



Building A Better Long Beach

August 2, 2010

REDEVELOPMENT AGENCY BOARD MEMBERS

City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, certify Mitigated Negative Declaration No. ND 02-10 and adopt a resolution to determine the public interest and necessity for acquiring and authorizing the condemnation of any and all leases or leasehold interest and any and all lessee's fixtures and equipment pertaining to the real property located at 925-945 East Pacific Coast Highway, Assessor Parcel Numbers 7210-013-900 and 7210-013-901, formerly known as 7210-013-024 and 7210-013-025. (Central – District 6)

DISCUSSION

The Redevelopment Plan (Plan) for the Central Long Beach Redevelopment Project Area (Project Area) was adopted on March 6, 2001. The Plan's fundamental purpose is to improve the quality of life for residents and business enterprises within the Project Area. Major goals of the Plan include:

- The elimination of blighting influences and the correction of environmental deficiencies in the Project Area including buildings in which it is unsafe or unhealthy for persons to live or work; small and irregular lots; obsolete and aged building types; shifting uses or vacancies; incompatible and uneconomic land uses; substandard alleys; and inadequate or deteriorated public improvements, facilities and utilities.
- The replanning, redesign, and development of portions of the Project Area that are stagnant or improperly utilized.

The proposed redevelopment actions contemplated under the Plan include the acquisition of leases or leasehold interest and lessee's fixtures and equipment, and subsequent demolition or rehabilitation of the improvements to allow for future development and construction of residential, commercial and/or industrial facilities.

The Redevelopment Agency (Agency) currently owns the real property located at 925-945 East Pacific Coast Highway near the northwest corner of Pacific Coast Highway and Martin Luther King Jr. Avenue totaling approximately 15,975 square feet in land area (Exhibit A – Site Map). The existing improvements consist of a single-story, 2,608-

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square-foot commercial structure occupied by a liquor store tenant and an adjacent asphalt parking lot (Subject Property) (Exhibit B – Site Photo). The liquor store tenant maintains a leasehold interest on the property through March 12, 2013, with an option to extend through March 12, 2023.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration has been prepared to identify the significant impacts created by acquisition of a leasehold interest on Agency-owned land and subsequent rehabilitation or demolition of existing improvements on the Subject Property. The acquisition of the existing leasehold interest conforms to a phased implementation of the Plan including blight removal through the acquisition of leasehold interest and subsequent rehabilitation or demolition of the existing improvements. The future development on the Subject Property will be subject to further review under the CEQA (Exhibit C – Mitigated Negative Declaration).

The Agency can then find the following:

- Pursuant to California Environmental Quality Act Guidelines, an Initial Study has been conducted to determine project impacts. On the basis of that study, it has been determined that the project will not have a significant adverse effect on the environment and does not require the preparation of an Environmental Impact Report. The Mitigation Measures described in the Initial Study have been added to the project, and a Mitigated Negative Declaration has been prepared.
- Pursuant to California Environmental Quality Act Guidelines, the Notice of Preparation and the draft Mitigated Negative Declaration were released for circulation on May 17, 2010. The circulation period for comments began on May 17, 2010, and ended June 16, 2010. To date, no comments have been received.
- Pursuant to California Environmental Quality Act Guidelines, Agency staff and the Agency Board have independently analyzed the Initial Study and the Mitigated Negative Declaration. The Mitigated Negative Declaration represents the independent judgment and analysis of the Redevelopment Agency Board of the City of Long Beach, California, as lead agency with respect to the project.
- Based upon the Mitigated Negative Declaration, public comments and the record before the Agency Board, the Agency finds that the following environmental impact areas will have less than significant impacts and will not require mitigation: Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use Planning, Mineral Resources, National Pollution Discharge Elimination System, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.

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- Based upon the Mitigated Negative Declaration, public comments and the record before the Agency Board, the Agency finds that the following environmental impact areas will have less than significant impacts on the environment with mitigation: Air Quality, Hazards and Hazardous Materials, Noise, and Mandatory Findings of Significance.

Resolution of Necessity

Desmond, Marcello and Amster, an independent appraiser, performed an appraisal of the fixtures and equipment on December 3, 2008. The fair market value was determined to be \$77,415. The appraised value of fixtures and equipment is still current. On March 8, 2010, an offer to purchase the leasehold interest and fixtures and equipment at fair market value, pursuant to Government Code Section 7267.2(a), was submitted to the owners of the leasehold interest. The initial offer was rejected by the owners. Negotiations have continued without success. The acquisition of the leasehold interest and fixtures and equipment will not be possible without the use of the Agency's power of eminent domain.

A Notice of Hearing on the Resolution of Necessity was mailed on July 16, 2010, by certified mail, return receipt requested, and by first class mail to the business owners and the owners of record of the Subject Property as shown on the latest equalized tax rolls. Said owners were notified that if they wished to appear at the hearing and be heard, they must file a written request to appear with the City Clerk within fifteen (15) days from the date the notice was mailed. The proposed Resolution of Necessity is attached.

The Code of Civil Procedure, Section 1245.230, requires that the Resolution of Necessity be adopted after a hearing at which time the governing body of the public entity must find and determine each of the following:

1. Whether the public interest and necessity require the proposed project;
2. Whether the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the proposed project; and
4. Whether the offer required by Government Code Section 7267.2(a) has been made to the property owner or owners of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

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Recommended findings of the Agency as they relate to the condemnation of any and all leases or leasehold interest, and any and all lessee's fixtures and equipment pertaining to the real property located at 925-945 East Pacific Coast Highway, Assessor Parcel Numbers 7210-013-900 and 7210-013-901, formerly known as 7210-013-024 and 7210-013-025, are as follows:

1. Public interest and necessity require the proposed project.

The Redevelopment Plan for the Central Long Beach Redevelopment Project Area was adopted on March 6, 2001. The goals of the Plan include the replanning, redesign and development of property that is stagnant or improperly utilized and correction of environmental deficiencies in the Project Area including incompatible uses. The proposed project involves the acquisition of the leasehold interest and fixtures and equipment, and subsequent rehabilitation or demolition of existing improvements consistent with the Plan's strategic objectives resulting in the elimination of blight and blighting influences. There have been a disproportionate amount of calls for public safety assistance and graffiti removal to the Subject Property. Acquisition of the leasehold interest and fixtures and equipment would also allow for the replanning, redesign and development of the Subject Property with a proper use.

2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

The fundamental purpose of the Plan is to improve the quality of life for residents and business enterprises within the Project Area. Acquisition of the leasehold interest and fixtures and equipment, and rehabilitation or demolition of existing improvements on the Subject Property for future development is consistent with the Plan's strategic objectives resulting in the elimination of blight and blighting influences, and affects a greater public good with minimal private injury.

3. The property sought to be acquired is necessary for the proposed project.

The acquisition of the leasehold interest and fixtures and equipment, and subsequent rehabilitation or demolition of improvements consistent with the Plan's strategic objectives resulting in the elimination of blight and blighting influences is the proposed project. It is in the public interest to acquire the leasehold interest on the Subject Property in order to eliminate blighting influences and replan stagnant or improperly utilized parcels, consistent with the Plan. This action will further the goals and objectives of the Redevelopment Plan for the Project Area by allowing for future replanning, redesign and development of the Subject Property with a proper use.

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4. The offer of just compensation has been made to the business owners.

Desmond, Marcello and Amster, an independent appraiser, performed an appraisal of the fixtures and equipment on December 3, 2008. The appraised value of fixtures and equipment is still current. An offer at fair market value was presented to the owners of record. The offer was rejected. Negotiations continued but have not proceeded. Due to the refusal of the owners to accept the Agency's offer of just compensation based on the fair market value, the leasehold interest, and fixtures and equipment cannot be acquired except by the Agency's exercise of its power of eminent domain.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK
EXECUTIVE DIRECTOR

AJB:LAF:DSW:mft

Attachments: Exhibit A – Site Map
Exhibit B – Site Photos
Exhibit C – Mitigated Negative Declaration
Redevelopment Agency Resolution

Exhibit A

SITE MAP
925-945 EAST PACIFIC COAST HIGHWAY

925-945 East Pacific Coast Highway
APNs: 7210-013-900 and 7210-013 901
(formerly known as 7210-013-024
and 7210-013-025)

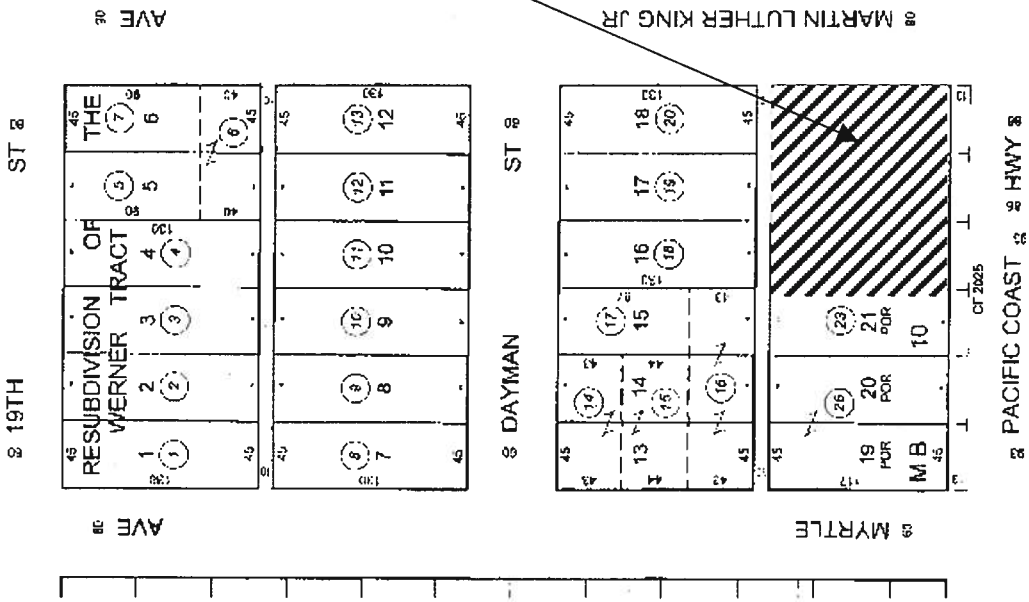
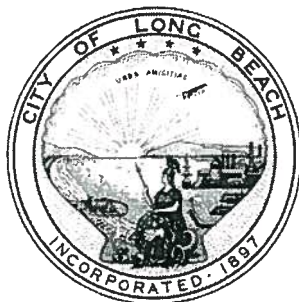


Exhibit B

**SITE PHOTOS
925-945 EAST PACIFIC COAST HIGHWAY**





925-945 E. Pacific Coast Highway Lease Acquisition Project

INITIAL STUDY

Prepared by:

City of Long Beach
Department of Development Services
Planning Bureau

INITIAL STUDY

Project Title:

925-945 E. Pacific Coast Highway Lease Acquisition Project

Lead agency name and address:

Long Beach Redevelopment Agency
333 W. Ocean Boulevard, 3rd Floor
Long Beach, CA 90802

Contact person and phone number:

Craig Chalfant
(562) 570-6368

Project location:

925-945 E. Pacific Coast Highway, City of Long Beach, County of Los Angeles, CA

Project Sponsor's name and contact information:

City of Long Beach, Long Beach Development Services
c/o Jamilla Vollmann
333 W. Ocean Boulevard, 3rd Floor
Long Beach, CA 90802
(562) 570-6393

General Plan:

Land Use Designation No. 8A Traditional Retail Strip Commercial District

Zoning:

CHW Commercial Regional Highway District

Project Description:

The proposed project involves acquisition of a lease on the Redevelopment Agency-owned property located at 925-945 E. Pacific Coast Highway. The lease, which expires on March 11, 2013, would be acquired by the Redevelopment Agency through negotiated agreement, or upon determination by the Redevelopment Agency, by eminent domain. The project also involves demolition or rehabilitation of the existing project site building for the purposes of blight removal. The project site, located at the northwest corner of Pacific Coast Highway and Martin Luther King Jr. Avenue, consists of the following parcels: Assessor Parcel Numbers 7210-013-900 and 901.

Surrounding land uses and settings:

The project site is bounded on the north by residential uses, on the east by commercial, residential and institutional (Long Beach City College, Butler Middle School, Whittier Elementary School) uses, on the south by commercial, residential and institutional (Poly High School, Roosevelt Elementary School) uses, and on the west by commercial and

residential uses along Pacific Coast Highway (with residential uses to the north and south of this commercial corridor).

Public agencies whose approval is required:

Long Beach Redevelopment Agency (adopt Mitigated Negative Declaration 02-10)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

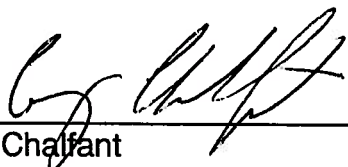
The environmental factors checked below would be potentially affected by this project involving at least one impact that is a "Less Than Significant with Mitigation Incorporation" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Population & Housing
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Transportation & Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> National Pollution Discharge Elimination System	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Geology & Soils	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Craig Chalfant
Planner

5/17/10

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are supported adequately by the information sources a lead agency cites in the parenthesis following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration; Less Than Significant With Mitigation Incorporation” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effect were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the check list references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold. If any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

a. Would the project have a substantial adverse effect on a scenic vista?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City topography is relatively flat, with scenic vistas of the ocean to the south and the Palos Verdes peninsula to the west. The nearest scenic hills are located in the City of Signal Hill, which is completely surrounded by the City of Long Beach. In addition, distant views of the San Gabriel and San Bernardino Mountains to the north as well as the Santa Ana Mountains to the east are occasionally available to the public on days of clear visibility (primarily during the winter months).

The proposed project involves Redevelopment Agency lease acquisition to terminate the existing project site land use (Whistler Liquor Jr. Market), along with demolition or rehabilitation of the existing one story 2,608 square foot project site commercial building. The project site is surrounded by commercial, residential and institutional uses. The nearest scenic vistas are the hilly topography in the City of Signal Hill.

The City's Scenic Routes Element does not identify any scenic routes in the project vicinity. The nearest scenic routes are Pacific Coast Highway from the Traffic Circle to the southeastern City boundary (approximately two miles east of the project site at the Traffic Circle) and Ocean Boulevard (approximately two miles south of the project site at the Alamitos Avenue/Ocean Boulevard intersection).

The project would not involve the construction of any new structures that could potentially block views of surrounding properties. Since there are no nearby scenic routes and the project would not block or otherwise obscure views of any existing scenic resources, the project would not have any adverse impacts on any scenic vistas. No further environmental analysis is necessary.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no State designated scenic highways located within the City (the portion of Pacific Coast Highway east of the Traffic Circle is identified in the

State's Scenic Highway Program as an "eligible" scenic highway). No scenic resources, trees or rock outcroppings would be damaged as a result of demolishing or rehabilitating the existing project site building. There would therefore be no impact to any scenic resource and no further analysis is required.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Sections I. (a) and (b) above for discussion. The project would terminate the existing project site land use, along with demolition or rehabilitation of the existing project site building. Removal or modification of this building would not degrade the existing visual character or quality of the project site or surrounding area and therefore no further analysis of this environmental issue is required.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site vicinity is urban in character, with high levels of lighting emanating from commercial and institutional (Long Beach City College, Poly High School, Butler Middle School, Whittier Elementary School, and Roosevelt Elementary School) land uses as well as street lighting along Pacific Coast Highway. The proposed project would not include any new outdoor lighting structures and no other new sources of nighttime lighting would be introduced as part of project implementation.

The project would not increase potential sources of glare through either building demolition or rehabilitation. The level of glare or nighttime lighting would not be substantially greater than existing conditions on the project site or along Pacific Coast Highway. Since the project would not alter glare or nighttime lighting conditions in the surrounding area, no further analysis of this environmental issue is required.

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site

Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

c. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections II. (a), (b) and (c) -There are no agricultural zones within the City of Long Beach, which is a fully urbanized community without any significant agricultural resources. The proposed project would have no effect upon agricultural resources within the City of Long Beach or any other neighboring city or county.

III. AIR QUALITY

The South Coast Air Basin is subject to some of the worst air pollution in the nation, attributable to its topography, climate, meteorological conditions, large population base, and dispersed urban land use patterns.

Air quality conditions are affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric forces such as wind speed, wind direction, and air temperature gradients,

along with local and regional topography, determine how air pollutant emissions affect air quality.

The South Coast Air Basin has a limited capability to disperse air contaminants because of its low wind speeds and persistent temperature inversions. In the Long Beach area, predominantly daily winds consist of morning onshore airflow from the southwest at a mean speed of 7.3 miles per hour and afternoon and evening offshore airflow from the northwest at 0.2 to 4.7 miles per hour with little variability between seasons. Summer wind speeds average slightly higher than winter wind speeds. The prevailing winds carry air contaminants northward and then eastward over Whittier, Covina, Pomona and Riverside.

The majority of pollutants found in the Los Angeles County atmosphere originate from automobile exhausts as unburned hydrocarbons, carbon monoxide, oxides of nitrogen and other materials. Of the five major pollutant types (carbon monoxide, nitrogen oxides, reactive organic gases, sulfur oxides, and particulates), only sulfur oxide emissions are produced mostly by sources other than automobile exhaust.

a. Would the project conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site is located within the City of Long Beach, which is part of the South Coast Air Basin and under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD's *CEQA Air Quality Handbook* establishes the current guidelines and emission thresholds for assessment of potential air quality impacts. This *Air Quality Handbook* includes a consistency finding to determine whether a project is inconsistent with the assumptions and objectives of the SCAQMD's *Air Quality Management Plan (AQMP)*. In addition, the Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, it is consistent with the AQMP, and regional emissions are mitigated by the control strategies specified in the AQMP.

The project would not add any residential units or new structures that would create substantial employment or housing demands. Since this project is not growth inducing, there would be no inconsistencies with either the SCAG growth forecasts or the AQMP and therefore no further analysis is required.

b. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Both the State of California and the federal government have established ambient air quality standards for the following air pollutants: carbon monoxide, ozone, nitrogen oxides, sulfur oxides, particulate matter less than 10 and 2.5 microns in diameter, and lead. Ozone is formed by a photochemical reaction between nitrogen oxides and reactive organic gases, and therefore ozone impacts are assessed by evaluating these two sources.

Project demolition or rehabilitation activities would be temporary and short-term, with demolition estimated to take approximately two weeks while project rehabilitation would take place over several weeks. All project related air impacts would cease at the end of the project demolition or rehabilitation activities. Stationary and mobile on-site vehicles and equipment would include trucks, tractors, and other equipment typical for demolition or rehabilitation work. Based on the nominal amount of daily work trips required for project activities, worker trips are not anticipated to significantly contribute to traffic emission levels on surrounding roadways. Due to the limited amount of work involved on the project site building, air quality impacts from project activities would not be substantial.

In order to minimize project impacts, all vehicles and equipment would be required to include State-mandated emission control devices pursuant to State emission regulations. Short term emissions of particulate matter would be further reduced with implementation of the dust suppression measures contained in SCAQMD Rule 403. Additionally, the following mitigation measures are recommended to further reduce the level of project related air quality impacts.

Mitigation Measure AQ-1

Prior to the issuance of any permits from the City of Long Beach, the City of Long Beach Building Official (or designee) and the City of Long Beach Director of Public Works (or designee) shall review and approve the final project plans to ensure that the following dust suppression measures, as provided in the SCAQMD *CEQA Air Quality Handbook*, are incorporated.

- All excavated or graded materials shall be sufficiently watered to prevent excessive dust dispersion. Watering shall occur at least twice daily with complete coverage of the project site, preferably in the late morning and after work is completed in the afternoon. Watering shall be increased whenever wind speeds exceed 15 miles per hour (mph). All grading and earth movement activities shall be suspended whenever wind gusts exceed 25 mph.
- All materials transported on-site or off-site shall be securely covered to prevent excessive dust dispersion.

- Sweep all streets and alleys once per day if visible soil materials are carried to adjacent streets or alleys using water sweepers with reclaimed water.
- Minimize at all times the area disturbed by demolition, clearing, grading, earthmoving or excavation operations.
- All trucks hauling dirt, sand, soil or other loose materials shall be tarped with a fabric cover and maintain a freeboard height of at least 12 inches.
- Wash all trucks and equipment when leaving the project site.
- Limit on-site vehicle speeds to a maximum of 15 mph.
- If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust dispersion.

Mitigation Measure AQ-2

Prior to the issuance of any permits from the City of Long Beach, the Project Contractor shall provide evidence to the City of Long Beach Building Official (or designee) that all vehicles and equipment to be used on-site incorporate low-emission factors and high energy efficiency. The following measures shall also be implemented throughout project activities to reduce air pollutant emissions:

- Whenever feasible, electricity from temporary power poles on-site shall be utilized rather than temporary diesel or gasoline generators.
- Whenever feasible, on-site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or fueled by propane or butane (to replace gasoline-fueled equipment).
- Aqueous diesel fuel or biodiesel, if available, shall be used in diesel fueled vehicles whenever methanol or natural gas are not available.
- All equipment engines shall be tuned and maintained in accordance with the manufacturer's specifications.
- All vehicles and equipment shall be shut off when not in use and idle for more than five minutes.
- All project activities shall be timed so as to not interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the project site. If necessary, a flagperson shall be retained to minimize traffic delays.

Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce potential adverse project air quality impacts to a less than significant level.

- c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections III. (a) and (b) above for discussion. The project would not result in significant cumulatively considerable air quality impacts and implementation of Mitigation Measures AQ-1 and AQ-2 would further reduce the level of potential project related air quality impacts.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The *CEQA Air Quality Handbook* defines sensitive receptors as children, elderly and sick individuals that are more susceptible to the effects of air pollution than the population at large. Facilities that serve various types of sensitive receptors, including schools, hospitals, and senior care centers, are located throughout the City. For the project site, the nearby potentially sensitive receptors are Long Beach City College, Poly High School, Butler Middle School, Roosevelt Elementary School, and Whittier Elementary School. However, project implementation activities would not result in significant air quality impacts and Mitigation Measures AQ-1 and AQ-2 would further reduce the level of potential project related air quality impacts. Please see Sections III. (a) and (b) above for further discussion.

e. Would the project create objectionable odors affecting a substantial number of people?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources of odors from construction activities include use of architectural coatings and solvents, and diesel-powered construction equipment. SCAQMD Rule 1113 limits the amount of volatile organic compounds (VOCs) from architectural coatings and solvents, which lowers odorous emissions.

Project activities could generate some airborne odors typically associated with vehicles and equipment, such as diesel exhaust. However, project related odors would be emitted from localized sources and would not emanate far from the sources. Such odors are therefore considered isolated to the immediate project vicinity and would not disperse significant odor levels to nearby properties. While this is considered a less than significant impact, implementation of Mitigation Measures AQ-1 and AQ-2 would further minimize project related diesel and other odor-producing emissions.

f. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project will generate some emission of greenhouse gases, primarily through vehicle and equipment exhaust emissions. At present, there are no federal, State or local emissions thresholds established for greenhouse gases such as carbon dioxide. However, the project would not create any long-term on-site stationary sources and would not establish any new growth-inducing land uses. The project's contribution to global climate change in the form of greenhouse gas emissions is therefore limited to temporary vehicle and equipment emissions. The project would not result in any new, ongoing sources of greenhouse gas emissions. Therefore, the project's contribution to greenhouse gas emissions on global climate change is less than significant and no further analysis of this environmental issue is required.

g. Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section III. (f) above for discussion. The project would not establish any new plans, policies or regulations that would conflict with any federal, State or local plans, policies or regulations intended to reduce greenhouse gas emissions.

IV. BIOLOGICAL RESOURCES

a. Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate,

sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no wildlife habitats or habitats for any sensitive or special status species within or in the vicinity of the project site. The surrounding area is fully urbanized, and the project site has no open space or any other type of environmental conditions that could accommodate wildlife habitat. The project site consists of nonresidential building improvements and an impervious parking lot surface. No further environmental analysis is required.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no riparian habitat areas in or around the project site. The project would have no impact on any riparian habitats or other sensitive natural communities. No further environmental analysis is required.

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no wetland areas in or around the project site. The project would not impact any protected wetland areas. No further environmental analysis is required.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with

established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site is fully urbanized and the project would not alter or adversely impact any native resident or migratory fish or wildlife species, corridors or nursery sites. No further environmental analysis is required.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Project implementation would not alter or eliminate any existing or future policy or ordinance protecting biological resources. No further environmental analysis is required.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project is unrelated to habitat conservation and would not have any adverse effects on any existing or future habitat conservation plans. Please see Sections IV. (a) through (e) above for further discussion.

V. CULTURAL RESOURCES

Evidence indicates that primitive peoples inhabited portions of the City as early as 5,000 to 2,000 B.C. Much of the remains and artifacts of these ancient peoples were destroyed during the first century of the City's development. The remaining archaeological sites are located predominantly in the southeast sector of the City.

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no designated historic buildings on the project site and the project is not located in a historic district. Project implementation would have no impact on any historic resources in the City. No further environmental analysis is necessary.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

No archaeological resources are known to exist in or around the project site. The probability that project implementation could impact any archaeological deposits is considered to be very low, given that the project site has been previously disturbed by grading associated with past construction activities for the existing building. Furthermore, project implementation would not involve extensive grading or excavation. Any grading or excavation related to this project would not be expected to occur at a lower depth than previous construction activities. If any previously undiscovered cultural materials are encountered during project activities, all work would be required under State law to stop until a qualified archaeologist can evaluate the nature and significance of any such find. Impacts related to archaeological resources would therefore be less than significant and no further environmental analysis is required.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Ground disturbances such as grading and excavation are expected to be minimal. Due to the limited amount of ground disturbance and the past disturbances on the project site, there is low potential for undocumented buried resources to be encountered. Please see Sections V. (a) and (b) for further discussion.

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Due to past ground disturbances and the fully urbanized character of the surrounding area, no conditions exist that suggest human remains are likely to be found on the project site. It is not anticipated that project implementation would disturb any human remains, including those interred outside of formal cemeteries. If human remains are found, such remains would be subject to the provisions of California Public Resources Health and Safety Code Section 7050.5-7055. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the California Native American Heritage Commission (NAHC) and consultation with the individual(s) identified by the NAHC as the "most likely descendent." If human remains are found during any project activities, work must stop in the vicinity of the find as well as any area that is reasonably suspected until the County Coroner has been called out and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts would be considered less than significant and therefore no further environmental analysis is required.

VI. GEOLOGY AND SOILS

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per Plate 2 of the Seismic Safety Element of the General Plan, the most significant fault system in the City is the Newport-Inglewood fault zone. This fault zone runs in a northwest to southeast angle across the southern half of the City.

The project site is located less than a mile south of this fault zone. However, project implementation would not expose people or structures to potentially substantial adverse effects involving fault rupture since the project does not involve the use or construction of any new buildings for human occupancy. Project activities are not anticipated to result in any significant impacts related to fault rupture and no further analysis is therefore necessary.

ii. Strong seismic ground shaking?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Newport-Inglewood fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in Southern California has the potential to create considerable levels of ground shaking throughout the City. However, numerous variables determine the level of damage to a specific location. Given these variables, it is not possible to determine the level of damage that may occur on the site during a seismic event. However, the project would not increase the likelihood of an earthquake or increase the severity of earthquake induced seismic ground shaking. The project would not involve the use or construction of any new buildings for human occupancy and therefore project impacts would be less than significant and no further environmental analysis is required. Please see Section VI. (a)(i) above for further discussion.

iii. Seismic-related ground failure, including liquefaction?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per Plate 7 of the Seismic Safety Element, most of the City is located in areas of either minimal or low liquefaction potential. The only exceptions are in the southeastern portion of the City, where there is significant liquefaction potential, and the western portion (most of the area west of Pacific Avenue and south of the 405 freeway), where there is either moderate or significant liquefaction potential. The project site is located in an area of minimal liquefaction potential. Project impacts regarding seismic-related ground failure would be less than significant and no further environmental analysis is required. Please see Sections VI. (a)(i) and (ii) above for further discussion.

iv. Landslides?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per the Seismic Safety Element, the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). The State Seismic Hazard Zone map of the Long Beach Quadrangle indicates that the lack of steep terrain (except for a few slopes on Signal Hill and Reservoir Hill) results in only about 0.1 percent of the City lying within the earthquake-induced landslide zone for this quadrangle. The project site is flat and there are no hilly areas in the immediate project vicinity. Therefore, no impact would be expected and no further environmental analysis is required.

b. Would the project result in substantial soil erosion or the loss of topsoil?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would be required to adhere to all applicable construction standards regarding erosion control, including Best Management Practices (BMPs), to minimize runoff and erosion impacts from project implementation. However, soil movement and erosion impacts from project activities would be minimal compared to construction projects requiring extensive excavation and grading. Project impacts would therefore be less than significant. No further environmental analysis is necessary.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VI. (b) above for discussion. Soil movement from project implementation would be minimal since project activities would not require excavation or extensive grading.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per the City's Seismic Safety Element, the City is divided into four predominant soil profiles, designated as Profiles A through D. The project site is located in Profile D, which is composed of interbedded units of sandstone, siltstone, and shale ranging in age from Miocene to late Pleistocene. The near surface soils consist predominately of cohesionless soils such as sand, silty sand, and sandy silt that are generally medium to very dense. These types of soils are considered less expansive than soils with higher clay content, which tend to hold water and expand during rainy periods. Therefore, the project site is not characterized by more expansive types of soils and impacts would be less than significant.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The entire City is served by an existing sewer system and therefore no need for septic tanks or any other alternative waste water disposal systems. No further environmental analysis is required.

VII. HAZARDS AND HAZARDOUS MATERIALS

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project involves demolition or rehabilitation of an existing one story 2,608 square foot commercial building. This building may contain hazardous materials such as asbestos or lead paint. Any dispersion or disposal of these materials could potentially create significant public health hazards. However, the handling

and disposal of any hazardous or potentially hazardous materials would be required to comply with SCAQMD Rule 1403 (Asbestos Demolition and Renovation Activities) as well as Long Beach Municipal Code Chapters 8.86 (Hazardous Materials Release Response Plans and Inventory), 8.87 (Hazardous Waste Control), and 8.88 (Hazardous Materials Cleanup). In addition, the project must comply with California Occupational Safety and Health Administration (CalOSHA) regulations regarding lead-based materials. California Code of Regulations Section 1532.1 requires the testing, monitoring, containment, and disposal of lead-based materials to ensure exposure levels do not exceed CalOSHA standards.

The following mitigation measures are recommended to reduce potential impacts related to the release of asbestos or lead-based materials:

Mitigation Measure HAZ-1

Prior to the issuance of any permit from the City of Long Beach, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow all applicable State and federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to State and federal standards.

Mitigation Measure HAZ-2

Prior to any building demolition or rehabilitation activities, any on-site structures that contain asbestos must have all asbestos containing material removed according to proper abatement procedures recommended by an asbestos consultant. All abatement activities shall be in compliance with federal OSHA, CalOSHA, and SCAQMD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from on-site structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, and the location where the asbestos containing material was disposed. The abatement report shall include all transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

Mitigation Measure HAZ-3

Prior to any building demolition or rehabilitation activities, a licensed lead-based paint consultant shall be contracted to evaluate all structures for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper

abatement procedures recommended by the consultant. All abatement activities shall be in compliance with federal OSHA, CalOHS, and SCAQMD requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. All lead-based material shall be taken to a landfill or receiving facility licensed to accept this type of material. Following completion of the lead-based paint abatement, the consultant shall provide a report documenting the abatement procedures used, the volume of lead-based paint removed, and the location where this material was disposed. The abatement report shall include all transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

Incorporation of Mitigation Measures HAZ-1, HAZ-2 and HAZ-3 would reduce potential impacts related to asbestos and lead-based materials to a less than significant level.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VII. (a) above for discussion. Mitigation Measures HAZ-1, HAZ-2 and HAZ-3 would reduce potential hazardous materials impacts related to asbestos and lead-based materials to a less than significant level.

Project Site History

The project site is in an area that has been developed for urban uses for several decades. From the 1940s to the 1970s, this site was occupied by gasoline station and automotive repair land uses. These types of land uses often involve the use and storage of potentially hazardous materials such as petroleum hydrocarbons, waste oils, solvents and heavy metals.

A July 2008 Phase I Environmental Site Assessment prepared by SCS Engineers reports that in 1971 a building permit was issued for the installation of a 6,000 gallon underground storage tank, and the existence of this gas station land use indicated the likely presence of additional underground storage tanks. However, there are no additional records on file with regulatory agencies regarding these underground storage tanks or previous on-site operations. This Phase I Assessment concluded that the lack removal and/or sampling

documentation on the former gas station land use represented a recognized environmental condition (REC) which could indicate the presence of potentially hazardous materials that would require additional investigation.

In September 2008, Partner Engineering and Science Inc. conducted a Phase II Subsurface Investigation to determine if any hazardous releases had occurred from the past gas station operations. The geophysical survey performed for this Phase II Investigation indicated that the former gas station underground storage tanks had been removed and delineated the approximate footprint of the former tankhold and product dispensers. This Phase II Investigation also indicated that a localized petroleum hydrocarbon release occurred from these storage tanks and/or associated product lines. The extent of soil impacted from this release appeared to be confined to an approximately five foot radius in the southeast corner of the project site, with moderate contamination confined to depths shallower than 20 feet below surface grade. The lateral extent of impacted groundwater also appeared to be confined to an approximately five foot radius.

Pursuant to these Phase II Investigation findings, in April 2009 Partner submitted a Workplan to the Long Beach Health Department with proposed remedial excavation to address site contamination. The Long Beach Health Department subsequently approved this Workplan through the May 2009 Permit to Operate Number 09-05-02.

In December 2009, Partner submitted a Remedial Excavation Report to the Long Beach Health Department. On-site remedial field excavation activities were conducted by Strongarm Environmental Field Services from October 27 through November 3, 2009. A total 192.9 tons of impacted soil was excavated and transported under proper waste manifest documentation classified as non-hazardous waste to TPST Soil Recyclers of California for thermal treatment and recycling. The excavation area was backfilled and compacted with imported clean fill material and compacted to at least 90% relative compaction. This Report concluded that the remedial excavation removed nearly all the petroleum hydrocarbon-impacted soil with 100% removal of soil with contaminant concentrations exceeding established action levels. Product piping encountered during remediation activities was exposed, pressure-rinsed and disposed with oversight from the Long Beach Fire Department. Samples collected from former piping and product dispensers lacked elevated contaminant concentrations. This Report therefore concluded that the remedial excavation was fully effective in removing site contamination and requested case closure status from the Long Beach Health Department on this site.

A January 19, 2010 memorandum from Nelson Kerr, Hazardous Waste Operations Officer for the Long Beach Health Department, confirmed completion of the remediation work and determined no further action was required. Another January 19, 2010 from Nelson Kerr confirmed completion of the piping

investigation related to this remediation and determined no further action was required.

Project Impacts

There could be some ground disturbance during project activities. If surface or near surface contaminants are present on the project site, project activities could result in dispersion of these contaminants. If appropriate remedial actions are not taken, excavation and transport of such contaminants could potentially result in exposure of workers or the public to health hazards. The following mitigation measures are therefore recommended for this potential hazard.

Mitigation Measure HAZ-4

Project plans submitted for permit approvals shall include a contingency plan to be implemented in the event that contaminants are suspected or discovered. The contingency plan shall identify the appropriate personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The contractors shall be notified of the possibility of encountering unknown hazardous materials and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the project and identify the person authorized to make that determination.

Mitigation Measure HAZ-5

If contaminants are detected, soil sampling shall be performed and the results forwarded to the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The local regulatory agency would have the responsibility of determining whether any additional investigation or remedial activities would be necessary.

Mitigation Measure HAZ-6

If concentrations of contaminants warrant site remediation, the contaminated materials shall be remediated either before project implementation or concurrent with project implementation. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall be approved by the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the remediation activities, including all waste disposal and treatment manifests.

Mitigation Measure HAZ-7

If groundwater contamination is suspected or detected, the applicant shall conduct a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in the drinking water, or if the contaminants exceed health risk standards, the results of the groundwater sampling shall be forwarded to the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The appropriate regulatory agency shall then be responsible for determining if any additional investigation or remedial activities are necessary.

Incorporation of Mitigation Measures HAZ-4, HAZ-5, HAZ-6 and HAZ-7 would reduce potential impacts related to soil or groundwater contamination to a less than significant level.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VII. (a) and (b) above for discussion. The nearby school facilities are Long Beach City College, Poly High School, Butler Middle School, Roosevelt Elementary School, and Whittier Elementary School. Mitigation Measures HAZ-1 through HAZ-7 would reduce potential impacts from hazardous materials or hazardous emissions to a less than significant level.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site is not included on any lists of hazardous materials sites. Please see Sections VII. (a) and (b) above for further discussion.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public

use airport, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately two miles south of this Airport. However, project activities would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would not create any structures or alter any travel routes that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further environmental analysis is required.

h. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City is a highly urbanized community and there are no wild lands in the project site vicinity. There would be no risk of exposing people or structures to a significant risk of loss, injury or death involving wild land fires. No further environmental analysis is required.

VIII. HYDROLOGY AND WATER QUALITY

The Federal Emergency Management Agency (FEMA) has produced a series of Flood Insurance Rate Maps (FIRMs) designating potential flood zones (based on the projected inundation limits for breach of the Hansen Dam and that of the Whittier Narrows Dam, as well as the 100-year flood as delineated by the U.S. Army Corps of Engineers).

a. Would the project violate any water quality standards or waste discharge requirements?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Pursuant to Section 402 of the federal Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources (conveyances such as pipelines) that discharge pollutants. The City of Long Beach has its own municipal NPDES permit (NPDES No. CAS004003), which requires certain types of projects to comply with the Los Angeles County Standard Urban Storm Water Mitigation Plan (SUSMP). The types of projects subject to SUSMP requirements are hillside projects, residential subdivisions of 10 units or more, new commercial development of 100,000 square feet or more of impermeable areas, and projects located adjacent to or discharging into environmentally sensitive areas. This project would therefore not be subject to SUSMP requirements.

The State of California requires any construction activity disturbing one acre or more of soil to comply with the State General Construction Activity Storm Water Permit. The project site totals 15,795 square feet (135 feet by 117 feet) or about 0.36 acres. The project would therefore not be subject to this State permit requirement.

A limited amount of storm runoff could result from the project. This could include typical pollutants such as chemicals, paints, fuels and lubricants. However, runoff of the level associated with development construction projects would not

occur. Furthermore, the project would be subject to Long Beach Municipal Code Section 18.95.050, which requires compliance with Best Management Practices (BMPs) to ensure runoff and discharges would not violate any water quality standards. Typical BMPs include storm drain inlet protection and diversion of storm water flows from disturbed areas.

Since the project site is fully improved with a one story 2,608 square foot commercial building and paved parking lot, the project would not result in an increase in impervious surfaces on the site compared with existing conditions and there would not be a substantial increase in pollutant loadings. The project site fronts Pacific Coast Highway, a State highway regulated by the California Department of Transportation (Caltrans). The project must comply with all applicable BMPs pursuant to Caltrans' Statewide Stormwater Management Plan to reduce pollutant loadings and prevent sediment laden water from entering the storm drainage system.

Implementation of the required local and State mandated BMPs would ensure that the project would not violate water quality standards or waste discharge requirements. Therefore, impacts would be at a less than significant level and no further environmental analysis is required.

b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII. (a) above for discussion. The City is a highly urbanized community with the water system infrastructure fully in place to accommodate current and anticipated future land uses. Project activities would not require any extensive excavation, grading or paving activities. The City's Public Safety Element indicates on Plate 9, Groundwater Contours, that the groundwater level at the project site is 20 feet below ground surface level. Therefore, it is not anticipated that groundwater would be encountered during project activities.

The project would not create any new land uses and therefore would not increase demands for water usage. The project would not utilize or deplete groundwater supplies and would not interfere with groundwater recharge. Project impacts would therefore be considered less than significant and no further environmental analysis is required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The nature and scope of this project would not alter any existing drainage patterns or alter the course of any streams or rivers. No increase in impervious surfaces would result from this project and therefore no substantial erosion or siltation on-site or off-site would occur.

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VIII. (a) and (c) above for discussion.

e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VIII. (a) and (c) above for discussion. The City's existing storm water drainage system is adequate to accommodate existing and anticipated runoff from the project site.

f. Would the project otherwise substantially degrade water quality?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VIII. (a) and (c) above for discussion.

g. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

According to the Federal Emergency Management Agency (FEMA), the project site is located in Zone X (based on Flood Insurance Rate Map No. 06037C1970F, Panel 1970 of 2350, effective date 9/26/08), which is outside of the 100 year flood hazard area. No housing or any other type of residential land uses or structures are proposed as part of this project.

h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII. (g) above for discussion.

i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII. (g) above for discussion. Flooding in Long Beach would most likely be the result of either heavy rains or earthquakes. Earthquake induced flooding could result from failure of water-retaining structures during earthquakes. Plate 10, Flood Influence Areas, of the City's Seismic Safety Element indicates that the project site is outside the maximum flood inundation limits from assumed breaches of either the Hansen or Whittier Narrows Dams. Furthermore, the project does not involve the construction of any new buildings for human occupancy and therefore would not increase exposure of people or structures to a significant risk of flooding related hazards. Project impacts would therefore be less than significant and no further environmental analysis is required.

j. Would the project result in inundation by seiche, tsunami or mudflow?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

A tsunami is a sea wave generated by a submarine earthquake, landslide or volcanic activity. More specifically, tsunamis are long period, low amplitude ocean waves. According to the City's Seismic Safety Element, a major tsunami from an earthquake, landslide or volcanic event is considered extremely remote for Long Beach. A seiche is an earthquake or landslide induced wave that can be generated in any enclosed body of water.

The project site is located approximately three miles north of the coast. According to Plate 11, Tsunami and Seiche Influence Areas, of the City's Seismic Safety Element, the majority of Long Beach is not within a zone influenced by the inundation of seiche, tsunami, or mudflow. Potential tsunami hazards would be limited to properties near the coastline. Please see Sections VIII. (g) and (i) for further discussion.

IX. LAND USE AND PLANNING

a. Would the project physically divide an established community?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would involve lease acquisition to terminate the existing project site land use (Whistler Liquor Jr. Market) along with demolition or rehabilitation of the existing one story 2,608 square foot project site commercial building. Project implementation is therefore limited in scope and would not physically divide any established community. No impacts would result from the project and no further environmental analysis is necessary.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site is located in General Plan Land Use Designation (LUD) No. 8A Traditional Retail Strip Commercial. This LUD district is intended for smaller scale commercial land uses to serve local neighborhood needs rather than community/regional needs. The project site zoning district is CHW Commercial Regional Highway. This is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. The project site is also located in the Central Long Beach Redevelopment Project Area. The project site is not located in any historic district and there are no historic buildings on the project site. The project site is not located in the Coastal Zone and is not located in any specific plan or other type of special planning district.

Project implementation for lease acquisition and building demolition or rehabilitation would not conflict with any applicable land use plan, policy or regulations. Project impacts would therefore be less than significant and no further environmental analysis is necessary.

c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Sections IX. (a) and (b) above for discussion. The City is highly urbanized environment characterized by in-fill development projects that recycle previously developed properties. As stated in Biological Resources IV. (a) above, there are no wildlife habitats or habitats for any sensitive or special status species within or in the vicinity of the project site. No habitat conservation plan or natural communities conservation plan would be impacted by project implementation.

X. MINERAL RESOURCES

Historically, the primary mineral resources within the City of Long Beach have been oil and natural gas. However, oil and gas extraction operations have diminished over the last century as the resource has become depleted. Today, extraction operations continue but on a reduced scale compared to past levels.

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project site and surrounding properties are part of a fully urbanized area with no known mineral resources of value or mineral extraction operations in the immediate vicinity. There are no mineral resource activities that would be altered or displaced by the project. No further environmental analysis is necessary.

b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section X. (a) above for discussion. The project site is not located in or near any mineral extraction operations. The project does not involve a mineral resource recovery site and therefore no impacts from project implementation would occur.

XI. NOISE

Noise is defined as unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence.

Some land uses are considered more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. Residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, parks and outdoor recreation areas are more sensitive to noise than are commercial and industrial land uses.

The City of Long Beach uses the State Noise/Land Use Compatibility Standards, which suggests a desirable exterior noise exposure at 65 dBA Community Noise Equivalent Level (CNEL) for sensitive land uses such as residences. Less sensitive commercial and industrial uses may be compatible with ambient noise levels up to 70 dBA. The City of Long Beach has adopted a Noise Ordinance (Long Beach Municipal Code Chapter 8.80) that sets exterior and interior noise standards.

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Project activities would involve various types of short-term noise impacts from trucks, tractors, and other types of equipment. Noise produced by such equipment will vary depending upon the type of equipment required, duration of equipment operations, and maintenance levels. Demolition or rehabilitation noise would be a temporary and short term occurrence that ends with completion of project activities, with demolition estimated to take approximately two weeks while building rehabilitation would take place over several weeks. These short-term noise levels could range in decibels from approximately 70 dBA to 90 dBA.

All project activities must be done in compliance with the City's Noise Ordinance (Long Beach Municipal Code Section 8.80). The project would not alter the Noise Ordinance provisions or be exempt from local noise controls. Per the Municipal Code, project activities are limited to the hours of 7:00 AM to 7:00 PM on weekdays and federal holidays, and 9:00 AM to 6:00 PM on Saturdays. Project activity on Sundays is prohibited unless a special permit is approved by the City's Noise Control Officer. Per Long Beach Municipal Code Chapter 8.80.130, it is unlawful for any person to willfully make or continue, or cause to be made or continued, a loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Noise levels from the proposed project are not anticipated to be adverse due to the limited duration and daytime hours of all project activities. However, due to the project's close proximity to school facilities (Long Beach City College, Poly High School, Butler Middle School, Roosevelt Elementary School, and Whittier Elementary School), which are considered to be sensitive receptors for noise impacts, the following noise-related mitigation measures are recommended.

Mitigation Measure NOISE-1

All project activity shall be in full compliance with the restrictions on permitted hours as set forth in Long Beach Municipal Code Chapter 8.80.202. No project activities shall be allowed on Sundays.

Mitigation Measure NOISE-2

The project contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's specifications, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-3

The project contractors shall place all stationary equipment in a manner to ensure that emitted noise is directed away from sensitive receptors nearest the project site, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-4

The project contractors shall locate equipment staging in areas that will create the greatest distance between project-related noise sources and noise-sensitive receptors nearest the project site during all project activities, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-5

Electrical power shall be used to run air compressors and similar power tools.

Mitigation Measure NOISE-6

All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

Mitigation Measure NOISE-7

For all noise-generating activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but not be limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between the project site and nearby sensitive receptors.

Incorporation of Mitigation Measures NOISE-1 through NOISE-7 would reduce potential noise-related impacts to a less than significant level.

b. Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section XI. (a) above for discussion. Project activities would not involve equipment, such as pile drivers, that can create elevated levels of ground borne vibrations and noises. Any vibration related to project activities would be minimal in duration and intensity. Therefore, project impacts would be less than significant and no further environmental analysis is necessary.

c. Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section XI. (a) above for discussion. Project implementation, involving only lease acquisition and demolition or rehabilitation of the existing project site building, would not result in substantial permanent increases in ambient noise levels.

d. Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section XI. (a) for discussion. Incorporation of Mitigation Measures NOISE-1 through NOISE-7 would reduce potential impacts related to project noise to a less than significant level.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately two miles south of this Airport. However, project implementation would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area excessive noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

XII. POPULATION AND HOUSING

The City of Long Beach is the second largest city in Los Angeles County. At the time of the 2000 Census, Long Beach had a population of 461,522, which was a 7.5 percent increase from the 1990 Census. The 2000 Census reported a total of 163,088 households in Long Beach, with an average household size of 2.8 persons and a Citywide vacancy rate of 6.32 percent. As of January 1, 2010, the City of Long Beach has an estimated population of 494,709 (State of California, Department of Finance E-1 Report).

a. Would the project induce substantial population growth in an area, either directly or indirectly?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would not directly or indirectly induce population growth in the project vicinity. The project would not create any new housing units or employment generating land uses and would therefore have no population growth impacts.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no housing units on the project site or people residing on the project site in any form of temporary housing. The project would therefore not displace any existing housing units or people from the project site.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XII. (b) above for discussion.

XIII. PUBLIC SERVICES

Fire protection would be provided by the Long Beach Fire Department. The Fire Department is divided into bureaus of Fire Prevention, Fire Suppression, the Bureau of Instruction, and the Bureau of Technical Services. The Fire Department is accountable for medical, paramedic, and other first aid rescue calls from the community.

Police protection would be provided by the Long Beach Police Department. The Police Department is divided into bureaus of Administration, Investigation, and Patrol. The City is divided into four Patrol Divisions: East, West, North and South.

The City of Long Beach is served by the Long Beach Unified School District, which also serves the City of Signal Hill, Catalina Island and a large portion of the City of Lakewood. This School District has been operating at or over capacity during the past decade.

Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project involves lease acquisition to terminate the existing project site land use (Whistler Liquor Jr. Market) along with demolition or rehabilitation of the existing project site building. The project would therefore not significantly impact existing fire service ratios and response times, and would not increase the demand for additional fire protection services. No further environmental analysis is necessary.

b. Police protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Similar to Section XIII. (a) above, the project would not significantly impact existing police service ratios and response times, and would not increase the demand for additional police protection services. No further environmental analysis is necessary.

c. Schools?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project does not involve any housing units or employment generating land uses and therefore would not create the demand for any new school facilities. No further environmental analysis is necessary.

d. Parks?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project does not involve new housing units or construction of new parks or recreational facilities. The project would therefore not create any new demands for parks or recreational facilities and no further environmental analysis is necessary.

e. Other public facilities?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

No other impacts have been identified that would require the provision of new or physically altered governmental facilities. Project implementation would not increase the demand for any other public facilities (e.g., libraries) or create the need for alteration or construction of any governmental buildings. No further environmental analysis is necessary.

XIV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XIII. (d) above for discussion. The project does not involve new housing units or construction of new parks or recreational facilities. The project would therefore not create any new demands for parks or recreational facilities and no further environmental analysis is necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XIV. (a) above for discussion.

XV. TRANSPORTATION/TRAFFIC

a. Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project involves lease acquisition to terminate the existing project site land use (Whistler Liquor Jr. Market) along with demolition or rehabilitation of the existing one story 2,608 square foot project site commercial building. Project demolition or rehabilitation activities would be temporary and short-term, with demolition estimated to take approximately two weeks while project rehabilitation would take place over several weeks. Based on the limited number of daily work trips required over this project implementation period, worker trips are not anticipated to significantly contribute to traffic volume levels in the project vicinity.

The project does not involve the development of any trip-generating land uses. Project implementation would therefore not cause any substantial temporary or permanent increase in traffic volumes and no further environmental analysis is necessary.

b. Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XV. (a) for discussion.

c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The project site is located approximately two miles south of this Airport. However, project implementation would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

d. Would the project substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would not alter the design features of any streets or alleys and would not introduce or encourage any incompatible land uses in the project vicinity. No further environmental analysis is required.

e. Would the project result in inadequate emergency access?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would not alter any land uses, transportation patterns, or emergency access routes. No further environmental analysis is required.

f. Would the project result in inadequate parking capacity?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project does not involve the development of any trip-generating land uses and therefore would not require any on-site or off-site parking areas. No further environmental analysis is necessary.

g. Would the project conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would not set forth or encourage any proposals or projects that would conflict with any adopted alternative transportation policies. No further environmental analysis is required.

XVI. UTILITIES AND SERVICE SYSTEMS

a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

d. Would the project have sufficient water supplies available to serve the project from existing entitlement and resources, or are new or expanded entitlement needed?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections XVI. (a) through (g) – The project would not create any housing units or growth inducing commercial, industrial or institutional land uses and therefore the project would not create any substantial demands or place an undue burden on any utility or service system. The City of Long Beach is an urbanized setting with all utilities and services fully in place. No further environmental analysis is necessary.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed project would be located within an established urbanized setting. As determined in Section IV. Biological Resources and Section V. Cultural Resources, the project would have no impacts on biological or cultural resources. The project would not degrade the quality of the environment, impact any natural habitats, impact any fish or wildlife populations, threaten any plant or animal communities, alter the number or restrict the range of any rare or endangered plants or animals, or eliminate any examples of the major periods of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that

the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project would only involve lease acquisition to terminate the existing commercial land use (Whistler Liquor Jr. Market) along with demolition or rehabilitation of the existing one story 2,608 square foot project site commercial building. Due to the project's limited nature and scope, project implementation would not have any impacts that are individually limited but cumulatively considerable.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Potential project impacts related to air quality, hazardous materials, and noise have been analyzed in this Mitigated Negative Declaration and mitigated to a less than significant level of potential environmental impact. As concluded in the discussions on these issues, the project with all recommended mitigation measures would have a less than significant impact on the environment and would not have significant adverse effects on human beings.

**MITIGATION MONITORING PLAN
MITIGATED NEGATIVE DECLARATION MND 02-10
925-945 E. PACIFIC COAST HIGHWAY
LEASE ACQUISITION PROJECT**

III. AIR QUALITY

Mitigation Measure AQ-1

Prior to the issuance of any permits from the City of Long Beach, the City of Long Beach Building Official (or designee) and the City of Long Beach Director of Public Works (or designee) shall review and approve the final project plans to ensure that the following dust suppression measures, as provided in the SCAQMD *CEQA Air Quality Handbook*, are incorporated.

- All excavated or graded materials shall be sufficiently watered to prevent excessive dust dispersion. Watering shall occur at least twice daily with complete coverage of the project site, preferably in the late morning and after work is completed in the afternoon. Watering shall be increased whenever wind speeds exceed 15 miles per hour (mph). All grading and earth movement activities shall be suspended whenever wind gusts exceed 25 mph.
- All materials transported on-site or off-site shall be securely covered to prevent excessive dust dispersion.
- Sweep all streets and alleys once per day if visible soil materials are carried to adjacent streets or alleys using water sweepers with reclaimed water.
- Minimize at all times the area disturbed by demolition, clearing, grading, earthmoving or excavation operations.
- All trucks hauling dirt, sand, soil or other loose materials shall be tarped with a fabric cover and maintain a freeboard height of at least 12 inches.
- Wash all trucks and equipment when leaving the project site.
- Limit on-site vehicle speeds to a maximum of 15 mph.
- If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust dispersion.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure AQ-2

Prior to the issuance of any permits from the City of Long Beach, the Project Contractor shall provide evidence to the City of Long Beach Building Official (or designee) that all vehicles and equipment to be used on-site incorporate low-emission factors and high energy efficiency. The following measures shall also be implemented throughout project activities to reduce air pollutant emissions:

- Whenever feasible, electricity from temporary power poles on-site shall be utilized rather than temporary diesel or gasoline generators.
- Whenever feasible, on-site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or fueled by propane or butane (to replace gasoline-fueled equipment).
- Aqueous diesel fuel or biodiesel, if available, shall be used in diesel fueled vehicles whenever methanol or natural gas are not available.
- All equipment engines shall be tuned and maintained in accordance with the manufacturer's specifications.
- All vehicles and equipment shall be shut off when not in use and idle for more than five minutes.
- All project activities shall be timed so as to not interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the project site. If necessary, a flagperson shall be retained to minimize traffic delays.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

VII. HAZARDS AND HAZARDOUS MATERIALS

Mitigation Measure HAZ-1

Prior to the issuance of any permit from the City of Long Beach, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow all applicable State and federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to State and federal standards.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-2

Prior to any building demolition or rehabilitation activities, any on-site structures that contain asbestos must have all asbestos containing material removed according to proper abatement procedures recommended by an asbestos consultant. All abatement activities shall be in compliance with federal OSHA, CalOSHA, and SCAQMD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from on-site structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, and the location where the asbestos containing material was disposed. The abatement report shall include all transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-3

Prior to any building demolition or rehabilitation activities, a licensed lead-based paint consultant shall be contracted to evaluate all structures for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant. All abatement activities shall be in compliance with federal OSHA, CalOHSA, and SCAQMD requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. All lead-based material shall be taken to a landfill or receiving facility licensed to accept this type of material. Following completion of the lead-based paint abatement, the consultant shall provide a report documenting the abatement procedures used, the volume of lead-based paint removed, and the location where this material was disposed. The abatement report shall include all transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-4

Project plans submitted for permit approvals shall include a contingency plan to be implemented in the event that contaminants are suspected or discovered. The contingency plan shall identify the appropriate personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The contractors shall be notified of the possibility of encountering unknown hazardous materials and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the project and identify the person authorized to make that determination.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-5

If contaminants are detected, soil sampling shall be performed and the results forwarded to the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The local regulatory agency would have the responsibility of determining whether any additional investigation or remedial activities would be necessary.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-6

If concentrations of contaminants warrant site remediation, the contaminated materials shall be remediated either before project implementation or concurrent with project implementation. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall be approved by the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the remediation activities, including all waste disposal and treatment manifests.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-7

If groundwater contamination is suspected or detected, the applicant shall conduct a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in the drinking water, or if the contaminants exceed health risk standards, the results of the groundwater sampling shall be forwarded to the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The appropriate regulatory agency shall then be responsible for determining if any additional investigation or remedial activities are necessary.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

XI. NOISE

Mitigation Measure NOISE-1

All project activity shall be in full compliance with the restrictions on permitted hours as set forth in Long Beach Municipal Code Chapter 8.80.202. No project activities shall be allowed on Sundays.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-2

The project contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's specifications, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-3

The project contractors shall place all stationary equipment in a manner to ensure that emitted noise is directed away from sensitive receptors nearest the

project site, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-4

The project contractors shall locate equipment staging in areas that will create the greatest distance between project-related noise sources and noise-sensitive receptors nearest the project site during all project activities, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-5

Electrical power shall be used to run air compressors and similar power tools.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-6

All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-7

For all noise-generating activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but not be limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between the project site and nearby sensitive receptors.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

RESOLUTION NO. R. A.

A RESOLUTION OF THE REDEVELOPMENT
AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA,
FINDING AND DETERMINING THE PUBLIC INTEREST
AND NECESSITY FOR ACQUIRING AND AUTHORIZING
THE CONDEMNATION OF CERTAIN LEASEHOLD
INTERESTS IN REAL PROPERTY AND FIXTURES AND
EQUIPMENT PERTAINING TO REAL PROPERTY (925-945
EAST PACIFIC COAST HIGHWAY) WITHIN THE
CENTRAL LONG BEACH REDEVELOPMENT PROJECT
AREA

WHEREAS, the Redevelopment Agency of the City of Long Beach, California ("Agency"), pursuant to the provisions of the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, et seq., is engaged in redevelopment activities necessary for the execution of the Redevelopment Plan ("Redevelopment Plan") for the Central Long Beach Redevelopment Project Area ("Redevelopment Project"); and

WHEREAS, the Agency desires to implement the Redevelopment Plan for the Redevelopment Project by acquiring certain leasehold interests in real property, and fixtures and equipment pertaining to the realty, located at 925-945 East Pacific Coast Highway, Long Beach, California more particularly described as:

ANY AND ALL LEASES OR LEASEHOLD INTERESTS AND ANY AND ALL LESSEES' FIXTURES AND EQUIPMENT PERTAINING TO THE REAL PROPERTY LOCATED AT 925-945 EAST PACIFIC COAST HIGHWAY, LONG BEACH, CALIFORNIA, WHICH REAL PROPERTY IS LEGALLY DESCRIBED AS FOLLOWS:

LOT 22, 23 AND 24 OF RESUBDIVISION OF THE WERNER TRACT, IN

THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 10, PAGE 47, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THERE FROM ALL MINERAL AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN DEED FROM ATLANTIC RICHFIELD COMPANY, RECORDED MAY 27, 1976 AS INSTRUMENT NO. 758, OFFICIAL RECORDS.

ASSESSOR PARCEL NUMBERS: 7210-013-900 AND 7210-013-901 (FORMERLY KNOWN AS ASSESSOR PARCEL NUMBERS 7210-013-024 AND 7210-013-025)

and as shown on the site plan attached hereto as Exhibit "A", and incorporated herein by this reference. Said leases and/or leasehold interests and fixtures and equipment are herein referred to as the "Subject Property."

WHEREAS, the Agency has given written notice by first class mail at least fifteen (15) days prior to the date of this resolution to those persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last equalized Los Angeles County assessment roll as well as the owners of the leasehold interest; and

WHEREAS, the Agency's notice to those persons sets forth the intent of the Agency to adopt a Resolution of Necessity for acquisition by eminent domain of the Subject Property, and further provides that such persons shall have a right to appear and to be heard on the matters referred to in Code of Civil Procedure Section 1240.030, and further provides that failure of such persons to file a written notice of intent to appear and to be heard within fifteen (15) days following the date of mailing of the Agency's notice shall result in a waiver of such right, and further contained all of the other matters required by Code of Civil Procedure Section 1245.235.

NOW, THEREFORE, the Redevelopment Agency of the City of Long Beach, California, FINDS, DETERMINES, DECLARES AND RESOLVES as follows:

Section 1. The public interest and necessity requires the acquisition of the Subject Property for a public use, to wit, the elimination of blight and blighting influences, pursuant to the Redevelopment Plan and the California Community Redevelopment Law.

Section 2. The Agency is authorized to acquire the Subject Property pursuant to the California Community Redevelopment Law, including but without limitation, Health and Safety Code Section 33391(b).

Section 3. The Redevelopment Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

Section 4. The Subject Property is necessary for the proposed project.

Section 5. The offer required by Government Code Section 7267.2(a), together with the accompanying statement of, and summary of the basis for, the amount established as just compensation, was made to the owner or owners of the Subject Property which offer and accompanying statement/summary were in a form and contained all of the factual disclosures provided by Government Code Section 7267.2(a).

Section 6. The Agency is hereby authorized and empowered to acquire the Subject Property by condemnation in its name to be used for said public purposes in accordance with the provisions of the Code of Civil Procedure, the California Community Redevelopment Law, and the Constitution of California relating to eminent domain.

Section 7. The Long Beach City Attorney's office, as the Agency's general counsel, is hereby authorized to engage special counsel to prepare and prosecute in the name of the Agency such proceeding or proceedings in the court having jurisdiction thereof as are necessary for such acquisition; and to prepare and file such pleadings, documents, and other instruments and to make such arguments and generally to take such action as may be necessary in the opinion of said attorneys to

acquire for the Agency the Subject Property. Said attorneys are specifically authorized to take whatever steps and/or procedures are available to them under the eminent domain law of the State of California.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this 2nd day of August, 2010.

Executive Director/Secretary

APPROVED:

Chair

Exhibit A

925-945 EAST PACIFIC COAST HIGHWAY

925-945 East Pacific Coast Highway
 APNs: 7210-013-900 and 7210-013 901
 (formerly known as 7210-013-024
 and 7210-013-025)

