strategy. Commission staff agrees that the inclusion of a Coastal Resiliency Program is vital to the General Plan Update. The Coastal Commission includes staff specifically dedicated to Sea Level Rise issues. Please include Coastal Commission staff in the preparation and application of the CRP, including interpretation of the Commission's adopted Seal Level Rise Guidelines. The CRP will be an important component of the City's LCP. If the Coastal Element is not a part of the General Plan Update, how will the CRP apply within the coastal zone? Or, if the General Plan Update does include the Coastal Element, how will the CRP be incorporated into the Coastal Element?

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Huntington Beach General Plan Update

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Sunset Beach Annexation Area

Will the General Plan Update include any changes that apply specifically to Sunset Beach? If so, issues to consider include, but are not necessarily limited to, hazards/sea level rise planning, a beach sand management program, and private encroachments onto the public beach. The CRP discussed above would be relevant to Sunset Beach.

Unincorporated Areas Surrounded by the City

The project location and setting section of the NOP indicates that the planning area includes the entire corporate limits of the City, as well as unincorporated areas surrounded by the City. This appears to effect two sites within the City's coastal zone – Bolsa Chica and the Goodell Property. Will the General Plan Update address these sites? Does the City intend to annex the Bolsa Chica area? If so, is there an expected time frame for that? Have pre-annexation land use designations been considered? Input for Bolsa Chica should be sought from the California Department of Fish & Wildlife as managers of the Bolsa Chica Ecological Reserve.

The Goodell property (located southeast of the terminus of Bolsa Chica Street) is currently unincorporated County area surrounded entirely by the City of Huntington Beach. What is the status of annexation of the Goodell property into the City? Commission staff understands that annexation of the Goodell Property into the City was near completion as of June 2014, but that that process was suspended at the request of the property owner. If final annexation has not yet occurred, can a pre-annexation land use designation of this site be included in the General Plan update? Any pre-annexation land use designation of the Goodell Property would need to consider all sensitive resources on the site as well as any setbacks needed on-site from adjacent cultural and/or habitat resources. Pre-annexation land use designation would also need to consider public access and recreation and public views. Please include consideration of the issues raised in the Staff Report and at the Coastal Commission hearing on the City's Major Amendment Request No. HNB-MAJ-1-12 (The Ridge) on June 12, 2014.

Slater Channel Public Access

Public access has historically been available along Slater Channel between Graham Street and the Slater Pump Station/East Garden Grove Wintersburg flood control channel. This access should be identified and protected in the Coastal Element.

Again thank you for the opportunity to comment on the Notice of Preparation for the Draft Environmental Impact Report for the General Plan Update. Please feel free to contact me if you have any questions regarding these comments.

Sincerely,



Meg Vaughn
Staff Analyst

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November 5, 2015

Ms. Jennifer Villasenor
City of Huntington Beach
Planning and Building Department
2000 Main Street
Huntington Beach, CA 92648

File: IGR/CEQA
SCH#:2015101032
IGR Log #: 4530
SR: 1, 39, I-405

Dear Ms. Villasenor:

Thank you for the opportunity to review and comment on the **Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the City of Huntington Beach General Plan Update**. The City of Huntington Beach has initiated a comprehensive program to update its General Plan, which establishes an overall development capacity for the city and serves as a policy guide for determining the appropriate physical development and character of Huntington Beach over an approximate 25-year planning horizon (to 2040). The draft General Plan Update project includes a Green House Gas (GHG) Reduction Program, a Coastal Resiliency Program (CRP) as well as identifies preparedness goals, actions and an implementation strategy. The Draft General Plan will update nine elements, which include Land Use, Circulation, Environmental Resources / Conservation, Natural and Environmental Hazards, Noise, Infrastructure/Public Services, Historic/Cultural Resources, Housing, and Coastal. The nearest State routes to the proposed sites are SR-39 and I-405.

Caltrans is a responsible and commenting agency on this project and has the following comments:

1. Caltrans Local Development-Intergovernmental Review program reviews impacts of local development to the **transportation system, including the State Highway System**. Caltrans works to ensure that local land use planning and development decisions include the provision of transportation choices, including transit, intercity rail passenger service, air service, walking and biking, when appropriate. Caltrans advocates and supports community design (e.g. urban infill, mixed use, transit oriented development) that promotes an efficient transportation system and healthy communities.
2. Caltrans would like to work in active partnership with the City to ensure that:
 - a. The General Plan Update includes language that early coordination with Caltrans on project and program development is advised to help streamline the environmental review process.

Ms. Villasenor
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- b. The General Plan Update should note that certain housings developments that directly or indirectly impact State Transportation facilities may require an encroachment permit from Caltrans.
 - c. The General Plan Update takes regional transportation issues, problems, and solutions into consideration. Further, it should include a discussion on emphasizing early coordination between the City and regional partners (Caltrans, OCTA, SCAG, etc.) early in the land use and transportation planning process.
-
3. Caltrans supports developments which is pedestrian, bicycle, and transit-friendly in order ~~to enable residents to choose alternative modes of transportation which in turn can~~ improve mobility and alleviate transportation impacts to State facilities.
 4. The document states that a traffic analysis will be conducted evaluating existing and long-term impacts of the proposed project on roadway systems and alternative and active transportation facilities in planning area and in adjacent jurisdictions. Please submit the traffic analysis to Caltrans for review and comment.
 5. When analyzing impacts to the traffic on the Caltrans Transportation Facilities; note, that all Intersection Capacity Analysis conducted within Caltrans Right of Way shall be performed by the Highway Capacity Manual Methodology. A Queue Analysis shall be conducted for the off-ramps to determine that traffic will not spill back to the Freeway Mainline. The analysis should also include an analysis to determine that the on-ramps will have sufficient vehicular storage.

Please continue to keep us informed of this project and any future developments that could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2241.

Sincerely,



MAUREEN EL HARAKE
Branch Chief, Regional-Community-Transit Planning
District 12

C: Jose Hernandez, Traffic Operations
Lee Haber, Traffic Operations



State of California – Natural Resources Agency
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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



November 6, 2015

Ms. Jennifer Villasenor
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
jvillasenor@surfcity-hb.org

Subject: Comments on the Notice of Preparation of a Draft Program Environmental Impact Report for the Huntington Beach General Plan, Huntington Beach, Orange County, CA (SCH# 2015101032)

Dear Ms. Villasenor:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the Huntington Beach General Plan Update Draft Program Environmental Impact Report (PEIR). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program.

The City of Huntington Beach (City) has initiated an update to its General Plan in nine elements: land use, circulation, environmental resources/conservation, natural/environmental hazards, noise, infrastructure/public services, historic/cultural resources, housing, and coastal resources. A greenhouse gas reduction program and coastal resiliency program are also included. The study area for the General Plan includes the corporate limits of the City and unincorporated areas surrounding the City (e.g. Bolsa Chica Wetlands).

The Department offers the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

Specific Comments

The Department is primarily concerned with direct and indirect impacts to Bolsa Chica Ecological Reserve (BCER) that could occur with development of adjacent open space. These impacts include but are not limited to: light and noise pollution, trespassing, domestic pet disturbance/pet waste, bicycle traffic, and water quality impacts to marsh habitat due to runoff from landscape irrigation. The draft PEIR should include a discussion of these and other potential impacts, specifically in reference to potential developments adjacent to BCER, and provide measures to avoid or minimize these impacts below a level of significance.

General Comments

1. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be “no net loss” of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the draft PEIR and must compensate for the loss of function and value of a wildlife corridor.
 - a) The project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the draft PEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.¹ Please note that some wetland and riparian habitats subject to the Department’s authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.
 - b) The Department also has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the project applicant (or “entity”) must provide written notification to the Department pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department’s issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction’s (lead agency) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.²

¹ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

² A notification package for a LSA may be obtained by accessing the Department’s web site at www.wildlife.ca.gov/habcon/1600.

2. The Department considers adverse impacts to a species protected by the California Endangered Species Act (CESA), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subs. (b),(c)). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the project CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
3. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the draft PEIR.
 - a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
 - b) A range of feasible alternatives to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources. Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

Biological Resources within the Project's Area of Potential Effect

4. To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats, the draft PEIR should include the following information.
 - a) Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on resources that are rare or unique to the region.
-

- b) A thorough, recent floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plant/>). The Department recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008³). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
- c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
- d) An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

- 5. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the draft PEIR.
 - a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.

³ Sawyer, J. O., T. Keeler-Wolf and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press, Sacramento.

- b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the draft PEIR.
- c) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
- d) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

- 6. The draft PEIR should include measures to fully avoid and otherwise protect Rare Natural Communities from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
- 7. The draft PEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
- 8. For proposed preservation and/or restoration, the draft PEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.
- 9. The Department recommends that measures be taken to avoid project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1- September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, the Department recommends surveys by a qualified biologist with experience in conducting

Ms. Jennifer Villaseñor
City of Huntington Beach
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breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

10. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
11. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Jennifer Edwards at (858) 467-2717 or via email at jennifer.edwards@wildlife.ca.gov.

Sincerely,



Gail K. Sevrens
Environmental Program Manager
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