OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. R- 1166

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LONG BEACH CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2ND & PCH PROJECT (STATE CLEARINGHOUSE NO. 2014031059) HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, PCH Property, LLC has proposed the 2nd & PCH Project ("Project") to demolish and replace the existing SeaPort Marina Hotel and associated amenities and surface parking areas on the Project site with a commercial development comprising approximately 245,000 square feet of gross floor area, including approximately 95,000 square feet of retail uses, a 55,000 square foot grocery store, a 25,000 square foot fitness/health club, and 70,000 square feet of restaurant uses, including full service dining, fast food, and read-to-eat dining uses. The proposed uses would be located in four buildings laid out in a village format, with three buildings fronting Pacific Coast Highway (PCH) and one building fronting Marina Drive. The proposed structures/buildings would be one and two stories each, and the project would include 1,150 parking spaces provided within two main parking structures, including a second-level parking deck above some of the single story uses. Landscaped courtyards and open space areas also would be provided throughout the Project site. The Project site is located within the Southeast Area

Development and Improvement Plan (SEADIP)(PD-1) zone and within the Local Coastal Zone of the City of Long Beach. Said Project is more fully described in the Draft Environmental Impact Report (DEIR), a copy of which DEIR is incorporated herein by this reference as though set forth in full, word for word.

WHEREAS, Project implementation will require a Site Plan Review, a Local Coastal Development Permit, and other discretionary and ministerial permits and approvals that may be deemed necessary including, but not limited to, temporary street closure permits, grading permits, excavation permits, foundation permits, and building permits.

WHEREAS, the City began an evaluation of the proposed project by issuing a Notice of Preparation (NOP) circulated from November 17, 2016 to January 9, 2017. A Notice of Completion was prepared and filed with the State Office of Planning and Research on April 21, 2017. The Draft Environmental Impact Report was completed on April 21, 2017, and circulated between April 21, 2017 and June 5, 2017.

WHEREAS, implementation and construction of the Project constitutes a "project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., and the City of Long Beach is the Lead Agency for the Project under CEQA;

WHEREAS, it was determined during the initial processing of the Project that it could have potentially significant effects on the environment, requiring the preparation of an EIR;

WHEREAS, the City prepared full and complete responses to the comments received on the DEIR, and distributed the responses in accordance with Public Resources Code section 21092.5;

WHEREAS, the Planning Commission has reviewed and considered the information in and the comments to the DEIR and the responses thereto at a duly noticed Planning Commission meeting held on September 7, 2017, at which time evidence, both written and oral, was presented to and considered by the Planning Commission;

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WHEREAS, the Planning Commission has read and considered all environmental documentation comprising the Final Environmental Impact Report (FEIR), including the DEIR, comments and the responses to comments, and errata included in the FEIR, and has determined that the FEIR considers all potentially significant environmental impacts of the Project and is complete and adequate and fully complies with all requirements of CEQA;

WHEREAS, the Planning Commission has evaluated and considered all significant impacts, mitigation measures, and project alternatives identified in the FEIR;

WHEREAS, CEQA and the State CEQA Guidelines require that where the decision of a public agency allows the occurrence of significant environmental effects that are identified in the EIR, but are not mitigated to a level of insignificance, that the public agency state in writing the reasons to support its action based on the EIR and/or other information in the record; and

WHEREAS, it is the policy of the City, in accordance with the provisions of CEQA and the State CEQA Guidelines, not to approve a project unless (i) all significant environmental impacts have been avoided or substantially lessened to the extent feasible, and (ii) any remaining unavoidable significant impacts are outweighed by specific economic, legal, social, technological, or other benefits of the project, and therefore considered "acceptable" under State CEQA Guidelines section 15093.

NOW, THEREFORE, the Planning Commission of the City of Long Beach does hereby find, determine and resolve that:

Section 1. All of the above recitals are true and correct and are incorporated herein as though fully set forth.

Section 2. The EIR has been completed in compliance with CEQA and the State CEQA Guidelines.

Section 3. The EIR, which reflects the Planning Commission's independent judgment and analysis, is hereby adopted, approved, and certified as complete and adequate under CEQA.

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Section 4. Pursuant to Public Resources Code Section 21081 and State CEQA Guidelines section 15091, the Planning Commission has reviewed and hereby adopts the Facts, Findings and Statement of Overriding Considerations regarding the environmental effects of the 2nd and PCH Project as shown on the attached Exhibit "A", which document is incorporated herein by reference as though set forth in full, word for word.

Section 5. Although the FEIR identifies certain significant environmental effects that would result if the Project is approved, most environmental effects can feasibly be avoided or mitigated and will be avoided or mitigated by the imposition of mitigation measures included with the FEIR. Pursuant to Public Resources Code Section 21081.6, the Planning Commission has reviewed and hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP") as shown on the attached Exhibit "B", which document is incorporated herein by reference as though set forth in full, word for word, together with any adopted corrections or modifications thereto, and further finds that the mitigation measures identified in the FEIR are feasible, and specifically makes each mitigation measure a condition of project approval.

Section 6. Pursuant to State CEQA Guidelines section 15091(e), the record of proceedings relating to this matter has been made available to the public at, among other places, the Department of Development Services, 333 West Ocean Boulevard, 5th Floor, Long Beach, California, and is, and has been, available for review during normal business hours.

Section 7. The information provided in the various staff reports submitted in connection with the Project, the corrections and modifications to the DEIR, and FEIR made in response to comments and any errata which were not previously re-circulated, and the evidence presented in written and oral testimony at the public hearing, do not represent significant new information so as to require re-circulation of the DEIR pursuant to the Public Resources Code.

Section 8. This resolution shall take effect immediately upon its adoption

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by the Planning Commission, and the Planning Commission Secretary shall certify to the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of Long Beach at its meeting of September 7, 2017, by the following vote:

Ayes: Commissioners: Mark Christoffels, Ron Cruz, Richard Lewis, Andy Perez, Erick Verduzco-Vega, Donita Van Horik

Noes: Commissioners:

Absent: Commissioners: Jane Templin

Linda F. Tatum
Planning Commission Secretary

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CEQA Findings of Fact

2nd & PCH Project

State Clearinghouse No. 2014031059

EXHIBIT "A"

Table of Contents

1.0 Summary

The City of Long Beach ("City") is considering the approvals and environmental review for the construction and operation of a commercial development comprising approximately 245,000 square feet of gross floor area ("Project" or "Proposed Project") on a 10.77-acre site located at 6400 East Pacific Coast Highway ("Project Site"). The Project Site is currently occupied by the two-story SeaPort Marina Hotel and 457 surface parking spaces. Access to the Project Site is provided via driveways along 2nd Street, Pacific Coast Highway ("PCH"), and Marina Drive. The Project Site is designated as Land use District ("LUD") No. 7, Mixed Use District, by the City's General Plan. The Project Site is also located within a coastal zone and is subject to the City's Local Coastal Program. The Project Applicant is PCH Property, LLC.

A Draft and Final Environmental Impact Report ("EIR") were prepared for the City to evaluate the environmental impacts of the Proposed Project. The City is the lead agency for the Proposed Project under the California Environmental Quality Act ("CEQA") (California Pub. Resources Code sections 21000 et seq.).

The Final EIR identifies significant and unmitigated project-specific and/or cumulative impacts for the Proposed Project related to regional air quality and traffic impacts. The City finds these significant and unavoidable impacts are acceptable due to overriding considerations.

2.0 Project Description

2.1 Project Location and Site Conditions

The Project Site is located within the southeastern portion of the City at 6400 East Pacific Coast Highway. The Project Site is bounded by 2nd Street to the north, PCH to the east, a retail shopping center (Marina Shores Shopping Center) to the south, and Marina Drive to the West. Primary regional access to the Project Site is provided by PCH, which runs northwest-southeast adjacent to the Project Site, and Interstate 405 (I-405 or San Diego Freeway), which runs northwest-southeast approximately one mile to the northeast of the Project Site.

The Project Site is approximately 10.77 acres in size. The Project Site is designated as LUD No. 7, Mixed Use District, by the City's General Plan. The Project Site is also located within a coastal zone and is therefore subject to the requirements of the City's Local Coastal Program. The Project Site is zoned by the Long Beach Municipal Code as Subarea 17 within Planned Development District 1 ("PD-1"), Southeast Area Development and Improvement Plan ("SEADIP").

The Project Site is located in an urbanized area surrounded by a variety of land uses. Immediately to the north of 2nd Street is a one-story pharmacy and one-story grocery store with associated parking areas. North of these uses is the Marina Pacifica Mall, which includes retail, restaurant, and entertainment uses with surface and subterranean parking. Northwest of the Project Site and immediately west of the Marina Pacifica Mall are three- to five-story multi-family residential uses within the private waterfront condominium community known as Marina Pacifica. The area northeast of the Project Site includes a fast food restaurant, oil fields and the Los Cerritos Wetlands. East of the Project Site across PCH is a service station at the southeast corner of PCH and 2nd Street and to its south is the Marketplace, a shopping center comprised of several one-story buildings. South of the Marketplace are several one- and two-story office buildings and the Los Cerritos Wetlands. Immediately south of the Project Site is Marina Shores Shopping Center, which includes a grocery store, restaurants, and other retail uses and associated surface parking.

The area west of the Project Site, across Marina Drive, is primarily occupied by a surface parking lot associated with the publicly owned Alamitos Bay Marina. Restaurants and limited boat-related retail uses are also located west of the Project Site, adjacent to Alamitos Bay Marina. A boat launch (Davies Launch Ramp) is located west of the Project Site near 2nd Street and Marina Drive.

The Project Site is currently occupied by the two-story, approximately 238,000-square-foot SeaPort Marina Hotel and 457 surface parking spaces. The SeaPort Marina Hotel is approximately 165,000 square-feet, with 248 rooms. Until recently, commercial uses within the SeaPort Marina Hotel included a rental car company, a limousine service, a fitness studio, and a café. The northeastern portion of the Project Site consists of a vacant lot, which has been used in the past for temporary and seasonal commercial uses. Access to the Project Site is provided via driveways along 2nd Street, PCH, and Marina Drive.

2.2 Project Overview

The Project proposes to replace the existing SeaPort Marina Hotel and associated amenities and surface parking areas on the Project Site with a commercial development comprising approximately 245,000 square feet of gross floor area. The development will include approximately 95,000 square feet of retail uses, a 55,000-square-foot grocery store, a 25,000-square foot fitness/health club, and 70,000 square feet of restaurant uses, including 40,000 square feet of full service dining, 25,000 square feet of fast food, and 5,000 square feet of ready-to-eat-dining.

The proposed uses would be located in four buildings laid out in a village format, with three buildings fronting PCH and one building fronting Marina Drive. The buildings would consist of one and two stories each, ranging in height from 30 feet to a maximum of 35 feet. The retail and commercial uses would be located within a series of one- and two-story structures along PCH and Marina Drive, with landscaped setbacks along the adjacent street frontages. The PCH frontage would be characterized by extensive landscaping and a series of one-story structures (with intermittent taller architectural elements) and a second-level (i.e., rooftop) parking. These buildings, which would house a variety of retail uses, would feature varied rooflines but would not exceed a height of 35 feet. Along Marina Drive, the Project would provide a landscaped setback and include a two-story structure of up to 35 feet in height, which would include retail, fast-food, and ready-to-eat restaurant uses with outdoor seating patios on the ground level and full-service restaurant uses with outdoor seating patios and terraces on the upper level, thus offering ocean views and enhancing the waterfront experience.

The Project would also include extensive landscaping, a central plaza and paseos, amenities, such an informal seating areas and water features, and an interior village streetscape to enhance the pedestrian experience. The proposed retail and restaurant uses and associated parking areas would be connected through the Project Site via landscaped pedestrian walkways. Landscaped pedestrian-oriented open space areas such as the plaza and paseos would be provided within the site interior. In addition to any existing trees that would remain on the Project Site, new trees would be provided along the Project's Site's street frontages. Landscape planters and hardscape features, including shade trees, palm trees, and shrub planters, would also be distributed throughout the upper level of the Project Site and within the dining terraces. Additionally, landscape screening of the parking garage would be included. In total, an estimated 146,797 square feet (approximately 3.37 acres or 31.3 percent of the total Project Site area) of open space would be provided on-site, which would exceed the open space requirements of the SEADIP. Any threshold-size on-site trees or street trees removed during construction of the Project would be replaced in accordance with the City's Tree Maintenance Policy.

The Project would be designed in a contemporary architectural style with elements conjuring images of water and the coast. The Project would also integrate various architectural and pedestrian elements throughout the buildings to create a community destination. The new buildings would include fenestration, a variety of surface materials and colors, and varying rooftop designs to create horizontal and vertical articulation, provide visual interest, and reduce building scales. Building materials would include wood, tile, metal panels, aluminum frames, plaster, and glass. Glass used in the building facades would be non-reflective and designed to meet California Building Code Title 24 requirements. Enhanced paving materials including patterned concrete, stone, or brick would be utilized along walkways and other outdoor surface areas.

The Project would include exterior lighting on buildings for security and wayfinding purposes, as well as entryway lighting within the parking structures, and along driveways and roadways for safety. In addition, low-level lighting to accent architectural signage, and landscaping elements would be incorporated throughout the Project Site. On-site lighting would be shielded or directed toward areas to be lit to limit spill-over onto off site uses. Project signage would include monument signs, area identification signs, tenant identification wall signs, directional signage, and wall signs for advertising purposes within the interior of the Project Site as well as on the buildings' street front facades and window signs on retail storefronts. All Project signage would be visually integrated with the proposed development and would feature colors and lighting that are complementary to the architectural design of the proposed buildings.

Vehicular access to the Project Site would be provided via driveways on PCH, Marina Drive, and 2nd Street. Pedestrian access to the Project Site would be provided via sidewalks along PCH, Marina Drive, and 2nd Street, as well as via crosswalks at the intersections of PCH and 2nd Street and Marina Drive and 2nd Street. A total of 1,150 parking spaces, or a ratio of approximately 4.7 per 1,000 square feet of gross floor area, would be provided in parking structures located at the northern and southern ends of the Project Site, as well as a second-level parking deck located above the proposed single-story uses along PCH. The northern parking structure would provide ground-level parking and a second-level (rooftop) parking deck. Loading areas would be provided in various areas of the Project Site to serve specific buildings.

The Project would also incorporate features to support and promote environmental sustainability. The Project has incorporated "Green" principles to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program. The Project would meet the requirements for LEED® Certification (or equivalent) by incorporating a variety of transportation-related, energy conservation, water conservation, waste reduction, sustainable construction material, and indoor air quality features. Those features include:

<u>Transportation Measures</u>

(1) Provide bike parking on-site to reduce vehicle trips.
(2) Provide preferred parking for clean air, van pools, and fuel efficiency vehicles to encourage clean air vehicle use.
(3) Provide pre-wiring for electric vehicles in parking spaces on-site as required by the Green Building Standards Code (Long Beach Municipal Code Chapter 18.47).

<u>Energy Measures</u>

(4) Shield exterior fixtures to limit light pollution and glare.
(5) Commission all building envelope and energy consuming systems to ensure efficient operations and reduce both operational and maintenance costs.

(6) Meet or exceed Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2016 Energy Efficiency Standards requirements.

Water Measures

(7) Install water conserving fixtures that reduce water use by at least 20 percent.
(8) Install weather-based irrigation controllers.

Construction Materials

(9) Recycle or otherwise divert from landfills a minimum of 65 percent of construction waste generated on-site.
(10) Utilize finishing materials such as paints, primers, sealants, and other materials that emit low quantities of volatile organic compounds ("VOCs") and/or other air quality pollutants.
(11) Utilize panelized wood products that have low levels of formaldehyde.
(12) Utilize carpet and hard flooring that has low VOC content and/or is composed of recycled products.

Indoor Air Quality and Durability

(13) Weather protect all exterior entrances to improve the long-term durability of buildings.
(14) Require third-party testing to ensure that energy systems are installed and functioning as intended.
(15) Ensure tight ductwork in air conditioning systems to improve comfort and reduce energy costs.
(16) Utilize bathroom fan systems that either operate continuously or have humidistats to automatically remove moisture and minimize mold growth.

2.3 Project Construction and Scheduling

Project construction would commence with demolition of the existing hotel and associated amenities and surface parking areas, followed by grading and limited excavation for the placement of building footings. Building foundations would then be laid, followed by building construction, paving/concrete installation, and landscape installation. Project construction is anticipated to occur over approximately 16 months, with completion anticipated in 2019. Project grading would require an estimated 7,582 cubic yards of soil removal. An estimated 6,688 cubic yards of this soil would be reused on-site for a net export volume of 894 cubic yards. As part of the Project, a Construction Traffic Management Plan would be implemented during construction to minimize potential conflicts between construction activity and through traffic. The Construction Traffic Management Plan would be subject to the City review and approval.

2.4 Project Objectives

The objectives of the Proposed Project are to:

1. Redevelop an underutilized site with a high quality, vibrant shopping center designed to capitalize on the property's unique location adjacent to an active marina.
2. Strengthen the economic vitality of the City by providing property tax, sales tax, and other revenues, as well as construction-related and permanent employment opportunities.
3. Create a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance.

4. Provide a high level of accessibility to and throughout the site to ensure a safe pedestrian environment, efficient vehicular access, convenient bicycle facilities, and access to mass transit.
5. Incorporate sustainability features, green building design elements, and landscaping that promote resource conservation, waste reduction, and efficient water management.
6. Create a dynamic destination for dining and shopping that offers appropriate amenities and a human scale in order to enhance the pedestrian experience.
7. Provide a distinctive, high quality, commercial environment that maximizes the variety of uses on-site to support the needs of nearby residents and businesses and attract future businesses, employers, and visitors.
8. Provide new landscaping combined with sensitivity designed hardscape areas both within the site interior and along its borders to enhance the pedestrian experience, improve the street appearance, and revitalize the site frontage along Pacific Coast Highway and Marina Drive.

2.5 Necessary Approvals

To develop the Project, the Project applicant is requesting approval of the following from the City:

1. Site Plan Review;

2. Coastal Development Permit;

3. Lot Tie to merge 6400 E. Pacific Coast Highway and 6280 E. 2nd Street into one contiguous parcel; and

4. Other discretionary and ministerial permits and approvals that may be deemed necessary, including but not limited to temporary street closure permits, grading permits, excavation permits, foundation permits, and building permits.

2.6 Agencies with Possible Jurisdiction Over Project

The state agencies, regional agencies, and City departments and commission that may have jurisdiction over the Project include, but are not limited to the following:

- Long Beach Development Services
- Long Beach Public Works
- Long Beach Public Works
- California Department of Transportation (Caltrans)
- South Coast Air Quality management District
- Los Angeles Regional Water Quality Control Board
- City of Seal Beach

2.7 Related Projects

Pursuant to CEQA Guidelines sections 15130 and 15355, the City evaluated the Project's potential cumulative environmental impacts using a list of approximately six proposed projects in the Project's general vicinity ("Related Projects") that could affect conditions in the Project area. The list of Related Projects was prepared based on information obtained from the City's Planning Department and the City of Seal Beach's Planning Department. The Related Projects are in varying stages of the

approval/entitlement/development process and consist of a variety of land uses reflecting the diverse range of land uses in the vicinity of the Project Site. The Related Projects include a limited amount of recreational, office, commercial/retail, restaurant, storage/warehouse, and infrastructure uses, including an energy storage system facility and new oil wells within an existing oil field. These Related Projects would occur primarily as urban in-fill within the existing land use patterns in the area. Some of the Related Projects may not be built out by 2019 (the Project's buildout year), may ultimately never be built, or may be approved and built at reduced densities. To provide a conservative analysis, the future baseline forecast assumes all the Related Projects will be fully built out by 2019 in the City's environmental review. The Related Projects in the City of Long Beach and City of Seal Beach include:

City of Long Beach

- Related Project No. 1 – AES Battery Energy Storage System, 690 Studebaker Rd. (Warehouse)

- Related Project No. 2 – Belmont Pool Revitalization Project, 4000 E. Olympic Plaza (Pool Complex)

- Related Project No. 3 – 5744 E. 2nd Street Retail, 5744 E. 2nd Street (Commercial/Retail)

- Related Project No. 4 – Los Cerritos Wetlands Restoration and Oil Consolidation Project, 6422 E. 2nd Street, 6701 E. PCH, NE corner of Studebaker Rd. and 2nd Street, and Shopkeeper Rd. at 2nd Street (Wetlands Restoration, Office, Warehouse)

City of Seal Beach

- Related Project No. 5 – Ocean Place Residential Project, 1st Street and Marina Drive (Single-Family Home Neighborhood Park)

- Related Project No. 6 – Main and PCH Mixed-Use Center Project, 350 Main Street (Retail, Office, Coffee Shop, Dojo)

The cumulative study areas for the Project are defined based on an analysis of the geographical scope relevant to each particular environmental issue. Therefore, the cumulative study area for each individual environmental impact issue may vary. The specific boundaries and projected growth within those boundaries for the cumulative study area for each environmental impact issue are identified in the applicable environmental impact areas below.

3.0 Procedural Findings & Regulatory Framework

3.1 Procedural Findings

The City finds as follows:

Based on the nature and scope of the Project, the City determines, based on substantial evidence, that the Project may have a significant effect on the environment and prepared an EIR for the Proposed Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with CEQA and the CEQA Guidelines (California Code of Regulations, Title 14, sections 1500 et seq.), as follows:

- A Notice of Preparation ("NOP") of an EIR for review and comment by the public, responsible, and reviewing agencies, was circulated by the City on November 17, 2016, for public comment until January 9, 2017. A community meeting was held to obtain the public's views about the Project and its potential environmental impacts on November 16, 2016. During the NOP comment period, the City received comments from approximately nine agencies and organizations (the Office of Planning and Research, Department of Transportation, Department of Toxic Substances Control, Native American Heritage Commission, South Coast Air Quality Management District, County Sanitation Districts of Los Angeles County, Algalita Marine Research and Education, El Dorado Audubon Society, Long Beach Heritage) and approximately 96 individuals.

- An Initial Study ("IS") was prepared for the Project in conjunction with the NOP in November 2016 pursuant to CEQA Guidelines section 15063. The Initial Study assisted the preparation of the EIR by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

- A Notice of Completion and Availability ("NOA") and copies of the Draft EIR were circulated for review and comment on April 21, 2017, to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. Comments from such persons and agencies and the general public were sought on the Draft EIR from April 21, 2017, to June 5, 2017. A second community meeting was held to obtain further comments from the public about the Project during that public comment period on May 13, 2017, and a public Planning Commission Study Session regarding the Project was held on May 18, 2017.

- The NOA described the Project, the requested permits and approvals, and the anticipated significant environmental effects. The NOA also stated that a complete copy of the Draft EIR was made available online on the City's Development Services website at http://www.lbds.info/planning/environmental_planning/environmental_reports.asp and in person at the following locations:

    - Long Beach City Hall, 333 W. Ocean Boulevard, 5th Floor

    - Long Beach Mail Library, 101 Pacific Avenue

    - Bay Shore Branch Library, 195 Bay Shore Avenue

- The City received 21 comment letters on the Draft EIR.

- Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments and additional information added by the City were added to the Draft EIR to produce the Final EIR.

3.2 Record of Proceedings

For purposes of CEQA and these findings, the record before the City includes the following:

- The Initial Study;

- The Draft EIR and all appendices of the Draft EIR;
- The Final EIR and all appendices to the Final EIR;
- All notices required by CEQA, staff reports, and presentation materials related to the Project;
- All studies conducted for the Project and contained in, or referenced by, staff reports, the Draft EIR, or the Final EIR;
- All public reports and documents related to the Project prepared for the City and other agencies;
- All documentary and oral evidence received and reviewed at public hearings, study sessions, meetings, and workshops and all transcripts and minutes of those hearings related to the Project, the Draft EIR, and the Final EIR;
- For documentary and informational purposes, all locally adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs, and other documentation relevant to planned growth in the area; and
- Any additional items not included above if otherwise required by law.

The Final EIR is incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, and the comparative analysis of alternatives.

3.3 CEQA Regulatory Framework

Section 21081 of the Public Resources Code and CEQA Guidelines section 15091 provide that a project may not be approved or carried out until the public agency makes written findings supported by substantial evidence in the administrative record regarding each of the significant effects. Three possible findings are specified in the CEQA Guidelines Section 15091, subdivision (a), as follows:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

CEQA Guidelines Section 15092, subdivision (b), provides that no agency shall approve a project for which an EIR was prepared unless either:

1. The project approved will not have a significant effect on the environment, or
2. The agency has:
    a. Eliminated or substantially lessened all significant effects where feasible as shown in the findings under CEQA Guidelines Section 15091; and,

b. Determined that any remaining significant effects on the environment found to be unavoidable under CEQA Guidelines Section 15091 are acceptable due to overriding concerns as described in CEQA Guidelines Section 15093.

4.0 Findings of Impacts, Mitigation Measures, and Supporting Facts Required Under CEQA

The City, having reviewed and considered the information contained in the Draft EIR and Final EIR, finds pursuant to Public Resources Code section 21081, subdivision (a)(1) and CEQA Guidelines section 15091, subdivision (a)(1), that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant effects identified in the Final EIR. The Project would lead to significant and unmitigated project-specific and/or cumulative significant impacts with respect to air quality and traffic. The City first summarizes the findings for the environmental impacts for which no further environmental review was necessary based on the Initial Study and then summarizes the findings for each environmental impact analyzed in the Project's Draft and Final EIR. The basis of the findings for each impact is set forth below.

Where appropriate, the Project incorporates both project design features and project mitigation measures. Project design features are elements of the project, such as a project's setback or design elements, that will be incorporated into the Project. Project Design Features are not specifically created or added to the Project to mitigate environmental impacts but may lessen the Project's environmental impacts. Measures established by regulation that apply to the Project are also included in the Project's Project Design Features. Mitigation measures are measures applied to the project that will mitigate potentially significant environmental impacts of a project.

4.1 Impact Areas with No Significant Impacts After Initial Study

The City determined through the preparation of an Initial Study (included as Appendix A to the Draft EIR) that the development and the operation of the Project would not result in potentially significant impacts in the following substantive impact areas. Pursuant to CEQA Guidelines section 15128, the City determined there was no evidence that the Project would cause environmental effects in the following areas and that no further environmental review of these issues was necessary in the environmental impact report.

4.1.1 Aesthetics

4.1.1.1 Shading Impacts

A. *Finding – Less Than Significant Impact.* The Project's impacts related to creating shade would be less than significant.

B. *Facts in Support of Finding.* The City evaluated the Project's potential for shading impacts based on the applicable thresholds of significance. Shading refers to the shadows cast by proposed structures or landscaping that have the potential to negatively affect certain shade-sensitive land uses. Shadow effects depend on several factors, including the local topography, the height and bulk of a project's structural elements, the sensitivity of adjacent land uses, season, and duration of shadow projection. Facilities and operations generally considered sensitive to shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional land uses (e.g., back yards, school yards, convalescent homes); pedestrian-oriented outdoor spaces or

restaurants with outdoor dining areas; plant nurseries; and existing solar collectors. These uses are considered sensitive because sunlight is important to their function, physical comfort, or commerce.

The Project Site is surrounded by commercial uses to the north, south, and east, by the Alamitos Bay marina surface parking lot directly to the west. The Project would include the development of several buildings throughout the Project Site which would range in height from approximately 30 feet to 35 feet. Therefore, development of new structures on-site would generate new shadows with varied lengths and angles depending on the time and day of the season. However, due to the relatively low-rise height of the proposed structures, new shadows would generally fall onto the Project Site and adjacent roadways. Furthermore, there are no shadow-sensitive uses located directly adjacent to the Project Site. As such, the proposed buildings would have no impact on shadow-sensitive uses within the Project vicinity. Potential shading impacts associated with Project development would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to shadow impacts have been identified.

4.1.2 Agricultural and Forestry Resources

Under the CEQA Guidelines, a project may have a significant impact on agricultural or forestry resources if it were to result in (a) converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agriculture uses; (b) conflict with existing zoning for agricultural use, or a Williamson Act contract; (c) conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production; (d) result in the loss of forest land or conversion of forest land to a non-forest use; or (e) involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

A. *Finding – No Impact.* The Proposed Project would lead to no impacts on agricultural or forestry resources.

B. *Facts in Support of Finding.* The Project Site is located in an urbanized area of the City of Long Beach and does not include any agricultural land. In addition, the Project Site and surrounding area are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are no agricultural or forest uses located in the Project vicinity. As such, the Project would not convert farmland to a non-agricultural use.

Additionally, the Project Site is not zoned for agricultural use under the Long Beach Municipal Code, and no agricultural zoning is present in the surrounding area. The Project Site and surrounding area are also not enrolled under a Williamson Act Contract. The Project Site also does not include any forest or timberland. Also, the Project Site is currently zoned for commercial land uses, is not zoned for forest land, and is not used as forest land. Therefore, no impact related to agriculture or forest resources would occur.

C. *Mitigation Measures.* No mitigation measures are required, as no significant impacts associated with agricultural or forestry resources have been identified.

4.1.3 Air Quality

4.1.3.1 Odors (Construction & Operation)

A. *Finding – Less Than Significant Impact.* The Project's impacts related to odors during construction and operation would be less than significant.

B. *Facts in Support of Finding*. No objectionable odors are anticipated as a result of either construction or operation of the Project. The Project would be constructed using conventional building material typical of construction projects of a similar type and size. Any odors that may be generated during construction would be localized and temporary in nature and would not be sufficient to affect a substantial number of people or result in a nuisance as defined under the South Coast Air Quality Management District (SCAQMD) Rule 402.

According to the SCAQMD *CEQA Air Quality Handbook*, 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. While the Project would not involve these types of uses, on-site trash receptacles used by the Project would have the potential to create odors. However, as trash receptacles would be contained, located, and maintained in a manner that promotes odor control, no substantially adverse odor impacts are anticipated. Thus, impacts with regard to odors would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to odors have been identified.

4.1.4 Biological Resources

Under the CEQA Guidelines (Appendix G), a Project could have potentially significant impacts related to biological resources if the project would: (a) have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; (b) have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; (c) have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; (d) interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or (f) conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

4.1.4.1 Candidate, Sensitive, or Special Status Species

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts (either directly or through habitat modifications) to any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or

by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service would be less than significant with implementation of Mitigation Measure IS-1.

B. *Facts in Support of Finding.* The Project Site is located within an urbanized area and is currently developed with a hotel, associated surface parking areas, and landscaping. Due to the developed nature of the Project Site, species likely to occur on-site are limited to small terrestrial and avian species typically found in developed settings. While some on-site vegetation is limited to ornamental, non-native shrubs and trees, some on-site mature trees could potentially be used for roosting and nesting purposes by migratory birds. In order to avoid direct impacts to migratory birds and ensure compliance with the Migratory Bird Treaty Act as well as California Fish and Game Code Sections 3503, 3503.5, and 3513, removal of on-site mature trees would be conducted in accordance with Mitigation Measure IS-1. Efforts would be made to schedule the removal of mature trees between September 1 and February 14 to avoid the nesting season. If activities were to occur during the nesting season, all suitable habitats would be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to removal. If any active nests were detected, the area would be flagged, along with a minimum 300-foot buffer (buffer may range between 300 and 500 feet as determined by the monitoring biologist), and would be avoided until the nesting cycle has completed or the monitoring biologist determines that the nest has failed. With implementation of the proposed mitigation measure and associated compliance with regulatory requirements, the Project would not have a substantial adverse direct effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service and would not result in a direct significant related to migratory birds.

In The City's findings on the Project's potential impacts to biological resources are based on a Biological Resources Assessment, prepared for a previous development proposal on the Project Site (provided as Appendix IS-1 to the Initial Study), in addition to a Bio Memo that was prepared in response to comments received on the Draft EIR (provided as Appendix FEIR-C to the Final EIR). The Bio Memo provides a summary of the various biological resource evaluations prepared over the past several years for the current Project, as well as past development proposals on the Project Site. The Bio Memo demonstrates that all previous analyses have reached the same conclusion as the City's initial study—that impacts on the Project Site to biological resources would be less than significant with mitigation.

Beyond the Project Site, there are several waterways and open space areas that could provide habitat for sensitive species located in the general vicinity of the Project Site. Those waterways include the Los Cerritos Channel, located north of the Project Site; the San Gabriel River, located south of the Project Site; the Los Cerritos Wetlands, located northeast and east of the Project Site; and the Alamitos Bay Marina, located west of the Project Site. The Los Cerritos Wetlands are located 400 to 2,000 feet away from the Project Site. While unlikely, the Project could result in an indirect impact to potentially sensitive species in these surrounding areas through the introduction of invasive species, changes in lighting, noise, changes to stormwater drainage and water quality, and/or the introduction of new vehicular hazards. Accordingly, the City evaluated those potential indirect impacts.

Invasive species – The Project would introduce new landscaping that may include various ornamental invasive (non-native) plant species. Such species could have the potential to proliferate in native habitat areas, displace native plant species, and result in adverse impacts to potentially sensitive habitats and resident species, and result in adverse impacts to potentially sensitive habitats

and resident species. However, Project landscaping also would include native plant species that are compatible with the surrounding environment and could serve to support foraging or nesting of native wildlife species. Therefore, the potential for the proliferation of invasive species into native habitats would be limited. Furthermore, viable habitat within the Los Cerritos Wetlands is located a minimum of approximately 2,000 feet from the Project Site and is separated by intervening streets and urban development. Therefore, potential indirect impacts to candidate, sensitive, or special-status species in the vicinity of the Project Site as a result of potential invasive species would be less than significant.

Lighting – Nighttime lighting on the Project Site could attract nocturnal migrating bird species to the Project Site, including songbirds due to their tendency to migrate at night, their low flight altitudes, and disorientation by artificial light. Nocturnal migrating birds are also attracted to sources of artificial light, particularly during periods of inclement weather. Thus, nocturnal migrating bird species could be vulnerable to collisions with obstructions.

While the Project would increase the amount of artificial lighting within the Project Site, all Project lighting would be directed and installed according to the City of Long Beach lighting standards to avoid excessive lighting and minimize off-site light spill. Project-related lighting would be similar in nature to that of surrounding development in the area to provide adequate visibility and safety. Proposed lighting would not include unusually bright lights or lights directed off-site. Although new light sources on the Project Site would be visible, Project-related lighting would not result in substantial changes in the overall light levels in the Project area.

Although a disturbed portion of Los Cerritos Wetlands is located approximately 400 feet from the Project Site, it is separated by intervening urban development, including major roadways, existing commercial development, and associated landscaping and other vegetation. Additionally, based on the distance of the Project Site from viable habitat areas within the Los Cerritos Wetlands (i.e., 2,000 feet), the distance between the Project Site and Alamitos Bay, and the use of shielded and focused lighting on the Project Site, lighting from the Project is not anticipated to impact surrounding biological resources. Therefore, indirect impacts to biological resources associated with Project lighting would be less than significant.

Noise – Noise associated with Project grading and construction may have indirect effects on wildlife. Such noise impacts are generally a function of the noise generated by construction equipment, the location of the construction equipment, the sensitivity of nearby land uses or resources, and the timing and duration of construction activities. However, Project construction noise would be temporary and intermittent in nature. Standard construction practices also would be implemented to reduce off-site construction noise to the extent feasible. Additionally, viable habitat within the Los Cerritos Wetlands is located a minimum of approximately 2,000 feet from the Project Site and is separated by intervening streets and urban development, which contribute to existing noise levels. Therefore, potential indirect impacts to candidate, sensitive, or special status species in the vicinity of the Project Site associated with construction noise would be less than significant.

For the Project's operational noise, any new noise sources introduced by the Project would be similar to the existing type(s) of noise and associated noise levels in the Project vicinity. Further, any wildlife in the Project vicinity are already subject to urban noise and similar disturbances. Viable habitat within the Los Cerritos Wetlands is also located a minimum of approximately 2,000 feet from the Project Site and is separated by intervening streets and urban development, which

contribute to existing noise levels. Therefore, no significant indirect impacts are expected to occur in connection with operational Project noise.

Stormwater drainage and water quality – Indirect impacts to sensitive species and habitats located downstream of the receiving water bodies, including Alamitos Bay, could occur through elevated pollutant loads from stormwater flows leaving the Project Site. Pollutants typically associated with commercial development include oil, grease and vehicle-related fluids from parking areas, and pesticides or nutrients from landscaping. However, the Project would incorporate and implement best management practices (BMPs) during Project construction and operation in compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit. Furthermore, water quality impacts to the Los Cerritos Wetlands are not anticipated as the wetlands are located up-gradient from the Project Site (thus, stormwater from the Project Site flows away from the wetlands) and are separated from the Project Site by intervening streets and urban development. As such, the Project Site is not hydrologically connected to the Los Cerritos Wetlands. Overall, with compliance with regulatory requirements, including the implementation of BMPs, stormwater runoff and water quality impacts indirectly affecting candidate, sensitive or special status species or habitats would be less than significant.

Vehicular hazards – Project-related vehicular trips along local roadways could contribute to an increase in the potential for collisions with wildlife species near natural habitat areas and could increase the occurrence of "road kills." While the Project is expected to increase the number of vehicles on local roadways, as previously described, natural habitat areas are not located adjacent to the Project Site. Specifically, viable habitat within the Los Cerritos Wetlands is located approximately 2,000 feet from the Project Site and is separated by intervening streets and urban development. Similarly, Alamitos Bay is separated from the Project Site by intervening development. Further, road kills of sensitive wildlife species in areas surrounding the Project Site are not prevalent. Thus, the anticipated increase in traffic along local roadways as a result of the Project would not substantially increase vehicular collisions with sensitive species. Therefore, potential indirect impacts related to candidate, sensitive or special status species from vehicular collisions would be less than significant.

Overall, with implementation of Mitigation Measure IS-1, direct and indirect impacts with respect to special status species would be less than significant.

C. *Mitigation Measures.* The following Mitigation Measure IS-1 would be required to ensure the Project's direct and indirect impacts related to candidate, sensitive, or special status species remain less than significant.

Mitigation Measures

- **Mitigation Measure-IS-1: Mitigation Measure IS-1:** The Applicant shall perform one or more of the following to reduce potential impacts to migratory raptor and songbird species to a less than significant level: (1) vegetation removal activities shall be scheduled outside the nesting season for raptor and songbird species (nesting season typically occurs from February 15 to August 31) to avoid potential impacts to nesting species (this will ensure that no active nests will be disturbed and that habitat removal could proceed rapidly); and/or (2) any construction activities that occur during the raptor and songbird nesting season shall require all suitable habitat to be thoroughly surveyed for the presence of nesting raptor and songbird species by a qualified biologist no earlier than seven days

prior to commencement of disturbance. If any actives nests are detected, a buffer of at least 300 feet (500 feet for raptors) or as determined by the qualified biologist shall be delineated, flagged, and avoided until the nesting cycle is complete, as determined by the qualified biologist. The results of the survey(s) shall be reported to the lead agency to document compliance with applicable state and federal laws pertaining to the protection of nesting native birds.

4.1.4.2 Riparian Habitat or Sensitive Natural Communities

A. *Finding – Less Than Significant Impact.* The Project's impacts with respect to a potential 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 U.S. Fish and Wildlife Service would be less than significant.

B. *Facts in Support of Finding.* The Project Site is located within an urbanized area and is currently developed with a hotel, surface parking areas, and landscaping. The Project would not result in direct impacts to riparian habitat or other sensitive natural communities as none are located within the Project Site. Potential indirect impacts to candidate, sensitive, or special-status species within nearby riparian habitats, including the Los Cerritos Wetlands and Alamitos Bay are discussed above under the finding for the Project's potential impacts to candidate, special status, or sensitive species. As discussed under that finding, the Project would limit the use of potential invasive species and would not generate a substantial amount of off-site lighting and noise. The Project would also implement Best Management Practices including erosion controls and planters to minimize the amount of runoff and pollutants existing the site. Therefore, the Project would not result in significant impacts to riparian habitat or other sensitive natural communities.

C. *Mitigation Measures*. No mitigation measures are required, since no significant impacts associated with riparian habitat or other sensitive natural communities have been identified.

4.1.4.3 Federally Protected Wetlands

A. *Finding – Less Than Significant Impact.* The Project's impacts related to federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, would be less than significant.

B. *Facts in Support of Finding.* The Project Site is located within an urbanized area and is currently developed with a hotel, surface parking areas, and landscaping. There are no federally protected waters or wetlands, as defined by Section 404 of the Clean Water Act, within the Project Site. The nearest waters of the United States/California and wetlands are the Los Cerritos Wetlands and Alamitos Bay. Potential indirect impacts to candidate, sensitive, or special-status species within nearby riparian habitats, including the Los Cerritos Wetlands and Alamitos Bay are discussed above under the finding related to sensitive and special status species. Additionally, the Project would implement Best Management Practices in accordance with regulatory requirements to minimize the amount of runoff and pollutants discharged into receiving waters, including Alamitos Bay. It is noted that the Los Cerritos Wetlands are located up-gradient from the Project Site. Thus, any potential runoff from the Project Site would not reach the wetlands. Therefore, potential impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act would be less than significant, and no mitigation measures are required.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with federally protected wetlands have been identified.

4.1.4.4 Movement of Native Resident Migratory Fish or Wildlife, Wildlife Corridors, Wildlife Nursery Sites

A. *Finding – Less Than Significant Impact.* The Project's impacts related to (i) the movement of any native resident or migratory fish or wildlife species; (ii) established native resident or migratory wildlife corridors; and (iii) native wildlife nursery sites would be less than significant.

B. *Facts in Support of Finding.* The Project Site is fully developed and surrounded by urbanized development that does not typically contain native habitat areas or habitat linkages. The Project Site does not support biologically significant wildlife movement or contain native wildlife nursery sites.

The Project Site is located within the Pacific Flyway, which is identified as a major north-south route for travel by migratory birds in the Americas, and the Los Cerritos Wetlands have been identified by the National Audubon Society as an Important Bird Area and important shopping point for migrating bird species. Consequently, the Project could pose a hazard to migrating bird species as they move through the area. However, there are extensive unobstructed flight paths in the surrounding area, including the San Gabriel River Channel, Los Cerritos Wetlands, Los Cerritos Channel, and areas of low-scale urban development. The Project would consist of several new buildings up to 35 feet in height, which would be generally consistent with existing conditions and surrounding development and is not expected to impact the Pacific Flyway. Project development would not funnel migrating birds into existing or proposed structures or constrain the flight paths within the extensive open air space surrounding the Project Site. Thus, the Project would not substantially interfere with the movement or migration of any native or migratory wildlife species. Additionally, based on the height of the Project structures, bird mortality from collisions with Project structures is not anticipated. Thus, Project impacts related to wildlife corridors would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated native resident or migratory fish or wildlife species, migratory wildlife corridors, or native wildlife nursery sites have been identified.

4.1.4.5 Policies Protecting Biological Resources

A. *Finding – No Impact.* The Project would lead to no impacts related to a potential conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

B. *Facts in Support of Finding.* The Project Site is currently developed with a hotel, associated surface parking areas, and landscaping. The vegetation on-site includes ornamental, non-native shrubs, and landscaping trees. The removal of any street trees for Project development would occur in accordance with the City's Tree Maintenance Policy, which sets forth guidelines to administer Chapter 14.28 of the Long Beach Municipal Code. The Project would also provide landscaping and open space in accordance with the City's requirements for the Southeast Area Development and Improvement Plan (SEADIP) area. Therefore, the Project would not conflict with local policies or

ordinances protecting biological resources. No impacts would occur, and no mitigation measures are necessary.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with local policies or ordinances protecting biological resources have been identified.

4.1.4.6 Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Habitat Conservation Plan

A. *Finding – No Impact.* The Project would lead to no impacts related to a potential conflict with the provisions of an adopted Habitat Conservation Plan, a Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

B. *Facts in Support of Finding.* The Project Site is located in an urbanized area and does not provide habitat for sensitive biological resources. As such, the Project Site is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project would not conflict with the provisions of any habitat conservation plans.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated a Habitat Conservation Plan or Natural Community Conservation Plan have been identified.

4.1.5 Geology and Soils

4.1.5.1 Exposure to Earthquake Faults

A. *Finding – Less Than Significant Impact.* The Project's impacts related to exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving (i) the rapture 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 active fault) would be less than significant.

B. *Facts in Support of Finding.* The Project Site is not within a currently established Alquist-Priolo Earthquake Fault Zone as identified by the California Geological Survey (CGS) or within the City's General Plan Seismic Safety Element. No active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site. The nearest active fault to the Project Site is the Newport-Inglewood Fault Zone, which is located approximately 0.25 mile northeast of the Project Site. Therefore, the potential for surface rupture of a known earthquake fault would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with rupture of a known earthquake fault have been identified.

4.1.5.2 Landslides

A. *Finding – Less Than Significant Impact.* The Project's impacts related to exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides would be less than significant.

B. *Facts in Support of Finding.* The Project Site and surrounding area are characterized by a relatively flat topography and, as such, are not identified by the City within an area of steep slopes. Additionally, the Project Site and surrounding area are not designated as an earthquake-induced landslides area by the California Geological Survey. Additionally, the Project does not propose substantial alteration to the existing topography. Therefore, no significant impacts would occur.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with landslides have been identified.

4.1.5.3 Soil Erosion, Loss of Topsoil

A. *Finding – Less Than Significant Impact.* The Project's impacts related to a potential substantial soil erosion or the loss of topsoil would be less than significant.

B. *Facts in Support of Finding.* Development of the Project would require grading, limited excavation to support the building foundations, and other construction activities that have the potential to disturb existing soils and expose soils to rainfall and wind, thereby potentially resulting in soil erosion. However, construction activities would occur in accordance with erosion control requirements, including grading and dust control measures, imposed by the City pursuant to grading permit requirements. Specifically, Project construction would comply with the Long Beach Building Standards Code (Title 18 of the Long Beach Municipal Code), which requires necessary permits, plans, plan checks, and inspections to ensure that the Project would reduce erosion effects. Additionally, as part of the plan check requirements, the Project would be required to have a stormwater management program, including a Storm Water Pollution Prevention Plan (SWPPP) pursuant to National Pollutant Discharge Elimination System (NPDES) permit requirements. As part of the SWPPP, Best Management Practices would be implemented during construction to reduce sedimentation and erosion levels to the maximum extent possible. Based on compliance with regulatory requirements, including implementation of Best Management Practices, impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with soil erosion or loss of topsoil have been identified.

4.1.5.4 Septic Tanks, Wastewater Disposal Systems

A. *Finding – No Impact.* The Project would lead to no impacts related to the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater.

B. *Facts in Support of Finding.* The Project Site is located within a community served by existing sewage infrastructure. Therefore, wastewater generated by the Project would be accommodated via connections to the existing sewage infrastructure located in the Project area. As such, the Project would not require the use of septic tanks or alternative wastewater disposal systems. The Project would not result in impacts related to the ability of soils to support septic tanks or alternative wastewater disposal systems, and no mitigation measures would be required.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with the use of a septic tank or alternative waste water disposal systems have been identified.

4.1.6 Hazards and Hazardous Materials

4.1.6.1 Hazardous Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School

A. *Finding – No Impact.* The Project would lead to no impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

B. *Facts in Support of Finding.* The nearest school to the Project Site is Naples Elementary School, located approximately one mile to the west. Therefore, the Project Site would not emit hazardous emissions or handle hazardous materials within 0.25 miles of a school.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with the emission or handling of hazardous materials within one-quarter mile of a school have been identified.

4.1.6.2 Safety Hazard within Airport Land Use Plan

A. *Finding – No Impact.* The Project would lead to no impacts related to a potential safety hazard for people residing or working in the project area, for projects 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).

B. *Facts in Support of Finding.* The Project Site is not located within an airport land use plan or within two miles of a public or public use airport. The nearest airport is the Long Beach Airport, which is located approximately 3.5 miles north-northwest of the Project Site.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with the use of a septic tank or alternative waste water disposal system have been identified.

4.1.6.3 Safety Hazard within Vicinity of Private Airstrip

A. *Finding – No Impact.* The Project would lead to no impacts related to a potential safety hazard of people residing or working in the project area, for projects within the vicinity of a private airstrip.

B. *Facts in Support of Finding.* There are no private airstrips in the vicinity of the Project Site. Therefore, the Project would not lead to impacts associated with projects in the vicinity of private airstrips.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with a project in the vicinity of a private airstrip have been identified.

4.1.6.4 Emergency Response Plan or Emergency Evacuation Plan

A. *Finding – Less Than Significant Impact.* The Project's impacts related to impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan would be less than significant.

B. *Facts in Support of Finding.* As provided in the City's General Plan Public Safety Element, emergency response and emergency evacuation in the City is based on the availability of through streets, multiple access routes, and bridges. During Project construction, the majority of construction activities would be confined to the Project Site itself. However, limited off-site infrastructure improvements may require some construction activities in adjacent street rights-of-way. As such, some partial lane closures adjacent to the Project Site, including on 2nd Street, PCH, and Marina Drive, may occur. However, these closures would be temporary in nature and both directions of travel on area roadways would be maintained so as not to physically impair access to and around the Project Site. Additionally, the Project would not place any permanent physical barriers on any of the surrounding streets, and access along and through streets and highways in the area would be maintained. Therefore, the Project would not cause an impediment along surrounding streets, which may be used as evacuation routes in the event of an emergency, or otherwise impair implementation of an emergency response plan or emergency evacuation plan. Impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts associated with the City's emergency response plan or emergency evacuation plan have been identified.

4.1.6.5 Wildland Fires

A. *Finding – No Impact.* The Project would lead to no impacts related to exposing people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

B. *Facts in Support of Finding*. The Project Site is surrounded by urban development and is not adjacent to any wildlands. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildlife fires.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to wildland fires have been identified.

4.1.7 Hydrology and Water Quality

4.1.7.1 Housing within 100-year Flood Hazard Area

A. *Finding – No Impact.* The Project would lead to no impacts related to placing 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.

B. *Facts in Support of Finding.* The Project Site is not located within a 100-year floodplain as mapped by the Federal Emergency Management Agency (FEMA). The Project Site is located in FEMA's Flood Zone X, which is defined as an area of moderate flood hazard or within the limits of one percent and 0.2 percent annual change floodplain. Similarly, according to the City of Long Beach Flood Zones Map, the Project Site is located within a 0.2 percent annual change flood hazard zone. Therefore, the Project would not place housing within a 100-year floodplain.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to placing housing within a 100-year flood hazard area have been identified.

4.1.7.2 Structures within 100-year Flood Hazard Area

A. *Finding – No Impact.* The Project would lead to no impacts relating to placing structures within a 100-year flood hazard area that would impede or redirect flood flows.

B. *Facts in Support of Finding.* The Project Site is not located within 100-year floodplain as mapped by FEMA. The Project Site is located in FEMA's Flood Zone X, which is defined as an area of moderate flood hazard or within the limits of one percent and 0.2 percent annual change floodplain. Similarly, according to the City of Long Beach Flood Zones Map, the Project Site is located within a 0.2 percent annual change flood hazard zone. Therefore, the Project would not place structures that would impeded or redirect flood flows within a 100-year floodplain.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to placing structures within a 100-year floodplain have been identified.

4.1.7.3 Exposure to Flooding

A. *Finding – Less Than Significant Impact.* The Project's impacts related to exposing 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, would be less than significant.

B. *Facts in Support of Finding.* The Project Site is not located within a designated 100-year floodplain as mapped by FEMA. The Project Site is located in FEMA's Flood Zone X, which is defined as an area of moderate flood hazard or within the limits of one percent and 0.2 percent annual change floodplain. Similarly, according to the City of Long Beach Flood Zones Map, the Project Site is located within a 0.2 percent annual chance flood hazard zone.

Based on the City's General Plan Public Safety Element, three flood control dams lie upstream from the City, including the Sepulveda Basin, Hansen Basin, and Whittier Narrows Basin. As provided in the Public Safety Element, due to the intervening low and flat topography and the distance of the Sepulveda Basin and the Hansen Basin more than 30 miles upstream, any flooding resulting from a dam failure at either of these locations would be expected to dissipate prior to reaching the City. In addition, while flooding could occur along both sides of the San Gabriel River, located south of the Project Site, given the topography of the surrounding area and the location of the Whittier Narrows Basin relative to the Project Site, any flooding would be minimal. Further, dams in California are continually monitored by various governmental agencies (such as the State of California Division of Safety of Dams and the U.S. Army Corps of Engineers) to guard against the threat of dam failure.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to exposing people or structures to floods have been identified.

4.1.8 Land Use and Planning

4.1.8.1 Physically Dividing an Established Community

A. *Finding – Less Than Significant Impact.* The Project's impacts related to physically dividing an established community would be less than significant.

B. *Facts in Support of Finding.* The Project Site is located in an urbanized area and surrounded by a variety of land uses, including a grocery store, retail uses, restaurant uses, entertainment uses, residential uses, oil fields, and the Los Cerritos Wetlands. The Project includes the development of retail and restaurant uses in a series of buildings and would replace the existing SeaPort Marina Hotel and associated amenities and surface parking areas. The proposed uses would be consistent with other commercial developments in the surrounding area, as described above, and would be compatible in terms of building heights and massing with surrounding development. In addition, all proposed development would occur within the boundaries of the Project Site as it currently exists and would not physically alter surrounding parcels or properties. Furthermore, there are no residential uses located directly adjacent to the Project Site. Therefore, no significant impacts would occur, since the Project would not physically divide, disrupt, or isolate an established community. Rather, implementation of the Project would result in further infill of an already developed community with similar and compatible land uses.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to physically dividing an established community have been identified.

4.1.8.2 Habitat Conservation Plan or Natural Community Conservation Plan

A. *Finding – No Impact.* The Project will have no impacts related to a potential conflict with any applicable habitat conservation plan or natural community conservation plan.

B. *Facts in Support of Finding.* The Project Site is located in an urbanized area and does not provide habitat for sensitive biological resources. As such, the Project Site is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not result in impacts associated with or conflict with the provisions of any habitat conservation plans.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to potentially conflicting with an applicable habitat conservation plan or natural community conservation plan have been identified.

4.1.9 Mineral Resources

Under CEQA's Guidelines (Appendix G), a project could have significant impacts on mineral resources if the project would: (a) result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state; or (b) result in the loss of availability of a locally-important mineral resources recovery site delineated on a local general plan, specific plan, or other land use plan.

4.1.9.1 Availability of Mineral Resources

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the potential loss of availability of a known mineral resource that would be of value to the region and the residents of the state would be less than significant.

B. *Facts in Support of Finding.* The Project Site is located within an urbanized area and has been previously disturbed by development. Although oil extraction activities historically occurred on-site, no mineral extraction operations currently occur or have occurred on the Project Site since

development of the SeaPort Marina Hotel in the 1960s.Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the loss of availability of a known mineral resource have been identified.

4.1.9.2 Availability of Locally-Important Mineral Resource Recovery Site

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the potential loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan would be less than significant.

B. *Facts in Support of Finding*. The Project Site is not classified by the City as an area containing significant mineral deposits nor is the Project Site located in a mineral producing area as classified by the California Geological Survey. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the loss of availability of locally-important mineral resource recovery site have been identified.

4.1.10 Noise

4.1.10.1 Expose People to Noise Within An Airport Land Use Plan or Within Two Miles of Airport

A. *Finding – No Impact.* The Project would have no impacts related to exposing people residing or working in the project area to excessive noise levels due to being 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.

B. *Facts in Support of Finding.* The Project Site is not located within an airport land use plan or within two miles of a public or public use airport. The nearest airport is the Long Beach Airport, which is located approximately 3.5 miles north-northwest of the Project Site. Therefore, there would be no impacts related to excessive noise due to exposing residents or people working in the project area within an airport land use plan or within two miles of a public airport.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to exposing residents or workers in the project area to excessive noise due to being located in an airport land use plan or within two miles of a public airport have been identified.

4.1.10.2 Expose People to Noise Within Vicinity of Private Airstrip

A. *Finding – No Impact.* The Project would have no impacts related to exposing people residing or working in the project area to excessive noise levels due to being located within the vicinity of a private airstrip.

B. *Facts in Support of Finding.* There are no private airstrips located in the vicinity of the Project Site. Therefore, no impacts would occur related to exposing people living or working in the project area to excessive noise from a private airstrip.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to exposing people living or working in the project area to excessive noise from a private airstrip have been identified.

4.1.11 Population and Housing

Under CEQA's Guidelines (Appendix G), a project could have significant impacts related to population and housing if the project would: (a) induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); (b) displace substantial numbers of existing housing, necessitating the construction of replacement housing; or (c) displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

4.1.11.1 Inducing Population Growth

A. *Finding – Less Than Significant Impact.* The Project's impacts related to inducing substantial population growth in an area, either directly or indirectly, would be less than significant.

B. *Facts in Support of Finding.* The Project does not involve the development of residential uses and thus would not directly contribute to population growth. While Project construction would create temporary construction-related jobs, the work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, Project-related construction workers would not be anticipated to relocate their household's place of residence as a consequence of working on the Project and, therefore, new permanent residents generally would not be generated during Project construction.

With respect to Project operation, the proposed commercial uses would include a range of full-time and part-time commercial and retail positions that are typically filled by persons already residing in the vicinity of the workplace and who generally do not relocate their households for such employment opportunities. As such, the Project would not result in a notable increase in demand for new housing, and any new demand, should it occur, would be minor in the context of forecasted growth for the City. Furthermore, as the Project is located in a highly developed area with an established network of roads and other urban infrastructure, it would not require the extension of such infrastructure in a manner that would indirectly induce substantial population growth. Therefore, impacts related to the inducement of population growth would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the inducement of population growth have been identified.

4.1.11.2 Displace Existing Housing

A. *Finding – No Impact.* The Project would have no impacts related to displacing substantial numbers of existing housing that would necessitate the construction of replacement housing elsewhere.

B. *Facts in Support of Finding.* The Project Site is currently occupied by a hotel and does not include any existing dwelling units. Therefore, the Project would not displace any existing housing.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the displacement of existing housing have been identified.

4.1.11.3 Displace People

A. *Finding – No Impact.* The Project would have no impacts related to displacing substantial numbers of people that would necessitate the construction of replacement housing elsewhere.

B. *Facts in Support of Finding.* The Project Site is currently occupied by a hotel and does not include any existing dwelling units. Therefore, development of the Project would not cause the displacement of persons or require the construction of housing elsewhere.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts replaced to the displacement of people have been identified.

4.1.12 Public Services

Under CEQA's Guidelines (Appendix G), a project could have significant impacts related to public services if the Project would 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 related to fire protection, police protection, schools, parks, or other public facilities.

4.1.12.1 Schools

A. *Finding – Less Than Significant Impact.* The Project's impacts related to schools would be less than significant.

B. *Facts in Support of Finding.* The Project includes the development of commercial uses including retail stores, restaurants, and a fitness center. Development of new residential land uses, which directly generate school-aged children and a demand for school services, is not proposed. Thus, implementation of the Project would not result in a direct increase in the number of students within the service area of the Long Beach Unified School District (LBUSD). In addition, the number of new students that could be indirectly generated by the Project that could attend LBUSD schools serving the Project Site is not anticipated to be substantial because the Project is not expected to induce a substantial number of persons to change their residence as a result of gaining employment at the Project Site. Furthermore, pursuant to Senate Bill 50, the Applicant would be required to pay development fees to the LBUSD prior to the issuance of building permits. Pursuant to Government Code Section 65995, the payment of these fees is considered mitigation of Project-related school impacts.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to schools have been identified.

4.1.12.2 Parks

A. *Finding – Less Than Significant Impact.* The Project's impacts related to parks would be less than significant.

B. *Facts in Support of Finding.* The Project involves the development of commercial uses including retail stores, restaurants, and a fitness center. Development of new residential land uses, which typically create the greatest demand for parks and recreational facilities, is not proposed. Thus, implementation of the Project would not result in on-site residents who would utilize nearby parks and/or recreational facilities. While it is possible that some new employees associated with the Project may utilize local parks and recreational facilities, this increased demand likely would be negligible (the closest recreational uses are Marine Stadium and Jack Nichol Park located approximately 0.5 mile west and north of the Project Site, respectively). Further, the Project will develop landscaped pedestrian-oriented open space areas such as the plaza and paseos within the site interior, which would be open to use by employees working at the Project Site and to visitors at the Project Site. Additionally, the new employment opportunities generated by the Project are not anticipated to result a substantial number of persons relocating to the Project vicinity. Therefore, new demand for public parks and recreational facilities associated with Project development would be limited.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to parks have been identified.

4.1.12.3 Other Public Facilities

A. *Finding – Less Than Significant Impact.* The Project's impacts related to other public facilities would be less than significant.

B. *Facts in Support of Finding.* Other public facilities available to future Project employees include library services, roads, transit, utility systems including water and sewer infrastructure, as well as other general public facilities.

With respect to library services, implementation of the Project would not result in a direct increase in the number of residents within the service population of the Bay Shore Branch Library, located approximately 1.1 miles northwest of the Project Site. In addition, Project employees would be more likely to use library facilities near their homes during non-work hours. Therefore, impacts on library facilities would be less than significant.

During Project construction and operation, roads would continue to be utilized to access the Project Site. As discussed below under the findings for the Project's potential impacts to Transportation/Traffic, the Project could lead to significant impacts related to an increase in the number of vehicle trips on local roadways. Any necessary improvements to local roadways associated with development of the Project are discussed below under those Transportation/Traffic findings.

The Project's potential impacts to the City's public utility infrastructure are also discussed below under the findings for the Project's potential impacts related to Utilities and Service Systems. No other public services would be notably impacted by the Project.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to other public facilities have been identified.

4.1.13 Recreation

Under CEQA's Guidelines (Appendix G), a project could have significant impacts related to recreation if the project would: (a) 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; or (b) include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.1.13.1 Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the use of existing neighborhood and regional parks or other recreational facilities, such that substantial deterioration of the facility would occur or be accelerated, would be less than significant.

B. *Facts in Support of Finding.* The Project does not propose new residential land uses, which typically create the greatest demand for parks and recreational services. While it is possible that some of the Project's employees may utilize local parks and recreational facilities, this increased demand would be negligible as people are most likely to utilize facilities close to their place of residence. Also, the Project will develop landscaped pedestrian-oriented open space areas such as the plaza and paseos within the site interior, which would be open to use by employees working at the Project Site and to visitors at the Project Site. Therefore, new demand for public parks and recreational facilities associated with Project development would be limited. As such, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated. Thus, impacts on parks and recreational facilities would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to neighborhood or regional parks have been identified.

4.1.13.2 Construction of Recreational Facilities

A. *Finding – No Impact.* The Project would have no impact related to including recreational facilities or requiring the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

B. *Facts in Support of Finding.* Although the Project would include landscaped pedestrian-oriented open space areas, such as a plaza and paseos, within the Project Site interior, the Project would not include any on-site public recreational facilities or parks.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the construction of recreational facilities have been identified.

4.1.14 Transportation/Traffic

4.1.14.1 Change in Air Traffic Patterns

A. *Finding – No Impact.* The Project would have no impacts related to changing air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

B. *Facts in Support of Finding.* The Project Site is not located within the vicinity of a public or private airport or planning boundary of any airport land use plan. In addition, the Project's low-rise structures would not increase or change air traffic patterns or increase levels of risk with respect to air traffic. Therefore, no impacts related to a change in air traffic patterns would occur.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to a change in air traffic patterns have been identified.

4.1.14.2 Increase in Hazards Due to Design Feature

A. *Finding – No Impact.* The Project would have no impacts related to substantially increasing hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

B. *Facts in Support of Finding*. The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections. The Project does not include any major modifications to the street system or any dangerous design features. In addition, the Project would not result in incompatible uses, as the proposed uses are consistent with other commercial uses in the Project vicinity. Therefore, no impacts related to increased hazards due to a design feature or incompatible use would occur.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to increasing hazards due to a design feature or incompatible use have been identified.

4.1.14.3 Emergency Access

A. *Finding – Less Than Significant Impact.* The Project's impacts related to inadequate emergency access would be less than significant.

B. *Facts in Support of Finding.* While it is expected that the majority of Project construction activities would be confined on-site, the Project may require some construction activities to occur in adjacent street rights-of-way. As such, some partial lane closures adjacent to the Project Site, including 2nd Street, PCH, and Marina Drive, may occur. However, these closures would be temporary in nature and both directions of travel on area roadways would be maintained so as not to physically impair access to and around the Project Site. Additionally, the Project would not place any permanent physical barriers on any of the existing surrounding streets, and access along and through streets and highways in the area would be maintained. Therefore, the Project would not result in inadequate emergency access.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to inadequate emergency access have been identified.

4.1.15 Utilities and Service Systems

4.1.15.1 Wastewater Treatment Requirements

A. *Finding – Less Than Significant Impact.* The Project's impacts related to potentially exceeding wastewater treatment requirements of the applicable Regional Quality Control Board would be less than significant.

B. *Facts in Support of Finding*. The City of Long Beach Water Department provides wastewater collection and treatment services for the Project Site. Wastewater generated during Project operation would be collected and discharged into existing sewer mains and conveyed to the Joint Water Pollution Control Plant (JWPCP) in the City of Carson or the Long Beach Water Reclamation Plant (LBWRP). Incoming wastewater to the JWPCP and the LBWRP initially passes through screens and basins to remove coarse debris and grit. This is followed by primary treatment, which is a physical separation process where solids are allowed to either settle to the bottom of tanks or float on the surface. After secondary treatment is complete at the JWPCP, the water is disinfected and dispersed to the Pacific Ocean through networks of outfalls that extend two miles off the Palos Verdes Peninsula to a depth of 200 feet. After secondary treatment is complete at the LBWRP, the water is filtered to remove any remaining suspended materials (tertiary treatment), and the reclaimed water is reused. Any discharge of effluent from the JWPCP into the Pacific Ocean is regulated by the JWPCP NPDES Permit issued under the Clean Water Act and is required to meet the requirements set forth by Regional Water Quality Control Board (RWQCB). Accordingly, the JWPCP's effluent to the Pacific Ocean is continually monitored to ensure that it meets or exceeds prescribed standards.

The wastewater generated by the Project would be typical of commercial, retail, and restaurant uses. No industrial discharge into the wastewater system would occur. Additionally, restaurant kitchens would be equipped with grease traps as required. As the JWPCP is in compliance with the State's wastewater treatment requirements, the Project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board. Therefore, impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to wastewater treatment requirements have been identified.

4.1.15.2 Adequate Capacity of Wastewater Treatment Provider

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the Project's wastewater treatment provider's adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments would be less than significant.

B. *Facts in Support of Finding*. Wastewater generated during the Project's operation would be collected and discharged into existing sewer mains and conveyed to the JWPCP or LBWRP, which have a combined treatment capacity of 425 mgd. Wastewater from the Project currently flows through an existing 12-inch diameter sewer main located in 2nd Street. Existing wastewater infrastructure would have adequate capacity to accommodate the Project's net increase in wastewater flows. As such, wastewater treatment demands generated by the Project are not expected to result in the need to construct new wastewater lines to serve the Project. Wastewater from the Project Site is conveyed via municipal sewage infrastructure to the JWPCP or LBWRP. Given the amount of wastewater expected to be generated by the Project, adequate wastewater treatment capacity at the JWPCP and LBWRP would be available to serve the Project Site.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to wastewater treatment capacity have been identified.

4.1.15.3 Landfill Capacity

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the landfill capacity to accommodate the Project's solid waste disposal needs would be less than significant.

B. *Facts in Support of Finding.* Construction of the Project would involve demolition, site grading/ preparation, and building construction activities. These activities would generate construction and demolition wastes (e.g., wood, concrete, asphalt, cardboard, brick, glass, plastic, and metal) that would be recycled or collected by private waste haulers contracted by the Applicant and taken for disposal at the County's inert landfills. The amount of construction and debris waste generated by construction of the Project would represent approximately 0.08 percent of the existing remaining disposal capacity of 59.83 million tons for the unclassified landfill accepting waste from the City. Thus, the total amount of construction and demolition waste generated by the Project would represent a fraction of the remaining capacity at the unclassified landfill serving the Project Site.

   Based on solid waste generation factors provided by CalRecycle, the Project would generate approximately 8,205 lbs/day of solid waste upon completion. When accounting for the existing uses to be removed, which are estimated to generate approximately 730 lbs/day of solid waste, the Project would result in a net increase of approximately 7,474 lbs/day of solid waste. The waste generation factors utilized do not account for recycling or other waste diversion measures, and as such, the estimated solid waste generated by the Project is conservative. The estimated solid waste generated by the Project would represent approximately 0.3 percent of the daily solid waste disposed of by the City. Furthermore, the solid waste generated by the Project would represent approximately 0.01 percent of the remaining daily disposal capacity of the County's Class III landfills open to the City.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to landfill capacity have been identified.

4.1.15.4 Solid Waste Statutes and Regulations

A. *Finding – Less Than Significant Impact.* The Project's impacts related to compliance with federal, state, and local statutes and regulations related to solid waste would be less than significant.

B. *Facts in Support of Finding.* The Project would be consistent with the applicable regulations associated with solid waste. Specifically, the Project would comply with AB 939, AB 341, AB 1826 and City goals, as applicable, by providing clearly marked, source-sorted receptacles to facilitate recycling. Since the Project would comply with federal, state, and local statutes and regulations related to solid waste, no significant impacts would occur.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to compliance with applicable solid waste statutes and regulations have been identified.

4.2 Impact Areas with Less than Significant Impacts Before Implementation of Mitigation Measures

4.2.1 Aesthetics, Views, and Light/Glare

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact related to aesthetics if it were to: (a) have a substantial adverse effect on a scenic vista; (b) substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; (c) substantially degrade the existing visual character or quality of the site and its surroundings; or (d) create a new source of substantial light and glare which would adversely affect day or nighttime views in the area.

The City determined in the Initial Study for the Project that potential impacts related to shading would be less than significant, and no further analysis was required. Therefore, the City further evaluated the Project's potential impacts to aesthetics based on those thresholds of significance by evaluating the Project's impacts to aesthetics, views, light and glare, and the Project's consistency with the applicable regulatory framework.

The following Project Design Features A-1 through A-4 will be required to ensure the Project leads to no significant impacts related to aesthetics, views, or to light/glare:

- **Project Design Feature A-1:** Temporary construction fencing shall be placed around the perimeter of the Project Site to screen construction activity from view at street level.

- **Project Design Feature A-2:** The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

- **Project Design Feature A-3:** Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary.

- **Project Design Feature A-4:** All new street and pedestrian lighting required for the Project shall be shielded and directed away from any off-site light-sensitive uses.

4.2.1.1 Construction – Aesthetics/Visual Character

A. *Finding – Less Than Significant Impact.* The Project's impacts related to aesthetics and visual character during construction would be less than significant.

B. *Facts in Support of Finding.* During the Project's construction phase, the visual appearance of the Project Site would be altered due to the demolition of existing structures and surface parking areas, site preparation, grading and limited excavation, building construction, and the installation of paving/concrete and landscaping. The staging of construction equipment and materials, which is anticipated to occur primarily on-site, would also temporarily alter the visual appearance of the Project Site. Project construction is anticipated to occur over a period of approximately 16 months.

Construction activities would be visible from adjacent land uses and pedestrians and motorists on PCH, 2nd Street, and Marina Drive. Views of the construction site would be limited by Project Design Feature (PDF) A-1, described above. PDF A-1 would require the installation of temporary

construction fencing around the perimeter of the Project Site, thereby minimizing temporary visual impacts. In addition, PDF A-2 would ensure that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways and that such barriers or walkways are maintained in a visually attractive manner.

Construction activities would also include truck trips to and from the Project Site for concrete and construction material deliveries and haul truck trips for excavated earth materials. While the addition of truck trips associated with the Project's construction would affect the visual quality of the area on a transitory, short-term basis, such traffic would not be out of character nor permanently degrade the visual quality of the area.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to aesthetics during the Project's construction have been identified. However, the Project will comply with Project Design Features PDF A-1 and PDF A-2 to ensure the Project's construction impacts related to aesthetics and visual character remain less than significant.

4.2.1.2 Construction – Views

A. *Finding – Less Than Significant Impact.* The Project's impacts related to views during construction would be less than significant.

B. *Facts in Support of Finding*. Construction activities would cause a disruption in the general aesthetic character of the area. The presence of construction equipment and materials associated with these activities could alter existing views of and across the Project Site. However, construction activities would be temporary, and any potential alterations to viewsheds in the area likewise would be temporary. Therefore, construction of the Project would not affect views or have a substantial adverse effect on a scenic vista.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to views during the Project's construction have been identified.

4.2.1.3 Construction – Light/Glare

A. *Finding – Less Than Significant Impact.* The Project's impacts related to light and glare during the Project's construction would be less than significant.

B. *Facts in Support of Finding*. With respect to light, Project construction could generate light spillover to off-site uses in the surrounding area. However, construction activities would generally occur during daylight hours, with construction-related lighting limited to evening hours during the winter season. Any nighttime construction lighting would be used for safety and security. Additionally, pursuant to Project Design Feature A-3, light sources associated with Project construction would be shielded and/or aimed so that no direct beam illumination is directed outside the Project Site boundary. Light associated with construction vehicle headlights would be similar to existing lighting sources (i.e., vehicles accessing the site) and would not result in increased lighting as compared to existing conditions. Therefore, Project construction would not create a new, permanent source of substantial light that would adversely affect nighttime views in the area.

With respect to glare, daytime glare could potentially occur during construction activities if reflective construction materials are positioned in highly visible locations where the reflection of

sunlight could occur. However, any glare would be highly transitory and short-term, given the movement of construction equipment and materials within the construction area and the temporary nature of construction activities. Furthermore, flat, shiny surfaces that could reflect sunlight or otherwise cause glare are typically not an element of construction activities. Therefore, Project construction would not create new sources of substantial glare that would adversely affect day or nighttime views in the area.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to light and glare during the Project's construction have been identified. However, the Project will comply with Project Design Feature PDF A-3 to ensure the Project's construction related to light and glare remain less than significant.

4.2.1.4 Operational – Aesthetics/Visual Character

A. *Finding – Less Than Significant Impact.* The Project's impacts related to aesthetics during the Project's operations would be less than significant.

B. *Facts in Support of Finding.* The Project would result in a permanent change to the existing visual environment on the Project Site. The architecture, design elements, and color scheme of the existing hotel are outdated, and the aging structures (which are not considered historic resources) have fallen into disrepair. With large expanses of asphalt surface parking and limited landscaping, the Project Site currently lacks design cohesiveness and visual integration and is not an aesthetic asset to the area. The Project would improve the overall appearance of the Project Site by providing visually integrated structures and uses that are designed in an updated, contemporary architectural style with elements that would unify and enhance the overall aesthetic environment of the Project Site. The Project's design elements would reflect images of the nearby water and coast, thereby also visually integrating the site with the surrounding area. The Project's proposed landscaping features would further add to the visual quality of the Project Site. The height and bulk of the Project would remain in scale with the surrounding uses and would be designed to enhance the pedestrian experience. The removal of the existing surface parking areas and the placement of parking within structures likewise would enhance the Project Site's visual setting.

   Segments of 2nd Street, PCH, and Marina Drive that border the Project Site were proposed as scenic routes pursuant to the Scenic Routes Element of the General Plan, and 2nd Street between Livingston Drive and PCH have since been designated as such. Further, the Project Site is located within a scenic corridor designated in the City's Scenic Routes Element. Additionally, while there are no designated state scenic highways located on or in the vicinity of the Project Site, the segment of PCH adjacent to the Project Site is an eligible state scenic highway. The Project's buildings would be designed to take advantage of the scenic setting by incorporating elements that visually unify the Project Site while providing an inviting and interesting façade that is in scale with the surrounding area. Removal of the surface parking area along the perimeter of the Project Site and the unmaintained vacant lot at the corner of 2nd Street and PCH would further improve the visual quality of these roadways. Therefore, the Project would not damage scenic resources within a state scenic highway or within a scenic route as identified in the Scenic Routes Element of the City's General Plan.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the Project's operational impacts to aesthetics or visual character have been identified.

4.2.1.5 Operational – Views

A. *Finding – Less Than Significant Impact.* The Project's impacts related to views during the Project's operation would be less than significant.

B. *Facts in Support of Finding.* Views in the Project area predominantly consist of low-rise commercial development. Long-range, expansive views in the area are limited due to the predominantly flat terrain and intervening development. The adjacent roadways (PCH, 2nd Street, and Marina Drive) provide scenic vistas along portions of these thoroughfares. For example, intermittent, street-level, long-range views of Alamitos Bay and the Pacific Ocean are available from certain vantage points along some east-west thoroughfares. Long-range views of the Santa Ana Mountains are also available from limited vantage points in the area but are mainly limited to roadways. Segments of PCH, 2nd Street, and Marina Drive that border the Project Site were proposed as scenic routes pursuant to the Scenic Routes Element in the City's General Plan, and 2nd Street between Livingston Drive and PCH have since been designated as such. Additionally, the PCH segment is identified as an eligible state scenic highway.

Development of the Project would include four one- and two-story structures situated along PCH and Marina Drive. Similar to existing conditions, these structures would not exceed a height of 35 feet, in conformance with SEADIP standards. Therefore, in general, the Project would not result in major changes to views in the area. However, the specific location of buildings and landscaping could alter some of the short-range views currently available.

Overall, with respect to north-, south-, east, and west- facing views during the Project's operation, the Project would result in enhanced short- and mid-range views of and across the Project Site in all directions due to the improved aesthetic character of the Project Site and enhanced roadway setbacks and perimeter landscaping. The new ocean views provided by the Project's upper terraces along Marina Drive also would provide a benefit. Existing long-range views would not be affected by the Project as the height of on-site structures would not increase. Additionally, due to the flat topography of the Project vicinity and intervening commercial development throughout the area, expansive views are limited. Therefore, the Project would not have a substantial adverse effect on a scenic vista.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to views during the Project's operation have been identified.

4.2.1.6 Operational – Light/Glare

A. *Finding – Less Than Significant Impact.* The Project's impacts related to light and glare during the Project's operation would be less than significant.

B. *Facts in Support of Finding.* With respect to light, the Project lighting would consist of exterior lighting on buildings for security and wayfinding purposes and entryway lighting within the parking structures and along driveways and roadways. Low-level lighting to accent architectural, signage, and landscaping elements also would be incorporated throughout the Project Site. Other light sources would include lighting from storefront window displays and interior lighting emanating from windows and other glass surfaces. Per Project Design Feature A-4, all on-site street and pedestrian lighting would be shielded and directed away from off-site light-sensitive uses. Furthermore, in compliance with Title 24 energy efficiency standards and City of Long Beach

lighting requirements, exterior lighting would be low-level, energy efficient, shielded, and directed onto the Project Site.

Lighting on the Project Site would be consistent with the lighting in the general Project vicinity and would be appropriate in the context of the developed, urban environment. Furthermore, the proposed lighting would be concentrated on-site, with limited spill-over to surrounding uses. The proposed setbacks and landscaping along the site perimeter would further limit the amount of light that spills over to surrounding uses.

Headlights from vehicles accessing the Project Site would create additional sources of light during evening and nighttime hours. While the number of vehicles accessing the Project Site would increase, the light generated from these vehicles would be consistent with that currently associated with vehicles accessing the existing hotel and would be typical for the vehicle-oriented Project area. All of the on-site parking would be provided in parking structures located at the northern and southern ends of the Project Site, as well as in a second-level parking deck located above the proposed single-story uses along PCH. Loading areas would also be placed adjacent to highly active thoroughfares (i.e., PCH and 2nd Street) where headlights from service and/or other vehicles are typical and would not create a new source of substantial light or glare. Light-sensitive uses in the Project vicinity include boats docked at Alamitos Bay Marina, natural areas associated with the Los Cerritos Wetlands and the San Gabriel River, and the Marina Pacifica residential community. While on-site lighting would add to the ambient lighting in the area, it would not result in changes to the overall light environment at any nearby sensitive locations.

With respect to glare, the Project's on-site structures would consist of varying surfaces and materials, including wood, tile, metal panels, aluminum frames, plaster, and glass. All glass used in building facades would be designed to meet California Building Code Title 24 requirements. Project operation would not create new sources of substantial glare that would adversely affect day or nighttime views in the area. Therefore, impacts associated with daytime glare resulting from the Project would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to light or glare during the Project's operation have been identified. However, the Project will comply with Project Design Feature A-4 to ensure the Project's operational impacts related to light and glare remain less than significant.

4.2.1.7 Consistency with Regulatory Framework

A. *Finding – Less Than Significant Impact.* The Project's impacts related to consistency with the regulatory framework related to aesthetic impacts will be less than significant.

B. *Facts in Support of Finding.* The Project would be consistent with the applicable land use policies, plans, and regulations regarding aesthetics and visual resources, as outlined in the City of Long Beach General Plan, including the Land Use Element, the Scenic Routes Element, the Local Coastal Program, the SEADIP, and the Long Beach Municipal Code.

Land Use Element. The Project would support the City's goals and policies regarding neighborhood emphasis, building heights, and specific land use guidelines within the Land Use Element. The Project also would promote the City's goals and policies to improve the appearance of arterial corridors as the Project would provide 20-foot heavily landscaped setbacks along the adjacent

roadways, as well as landscaped walkways and pedestrian-oriented open space areas. Furthermore, the northern parking structure would be largely screened from view by retail-looking façades, with only the garage entrances indicating the presence of parking within.

Scenic Routes Element. This element identifies the segments of 2nd Street, PCH, and Marina Drive that border the Project Site as proposed scenic routes, and 2nd Street between Livingston Drive and PCH have since been designated as such. The Project would enhance the appearance of these street segments by providing extensively landscaped setbacks. In addition, the various Project design elements, including building fenestration, varied surface materials and colors, and varying rooftop designs, would further enhance the visual environment along the adjacent roadways. The Project would replace the existing unmaintained vacant lot on the corner of 2nd Street and PCH and remove the surface parking areas around the perimeter of the Project Site, which would also improve the visual quality along these roadways. Consistent with the goals and policies set forth in the Scenic Routes Element, the Project would enhance man-made aesthetic resources within and visible from the scenic corridor.

Local Coastal Program. The Local Coastal Program (LCP) LCP requires that development of the subject area must be comprehensive and integrated, with a balance between the issues of land use, density, traffic, environmental issues, and physical impacts. The Project would be developed in accordance with land use and zoning design guidelines set forth in the SEADIP and includes uses that would complement and be compatible with the surrounding uses. Furthermore, as analyzed herein, the Project would be designed in a contemporary architectural style with elements that would visually integrate the uses and buildings within the Project Site while complementing the uses in the surrounding area. This would include the incorporation of elements that would conjure images of water and the coast.

SEADIP. The Project would provide a mix of uses including retail, a grocery store, restaurants, and a health club, which would be consistent with the commercial uses envisioned for SEADIP Subarea 17. The proposed uses would complement and be consistent with the existing commercial uses in the surrounding area. The proposed building design, landscaping elements such as pedestrian walkways within and along the perimeter of the Project Site, and open space and other gathering areas throughout the Project Site would create visual harmony and foster community identity within the Project Site and the surrounding area, consistent with SEADIP provisions. The Project would not block public views to water areas or public open spaces. Furthermore, the upper level terraces included as part of the Project would provide new public views of the Marina, Alamitos Bay, and Naples Island beyond, further advancing SEADIP provisions. The Project would provide approximately 3.37 acres of usable open space, or 31.3 percent of the total Project area, which would exceed the 30 percent open space requirement of the SEADIP. In addition, the Project would provide minimum setbacks of 20 feet around the site perimeter and would include landscaped pedestrian walkways and open space, consistent with SEADIP requirements regarding setbacks and landscaping. The proposed structures would range in height from a maximum of 30 to 35 feet, which would be within the 35-foot maximum height for non-residential uses required by SEADIP.

City of Long Beach Municipal Code. Section 21.37 of the LBMC establishes Planned Development Districts, which allow for more flexible development plans than permitted under conventional zoning and district regulations. Therefore, consistency with the LBMC is based on the Project's consistency with the general development and use standards of the SEADIP. Accordingly, consistency with the LBMC is analyzed as part of the SEADIP analysis.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the Project's compliance with the regulatory framework concerning aesthetic impacts have been identified.

4.2.1.8 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not have significant cumulative impacts related to aesthetics. Impacts would be less than significant.

A. *Facts in Support of Finding.* Most of the Related Projects are located a mile or more from the Project Site, and none are sufficiently close to the site so as to substantially affect the same viewshed of the Project. The nearest two proposed developments are Related Project No. 3, located on Naples Island and consisting of retail uses, Related Project No. 4, located within the El Cerrito Wetlands to the southeast and involving office and storage/warehouse uses, new oil wells, and a wetlands mitigation bank with a public access trail. The other Related Projects include residential, mixed-use, and recreational uses, as well as an energy storage facility, and would occur primarily as urban in-fill within the existing urban land use pattern of the area.

The Project and Related Projects would cumulatively introduce new aesthetic elements to the Project area. However, it is expected that the Related Projects would be developed within the scale and character of the existing visual environment. Similar to the Project, the Related Projects would be subject to discretionary review by the City of Long Beach or the City of Seal Beach to ensure consistency with adopted policies and standards that address aesthetics (e.g., height limits, density limits, setback requirements). As it was determined herein that the Project would not have a significant aesthetic impact, and due to the distance separating the Related Projects, it is not anticipated that future development, inclusive of the Project and Related Projects, would substantially degrade the existing visual character or quality of the Project area.

With respect to view obstruction, the Related Projects are located at sufficient distances so as not to cumulatively impact views in any specific area. Development of the Project, as well as the Related Projects in the area, would introduce new or expanded sources of artificial light. However, due to the fact that the Related Projects are spread out over a relatively large geographic area, the combination of these projects would not result in a significant increase in ambient light levels in the Project area. Similarly with regard to glare, the uses proposed by the Project and the Related Projects are consistent and compatible with other development in the area and common for a vehicle-oriented urban environment. As with the Project, the Related Projects would be subject to discretionary review to ensure that significant sources of light and glare are not introduced. Additionally, as with the Project, it is anticipated that Related Projects would include standard design features related to the use of low-level lighting and shielding, as well as non-reflective surfaces to minimize the potential for glare.

B. *Mitigation Measures*. No mitigation measures are required, as no cumulative impacts related to aesthetics, views, or light and glare have been identified.

4.2.2 Air Quality

Under CEQA's Guidelines (Appendix G), a project could have potentially significant impacts related to air quality if the project were to: (a) conflict with or obstruct implementation of the applicable air quality plan;

(b) violate any air quality standard or contribute substantially to an existing or projected air quality violation; (c) violate any air quality standard or contribute substantially to an existing or projected air quality violation; (d) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) or expose sensitive receptors to substantial pollutant concentrations; or (d) create objectionable odors affecting a substantial number of people.

In the context of the guidance in Appendix G of the CEQA Guidelines, the thresholds of significance used to evaluate the Project's potential air quality impacts during construction and operation, and the Project's potential impacts related to toxic air quality contaminant emissions are based on the thresholds set forth by the SCAQMD in SCAQMD's *CEQA Air Quality Handbook*. The thresholds in SCAQMD's *CEQA Air Quality Handbook* are set forth in full in Chapter IV.B of the Draft EIR. Additionally, CEQA Guidelines Section 15125 requires an analysis of project consistency with applicable governmental plans and policies. In accordance with the SCAQMD's CEQA Air Quality Handbook, the Project's consistency with SCAQMD's and the Southern California Association of Governments' (SCAG) plans and policies and with the City of Long Beach's General Plan's Air Quality Element was evaluated.

The following Project Design Features B-1 through B-6 will be required to ensure the Project's impacts related to air quality, other than its impacts related to operational regional impacts, remain less than significant:

- **Project Design Feature B-1**: In accordance with South Coast Air Quality Management District Rule 403, the Project shall incorporate fugitive dust control measures at least as effectively as the following measures:

    - Use watering to control dust generation during the demolition of structures;
    - Clean-up mud and dirt carried onto paved streets from the site;
    - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
    - All haul trucks would be covered or would maintain at least 6 inches of freeboard;
    - All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of spillage or dust;
    - Suspend earthmoving operations or additional watering would be implemented to meet Rule 403 criteria if wind gusts exceed 25 mph;
    - The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions; and
    - An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. A construction relations officer shall be appointed to act as a community liaison concerning on-site activity, including investigation and resolution of issues related to fugitive dust generation.

- **Project Design Feature B-2:** In accordance with California Code of Regulations Title 13, Section 2485, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.

- **Project Design Feature B-3:** In accordance with California Code of Regulations Title 17, Section 93115, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

- **Project Design Feature B-4:** The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.

- **Project Design Feature B-5:** The Project shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.

- **Project Design Feature B-6:** New on-site facility nitrogen oxide emissions shall be minimized through the use of emission control measures (e.g., use of best available control technology for new combustion sources such as boilers and water heaters) as required by South Coast Air Quality Management District Regulation XIII, New Source Review.

4.2.2.1 Construction – Regional Impacts

A. *Finding – Less Than Significant Impact.* The Project's regional air quality impacts during the Project's construction would be less than significant.

Facts in Support of Finding. Daily regional emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emission factors derived from the SCAQMD recommended California Emissions Estimator Model (CalEEMod). The calculations of the emissions generated during Project construction activities reflect the types and quantities of construction equipment that would be used to remove the existing buildings and pavement, grade the Project Site, construct the proposed buildings and related improvements, and plant new landscaping within the Project Site. The Project's construction has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project Site. In addition, fugitive dust emissions would result from demolition and construction activities. Mobile source emissions, primarily NOx, would result from the use of construction equipment, such as dozers, loaders, and cranes. During the finishing phase of a building, paving operations and the application of architectural coatings (e.g., paints) and other building materials would potentially release VOCs. The assessment of construction air quality impacts considers each of these potential sources. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions.

As summarized in Table IV.B-4 of the Draft EIR, construction-related daily maximum regional construction emissions (i.e., combined on-site and off-site emissions) would not exceed any of the SCAQMD daily significance thresholds (for VOC, NOx, CO, Sox, PM10, and PM 2.5). Therefore, the Project's regional construction emissions would be less than significant.

B. *Mitigation Measures.* No mitigation measures are required, as no significant impacts related to regional air quality impacts during the Project's construction have been identified.

4.2.2.2 Construction – Localized Impacts

A. *Finding – Less Than Significant Impact.* The Project's localized air quality impacts during the Project's construction would be less than significant.

B. *Facts in Support of Finding.* On-site mass emissions rate look-up tables provided by the SCAQMD were used to determine localized construction air emissions thresholds for the Project, known as localized significance thresholds (LST). For projects that exceed 5 acres, the 5-acre LST look-up values can be used as a screening tool to determine which pollutants require detailed analysis. This approach is conservative, as it assumes that all on-site emission would occur within a 5-acre area and would over predict potential localized impacts (i.e., more pollutant emissions occurring within a smaller area and within closer proximity to potential sensitive receptors). Although that data showed a trend that ambient air quality is improving in the area, the localized construction emissions analysis conservatively did not apply a reduction in background pollutant concentrations for subsequent years, during which construction would occur (i.e., 2017-2019). By doing so, the allowable pollutant increment to not exceed an ambient air quality standard is more stringent. The analysis is based on existing background ambient air quality monitoring data (2013-2015).

   The SCAQMD maintains a network of air quality monitoring stations located throughout the Air Basin and has divided the Air Basin into 27 source receptor areas (SRAs) in which 31 monitoring stations operate. The Project Site is located in SRA 4. Maximum on-site daily construction emissions for NOx, CO, PM10 and PM2.5 were calculated using CalEEMod and compared to the applicable SCAQMD LSTs for SRA 4 based on a construction site acreage of 5 acres. Potential impacts were evaluated at the closest sensitive receptors which are the multi-family residential buildings located within Marina Pacifica approximately 105 meters northwest of the Project Site.

   The maximum daily localized emissions from Project construction and LSTs are summarized in Table IV.B-5 in the Draft EIR (for NOx, CO, PM10, and PM2.5). As shown in that table, the maximum localized construction emissions for off-site sensitive receptors would not exceed SCAQMD-recommended localized screening thresholds. Therefore, the Project's localized construction emissions during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to localized air quality impacts during the Project's construction have been identified.

4.2.2.3 Construction – Toxic Air Contaminants

A. *Finding – Less Than Significant Impact.* The Project's impacts related to toxic air contaminants (TACs) during the Project's construction would be less than significant.

B. *Facts in Support of Finding.* The greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on the use of standard risk-assessment methodology. Since the construction schedule estimates that the phases which require the most heavy-duty diesel vehicles usage, such as site grading/excavation, would last for a much shorter duration (e.g., approximately five months), construction of the Project would not result in a substantial, long-term (i.e., 70-year) source of TAC

emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment (HRA) for short-term construction emissions. Therefore, Project-related TAC impacts during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, since no significant impacts related to toxic air contaminants during the Project's construction have been identified.

4.2.2.4 Operational – Localized Impacts from On-Site Emissions

A. *Finding – Less Than Significant Impact.* The Project's localized air quality impacts during the Project's operation would be less than significant.

B. *Facts in Support of Finding.* Localized impacts from Project operations include calculation of on-site emissions (e.g., combustion from natural gas usage) using SCAQMD's recommended CalEEMod and evaluation of these emissions consistent with SCAQMD's LST methodology. Operation of the Project would not introduce any major new sources of air pollution within the Project Site Emissions estimates for criteria air pollutants from on-site sources are summarized in Table IV.B-7 in the Draft EIR (for NOx, CO, PM10, and PM2.5). The SCAQMD LST mass rate look-up tables were used to evaluate potential localized impacts. As shown in that table, on-site operational emissions would not exceed any of the SCAQMD LSTs. Therefore, localized operational impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to localized air quality during the Project's operation have been identified.

4.2.2.5 Operational – CO "Hotpots"

A. *Finding – Less Than Significant Impact.* The Project's impacts related to CO "Hot Spots" during the Project's operations would be less than significant.

B. *Facts in Support of Finding.* It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. The analysis prepared for CO attainment in the Air Basin by SCAQMD can be used to assist in evaluating the potential for CO exceedances in the Air Basin. CO attainment was thoroughly analyzed as part of the 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide. The 2003 AQMP estimated that the most stringent 1-hour CO standard would likely not be exceeded until the daily traffic at an intersection exceeded more than 400,000 vehicles per day. If a project intersection does not exceed 400,000 vehicles per day, that project does not need to prepare a detailed CO hot spot analysis. At buildout of the Project, the highest average daily trips at an intersection would be approximately 89,290 at the PCH and 2nd Street intersection, which is significantly below the daily traffic volumes that would be expected to generate CO exceedances as evaluated in the 2003 AQMP. Therefore, the Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

C. *Mitigation Measures*. No mitigation measures are required, since no significant impacts related to CO Hotspots during the Project's operation have been identified.

4.2.2.6 Operational – Toxic Air Contaminants

A. *Finding – Less Than Significant Impact.* The Project's impacts related to toxic air contaminant resulting from the Project's operation would be less than significant.

Facts in Support of Finding. The primary sources of potential air toxics associated with Project operations include diesel particulate matter (DPM) from delivery trucks associated with the Project's commercial component (e.g., truck traffic on local streets and idling on adjacent streets). However, these activities, and the land uses associated with the Project, are not considered land uses that generate substantial TAC emissions. SCAQMD recommends that HRAs be conducted for substantial sources of DMP (e.g., trucks tops and warehouse distribution facilities that generate more than 100 trucks per day or more than 40 trucks with operating transport refrigeration units) and has provided guidance for analyzing mobile source diesel emissions. Based on this guidance, the Project is not considered to be a substantial source of diesel particulate matter warranting a refined HRA since daily truck trips to the Project Site would not exceed 100 trucks per day or more than 40 trucks with operating transport refrigeration units. In addition, the CARB-mandated airborne toxic control measure (ACTM) limits diesel-fueled commercial vehicles (delivery trucks) to idle for no more than 5 minutes at any given time, which would further limit diesel particulate emissions.

The Project would require the installation of a back-up diesel-powered emergency generator. Any new generator would be required to comply with all applicable rules and regulations including Best Available Technology (BACT), which would require the generator to be equipped with a diesel particulate filter. Consistent with SCAQMD Rule 1470, Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines, the emergency generator would be limited to operate no more than 200 hours a year and only in the event of an emergency power failure or for routine testing and maintenance. Compliance with these rules and regulations would ensure that potential health risk impacts related to the emergency generator would be less than significant.

Since the Projects would not contain substantial TAC sources and is consistent with CARB and SCAQMD guidelines, the Project would not result in the exposure of off-site sensitive receptors to carcinogenic or toxic air contaminants that exceed the maximum incremental cancer risk of 10 in one million or an acute or chronic hazard index of 1.0, and potential TAC impacts would be less than significant.

B. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to toxic air contaminants during the Project's operation have been identified.

4.2.2.7 Consistency with Applicable Regional and Local Plans and Policies

A. *Finding – Less Than Significant Impact.* The Project's impacts related to its consistency with the applicable air quality polices in regional and local plans would be less than significant.

B. *Facts in Support of Finding.* In accordance with the procedures established in the SCAQMD's *CEQA Air Quality Handbook*, the following criteria are required to be addressed to evaluate a Project's consistency with applicable SCAQMD and SCAG policies: (i) would the project result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new air quality violations, or delay timely attainment of air quality standards or the interim emission

reductions specified in the AQMP; or (ii) would the project exceed assumptions in preparing the AQMP.

Particulate matter is the primary pollutant of concern during construction activities. However, increases in PM10 and PM2.5 emissions during construction would not exceed SCAQMD-recommended significance thresholds at sensitive receptors in proximity to the Project Site. The Project's emissions would not exceed the SCAQMD-recommended significance threshold and would not have a long-term impact on the region's ability to meet state and federal air quality standards. Therefore, Project construction would not result in a significant impact with regard to localized air quality. Since the Project would not introduce any substantial stationary sources of emissions, CO is the preferred benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. No intersections would require a CO hotspot analysis and impacts would be less than significant. Therefore, the Project would not increase the frequency or severity of an existing CO violation or cause or contribute to new CO violations.

The localized NO2, NOx, Co, PM10, and PM2.5 operational impacts would be less than significant. Therefore, the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for these pollutants. Since the Project would not exceed any of the state and federal standards, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP.

With respect to the consistency with SCAQMD and SCAG air quality policies, the projections in the AQMP for achieving air quality goals are based on assumptions in SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) regarding population, housing, and growth trends. Determining whether or not a project exceeds the assumptions reflected in the AQMP involves the evaluation of three criteria: (i) consistency with applicable population, housing, and employment growth projections; (ii) project mitigation measures; and (iii) appropriate incorporation of AQMP land use planning strategies.

With respect to the first criterion, two sources of data form the basis for projections of air pollutant emissions: the City of Long Beach General Plan and SCAG's RTP. According to SCAG's 2016-2040 RTP/SCS, the forecasted employment for the City of Long Beach will increase by approximately 4,072 jobs between 2016 and 2019. The Project is projected to generate an estimated 903 employees or approximately 22 percent of the total job growth project for the subregion through 2019. Such levels of employment growth are consistent with the employment forecasts for the subregions as adopted by SCAG. Since the same projections form the basis of the SCAQMD 2016 AQMP, the Project would be consistent with the projections in the AQMP.

With respect to the second criterion, the Project would comply with all applicable regulatory standards as required by the SCAQMD. The Project would also incorporate project design features to promote environmental sustainability (PDFs E-1 through E-3). While these features are designed primarily to reduce greenhouse gas emissions, they would also serve to reduce criteria air pollutants.

With regards to the third criterion, air quality policies related to land use developments focus on the reduction of vehicle trips and vehicle miles traveled. The Project would implement a number of air quality-related policies established by the City of Long Beach and SCAG. The Project would be developed in a location well-served by public transit. The surrounding Project area also includes a mature network of pedestrian facilities, including sidewalks, crosswalks, and pedestrian safety

features along PCH, Marina Drive, and 2nd Street. Bike routes, lanes, and paths are also available in the Project Site area. The location of the Project Site and its accessibility to a variety of transportation options would encourage the use of alternative modes of transportation. The Project would also incorporate features to support and promote environmental sustainability, including energy conservation, water conservation, and waste reduction features. Such features would further reduce air emissions. The Project would also comply with SCAQMD Rule 403, which requires implementation of best available fugitive dust control measures during active construction periods capable of generating fugitive dust emissions from on-site earth-moving activities.

With respect to the City's Policies, the City's General Plan Air Quality Element (1996) includes goals and policies related to air quality that apply to the Project. The Project would be consistent with those policies. For example, Project Design Feature B-1 will require the Project to implement a variety of measures aimed at controlling dust during Project construction, consistent with General Plan Air Quality Element Policy 6.1. The Project would also be consistent with Air Quality Element Policy 7.1, which encourages projects to incorporate features that support and promote environmental sustainability and serve to reduce air pollutant emissions.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the Project's consistency with the applicable air quality policies in regional and local plans have been identified.

4.2.2.8 Cumulative Impacts - Construction

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not have significant cumulative impacts related to air quality associated with construction impacts. Impacts would be less than significant.

B. *Facts in Support of Finding.* With respect to the Project's construction-related air quality emissions and the cumulative Air Basin-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to mandates under the federal Clean Air Act (e.g., SCAQMD Rule 403). The Project would comply with those regulatory requirements including SCAQMD Rule 403. The Project would also comply with adopted AQMP emissions control measures. Per SCAQMD rules and mandates, and CEQA's requirement that significant impacts be mitigated to the extent feasible, all construction projects Air Basin-wide would comply with those same requirements and would implement all feasible mitigation measures when significant impacts are identified.

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. Construction-related daily emissions at the Project Site would not exceed any of the SCAQMD's regional or localized significance thresholds. Therefore, the Project's contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. The Project's construction would also have less than significant impacts with regard to localized emissions. Therefore, the Project's contribution to cumulative air quality impacts due to localized emissions also would not be cumulatively considerable and therefore would be less than significant.

The greatest potential for construction-related TAC emissions with respect to each Related Project would generally involve DPM emissions associated with heavy equipment operations during demolition and grading/excavation activities. Construction activities with respect to each Related Project would not result in a long-term (i.e., 70-year) substantial source of TAC emissions. In addition, the SCAMD's CEQA Air Quality Handbook and SCAQMD's supplemental online guidance/information do not require an HRA for short-term construction emissions. Therefore, it is not required or meaningful to evaluate long-term cancer impacts from construction activities which occur over relatively short durations. As such, cumulative toxic emission impacts during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no cumulative impacts related to air quality impacts associated with construction have been identified.

4.2.3 Cultural Resources

Under CEQA's Guidelines (Appendix G), a project could have potentially significant impacts related to cultural resources if the project would: (i) cause a substantial adverse change in significance of a historical resources as defined in Section 15064.5 of the CEQA Guidelines; (ii) cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 of the CEQA Guidelines; (iii) directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; (iv) disturb any human remains, including those interred outside of formal cemeteries; or (v) cause a substantial adverse change in the significance of a tribal cultural resources, as defined in Public Resources Code Section 21074.

To evaluate those thresholds, the City evaluated the Project's potential impacts related to historic resources, archeological resources, paleontological resources, and tribal cultural resources.

4.2.3.1 Historic Resources

A. *Finding – Less Than Significant Impact.* The Project's impacts related to historic resources would be less than significant.

B. *Facts in Support of Finding.* The Project would involve the removal of the existing SeaPort Marina Hotel to allow for construction of a mixed-use commercial shopping center. The SeaPort Marina Hotel, previously known as the Edgewater Inn Marina Hotel, was designed by Roy Anthony Sealey and constructed in 1961 by the Martin Burton Company. Based on an evaluation of historic significance, the existing SeaPort Marina Hotel is not considered eligible as a historic resources under any of the applicable criteria of the National Register of Historic Places, the California Register of Historical Resources, or as a City of Long Beach Landmark. The full historical evaluation appears in Appendix C to the Draft EIR. According to that analysis, the SeaPort Marina Hotel does not exhibit sufficient integrity to meet the threshold of significance as a potential historical resource. The SeaPort Marina Hotel is an altered example of a common Mid-Century Modern two-story garden motel in which the remaining elements of integrity (design, settling, materials, workmanship, feeling, and association) are compromised. Various updates and modifications have resulted in a property that is vaguely recognizable as a Mid-Century Modern design and which does not currently exhibit a strong association with the Mid-Century Modern style. The SeaPort Marina Hotel's architectural character is poorly expressed and is not an example of its early-1960s origins. With regard to association, there is no indication that the SeaPort Marina served as a direct link between an important historic event or person. The hotel is not identified as

a historical resource in the City's General Plan. The City also conducted further historical analysis of the hotel (attached as Appendix FEIR-B to the FEIR), which confirmed that the hotels is not a historical resource. Based on the historical analysis, the SeaPort Marina Hotel does not appear eligible for either individual listing or as a contributor to a historic district under any applicable criteria at the federal, state, or local level. Therefore, the Project would not cause a substantial adverse change in the significance of a historic resource by removing the existing SeaPort Marina Hotel, and impacts associated with that removal would be less than significant.

Additionally, due to the distance between the Project Site and the nearest historic resource (long Beach Marine Stadium), as well as intervening development, developing the Project would not materially impair the historic setting of the historic Long Beach Marine Stadium. Therefore, the Project would not cause a substantial adverse change in the significance of a historic resources, and impacts to off-site historic resources in the Project vicinity would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to historic resources have been identified.

4.2.3.2 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not contribute to a significant cumulatively considerable impact related to cultural resources, including impacts to historic resources, archeological resources, paleontological resources, or tribal cultural resources. Impacts would be less than significant.

B. *Facts in Support of Finding.* With respect to historic resources, impacts to historic resources tend to be site-specific. The Project-related impacts associated with historic resources adjacent to the Project Site and in the Project vicinity would be less than significant. Therefore, the Project would not contribute to cumulative impacts associated with historic resources, and the Project's impacts to historic resources would not be cumulatively considerable. As such, cumulative impacts to historic resources would be less than significant.

With respect to potential cumulative impacts related to archeological and paleontological resources, the Project vicinity is located within an urbanized area that has been substantially disturbed and developed over time. In the event that archeological and paleontological resources are uncovered, each Related Project would be required to comply with the applicable regulatory requirements, such as CEQA Guidelines Section 15064.5, Public Resources Code Sections 5097.9 and 21083.2, and Health and Safety Code Section 7050.5. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering paleontological resources and archeological resources. Therefore, Project impacts to archeological and paleontological resource would not be cumulatively considerable, and cumulative impacts related to archeological and paleontological resources would be less than significant.

With respect to tribal cultural resources, it is expected that the Related Projects would also comply with regulatory requirements, including required consultation with relevant California Native American tribes and that mitigation measures would be established as necessary to address the potential for uncovering any resources. As such, cumulative impacts to tribal cultural resources would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no cumulative impacts related to cultural resources (including historic, archeological, paleontological, or tribal cultural resources) have been identified.

4.2.4 Geology & Soils

Under CEQ's Guidelines (Appendix G), a project would have a potentially significant impact related to geology and soils if the project would: (i) expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving (a) rupture of a known earthquake fault; (b) strong seismic ground shaking; (c) seismic-related ground failure, including liquefaction; or (d) landslides; (ii) result in substantial soil erosion or the loss of topsoil; (iii) 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; (iv) be located on expansive soil, creating substantial risks to life or property; or (v) 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 waste water.

From the Initial Study for the Project, the City concluded the Project would not lead to significant impacts related to landslides or to the use of septic tanks. Accordingly, to evaluate the Project's impacts under those thresholds, the City focused its further analysis on the Project's potential impacts related to seismic ground shaking, seismic-related ground failure (including liquefaction), soil stability (including lateral spreading and subsidence), and expansive soils.

The following Project Design Feature D-1 would also be required to ensure the Project's impacts related to geology and soils remain less than significant:

- **Project Design Feature D-1:** A final design-level geotechnical report that complies with all applicable state and local code requirements will be prepared for the Project by a qualified geotechnical engineer and certified engineering geologist and submitted to the Long Beach Bureau of Building and Safety, consistent with City of Long Beach Building Standards Code requirements. The site-specific geotechnical report will be prepared to the written satisfaction of the City of Long Beach Bureau of Building and Safety and will include recommendations for specific building locations and designs, including those pertaining to site preparation, fills and compaction, foundations, etc.

4.2.4.1 Seismic Ground Shaking

A. *Finding – Less Than Significant Impact.* The Project's impacts related to seismic ground shaking would be less than significant.

B. *Facts in Support of Finding.* The Project Site is located within the seismically active region of Southern California. The Newport–Inglewood fault and the Palos Verdes fault are the nearest faults to the Project Site, located approximately 0.3 mile northeast and approximately 8.1 miles southwest of the Project Site, respectively. As with other development projects in the Southern California region, the Project would comply with the current seismic design provisions of the California Building Standards Code to minimize seismic impacts. The California Building Standards Code incorporates the latest seismic design standards for structural loads and materials as well as provisions from the National Earthquake Hazards Reduction Program to mitigate losses from an earthquake and provide for the latest in earthquake safety.

Additionally, the Project would be required to adhere to the seismic safety requirements contained in the Long Beach Building Code (Title 18), which incorporates by reference the California Building Standards Code, with City amendments for additional requirements. The Project also would be required to comply with the site plan review and permitting requirements of the Long Beach Development Services, including the recommendations provided in a final, site-specific geotechnical report subject to review and approval by the Long Beach Bureau of Building and Safety, as provided in Project Design Feature D-1. Through compliance with regulatory requirements and site-specific geotechnical recommendations, the Project would not cause or accelerate geologic hazards related to strong seismic ground shaking, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. Therefore, impacts related to strong seismic ground shaking would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to seismic ground shaking have been identified.

4.2.4.2 Lateral Spreading

A. *Finding – Less Than Significant Impact.* The Project's impacts related to lateral spreading would be less than significant.

B. *Facts in Support of Finding*. Seismically induced lateral spreading involves primarily lateral movement of earth materials due to ground shaking. For lateral spreading to occur, the liquefiable zone must be continuous, unconstrained laterally, and free to move along gently sloping ground toward an unconfined area. Lateral spreading results in near-vertical crack with predominantly horizontal movement of the soil mass involved. The Los Alamitos Bay Marina to the west of the Project Site presents a potential unconfined area for lateral spreading to occur. The Updated Geotechnical Exploration Report (Geotechnical Report) prepared for the Project Site (provided as Appendix H to the Draft EIR) evaluated the potential for lateral spreading considering continuous liquefiable layers and the presence of the Los Alamitos Bay Marina. The Geotechnical Report concluded that the soil layers beneath the Project Site have an adequate factor of safety against lateral spreading. Therefore, the Project's impacts related to lateral spreading would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to settlement have been identified.

4.2.4.3 Subsidence

A. *Finding – Less Than Significant Impact.* The Project's impacts related to subsidence would be less than significant.

B. *Facts in Support of Finding.* Subsidence occurs when a large portion of land is displaced vertically, usually due to the withdrawal of groundwater, oil, or natural gas. Soils that are particularly subject to subsistence include those with high silt or clay content. Based on the City of Long Beach Seismic Safety Element, the Project Site is not located within an area of known ground subsidence. Additionally, no large scale extraction of groundwater, gas, oil, or geothermal energy occurs or is planned at the Project Site. Therefore, there is little to no potential for ground subsidence at the Project Site, and impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to subsidence have been identified.

4.2.4.4 Expansive Soils

A. *Finding – Less Than Significant Impact.* No mitigation measures are required, as no significant impacts related to expansive soils have been identified.

B. *Facts in Support of Finding.* Expansive soils are soils that swell when subjected to moisture and shrink when dried. Expansive soils are typically associated with clayey soils. The Project Site's near-surface soils are mainly sand, and therefore, their expansion potential is considered low. Additionally, previous testing performed as part of a Geotechnical Investigation in 2005 (provided in Appendix I to the Draft EIR), concluded the near-surface soils generally exhibit a low expansion potential. Therefore, impacts related to expansive soils would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, since no significant impacts related to expansive soils have been identified.

4.2.4.5 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not have significant cumulative impacts associated with geology and soils. Impacts would be less than significant.

B. *Facts in Support of Finding.* Due to the site-specific nature of geological conditions (i.e., soils, geological features, subsurface features, seismic features), geology impacts are typically assessed on a project-by-project basis. Nonetheless, cumulative growth in the Project area, inclusive of the Related Projects, would expose a greater number of people to seismic hazards. However, as with the Project, Related Projects and other future development projects would be subject to established guidelines and regulations pertaining to building design and seismic safety, including those set forth in the California Building Standards Code and the Long Beach Building Code, and mitigation would be implemented, as required. With adherence to applicable regulations, Project impacts with regard to geology and soils would not be cumulatively considerable, and cumulative impacts with regard to geology and soils would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to geology and soils have been identified.

4.2.5 Greenhouse Gas Emissions

CEQA (Appendix G) provides the following two questions relating to the effects of greenhouse gas emissions (GHGs) to assist lead agencies in complying with CEQA's requirements: (i) would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?; (ii) would the project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?

CEQA Guidelines section 15064.4 also assists lead agencies in determining the significance of the impacts of GHGs. That section recommends that lead agencies quantify GHG emissions of projects where possible. CEQA Guidelines section 15064.4 also states that lead agencies shall have discretion to determine, in the

context of a particular project, whether: (1) to use a model or methodology to quantify a project's greenhouse gas emissions; and/or (2) to rely on a qualitative analysis or performance based standards. In addition to quantification, Section 15064.4 recommends consideration of several other factors that may be used in the determination of significance (i.e., extent to which a project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which a project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs).

CEQA Guidelines section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions in which a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), as long as any threshold chosen is supported by substantial evidence. (*See* CEQA Guidelines section 15064.7.) Under CEQA, the effects of GHG emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts. Although GHG emissions can be quantified, CARB, SCAQMD, and the City of Long Beach have not yet adopted project-level significance thresholds for GHG emissions that would be applicable to the Project.

Per CEQA Guidelines section 15064(h)(3), a project's incremental contribution to a cumulative impact can be considered not to be cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative impact within the geographic area of the project. Therefore, CEQA Guidelines section 15064(h)(3) allows a lead agency to make a finding of less than significant for GHG emissions if a project complies with program and/or other regulatory schemes designed to reduce GHG emissions.

In the absence of any adopted, numeric threshold, the City evaluated the significance of the Project's potential GHG emissions consistent with CEQA Guidelines section 15064.4(b)(2) by considering whether the Project complies with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction of mitigation of greenhouse gas emissions. For this Project, as a land use development project, the most directly applicable adopted regulatory plan to reduce GHG emissions is the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS), adopted by SCAG on April 7, 2016. The 2016-2040 RTP/SCS is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. SB 375 was passed by the State Assembly on August 25, 2008, linking regional planning for housing and transportation with the GHG reduction goals outlined in AB 32 (the California Global Warming Solutions Act of 2006. The City's analysis also considered consistency with regulations or requirements adopted by the Climate Change Scoping Plan and the City of Long Beach's Sustainability City Action Plan.

Project Design Features

The Project incorporates features to support and promote sustainability. "Green" principles have been incorporated in the Project to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program at the Certified level (or equivalent). These include energy conservation, transportation, waste reduction, and other related measures:

- **Project Design Feature E-1:** The design of new buildings shall incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED® Certified or equivalent green building standards. Specific

sustainability features integrated into the Project design to enable the Project to achieve the LEED® Certified level shall include, but are not limited to, the following:

- The Project's design shall make use of passive solar energy through appropriate building orientation and landscaping; minimizing heating during cool seasons and solar heat gain during hot seasons; and enhancing natural ventilation by taking advantage of prevailing winds.
- Utilize a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings.
- Provide education regarding energy efficiency to tenants, employees, and customers. Provide information on energy management services for large energy users.
- Provide energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.
- Increase insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structures and/or within the heating and cooling distribution system(s).
- Install energy-efficient space heating and cooling equipment.
- Install electrical hook-ups at loading dock areas.
- Install dual-paned or other energy efficient windows.
- Install automatic devices to turn off lights when they are not needed.

- **Project Design Feature E-2:** Upon buildout of the Project, at least 25 percent of the total code-required parking spaces provided for all types of parking facilities shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

- **Project Design Feature E-3:** Upon buildout of the Project, at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations and/or outlets for plugin. Plans shall indicate the proposed type and location(s) of charging stations. Plan design for charging stations shall be based on Level 2 or greater EVSE at its maximum operating capacity.

4.2.5.1 Greenhouse Gas Emissions

A. *Finding – Less Than Significant Impact.* The Project would have less than significant impacts related to greenhouse gas emissions.

B. *Facts in Support of Finding.* To evaluate the Project's potential to result in direct and indirect GHG emissions, the City first quantified the Project's potential GHG emissions that could be generated by different types of emissions sources, including: (i) construction emissions; (ii) area source emissions (associated with landscape equipment); (iii) energy source emissions (building operations); (iv) mobile source emissions (vehicles accessing the Project Site); (v) solid waste

(emissions associated with decomposition of the waste generated by the Project); and (vi) water/wastewater emissions (associated with energy used to pump, convey, deliver, treat water). The City also evaluated the emissions that would be generated from the Project in the absence of any GHG emissions reduction measures, known as the "no implementation of emission reduction measures or "NIERM" calculation. The NIERM calculation does not consider site-specific conditions, project design features, or prescribed mitigation measures. The NIERM calculation also conservatively does not include actions and mandates that are not already in place but are expected to be in force in 2020.

Quantified GHG Emissions

Construction Emissions. The emissions of GHGs associated with construction of the Project were calculated for each year of construction activity, as summarized in Table IV.E-5 of the Draft EIR. The Project construction is estimated to generate a total of 2,069 metric tons of carbon dioxide equivalent ($MTCO_2e$). The SCAQMD recommends that the total GHG construction emissions be amortized over the 30-year lifetime of the Project to determine the Project's annual GHG emissions inventory (i.e., total construction GHG emissions should be divided by 30 to determine an annual construction emissions estimate that can be added to the Project's operational emissions).

Operation Emissions. The City evaluated the potential area source emissions, electricity and natural gas generation emissions, mobile source emissions, solid waste generation emissions, and water usage/wastewater generation emissions.

Area Source Emissions. The Project's area source emissions (i.e., direct sources of GHG emissions located at the Project Site with the exception of building operations) and to a lesser extent existing site conditions would be limited to combustion emissions from landscape maintenance equipment. These GHG emissions were calculated using the CalEEMod emissions inventory model based on the type of land use and acreage. The estimated emissions are summarized in Table IV.E-6 of the Draft EIR. Landscape maintenance activities do not represent a substantial source of GHG emissions, and all analyzed conditions (e.g., Future No Project) are expected to result in less than 1 metric ton of CO_2e per year from area sources. Since the Project does not incorporate any specific project design features that would reduce the use of landscape maintenance equipment, the Project would not result in a reduction in GHG emissions (for area source emissions) in comparison to NIERM.

Electricity and Natural Gas Generation Emissions. GHGs are emitted as a result of activities in buildings when electricity and natural gas are used as energy sources. Electricity and natural gas emissions were calculated using CalEEMod. The Project's GHG emissions from electricity consumption would result in 1,735 $MTCO_2e$ per year as compared to 2,255 $MTCO_2e$ per year under the NIERM scenario (as summarized in Table IV.E-7 in the Draft EIR). This would represent a reduction of approximately 23 percent in comparison to the NIERM scenario. This reduction from NIERM is attributable to compliance with mandatory requirements for achieving LEED® Certification (or equivalent). Further, electricity from lighting would also be reduced consistent with the Energy Independence and Security Act, which requires approximately 25 percent greater efficiency for light bulbs by purchasing out incandescent light bulbs.

The Project's GHG emissions from natural gas consumption would result in 1,040 $MTCO_2e$ per year as compared to 1,099 $MTCO_2e$ per year under the NIERM scenario (as summarized in Table IV.E-8 of the Draft EIR). This would represent a reduction of approximately 5 percent in

comparison to the NIERM scenario. This reduction from NIERM is also attributable to compliance with mandatory requirements for achieving LEED® Certification (or equivalent).

Mobile Source Emissions. Mobile-source emissions were calculated using the SCAQMD-recommended CalEEMod emissions inventory model. Public transit in the Project area (provided by Metro, Orange County Transportation Authority, and Long Beach Transit) and trip reduction measures will help reduce the Project's mobile source emissions. Those trip reduction measures are discussed further below with the traffic and access findings. The Project also reflects characteristics that reduce trips and vehicle miles traveled as compared to the Institute of Transportation Engineers' (ITE) trip generation rates, which are used to calculate daily trips for various uses. Those characteristics are consistent with the CAPCOA guidance document (*Quantifying Greenhouse Gas Mitigation Measures*), which provides emission reduction values for recommended mitigation measures and serves to reduce vehicle trips and VMT. Those measures applicable to the Project include increasing diversity of urban and suburban developments (LUT-3) (introducing new, diverse, uses and co-locating complementary commercial/retail/restaurant uses on the Project Site), increasing destination accessibility (LUT-4) (locating project within 5 miles of Downtown Long Beach and the Port of Long Beach and close to public transportation), and providing pedestrian network improvements (SDT-1) (provide design to give pedestrian access than minimizes barriers and links the Project Site with the existing street network to encourage walking instead of driving).

The Project GHG emissions from mobile sources is estimated to result in 6,785 $MTCO_2e$ per year as compared to 14,222 $MTCO_2e$ per year for a standard project with similar land use characteristics within the air basin (summarized in Table IV.E-9 in Draft EIR). This would represent a reduction of approximately 52 percent in comparison to the NIERM scenario. This reduction from the NEIRM scenario is attributable to the Project characteristics described below (LUT-3, LUT-4, LUT-5, LUT-8, LUT-9, SDT-1, SDT-2, SDT-6, PDT-1).

Solid Waste Generation Emissions. Emissions related to solid waste were calculating using the CalEEMOd emissions inventory model. Based on that model, the Project and NIERM scenario are both expected to result in a total of 476 $MTCO_2e$ per year from solid waste (summarized in Table IV.E-10 in Draft EIR).

Water Usage and Wastewater Generation Emissions. Emissions related to water usage and wastewater generation were calculated using the CalEEMOd emissions inventory mode. The Project is expected to result in 174 $MTCO_2e$ as compared to 226 $MTCO_2e$ per year under the NEIRM scenario, which would represent a reduction of approximately 23 percent in comparison to the NIERM scenario (summarized in Table IV.E-11 in Draft EIR). This reduction from NIERM is attributable to compliance with mandatory requirements for achieving LEED® Certification (or equivalent).

Combined Construction and Operational Impacts. When taking into account the Project's project design features, the total GHG emissions for the Project in 2019 would equal 97 $MTCO_2e$ per year during construction and 14,130 $MTCO_2e$ per year during operation of the Project, with a combined total of 14,130 $MTCO_2e$ per year (summarized in Table IV.E-12 of the Draft EIR). The Project would be designed in accordance with applicable regulatory requirements and the project design features that would reduce emission through reduced energy consumption, and would be consistent with the goals provided in the City's General Plan Air Quality Element and the City's Sustainable City Action plan. The Project would comply with the 2016 Title 24 standard requirements for

energy efficiency, and new buildings and infrastructure would be designed to achieve the standards of the Certified Rating under LEED® Certification (or equivalent).

NIERM Calculation. In total, the Project would result in a decrease in GHG emissions that represents an approximate 46 percent reduction from the NIERM scenario (summarized in Table IV.E-12 of the Draft EIR). The Project includes project design features and is subject to all applicable regulatory requirements that would reduce the Project's GHG emissions profile and would represent improvements vis-à-vis the NIERM scenario. These reductions in GHG emissions reflect the measures set forth in the applicable GHG reduction plans and policies and demonstrate the efficacy of these measures.

Consistency with Applicable Plans and Policies

Generally, the legal standard to determine if a project is consistent with the general policies of applicable City regional land use plans is whether a project is in "harmony" with the applicable land use plan. (See *Sequoyah Hills Homeowners Assn. v. Coty of Oakland ("Sequoyah Hills Homeowners Assn.")* (1993) 23 Cal.App.4th 704, 717-18.) As the Court explained in *Sequoyah Hills Homeowners Assn.*, "state law does not require an exact match between a proposed subdivision and the applicable general plan." (*Id.* at p. 717.). To be "consistent" with a general plan, a project must be "compatible with the objectives, policies, general land uses, and programs specified in the applicable plan," meaning the project must be "in agreement or harmony with the applicable plan." (*Id.*at p. 717-18; see also *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 406; *San Franciscans Upholding the Downtown Plan,* 102 Cal.App.4th at p. 678.) Further, "[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal. App. 4th 807, 817.)

Climate Change Scoping Plan. The goal to reduce the state's GHG emission to 1990 levels by 2020 (Executive Order S-3-05) was codified by AB 32, and in 2008, the California Air Resources Board approved a *Climate Change Scoping Plan* as required under AB 32. The *Climate Change Scoping Plan* includes a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms (such as cap-and-trade), and an AB 32 implementation fee to fund the program.

The Project would result in 14,130 $MTCO_2e$ per year annually. The breakdown of emissions by source category shows approximately less than 1 percent from area sources; 28 percent from energy consumption; 67 percent from mobile sources; 5 percent from solid waste generation; less than 1 percent from water supply, treatment, and distribution; and 1 percent from construction activities (summarized in Table IV.E-12 in the Draft EIR). Based on those emissions, the Project's design, and the Project's reduction strategies, the City evaluated how the Project's design features comply with or exceed the applicable reduction actions and strategies outlined in the *Climate Change Scoping Plan* by emissions source categories.

The Project will be consistent with all 17 of the applicable reduction actions/strategies in the *Climate Change Scoping Plan* (summarized in Table IV.E-13 of the Draft EIR). For example, for the area source emissions, the Project will be consistent with SCAQMF Rule 445, which requires the use of natural gas to power all cooking stoves and fire places. The Project will also be consistent with the applicable strategies for energy emissions sources, including requiring its utility provider to comply with the state's renewable portfolio standard program for a certain percentage of energy

received and generated to be from eligible renewable energy sources. The Project's electricity provider, Southern California Edison, would comply with those regulatory requirements. The Project will also comply with the applicable provisions of the California Green Building Standards, which offer better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The Project will also comply with the regulatory requirements to provide energy efficient lighting. The Project's GHG emissions would also be covered by the state's Cap-and-Trade-Program, which establishes an overall limit on GHG emissions from capped sectors.

For the Project's mobile source emissions, vehicles accessing the Project Site will benefit from the "Pavely Standards," which reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and are expected to reduce GHG emissions by about 30 percent in 2016, while improving fuel efficiency. Vehicles accessing the Project will also benefit from the Low Carbon Fuel Standard, which requires a 10 percent or greater reduction by 2020 in average fuel carbon intensity for transportation fuels regulated by CARB. The Project will also be consistent with SB 375, which requires the integration of planning processes for transportation, land-use and housing. The Project represents an infill development within an existing urbanized area that would concentrate new retail and restaurant uses within a High Quality Transit Area (HQTA).

For the Project's Solid Waste emissions, the Project will be consistent with state law that requires local jurisdictions to reduce and recycle solid waste. GHG emissions related to solid waste generation from the Project would benefit from those requirements, as the requirements would decrease the overall amount of solid waste disposed of in landfills. Project construction materials would be recycled in accordance with the City's Construction and Demolition Program, which requires a minimum construction waste reduction of approximately 60 percent. During operation, the Project would provide a designated recycling area to facilitate recycling.

For the Project's wastewater emissions, the Project would meet the California Green Building Standards, which include water efficiency requirements for new residential and non-residential uses, in which buildings must demonstrate a 20 percent overall water use reduction. The Project would also meet the standard set forth in the Water Conservation Act of 2009, which sets an overall goal of reducing per-capita urban water use by 20 percent by December 2020.

For the Project's construction, the Project Applicant will also use construction contractors that comply with CARB's in-use off-road regulation and in0use on-road regulation, which requires owners of off-road and on-road fleets to meet certain emission standards.

2016-2040 RTP/SCS. The 2016-2040 RTP/SCS is the region's transportation and sustainability investment strategy for protecting and enhancing the region's quality of life and economic prosperity through 2040. The 2016-2040 RTP/SCS is expected to help California reach its GHG reduction goals, with reductions in per capita transportation emission of 9 percent by 2020 and 16 percent by 2035. Additionally, although there are no per capital GHG emission reduction targets for passenger vehicles set by CARB for 2040, the 2016-2040 RTP/SCS GHG emission reduction trajectory shows that more aggressive GHG emission reductions are projected for 2040. The 2016-2040 RTP/SCS would result in an estimated 8 percent decrease in per capita GHG emissions by 2020, 18 percent decrease in GHG emissions by 2035, and 21 percent decrease in per capital GHG emissions by 2040. By meeting and exceeding the SB 375 targets for 2020 and 2035 and achieving an approximately 21 percent decrease in per capita GHG emissions by 2040, the 2016-2040 RTP/SCS is expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting

the State's GHG emission reduction goals. The Project will result in a VMT reduction of approximately 57 percent in comparison to the NIERM scenario and a 52 percent reduction in GHG emission from mobile sources and would be consistent with the reduction in transportation emissions per capita provided in the 2016-2040 RTP/SCS.

The Project would also be consistent with key GHG reduction strategies in the 2016-2040 RTP/SCS, which are based on changing the region's land use and travel patterns to: (i) compact growth in areas accessible to transit; (ii) place jobs closer to transit; (iii) focus new job growth in HQTAs; and (iv) focusing on biking and walking infrastructure to improve active transportation options and transit access. The Project represents an infill development that would revitalize the existing site of the SeaPort Marina Hotel by replacing that use with a commercial use within an HQTA, which is defined by the 2016-2040 RTP/SCS as generally walkable transit villages or corridors that are within 0.5 mile of a well-served transit stop or transit corridor with 150minute or less service frequency during peak commute hours. Based on that definition and the public transit that serves the Project Site, the Project Site is in an HQTA. Pursuant to Project Design Feature K-1 (described further below), the Project would also incorporate characteristics that reduce trips and VMT as compared to standard ITE trip generation rates. The Project would also provide bicycle parking for Project employees and visitors, along with convenient access to public transit and opportunities for walking and biking, all of which would facilitate a reduction in VMT and related vehicular GHG emissions. These measures would further promote a reduction in VMT and subsequent reduction in GHG emissions, which would be consistent with the goals of the 2016-2040 RTP/SCS.

The Project is consistent with all 20 of the applicable actions and strategies in the RTP/SCS (summarized in Table IV.E-14 of the Draft EIR). Those applicable actions and strategies include land use actions to encourage the use of range-limited battery electricity and other alternative fuel vehicles, supporting projects that support active and healthy community environments, creating more balanced mix of land uses to contribute to the resiliency and vitality of neighborhoods. The applicable actions and strategies also include transportation strategies, such as prioritizing transportation investments to support compact infill development, increasing the walkability of communities and accessibility to transit, developing residential and employment developments around transit stations and neighborhood commercial centers, and implementing streets to meet the needs of all users (bicyclists, children, motorists, persons with disabilities, pedestrians, etc.). As an infill project that will place new commercial uses near transit and help create a pedestrian-friendly environment, the Project will be consistent with those policies.

In sum, the Project is the type of land use development that is encouraged by the RTP/SCS to reduce VMT and expand multi-modal transportation options in order for the region to achieve the GHG reductions from the land use and transportation sectors required by SB 375, which in turn advances the State's long-term climate policies. By furthering implementation of SB 375, the Project supports regional land use and transportation GHG reductions consistent with state regulatory requirements.

Sustainable City Action Plan. The Project would also be consistent with the City of Long Beach Sustainable City Action Plan. Specifically, the City would be consistent with the five actions and initiatives in the City's plan (summarized in Table IV.E-15 of the Draft EIR). Those initiatives include accelerating the use of green building techniques in new development, reducing electricity and natural gas consumption in the City, reducing waste, and ensuring a sustainable water supply.

Post-2020 Analysis. On September 8, 2016, the State Legislature based Sb 32, which requires the state to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. The 2016-2040 RTP/SCS establishes a regulatory framework for achieving GHG reductions from land use and transportation sectors pursuant to SB 375 and the State's long term climate policies. Specifically, the 2016-2040 RTP/SCS would result in an estimated 8 percent decrease in per capita GHG emission by 2020, 18 percent decrease in per capita GHG emissions by 2035, and 21 percent decrease in per capita GHG emissions by 2040. By meeting and exceeding meeting and exceeding the SB 375 targets for 2020 and 2035 and achieving an approximately 21 percent decrease in per capital GHG emissions by 2040, the 2016-2040 RTP/SCS is expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting the State's GHG emission reduction goals. The Project is consistent with the RTP/SCS actions and strategies.

To summarize the facts in support of the finding that the Project's GHG emissions are considered less than significant, the regulatory compliance analysis demonstrates that the Project's design, sustainability, site, and land use characteristics comply with or exceed the regulations and reduction actions/strategies applicable to the Project. By furthering implementation of SB 375, the Project supports regional land use and transportation GHG reductions consistent with stat regulatory requirements for 2020 and 2035. The Project is also consistent with regulations and requirements of the City's Sustainable City Action Plan. For those reasons, the Project's GHG emissions are considered less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to greenhouse gas emissions have been identified. With implementation of Project Design Features E-1 through E-3, the Project's design, sustainability, site, and land use characteristics, combined with compliance with regulatory requirements, impacts related to GHG emissions would be less than significant. In addition, although not required based on the Project's less than significant impacts to GHGs, the following Mitigation Measure E-1 will also be implemented to ensure the Project's impacts to GHGs remain less than significant.

- **Mitigation Measure E-1:** Upon buildout of the Project, the Project shall provide a minimum of 250 kilowatts of photovoltaic panels on the Project.

4.2.5.2 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Project, would not result in cumulative impacts related to greenhouse gas emissions. Impacts would be less than significant.

B. *Facts in Support of Finding.* The analysis of GHG emissions is inherently cumulative in nature because climate change is a global problem and the emission from any single project are typically negligible. The City's analysis of the Project's GHG impacts accounted for the Project's potential to contribute to the cumulative impact of global climate change. The Project's design, sustainability, site, and land use characteristics, combined with compliance with regulatory requirements would contribute to GHG reductions. The Project will also be consistent with the 2016-2040 RTP/SCS regulatory requirements to reduce GHG emissions from the land use and transportation sectors by 2020 and 2035. The Project is also consistent with CARB's *Climate Change Scoping Plan*, including its emphasis on identifying emission reduction opportunities that promote economic growth while achieving greater energy efficiency and accelerating the transition to a low-carbon economy. The Project would also comply with the City's Sustainable City Action

Plan, which emphasizes improving energy conservation and energy efficiency, increasing renewable energy generation, and changing transportation and land use patterns to reduce auto dependence. For those reasons, the Project's cumulative contribution to global climate change would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to the Project's greenhouse gas emissions have been identified.

4.2.6 Hazards and Hazardous Materials

Under CEQA (Appendix G), a Project could have significant impacts related to hazards and hazardous materials if the project would: (i) create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; (ii) 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; (iii) emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; (iv) 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 create a significant hazard to the public or the environment; (v) result in a safety hazard for people residing or working in the project area, for projects within the vicinity of a private airstrip; (vi) impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; (vii) expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Based on the Project's Initial Study, the City determined the Project would not lead to a significant impact related to hazardous emissions or hazardous materials handling within 0.25 miles of an existing or proposed school, the site's location within an airport land use plan or within the vicinity of a private airstrip, the Project's potential to impair or interfere with an adopted emergency response plan or emergency evacuation plan, or the Project's potential to expose people or structures to significant risk related to wildland fires. Therefore, City focused its further analysis on the Project's potential impacts during construction and operation related to the routine transport, use, or disposal of potentially hazardous materials; the potential for reasonably foreseeable upset and accident conditions involving the release of hazardous materials; and the Project's location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

4.2.6.1 Construction – Hazardous Materials Use and Storage

A. *Finding – Less Than Significant Impact.* The Project's impacts related to the use and storage of hazardous materials during construction would be less than significant.

B. *Facts in Support of Finding.* During Project construction activities, fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be used, handled, and stored on the Project Site. The use, handling, and storage of these materials could increase the opportunity for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions. Additionally, numerous laws and regulations establish specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. Compliance with those applicable federal, state, and local requirements concerning the use, storage,

and management of hazardous materials would effectively reduce the potential for Project construction activities to expose people to a substantial risk resulting from the release of a hazardous material or from exposure to hazards materials in excess of regulatory standards. As such, impacts associated with the use, storage, and management of hazardous materials during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the use and storage of hazardous materials during the Project's construction have been identified.

4.2.6.2 Construction – Hazardous Waste Generation, Handling, and Disposal

A. *Finding – Less Than Significant Impact.* The Project's impacts related to hazardous waste generation, handling, and disposal during construction would be less than significant.

B. *Facts in Support of Finding.* Demolition of the existing buildings, removal of structures and construction debris, and grading of the Project Site would involve the use, handling, and disposal of hazardous materials such as fuels, paints, solvents and concrete additives that would require proper management and, in some cases, disposal. However, Project construction would occur in compliance with all federal, state, and local requirements concerning the handling and disposal of hazardous waste. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release of a hazardous material or from exposure to a health hazard. Therefore, impacts associated with hazardous waste management during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures would be required, as no significant impacts related to hazardous waste generation, handling, or disposal during the Project's construction have been identified.

4.2.6.3 Construction – Underground and Aboveground Storage Tanks

A. *Finding – Less Than Significant Impact.* The Project's impacts related to underground or aboveground storage tanks during construction would be less than significant. Implementation of Mitigation Measure F-2 would ensure that impacts remain less than significant.

B. *Facts in Support of Finding.* The Project Site does not currently have any active underground storage tanks (USTs) or aboveground storage tanks (ASTs). However, multiple USTs have been located on the Project Site in the past, and the site is listed in multiple databases as a leaked UST (LUST) site. As a result of the LUST case, various chemical compounds associated with gas stations have been identified in on-site soils, groundwater, and soil vapor. Additionally, the contamination plume from a LUST site across Pacific Coast Highway has moved in the direction of the Project Site. Remediation of the on-site LUST case is currently underway.

The Project would include grading, and excavation to a maximum depth of approximately 11.5 feet would be required for the proposed building foundations. These shallow excavations are not anticipated to encounter any UST or AST, and as such, impacts would be less than significant. Nonetheless, a geophysical survey of the Project Site would be conducted per Mitigation Measure F-2 (described further below) to locate potential subsurface features or anomalies, including USTs. If discovered, any existing USTs or ASTs located within the grading footprint would be properly

abandoned and removed in accordance withal applicable laws and regulations to ensure that any potential impact would be less than significant.

C. *Mitigation Measures*. No mitigation measures would be required, as no significant impacts related to underground or aboveground storage tanks during construction have been identified. Implementation of Mitigation F-2 would ensure that impacts remain less than significant.

4.2.6.4 Construction – Polychlorinated Biphenyls

A. *Finding – Less Than Significant Impact.* The Project's findings related to polychlorinated biphenyls (PCBs) during construction would be less than significant.

B. *Facts in Support of Finding.* The three transformers located on the Project site are unlikely to contain PCBs. However, fluorescent light ballasts on-site may contain PCBs. Any florescent light ballasts that do not include the statement "No PCBs" would be disposed of as PCB-containing waste in accordance with all applicable regulations, including those contained in the federal Toxic Substances Control Act (TSCA) per the U.S. EPA. Additionally, in accordance with federal, state, and local regulations, the design, construction, and maintenance of new development associated with the Project would not include features that would use or expose persons to PCBs. Therefore, impacts associated with PCBS during construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to polychlorinated biphenyls during construction have been identified.

4.2.6.5 Operation – Hazardous Materials Use and Storage

A. *Finding – Less Than Significant Impact.* The Project's impacts related to hazardous materials use and storage during operation would be less than significant.

B. *Facts in Support of Finding.* Operation of the Project would involve the limited use of potentially hazardous materials typical of those used in commercial development, including cleaning agents, paints, pesticides, and other materials used for landscaping. All potentially hazardous materials would be used, stored, and disposed of in accordance with manufacturers' specifications and handled in compliance with applicable standards and regulations. Any risks associated with these materials would be adequately reduced to a less than significant level through compliance with these standards and regulations. Therefore, as the Project would comply with applicable regulations and would not expose persons to substantial risk resulting from the release of hazardous materials or exposure to health hazards in excess of regulatory standards, impacts associated with the use of these hazardous substances during operation of the Project would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to hazardous materials use and storage during operation have been identified.

4.2.6.6 Operation – Hazardous Waste Generation, Handling, and Disposal

A. *Finding – Less Than Significant Impact.* The Project's impacts related to hazardous waste generation, handling, and disposal during operation would be less than significant.

B. *Facts in Support of Finding.* Operation of the Project would involve the limited use of potentially hazardous materials typical of those used in commercial developments. As is the case under existing conditions, activities involving the handling and disposal of hazardous wastes on-site would occur in compliance with all applicable federal, state, and local requirements. Hazardous wastes would be properly stored and conveyed to licensed waste treatment, disposal, or recycling facilities. Therefore, with compliance with relevant regulations and requirements, operational activities would not expose people to a substantial risk resulting from the release of a hazardous material or from exposure to a health hazard. Potential impacts associated with hazardous waste generation, handling, and disposal during Project operation would be less than significant.

C. *Mitigation Measures*. No mitigation measures would be required, as no significant impacts related to hazardous waste generation, handling, and disposal have been identified.

4.2.6.7 Operation – Underground and Aboveground Storage Tanks

A. *Finding – Less Than Significant Impact.* The Project's impacts related to underground and aboveground storage tanks during operation would be less than significant.

B. *Facts in Support of Finding.* Most hazardous substances used in conjunction with Project operations would be stored in small above ground containers and, where necessary, within appropriate enclosures, subject to relevant permitting requirements. Project plans are not anticipated to involve the construction or installation of underground storage facilities for hazardous materials. Therefore, operational impacts associated with USTs and ASTs would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to underground or aboveground storage tanks during operation have been identified.

4.2.6.8 Operation – Asbestos

A. *Finding – Less Than Significant Impact.* The Project's impacts related to asbestos during operation would be less than significant.

B. *Facts in Support of Finding.* Development of the Project would include the use of commercially sold construction materials that would not include asbestos or asbestos-containing materials (ACMs). Additionally, any existing ACMs on the Project Site would be removed in accordance with applicable federal, state, and local regulations prior to demolition. Therefore, Project operation would not increase the occurrence of friable asbestos or ACMs at the Project Site, nor would it expose people to substantial risk resulting from the release of a hazardous material or from exposure to a health hazard. Therefore, operational impacts associated with asbestos-containing materials would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to asbestos-containing materials during operation have been identified.

4.2.6.9 Operation – Lead-Based Paint

A. *Finding – Less Than Significant Impact.* The Project's impacts related to lead-based paint during operation would be less than significant.

B. *Facts in Support of Finding.* Development of the Project would include the use of commercially sold construction materials that would not include lead-based paint. Additionally, any existing lead-containing products currently on the Project Site would be removed and disposed of in accordance with procedural requirements during construction. Therefore, Project operation would not expose persons to lead-based paint, and as such, would not expose people to substantial risk resulting from the release of a hazardous material or from exposure to a health hazard. Therefore, impacts associated with lead-based paint during Project operation would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to lead-based paint during operation have been identified.

4.2.6.10 Operation – Polychlorinated Biphenyls

A. *Finding – Less Than Significant Impact.* The Project's impacts related to polychlorinated biphenyls (PCBs) during operation would be less than significant.

B. *Facts in Support of Finding.* In accordance with existing regulations, the new electrical systems to be installed as part of the Project would not contain PCBs, and the maintenance of such electrical systems would not expose people to PCBs. Additionally, the Project Applicant would comply with applicable laws regulating PCBs. As such, Project operation would not expose people to a substantial risk resulting from the release of a hazardous material or from exposure to a health hazard. Therefore, operational impacts related to PCBs would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to polychlorinated biphenyls during operation have been identified.

4.2.6.11 Operation – Abandoned Oil Wells and Methane Gas

A. *Finding – Less Than Significant Impact.* The Project's impacts related to abandoned oil wells and methane gas during operation would be less than significant.

B. *Facts in Support of Finding.* Reabandonment of the known on-site oil wells is currently underway under the supervision of the California State Division of Oil, Gas and Geothermal Resources (DOGGR). Any previously unknown on-site oil wells also would be abandoned pursuant to these requirements, and if necessary, methane abatement would be developed in conjunction with DOGGR's review. Therefore, any potential impacts associated with on-site oil wells would be reduced to a less than significant level during Project construction. As such, Project operation would not expose people to a substantial risk or health hazard related to oil wells. Impacts associated with abandoned on-site oil wells during Project operation would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to abandoned on-site oil wells or methane gas have been identified.

4.2.6.12 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not contribute to significant cumulative impacts related to hazards and hazardous materials. Impacts would be less than significant.

B. *Facts in Support of Finding.* Construction of the Project in combination with the Related Projects would have the potential to increase the risk of accidental release of hazardous materials. However, similar to the Project, each Related Project would be required to evaluate potential threats to public safety, including those associated with the generation, use, handling, storage, and/or disposal of hazardous materials, asbestos-containing materials, lead-based paint, polychlorinated biphenyls, and oil and gas. The Related Projects also would be required to comply with all applicable local, state, and federal laws, rules, and regulations pertaining to hazards and hazardous materials. As environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project. With full compliance with all applicable local, state, and federal laws, rules and regulations, and with appropriate mitigation as necessary, cumulative impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to hazards and hazardous materials have been identified.

4.2.7 Hydrology and Water Quality

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact related to hydrology and water quality if the Project would: (i) violate any water quality waste discharge requirements; (ii) 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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted; (iii) 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; (iv) 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; (v) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; (vi) otherwise substantially degrade water quality; (vii) 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; (viii) 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; (ix) place within a 100-year flood hazard area structures which would impeded or redirect flood flows; (x) 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; or (xi) lead to inundation by seiche, tsunami, or mudflow.

After the Project's Initial Study, the City determined the Project would not lead to significant impacts related to flood hazards. Therefore, the City's further analysis focused on the Project's impacts related to water quality, groundwater supplies and recharge, drainage patterns and potential erosion impacts, surface runoff increases, and seiche and tsunami risks.

Project Design Features

The Project involves drainage improvements to serve the proposed development. These improvements would include relocation of the segment of a 36-inch storm drain that traverses the Project Site, which generally would align with proposed drive aisles within the Project Site. The existing storm drains along PCH would remain and connect to the relocated 36-inch storm drain segment, and the existing storm

drain infrastructure along Marian Drive would also remain. Following Project implementation, the Project Site would be comprised of nine drainage subareas, and the overall drainage patterns and discharge points would be directly from Best Management Practices (BMPs) and connect to the 36-inch storm drain to reflect the existing flow pattern. This would allow runoff in Marina Drive to closely match existing conditions. Runoff collected from building roof drains and parking structures would be treated using raised filtration planter boxes, which would discharge into each respective adjacent street via parkway culverts before flowing into the existing catch basins in PCH and Marina Drive.

Current stormwater regulations require development projects to obtain permits for both construction and operation of proposed uses. The conditions associated with these permits include various requirements for controlling the amount or rate of stormwater discharged from a project site, as well as the generation and release of pollutants into stormwater flows. The requirements for stormwater management to be employed as part of the Project are set forth in the Project's design features.

Additionally, in accordance with Clean Water Act section 402(p), municipal National Pollutant Discharge Elimination (NPDES) permits prohibit the discharge of non-stormwater except under certain conditions and require controls to reduce pollutants in discharges to the maximum extent practicable. Under the Los Angeles County Municipal NPDES Permit, permittees are required to implement a development planning program to address stormwater pollution. These programs require project applicants for certain types of projects to implement a Standard Urban Stormwater Mitigation Plan (SUSMP) throughout the operational life of the Project. An SUSMP has been prepared for the Project (included as Appendix M of the Draft EIR), which details the BMPs to be implemented during Project operations.

The following Project Design Features G-1 through G-3 incorporate the BMPs that will ensure the Project's impacts related to hydrology and surface water quality will remain less than significant.

- **Project Design Feature G-1:** In accordance with National Pollutant Discharge Elimination System (NPDES) and City of Long Beach requirements, prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Long Beach Department of Public Works, as appropriate, that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board (SWRCB) for coverage under the Construction General Permit and a certification that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Los Angeles Regional Water Quality Control Board (LARWQCB), or a letter from either agency stating that the NOI has been filed. The SWPPP shall include a menu of Best Management Practices (BMPs) to be selected and implemented based on each construction phase and weather conditions in order to effectively control erosion. BMPs to be implemented as part of the Project may include, but shall not be limited to, the following:

    - Erosion Control BMPs to protect the soil surface and prevent soil particles from detaching. Selection of appropriate erosion control BMPs shall be based on minimizing areas of disturbance, stabilizing disturbed areas, and protecting slopes/channels;
    - Sediment Control BMPs, which are treatment controls that trap soil particles that have been detached by water or wind. Selection of appropriate sediment control BMPs shall be based on keeping sediments on-site and controlling the site boundaries;
    - Wind Erosion Control BMPs, which consist of applying water to prevent or minimize dust nuisance;

- Tracking Control BMPs, which consist of preventing or reducing the tracking of sediment off-site by vehicles leaving the construction area. These BMPs include street sweeping and vacuuming. The construction site shall have a stabilized construction entrance to prevent off-site tracking of sediment and debris;
- Non-Stormwater Management BMPs, which are also referred to as "good housekeeping practices" involve keeping a clean, orderly construction site; and
- Waste Management and Materials Pollution Control BMPs consist of implementing procedural and structural BMPs for handling, storing, and disposing of wastes generated by a construction project to prevent the release of waste materials into stormwater runoff or discharges through the proper management of construction waste.

- **Project Design Feature G-2:** In accordance with NPDES and City requirements, the Applicant has prepared and submitted for review and approval by the City of Long Beach Department of Public Works a Standard Urban Stormwater Mitigation Plan (SUSMP) that includes BMPs and demonstrates compliance with the City's Low Impact Development (LID) requirements. Specific BMPs to be implemented as part of the SUSMP to manage post-construction stormwater runoff shall consist of bio-filtration, retention, and treatment BMPs in the form of flow-through planters, as described below:

  - The flow-through planter BMP functions as a soil and plant-based filtration device that removes stormwater pollutants through a combination of overland flow through vegetation, surface detention, and filtration through soil. Pore spaces and organic material in the soils help to retain water in the form of soil moisture and to promote the adsorption of pollutants (i.e., dissolved metals and petroleum hydrocarbons) into the soil matrix. Adequate contact time between the surface and pollutant shall be provided for in the design of the system for this removal process to occur.
  - Rainfall from rooftops and parking structures shall be directed to large flow-through planters adjacent to each building via downspouts. These planters shall provide biofiltration to the discharge from the roof downspouts and convey the flow through parkway culverts, which shall then discharge to the adjacent street. For any runoff collected and discharged into the infiltration planter box by the roof conveying system, the sediment capture chamber shall serve as a pre-treatment to the filtration process. The sediment capture chamber shall consist of baffle walls and perforations to allow drainage of standing water into the growing medium. This growing medium shall be composed of a minimum of 18 inches of sandy loam, with a minimum infiltration rate of 5 inches per hour. The sandy loam shall be underlain by a level of gravel and subdrains connecting to the existing off-site storm drain system.
  - Plant materials shall be tolerant of summer drought, ponding fluctuations, and saturated soil conditions for 48 hours. Native plant species and/or hardy cultivars that are not invasive and do not require chemical inputs shall be used to the maximum extent practicable.
  - The proposed flow-through planters shall treat the peak mitigation flow rate or volume of runoff produced by a 0.75-inch 24-hour rainfall event. Based on the SUSMP calculations, the flow-through planters shall be designed and sized to treat, at a minimum, 1.65 cubic feet per second or 15,548 cubic feet of combined on-site runoff.
  - Installation of grate inlet atrium drains, catch basins, roof drains, and surface parking drains to screen trash and debris.
  - Common area landscape management that includes use of drought tolerant, native landscaping, minimizing fertilizer and pesticide application, use of slow-release fertilizers, maintenance

activities, and providing education and training for employees on management of landscape materials and stormwater management.

- Installing and maintaining efficient irrigation systems designed to minimize water by eliminating overspray to hardscape areas, and setting irrigation timing and cycle lengths in accordance with water demands, given time of year, weather, and day and night temperatures.
- Stenciling of "No Dumping—Only Rain In Drain" or equally effective phrase on catch basins and/or area drains to alert the public as to the destination of pollutants discharged into the stormwater.
- Parking lot, walkway and driveway sweeping, and common area litter control.
- Compliance with SUSMP design requirements for outdoor trash and storage areas, loading docks, and storm drain stenciling. The trash enclosures will have screens or walls to minimize the transport of trash and litter by the wind or water; the drainage will be directed to vegetated areas where feasible; and runoff water from adjoining roofs and pavement will be directed around trash areas.

- **Project Design Feature G-3:** The Project shall include the installation of new storm drain laterals, where appropriate, to capture and discharge stormwater generated on-site. Post-Project lateral flows to the mainline shall match the existing tributary drainage areas. Site surface flows to the perimeter streets shall be maintained, where appropriate, to match existing runoff conditions and shall not affect the capacity of the existing local storm drain system.

4.2.7.1 Construction – Surface Water Hydrology

A. *Finding – Less Than Significant Impact.* The Project's impacts related to surface water hydrology during construction would be less than significant.

B. *Facts in Support of Finding.* Project construction activities have the potential to temporarily alter existing surface drainage patterns and flows on-site by exposing the underlying soils, making the Project Site temporarily more permeable, and diverting existing surface flows. In accordance with the requirements of the Construction General Permit and based on implementation of Project Design Feature G-1, the Project would implement a Storm Water Pollution Prevention Plan (SWPPP) that would specify BMPs and erosion control measures to be used during construction to manage runoff flows. BMPs would be designed to reduce runoff during construction to the maximum extent feasible. In addition, the Applicant would be required to comply with all applicable City grading permit regulations, including implementation of appropriate measures, plans, and inspections to reduce sedimentation and erosion. Furthermore, BMPs such as sandbag barriers, earthen drainage dikes, swales, and/or sediment traps during construction would help ensure that existing drainage patterns are maintained. Thus, through compliance with all NPDES Construction General Permit requirements, including the preparation and implementation of a SWPPP, implementation of BMPs, and compliance with applicable City grading regulations, construction of the Project would not: (1) substantially alter the existing drainage patterns within the Project Site or surrounding area in a manner that would result in substantial erosion or siltation on- or off-site; (2) substantially increase the rate or amount of surface runoff in a manner that would result in flooding; or (3) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

C. *Mitigation Measures*. No mitigation measures would be required, as no significant impacts related to surface water hydrology during the Project's construction have been identified.

4.2.7.2 Construction – Surface Water Quality

A. *Finding – Less Than Significant Impact.* The Project's impacts related to surface water quality during construction would be less than significant.

B. *Facts in Support of Finding.* Construction activities such as earth moving, maintenance/operation of construction equipment, and the handling, storage, and disposal of construction materials could contribute to pollutant loading in stormwater runoff. On-site watering activities to reduce airborne dust also could contribute to pollutant loading in runoff. The main pollutant of concern during construction would be sediment or soil particles that could become detached by water and wind. However, as the construction site would be greater than 1 acre, Project construction activities would be regulated by the NPDES Construction General Permit. In accordance with the requirements of the Construction General Permit and per Project Design Feature G-1, the Project Applicant would prepare and implement a SWPPP that would specify BMPs to target pollutants of concern and reduce or eliminate pollutants in stormwater discharges.

   Through compliance with NPDES requirements and local regulations, including the implementation of BMPs, construction of the Project would not result in discharges that would: (1) violate any water quality standards or waste discharge requirements; (2) create or contribute runoff water that would provide substantial additional sources of polluted runoff; or (3) otherwise substantially degrade water quality. Therefore, construction-related impacts to surface water quality would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to subsurface water quality have been identified.

4.2.7.3 Construction – Groundwater Hydrology

A. *Finding – Less Than Significant Impact.* The Project's impacts related to groundwater hydrology during construction would be less than significant.

B. *Facts in Support of Finding.* The Project Site currently consists of 78 percent impervious surfaces. However, historic high groundwater is relatively close to the surface (within 10 feet) and subject to rainfall and tidal influence due to its proximity to Alamitos Bay and the Pacific Ocean. The Project Site is not located in an aquifer recharge area, and there are no groundwater wells or pumping activities within the Project Site. Therefore, construction activities are not anticipated to interfere with groundwater recharge or production.

   Groundwater was encountered at depths of 15 and 18.5 feet below ground surface in borings completed as part of the Project's geotechnical investigation. While this is deeper than historic levels, groundwater under the Project Site is subject to rainfall and tidal influences, so the level can be variable. Additionally, the Project would include excavations to a maximum depth of approximately 11.5 feet below ground surface for building footings and foundations. As such, temporary dewatering may be required within the Project Site in the event excavation for building footings encounters groundwater, as well as for on-site mainline storm drain relocation. Any temporary dewatering system(s) would extract, treat, and discharge groundwater to the public storm drain system, as authorized by a General NPDES Permit issued by the LARWQCB and a storm drain connection permit issued by the jurisdictional storm drain agency. Any discharge of

groundwater during construction of the Project would also occur pursuant to, and comply with, the applicable permit requirements of the General NPDES Permit.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to groundwater hydrology during construction have been identified.

4.2.7.4 Construction – Groundwater Quality

A. *Finding – Less Than Significant Impact.* The Project's impacts related to groundwater quality during construction would be less than significant.

B. *Facts in Support of Finding.* The Project would include excavations at a maximum depth of 11.5 feet below ground surface for building footings and foundations, and the Project would also result in a net export of soil materials. As discussed further in the findings related to the Project's potential impacts related to hazards and hazardous materials, a groundwater remediation program is currently being implemented on the Project Site under the oversight of the LARWQCB to address existing contamination associated with historic gas station operations both on- and off-site. Upon completion of remedial activities to the satisfaction of the LARWQCB, this contamination will no longer be considered a threat to groundwater quality, and no further impacts to local groundwater resources would occur.

Although unlikely, temporary dewatering may be required during construction. However, discharges from any temporary dewatering system would be subject to NPDES permit requirements and, therefore, would not result in increased groundwater contamination. Additionally, compliance with all applicable federal, state, and local requirements concerning the handling, storage, and disposal of hazardous waste would reduce the potential for Project construction to release contaminants into groundwater, expand the area or increase the level of groundwater contamination, or cause a violation of regulatory water quality standards at an existing production well. Further, as there are no groundwater production wells or public water supply wells within 1 mile of the Project Site, construction activities would not be anticipated to affect existing wells.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to groundwater quality during construction have been identified.

4.2.7.5 Operation – Surface Water Hydrology

A. *Finding – Less Than Significant Impact.* The Project's impacts related to surface water hydrology during construction would be less than significant.

B. *Facts in Support of Finding.* The Project Site is currently comprised of approximately 78 percent impervious surfaces, consisting of the SeaPort Marina Hotel, internal driveways, and parking areas. Pervious surfaces on-site consist of landscaped areas primarily located around the hotel structures and the perimeter of the Project Site. The Project would include the development of new buildings, paved areas, and landscaped areas. With implementation of the Project, the amount of impervious surfaces would increase to approximately 85 percent.

With respect to drainage improvements, the portion of the existing 36-inch storm drain located within the Project Site would be relocated to accommodate the proposed buildings. The existing storm drains along PCH would remain and connect to the relocated 36-inch storm drain segment,

and the existing storm drain infrastructure at Marina Drive also would remain, although on-site drainage patterns would be altered slightly to minimize exacerbating conditions in the 15-inch Marina Drive lateral. Overall on-site drainage patterns would be similar to existing conditions. Additionally, the on-site stormwater conveyance system would be adequately sized to prevent flooding and nuisance water within the Project Site. Pursuant to Project Design Feature G-2, as part of the SUSMP for the Project, operational phase stormwater runoff would be managed via implementation of bio-filtration, retention, and treatment BMPs in the form of flow-through planters. Proposed roof drains, also described in Project Design Feature G-2, would collect roof runoff from the new buildings and parking structures and connect to the storm drain system.

Based on the above, through compliance with all NPDES requirements, including implementation of the SUSMP and associated BMPs, as well as installation of necessary stormwater infrastructure improvements, the Project would not: (1) substantially alter existing drainage patterns within the Project Site and surrounding area in a manner that would result in substantial erosion or siltation on- or off-site; (2) substantially increase the rate or amount of surface runoff in a manner that would result in flooding; or (3) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. As such, impacts on surface water hydrology during operation of the Project would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to surface water hydrology during the Project's operation have been identified.

4.2.7.6 Operation– Surface Water Quality

A. *Finding – Less Than Significant Impact.* The Project's impacts related to surface water quality during operation would be less than significant.

B. *Facts in Support of Finding.* As is typical of most urban developments, stormwater runoff from the Project Site has the potential to introduce pollutants into the stormwater system. However, pursuant to Project Design Feature G-2, the Project would be required to implement SUSMP and low impact development (LID) requirements throughout the operational life of the Project. The SUSMP prepared for the Project outlines the post-construction BMPs proposed to control pollutants of concern associated with storm events up to the 0.75-inch precipitation level. Given the underlying soil conditions and the fact that proposed development will cover nearly the entire Project Site, infiltration and stormwater reuse were not considered a viable option for stormwater treatment. Accordingly, flow-through planters were selected to serve as bio-filtration, retention, and treatment BMPs. The flow-through planters would remove stormwater pollutants through a combination of overland flow through vegetation, surface detention, and filtration through soil.

Rainfall from the rooftop and parking structures on-site would be directed to large flow-through planters located adjacent to the buildings via downspouts. Implementation of the proposed flow-through planters in combination with the additional BMPs listed in Project Design Feature G-2 would minimize pollutants within surface water runoff from the Project Site.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to the surface water quality during the Project's operation have been identified.

4.2.7.7 Operation– Groundwater Hydrology

A. *Finding – Less Than Significant Impact.* The Project's impacts related to groundwater hydrology during operation would be less than significant.

B. *Facts in Support of Finding.* The Project Site is 78 percent impervious under existing conditions and would increase to 85 percent under the Project. However, as noted above, the Project Site is not located in an aquifer recharge area, and there are no groundwater wells or pumping activities within the Project Site. Therefore, the Project would not affect production levels of groundwater supply wells or groundwater recharge in the vicinity.

Due to the maximum depth of excavation associated with the Project (approximately 11.5 feet below ground surface) and variable groundwater levels, groundwater may be encountered. To account for this, the Project's foundations would be designed in a manner as to support the proposed structure in saturated soil conditions. This foundation design would result in only minor impacts to the top of the groundwater table (when such levels rise), and in any case would not affect any supply wells. Therefore, operation of the Project would result in less than significant impacts to groundwater hydrology.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to groundwater hydrology during the Project's operation have been identified.

4.2.7.8 Operation– Groundwater Quality

A. *Finding – Less Than Significant Impact.* The Project's impacts related to groundwater quality during operation would be less than significant.

B. *Facts in Support of Finding.* Surface contaminants have the potential to adversely impact the quality of groundwater. However, the Project's proposed flow-through planters would treat stormwater runoff to minimize, if not avoid, potential impacts to groundwater.

In addition, as discussed further in the findings on the Project's potential impacts to hazards and hazardous materials, operation of the Project would involve the limited use of potentially hazardous materials typical of those used in commercial developments, including cleaning agents, paints, pesticides, and other materials used for landscaping. The management of any resultant hazardous wastes could increase the opportunity for hazardous materials to be released into the groundwater. However, all potentially hazardous materials would be used, stored, and disposed of in accordance with manufacturers' specifications and handled in compliance with applicable standards and regulations. Compliance with all applicable federal, state, and local requirements concerning the handling, storage, and disposal of hazardous waste would reduce the potential for Project operation to release contaminants into the groundwater, expand the area or increase the level of groundwater contamination, cause a violation of regulatory water quality standards at an existing production well, or otherwise substantially degrade groundwater quality. Accordingly, Project impacts on groundwater quality would be less than significant, and no mitigation measures are required.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to groundwater quality during the Project's operation have been identified.

4.2.7.9 Seiche and Tsunami Risk

A. *Finding – Less Than Significant Impact.* The Project's impacts related to seiche and tsunami risk would be less than significant.

B. *Facts in Support of Finding*. The Project Site is located within an area potentially affected by a tsunami or seiche as mapped in the City's General Plan Seismic Study Element. The Project Site is located in proximity to and up gradient from Long Beach Harbor and associated water bodies near the mount of the Los Angeles River. In addition, the Project Site is located approximately 300 feet east of Alamitos Bay. However, tsunami warning systems are in place, such as the seismic Sea-Wave Warning System for the Pacific Ocean operated by a cooperative program of nations around the Pacific Rim, and the Alaska Tsunami Warning Center operated by the National Weather Service. Also, evacuation plans are in place to minimize hazards from tsunamis. Additionally, the presence of the harbor breakwater and intervening urban development would limit potential effects from a seiche or tsunami on the Project Site. Therefore, impacts related to a potential seiche or tsunami would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to seiche or tsunami have been identified.

4.2.7.10 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects or within the geographic context for the cumulative impacts as summarized below, would not contribute to a significantly considerable impact related to hydrology or surface water quality, including impacts related to surface water hydrology, surface water quality, groundwater hydrology, and groundwater quality. Impacts would be less than significant.

B. *Facts in Support of Finding. Surface Water Hydrology*. With respect to surface water hydrology, the geographic context for the cumulative impact analysis of surface water hydrology is the San Gabriel Watershed. The Project in conjunction with cumulative growth in the watershed (inclusive of the Related Projects) would cumulatively increase stormwater runoff flows, potentially resulting in cumulative impacts to surface water hydrology. However, in accordance with NPDES and City requirements, related projects and other future development projects would be required to implement BMPs to manage stormwater runoff. Furthermore, the City of Long Beach Department of Public Works would review each future development project on a case-by-case basis to ensure sufficient local and regional drainage capacity is available to accommodate stormwater runoff. Therefore, the Project's cumulative impacts related to surface water hydrology would not be cumulatively considerable, and cumulative impacts on surface water hydrology would be less than significant.

Surface Water Quality. With respect to surface water quality, the geographic context for the cumulative impact analysis of surface water quality is the San Gabriel Watershed and Alamitos Bay. As with the Project, cumulative growth in the San Gabriel Watershed and Alamitos Bay (inclusive of the Related Projects) would be subject to NPDES requirements regarding water quality during both construction and operation. In addition, it is anticipated that the related projects and other future development projects would be subject to SWPPP, SUSMP, and LID requirements. Overall, with compliance with all applicable laws, rules, and regulations, cumulative impacts to surface water quality would be less than significant.

Groundwater Hydrology. With respect to groundwater hydrology, the geographic context for the cumulative impact analysis of groundwater is the Coastal Plain of Los Angeles Groundwater Basin, West Coast Subbasin. Cumulative groundwater hydrology impacts could result from the overall utilization of land above the West Coast Subbasin. In addition, interruptions to existing groundwater flows by dewatering operations would have the potential to affect groundwater levels. As with the Project, any Related Project would be required to evaluate its individual impacts to groundwater hydrology due to temporary or permanent dewatering operations. However, any calculation of the extent to which the Related Projects would extract or otherwise directly use groundwater would be speculative.

The Project's discharges to groundwater, both during construction and post-development, would comply with adopted regulatory requirements designed by the LARWQCB to assure that regional development does not adversely affect water quality. Any future urban development occurring in the watershed also must comply with these requirements. Based on compliance with adopted regulatory requirements designed to protect the beneficial uses of water bodies, and with the incorporation of appropriate engineering solutions, cumulative groundwater impacts would be less than significant.

Groundwater Quality. Compliance with applicable regulations would prevent the Project from affecting or expanding any potential areas affected by existing contamination, increasing the level of contamination, or causing regulatory water quality standards to be violated. As with the Project, the Related Projects would be unlikely to cause or increase groundwater contamination because compliance with existing statutes and regulations would prevent the related projects from affecting or expanding any potential areas affected by contamination, or increasing the level of contamination, or causing regulatory water quality standards at an existing production well to be violated. Therefore, cumulative impacts to groundwater quality would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to hydrology or surface water quality have been identified.

4.2.8 Land Use

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact related to land use if the project would: (i) physically divide an established community; (ii) 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.

Based on the findings in the Initial Study, the City determined the Project would not lead to significant land use impacts related to compatibility and consistency with habitat conservation plans and natural community conservation plans. Therefore, the City's further analysis focused on the Project's impacts related to consistency with applicable land use plans, policies, and regulations.

Generally, the legal standard that governs consistency determinations with applicable land use plans states that a project must only be in "harmony" with the applicable land use plan to be consistent with that plan. (See *Sequoyah Hills Homeowners Assn. v. Coty of Oakland* (*Sequoyah Hills Homeowners Assn.*) (1993) 23 Cal.App.4th 704, 717-18.) As the Court explained in *Sequoyah Hills Homeowners Assn.*, "state law does not require an exact match between a proposed subdivision and the applicable general plan." (*Id.* at p. 717.). To be "consistent" with a general plan, a project must be "compatible with the objectives,

policies, general land uses, and programs specified in the applicable plan," meaning the project must be "in agreement or harmony with the applicable plan." (*Id.*at p. 717-18; see also *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 406; *San Franciscans Upholding the Downtown Plan,* 102 Cal.App.4th at p. 678.) Further, "[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal. App. 4th 807, 817.)

4.2.8.1 Land Use Consistency

A. *Finding – Less Than Significant Impact.* The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigation an environmental effect (including the City of Long Beach General Plan (including the Local Coastal Program), the Southeast Area Development and Improvement Plan (SEADIP), the City's Municipal Code, the Long Beach Strategic Plan 2010, 2016-2040 Regional Transportation Plan/ Sustainable Communications Strategy and Compass Growth Vision, the SGAG's Regional Comprehensive Plan. Impacts would be less than significant.

B. *Facts in Support of Finding.* The Project will be consistent with the following applicable policies and/or regulations.

1. *City of Long Beach General Plan*. The Project will be consistent or partially consistent with the 73 applicable goals, strategies, and policies in the City's General Plan, including the applicable policies in the City's Land Use Element, Mobility Element, Conservation Element, Noise Element, Open Space and Recreation Element, Public Safety Element, Local Coastal Program, Historic Preservation Element, Air Quality Element, Seismic Safety Element, and Scenic Resources Element. The Project's consistency with each of the applicable goals and policies is summarized in Table IV.H-1 of the Draft EIR.

   With respect to the Land Use Element, consistent with the land use designation of the Project Site, the Project would include a variety of commercial uses along the major traffic arteries of PCH, 2nd Street, and Marina Drive. The Project would redevelop an underutilized site with a high-quality shopping center that would serve the needs of the City's population and enhance the overall quality of life. The Project would introduce new uses, such as a grocery store and other retail and restaurant uses that would serve and strengthen the neighborhood. These uses would be provided in four structures and would feature a maximum building height of 35 feet. Therefore, the Project would support the City's goals and policies regarding neighborhood emphasis, building heights, and specific land use guidelines within the SEADIP. The Project would also promote the City's goals and policies to improve the appearance of arterial corridors, as the Project would include 20-foot landscaped setbacks as well as landscaped pedestrian walkways and landscaped pedestrian-oriented open space areas along the Project Site's perimeter and in the site's interior. The Project also would not physically impact any residential neighborhoods, since the Project Site is not directly adjacent to residential uses. The Project would also include the necessary infrastructure improvements to serve the proposed uses and would install water-efficient plumbing fixtures and landscaping. Additionally, the Project would be located in an area well-served by public transit and bicycling opportunities.

   With respect to the applicable goals and policies in the City's Mobility Element, the Project would implement any necessary access and intersection improvements in accordance with

City design guidelines and requirements. Additionally, the Project would maintain and improve the existing sidewalks and circulation system and would not disrupt existing or proposed transit and bicycle access to the Project Site. The Project would also enhance the streets surrounding the Project Site by providing landscaped setbacks along PCH, 2nd Street, and Marina Drive. Therefore, the Project would promote the policies in the Mobility Element regarding maintaining roadways, paths, sidewalks, and transit stops in good repair; providing adequate access; ensuring that any improvements to the existing transportation system complement pedestrian and bicycle circulation; and improving streets. The Project would also be consistent with applicable polices of the Mobility Element regarding transit and reducing vehicle miles and vehicle trips, as the Project Site would be located in an area well-served by public transit with a mature network of pedestrian and bicycle facilities. Accordingly, the Project Site's location would offer a variety of alternative modes of transportation for accessing the Project Site. The mixed-use characteristics of the Project would further reduce vehicle miles traveled. Additionally, while significant traffic impacts would remain with the Project, the mitigation program for the Project would include physical improvements to the intersections impacted by the Project to reduce significant impacts and improve the flow of traffic to the degree feasible. Overall, the Project would promote the City's policies regarding improving traffic flow and reducing the environmental impacts of the transportation system. The Project would further support policies in the Mobility Element by encouraging shared parking among various commercial uses proposed within the Project Site.

With respect to the Conservation Element, the Project would be consistent with its relevant goals and would not result in direct or indirect impacts to the adjacent Alamitos Bay or Los Cerritos Wetlands. The Project is located in an urban area that is entirely developed with the existing SeaPort Marina hotel and associated uses and surface parking areas, and the Project Site does not contain any identified natural resources. The Project would also comply with applicable water quality regulatory requirements to ensure impacts to surrounding waterways are minimized.

With respect to the Noise Element, the Project would be consistent with its relevant goals by reducing the level of noise exposure during construction activities to the extent feasible and introducing land uses that would be consistent with the existing noise environment in the surrounding area.

The Project would also be consistent with the relevant policies in the Open Space Element. The Project's open space areas would comprise approximately 146,797 square feet (approximately 3.37 acres or 31.3 percent of the total Project Site area), and would exceed the open space requirements of the SEADIP (approximately 140,698 square feet or 30 percent of the total project site area). The Project would also incorporate features to support and promote environmental sustainability, including measures aimed at transportation, energy, and water conservation, construction, and indoor air quality.

The Project would also be consistent with the relevant policies in the Public Safety Element. The Project would implement public safety features throughout the Project Site and provide adequate emergency access. Safety features would include appropriate security lighting throughout the Project Site, including with the parking structures, building entries, and pedestrian walkways, to reduce areas of concealment and clearly identify routes between the parking areas and buildings. Public spaces would be designed to avoid dark

corners and be easily accessible by public safety personnel. The Project would also improve the existing Project Site with new commercial retail and restaurant uses. Additionally, the Project would not introduce uses that would create safety hazards. The Project would also comply with applicable regulations aimed at reducing natural hazards and would include mitigation measures to reduce any potential impacts.

The Project site is also located within the SEADIP of the Long Beach Coastal Zone, and the Project would be consistent with the relevant policies in the Local Coastal Program Element of the City's General Plan. The Project would redevelop the existing underutilized Project Site with a mix of retail and restaurant uses, and would be consistent with the land use and zoning requirements set forth in the SEADIP. The Project would be developed in accordance with land use and zoning design guidelines set forth in the SEADIP and would provide uses that complement and are compatible with existing surrounding uses. While significant traffic impacts would remain with development of the Project, the mitigation program for the Project would include physical improvements to intersections impacted by the Project that would serve to reduce significant impacts and improve traffic flow to the degree feasible. Due to the Project Site's location, the Project would also support the City's goal to prevent the disruption of existing neighborhoods.

The Project would also be consistent with the relevant policies in the Historic Preservation Element, as the Project would not involve removal of a historic resource. Additionally, in the event any archaeological resources are discovered during construction, such resources would be treated in accordance with all applicable federal, state, and local requirements and will be monitored by qualified experts pursuant to Mitigation Measures C-1 through C-5.

The Project would also be consistent with the relevant policies in the Air Quality Element. The Project Site's location would offer a variety of transportation options for accessing the Project Site, which would serve to reduce vehicle trips and vehicle miles and associated air emissions. The mixed-use characteristics of the Project would further reduce vehicle miles travelled. The Project would also incorporate features to support and promote environmental sustainability, including energy conservation, water conservation, and waste reduction features, which would further reduce air emissions. While the Project would minimize particulate emissions to the degree feasible, the Project's impacts related to regional operational emissions of NOx would remain significant and avoidable. However, the Project would not be in conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions, including the goals of California Global Warming Solutions Act of 2006 (AB 32) and SCAQMD Rule 403 (which aims to minimize particular emissions and control dust during construction).

The Project would also be consistent with the relevant goals of the Seismic Safety Element. The Project would comply with applicable regulations aimed at reducing impacts with regard to strong seismic ground shaking. Implementation of Mitigation Measures D-1 and D-2 would reduce impacts associated with liquefaction and settlement to a less than significant level.

The Project would also be consistent with the goals and policies included in the Scenic Routes Element. The Project would not result in the removal or demolitions of visual resources within or visible from a scenic route. The Project would be designed to take

advantage of and complement the scenic setting and would be an overall aesthetic benefit to the Project Site and the surrounding area, including along the existing and proposed scenic routes in the Project vicinity. The Project would be designed in a contemporary architectural style with elements conjuring images of water and the coast, further strengthening the image associated with the area. The Project would also comply with all applicable regulations and standards related to aesthetics, views, and visual resources.

2. *Southeast Area Development and Improvement Plan and Long Beach Municipal Code*. The Project Site is located within the boundaries of the SEADIP, which is identified as Planned Development District 1 (PD-1). The PD-1 zoning overlay allows a compatible mix of land uses, planned commercial areas and business parks, and a variety of residential types. The Project Site is also located with SEADIP Subarea 17, which is designed for commercial uses only. With the exception of the general development provisions applicable to the entire SEADIP area, the SEADIP does not include specific development and use standards for Subarea 17.

   The Project would be consistent with the 16 relevant provisions in the SEADIP. The Project's consistency with each of those provisions is summarized in Table IV.H-2 in the Draft EIR. Specifically, the Project would provide a mix of commercial uses, including retail and restaurant. Such uses would be consistent with the commercial uses envisioned for Subarea 17. In addition, the proposed uses would complement and be consistent with the existing commercial uses in the surrounding area. Per SEADIP requirements, the Project would provide 20-foot landscaped setbacks along adjacent streets and would not exceed a height of 35 feet. Per the SEADIP requirements the Project would provide all required infrastructure improvements during construction, prior to issuance of a certificate of occupancy, and all such improvements would be financed by the Project Applicant. Approximately 31.3 percent of the Project Site would be usable open space, which exceeds the SEADIP open space requirement of 30 percent of the total project area. The Project would also be consistent with all other applicable design and parking requirements of the SEADIP.

   The Project would also be consistent with the relevant requirements in the Long Beach Municipal Code (LBMC). LBMC Section 21.37.020 establishes Planned Development Districts, which allow for more flexible development plans than permitted under conventional zoning district regulations. In the event that specific development standards are not addressed in the Planned Development District, the regulations of the LBMC are enforced. Therefore, consistency with the LBMC is based on the Project's consistency with the general development and use standards of the SEADIP.

3. *Long Beach Strategic Plan 2010*. The Long Beach Strategic Plan 2010 sets goals to address key issues that concern the City, including population growth, housing demand, education, youth services, economic well-being, and the environment. The Project would be consistent with 7 of the applicable goals in the plan, and partially consistent with one of the applicable goals in the plan. The Project's consistency with each of those goals is summarized in Table IV.H-3 of the Draft EIR. The Project would support the applicable goals regarding creating healthy and beautiful neighborhoods, encouraging business growth and development, creating open space, and promoting sustainability. The Project would redevelop an underutilized site with a high quality, vibrant shopping center. The Project's commercial uses would complement the existing uses in the area and serve the

needs of the surrounding neighborhoods. The Project would also incorporate energy conservation, water conservation, and waste reduction features to promote the City's Green Building Ordinance and meet the requirements of LEED® Certification (or equivalent). The Project would also provide landscaped and open space areas within and around the Project Site to beautify the neighborhoods and enhance open space.

4. *SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy and Compass Growth Vision.* The Project would be consistent with 12 of the applicable policies in the 2016-2040 RTP/SCS, and partially consistent with one of the applicable policies in the plan. The Project's consistency with the plan is summarized in Table IV.H-4 in the Draft EIR. Specifically, the Project would be consistent with the goals to maximize mobility and accessibility for goods in the region, maximize productivity of the transportation system, encourage land use and growth patterns that facilitate transit and non-motorized transportation, encourage transit-oriented development, promote infill development and redevelopment to revitalize existing communities, and focusing development in urban centers and existing cities. The Project is an infill development that would revitalize the existing underutilized site of the SeaPort Marina Hotel by replacing it with a high-quality mix of commercial uses designed in a contemporary architectural style that would complement the existing uses and serve the surrounding neighborhood. The Project Site is located in proximity to public transit opportunities, including Long Beach Transit and Orange County Transportation Authority bus lines. The Project Site is also located within a designated High-Quality Transit Area as identified in the 2016-2040 RTP/SCS. The Project would also incorporate features to support and promote environmental sustainability.

5. *Regional Comprehensive Plan.* The Project would be consistent 18 of the applicable goals within SCAG'S Regional Comprehensive Plan, and partially consistent with one of the applicable goals in the plan. The Project's consistency with those goals is summarized in Table IV.H-5 of the Draft EIR. Specifically, the Project would be consistent with the goals related to integrating land and transportation planning, integrating green building measures into project design, promoting infill development, promoting water efficient land uses, encouraging multi use spaces and redevelopment in areas that can provide opportunities for recreational uses and access to natural areas close to the urban core, reduce exterior use of water in public areas and maximize pervious surface areas to protect water quality, encourage efficient energy use, improve air quality, minimize solid waste, and encourage an efficient transportation system. The Project would revitalize a currently underutilized site. The Project would include commercial uses that would be designed in a contemporary architectural style that would complement the surrounding uses and serve the existing neighborhoods. The Project would incorporate features to support environmental sustainability and efficient water use. The Project would also not have impacts on water quality. While the Project would have significant regional operational impacts related to NOx emissions, the Project would be consistent with the goals and policies of the SCAQMD Air Quality Management Plan and would be consistent with regional and local policies related to GHG reductions. The Project Site is also located in proximity to a variety of public transit opportunities and pedestrian and bicycling options.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to land use consistency have been identified.

4.2.8.2 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not result in a cumulatively impact related to land use.

B. *Facts in Support of Finding.* The Related Projects primarily represent urban infill development and the redevelopment of previously developed, often underutilized sites. The closest Related Projects to the Project Site are Related Project No 3 (located on Naples Island and consisting of retail uses) and Related Project No. 4 (located within the El Cerrito Wetlands to the southeast of the Project Site and consisting of office and storage/ware house uses, new oil wells, and a wetlands mitigation bank with a public access trail). The other Related Projects include residential, mixed-use, and recreational uses, as well as an energy storage facility, that collectively are urban infill projects located within the existing urban land use patterns of the area. As with the Project, the Related Projects would be required to comply with relevant land use policies and regulations. These Related Projects are not expected to fundamentally alter the existing land use relationships in the Project area. Therefore, the Project, together with the Related Projects, would not have cumulatively significant land use impacts. In addition, as the Project would be generally consistent with applicable land use plans and zoning standards, the Project would not incrementally contribute to cumulative inconsistencies with respect to land use plans and zoning standards. Therefore, impacts with regard to the regulatory framework would not be cumulatively considerable, and cumulative impacts would be less than significant.

C. *Mitigation Measures*. No migration measures are required, as no significant cumulative impacts related to land use have been identified.

4.2.9 Noise

Under CEQA's Guidelines (Appendix G), a project would have significant impacts related to noise if the Project would result in: (i) 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; (ii) exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; (iii) a substantial permanent increase in ambient noise levels in the vicinity of the project above levels existing without the project; (iv) a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; (v) 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; or (vi) for a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

In the context of those guidelines, the City evaluated the Project's potential noise impacts based on the following significance thresholds:

Construction Noise. With respect to construction activities, the City does not have a quantitative noise limit for construction activities if such activities occur during permitted hours. However, construction noise impacts can occur if such noise substantially increases the ambient noise levels. As it relates to environmental noise, changes in noise levels greater than 5 dBA are readily noticeable and are considered a significant increase, while changes of less than 3dBA generally are not discernable to most people. (The decibel (dB) is a conventional unit for measuring the amplitude of sound as it accounts for large variations in sound pressure amplitude and reflects the way people perceive changes in sound amplitude. Human

hearing is not equally sensitive to sound at all frequencies. Therefore, to approximate this human frequency-dependent response, the A-weighted filtering system is used to adjust measured sound levels (as measured in A-weighted decibels or dBA). Therefore, the Project would have a significant impact on noise levels associated with construction activities if:

- Construction activities produce noise exceeding existing ambient exterior sound levels by 5dBA or more at a noise-sensitive use.

Project construction is anticipated to occur over approximately 16 months. Construction of the Project would commence with demolition of the existing hotel structures and associated amenities and surface parking areas. It is estimated that grading of the Project Site would require approximately 7,582 cubic yards (cy) of sol removal, of which 6,688 cy would be reused on-site for a net export volume of 894 cubic yards. During construction, regional access to and from the Project Site for construction trucks associated with hauling and deliveries would be provided via the SR-22 Freeway. It is anticipated that construction worker traffic would utilize both regional and local roadways to travel to and from the Project Site, including Pacific Coast Highway, 2nd Street, and Marina Drive.

Construction Vibration. The ground-borne vibration limit provided by the City of Long Beach is based on human perception in terms of acceleration in levels of g's. Vibration levels can be described in terms of acceleration or velocity. Since the published vibration levels for typical construction equipment are expressed in terms of velocity (PPV and/or VdB), the Federal Transit Administration (FTA) guidelines (in terms of velocity) are used to evaluate potential impacts related to construction vibration for both potential building damage and human annoyance. Based on this FTA guidance, impacts relative to ground-borne vibration associated with potential building damage would be considered significant if any of the following future events were to occur:

- Project construction activities cause ground-borne vibration levels to exceed 0.5 PPV at the nearest off-site reinforced-concrete, steel, or timber building.

- Project construction activities cause ground-borne vibration levels to exceed 0.3 PPV at the nearest off-site engineered concrete and masonry building.

- Project construction activities cause ground-borne vibration levels to exceed 0.2 PPV at the nearest off-site non-engineered timber and masonry building.

- Project construction activities cause ground-borne vibration levels to exceed 0.12 PPV at buildings extremely susceptible to vibration damage, such as historic buildings.

Construction vibration impacts associated with human annoyance would be significant if the following were to occur:

- Project construction activities cause ground-borne vibration levels to exceed 75 VdB at off-site sensitive uses, including residential uses.

Operational Noise. The Project would have a significant impact on noise levels from Project operations if:

- The Project causes the ambient noise levels measured at the property line of affected noise-sensitive uses to increase by 3 dBA CNEL to or within the "normally unacceptable" or "clearly unacceptable" category;

- The Project causes the ambient noise levels measured at the property line of affected noise-sensitive uses to increase by 5 dBA CNEL or greater; or

- Project-related operational (i.e., non-roadway) noise sources such as outdoor building mechanical/electrical equipment, outdoor activities, or parking facilities exceed the City Exterior Noise Standard or the measured ambient noise level, whichever is greater.

The City evaluated the Project's potential noise and vibration impacts at various receptor points. Receptor location R1 (Marina Pacifica Private Residential Community, 700 feet northwest of the Project Site), Receptor location R2 (Alamitos Bay Marina, 300 feet west of the Project Site), and Receptor location R3 (on the Project Site, western boundary adjacent to Pacific Coast Highway). Based on a review of the land uses in the Project area, the nearest noise sensitive use is the Marina Pacifica residential community located northwest of the Project Site (Receptor R1) across 2nd Street and separated from the Project Site by commercial uses and surface parking areas. The Alamitos Bay Marina (Receptor R2) is not considered a noise sensitive use; however, potential noise impacts at the Marina were evaluated and provided for informational purposes.

The Following Project Design Features I-1 through I-5 will be required to ensure the Project's impacts related to noise remain less than significant.

- **Project Design Feature I-1:** Power construction equipment (including combustion engines), whether fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise due to worn or improperly maintained parts would be generated.

- **Project Design Feature I-2:** Project construction shall not include the use of driven piles systems.

- **Project Design Feature I-3:** Project-related outdoor mechanical equipment shall be designed so as not to exceed 55 dBA at the Project property line, in accordance with the LBMC.

- **Project Design Feature I-4:** Project loading dock and trash collection areas shall be designed such that the line of sight between these noise sources and any adjacent noise sensitive land use shall be obstructed to the extent necessary to comply with LBMC.

- **Project Design Feature I-5:** Outdoor amplified sound systems shall be designed so as not to exceed a maximum noise level of 80 dBA (L_{eq}) at a distance of 50 feet from the amplified sound system.

4.2.9.1 Construction Noise – Off-Site

A. *Finding – Less Than Significant Impact.* The Project's impacts related to off-site construction noise would be less than significant.

B. *Facts in Support of Finding.* In addition to on-site construction noise sources, materials delivery vehicles, concrete mixers, haul trucks (construction trucks), and construction worker vehicles would require access to the Project Site during construction. The major noise sources associated

with off-site construction trucks would be associated with delivery/haul trucks. Construction delivery/haul trucks would generally access the Project Site from SR-22 via Studebaker Road, 2nd Street, Pacific Coast Highway, and Marina Drive.

The peak period with the highest number of construction trucks (delivery/haul trucks) would occur during the building construction phase. During this phase, there would be a maximum of 50 construction trucks coming to and leaving the Project Site (equal to 100 total trips) per day. The site demolition and grading phases would have up to 40 construction trucks (80 total trips) per day. The construction trucks during the paving/concrete/landscape phase would involve up to 10 truck trips per day. Therefore, to present a worst-case analysis, the analysis of off-site construction truck traffic noise impacts is based on the construction truck trips during a maximum worst-case day during the building construction phase. Based on a typical workday (i.e., an 8-hour period) and a uniform distribution of trips throughout the day, a maximum of 13 truck trips per hour would occur. The estimated noise level along the Project's truck route would be approximately 62 dBA, which would be consistent with the existing ambient noise level (e.g., 64.7 dBA measured along PCH). During other construction phases, the number of construction trucks would be lower, which would result in lower noise levels. In addition, there are no sensitive uses (i.e., residential use) within 200 feet of the primary construction haul route. Therefore, noise impacts from off-site construction traffic would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to off-site construction noise have been identified.

4.2.9.2 Construction Vibration

A. *Finding – Less Than Significant Impact.* The Project's impacts related to construction vibration would be less than significant.

B. *Facts in Support of Finding.* The Project would generate ground-borne construction vibration during site demolition and excavation/grading activities when heavy construction equipment, such as large bulldozers, is used. The FTA has published standard vibration velocities for various construction equipment operations. The City evaluated the typical vibration levels (in terms of inches per second PPV) at a reference distance of 25 feet for construction equipment anticipated to be used during Project construction. In accordance with the project design features, Project construction would not use impact pile driving methods, and as such, impact pile driving vibration was not included in the City's construction vibration analysis. Vibration velocities from typical heavy construction equipment operations that would be used during construction of the Project would range from 0.003 to 0.089 PPV at 25 feet from the equipment. The estimated vibration velocity levels (from all construction equipment) would be well below the significance thresholds of 0.3 PPV, applicable to the commercial buildings surrounding the Project Site. Therefore, vibration impacts associated with potential building damage during construction activities would be less than significant.

With regard to human annoyance, the nearest off-site residential use is approximately 700 feet from the Project Site. At a distance of 700 feet, the vibration level from the Project construction area would be attenuated to a maximum of 44 VdB at the nearest off-site residential use (Receptor R1). The estimated vibration level at Receptor R1 would be well below the 75 VdB significance threshold. Therefore, temporary vibration impacts related to human annoyance during the construction period would be less than significant.

Construction trucks would also generate ground-borne vibration as they travel along the Project designated haul route. The estimated vibration generated by haul trucks along the haul route would be well below the most stringent building damage threshold of 0.12 PPV for buildings extremely susceptible to vibration. There are no sensitive (i.e., residential) uses within 200 feet of the primary construction haul route. Therefore, potential impacts associated with vibration from haul trucks traveling along the designated haul routes would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to construction vibration have been identified.

4.2.9.3 Operational Noise – On-Site

A. *Finding – Less Than Significant Impact.* The Project's impacts related to on-site operational noise would be less than significant.

B. *Facts in Support of Finding.* The City evaluated the Project's potential on-site stationary noise sources, including outdoor mechanical equipment (i.e., rooftop condenser units), activities associated with outdoor spaces and parking facilities. As described below, noise impacts related to those uses would be less than significant.

Mechanical Equipment. As part of the Project, new mechanical equipment (e.g., HVAC condenser units) would be located at the roof level. Although operation of this equipment would generate noise, implementation of the Project Design Feature I-3, above would ensure that all on-site mechanical equipment would comply with the LBMC, which limits the noise from air conditioning equipment to 55 dBA at the property line. The nearest off-site sensitive use, the Marina Pacifica residential community (Receptor R1), is approximately 700 feet from the Project Site. As such, the Project's mechanical equipment would be attenuated to below the existing nighttime ambient noise levels of 56.4 dBA at Receptor R1 due to distance attenuation.

Outdoor Spaces. The Project includes a plaza, paseos within the interior of the Project Site, and outdoor seating patios and terraces at various locations within the Project Site. These outdoor spaces would be mostly shielded to the nearest off-site residential use (Receptor R1) by the proposed intervening structures, in particular the parking facility in the northern portion of the Project Site. Another potential noise source associated with the outdoor spaces would be the possible use of an outdoor amplified sound system. The amplified sound system may be used for background music and intended to be heard by people in the immediate vicinity of the plaza, paseos, terraces, and outdoor dining areas. In accordance with Project Design Feature I-5, the amplified sound system would be designed so as not to exceed a maximum noise level of 80 dBA (L_{eq}) at a distance of 50 feet from the outdoor areas, thereby ensuring amplified sound would not exceed the significance threshold at any off-site noise-sensitive receptors.

Parking Facilities. Parking would be provided in parking structures located at the northern and southern ends of the Project Site, as well as a second-level parking deck located above the proposed single-story uses along PCH, for a total of 1,150 parking spaces. The estimated noise levels from the proposed parking facilities at the off-site noise receptors indicate that the estimated noise levels from on-site parking facilities would be well below the existing ambient noise levels.

Loading Dock/Trash Collection Areas. The Project would include loading areas in various areas to serve specific buildings. A loading zone would be located at the northern end of the Project Site adjacent to 2nd Street (to service the proposed grocery store), and smaller loading areas would be located near the northern and southern parking structures. Based on the estimated noise levels from loading dock and trash compactor operations at the off-site receptors, the estimated noise levels at both off-site receptors would be below the significance threshold.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to on-site operational noise would be less than significant.

4.2.9.4 Operational Noise – Off-Site

A. *Finding – Less Than Significant Impact.* The Project's operational off-site noise impacts would be less than significant.

B. *Facts in Support of Finding*. The City evaluated the Project's potential off-site noise impacts, including the noise impacts from mobile sources. The City evaluated the potential noise impacts from mobile sources in the future plus project and an existing plus project scenario. Under both scenarios, operational off-site noise impacts from mobile sources would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to operational off-site noise impacts have been identified.

4.2.9.5 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Project and future growth, would not lead to a cumulatively considerable impacts related to noise or vibration.

B. *Facts in Support of Finding*. The potential for cumulative noise or vibration impacts to occur is specific to the distance between each Related Project and their respective stationary noise or vibration sources, as well as the cumulative traffic that these projects would add on the surrounding roadway network. Although the Project in conjunction with the Related Projects could contribute to cumulative noise or vibration impacts, cumulative impacts would be less than significant.

Construction Noise and Vibration. With respect to construction noise and vibration, noise from the construction of development projects is typically localized and generally has the potential to affect areas within 500 feet of the construction site. Thus, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. With the exception of Related Project No. 4, all of the other identified related projects are located a substantial distance (a minimum of 2,800 feet) from the Project Site. Related Project No. 4, Los Cerritos Wetlands Restoration and Oil Consolidation Project, includes four sites located at 6422 E. 2nd Street, 6701 E. Pacific Coast Highway, the northeast corner of Studebaker Road and 2nd Street, and Shopkeeper Road at 2nd Street. There are no sensitive uses located within 1,000 feet of Related Project No. 4. The nearest sensitive use to Related Project No. 4 is a multi-family residential use located south of the water channel and west of Pacific Coast Highway. This multi-family residential use is located approximately 1,200 feet from Related Project No. 4 and 1,850 feet from the Project. Given this distance, contributions from the Project to cumulative construction noise impacts would be minimal, and impacts would be less than significant.

Ground-borne vibration decreases rapidly with distance. Potential vibration impacts due to construction activities are generally limited to buildings/structures located in close proximity of a construction site (i.e., within 50 feet). As indicated above, the nearest related project is more than 500 feet from the Project. Therefore, due to the rapid attenuation characteristics of ground-borne vibration, there is no potential for a cumulative construction impact with respect to ground-borne vibration, and cumulative impacts would be less than significant.

Long Term Operations Noise and Vibration. The Project Site and surrounding area have been developed with uses that have previously generated and will continue to generate noise from a number of community noise sources, including vehicle travel, mechanical equipment (e.g., HVAC systems), outdoor activity areas, and intermittent lawn maintenance activities. Each of the related projects identified in the Project vicinity also would generate stationary-source and mobile-source noise due to ongoing day-to-day operations. Related Project Nos. 2 through 6 include a limited amount of recreational, office, commercial/retail, restaurant, and storage/warehouse uses, which are not typically associated with excessive exterior noise levels. Related Project No. 1 (a battery energy storage facility) would include industrial mechanical/electrical equipment, including heat exchanger cooling towers and transformers (main power and isolation).

Due to provisions set forth in the LBMC that limit stationary source noise from mechanical equipment, noise levels would also be less than significant at the property line for each Related Project. Additionally, the increase in cumulative traffic noise would be below the most stringent 3 dBA significance threshold. Therefore, cumulative noise impacts due to off-site mobile noise sources associated with the Project, future growth, and related projects would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to noise or vibration have been identified.

4.2.10 Public Services – Fire Protection

Under the CEQA Guidelines (Appendix G), a project would have significant impacts related to fire protection public services if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

4.2.10.1 Fire Protection – Construction

A. *Finding – Less Than Significant Impact.* The Project's impacts related to fire protection services during construction would be less than significant.

B. *Facts in Support of Finding.* Construction activities for the Project could temporarily increase the existing demand for fire protection and emergency medical services. However, in compliance with the California Occupational Safety and Health Administration and Fire and Building Code requirements, construction managers and personnel would be trained in emergency response and fire safety operations, including the monitoring and management of life safety systems and facilities. Additionally, fire suppression equipment such as fire extinguishers specific to

construction would be maintained on-site. Project construction would comply with applicable codes and ordinances relating to fire safety practices to minimize fire and injury risks.

Project construction could require temporary lane closures along PCH, 2nd Street, and/or Marina Drive to construct proposed driveway and access improvements, utility connections, and drainage facilities. Construction activities also would generate traffic associated with the movement of construction equipment, the hauling of construction materials to and from the Project Site, and construction worker traffic. However, the Project's construction traffic impacts would be less than significant with implementation of mitigation requiring the preparation and implementation of a Construction Management Plan. A Construction Management Plan would be developed in consultation with the Long Beach Department of Public Works, Traffic and Transportation Bureau, and would ensure that adequate and safe access remains available within and near the Project Site during all construction activities. The construction-related traffic generated by the Project also would not be anticipated to significantly impact emergency vehicle response times within the Project vicinity since the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to fire protection services during construction have been identified.

4.2.10.2 Fire Protection – Operation

A. *Finding – Less Than Significant Impact.* The Project's impacts related to fire protection during operation would be less than significant.

B. *Facts in Support of Finding.* The City evaluated the Project's potential impacts related to fire protection by evaluating facilities and equipment, response distance and emergency access, and fire flow. Based on that analysis, the Project operation would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility in order to maintain service. Therefore, impacts to fire protection and emergency medical services during Project operation would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to fire protection services during project operation are required.

4.2.10.3 Fire Protection – Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects and general ambient growth projected to occur in the Project area, would not result in cumulative impacts related to fire protection.

B. *Facts in Support of Finding.* Four of the Related Projects are located in the City of Long Beach. As the City is considered essentially built out, the Related Projects represent rather limited floor area associated with a mix of recreational, office, commercial/retail, restaurant, storage/warehouse, and infrastructure uses. The increase in development from the Project and related projects would result in a cumulative increase in the demand for LBFD services. However, similar to the Project, the Related Projects would be reviewed by the LBFD to ensure that sufficient fire safety and hazards measures are implemented to reduce potential impacts to fire protection and emergency

medical services. Furthermore, each related project would be required to comply with regulatory requirements related to fire protection and emergency medical services.

As with the Project, the related projects are located within an urban area and would likewise fall within an acceptable distance from one or more existing fire stations. In addition, each Related Project would be subject to the City's routine construction permitting process, which includes a review by the LBFD for compliance with building and site design standards related to fire safety, as well as coordinating with the Long Beach Water Department (LBWD) to ensure that local fire flow infrastructure meets current code standards for the type and intensity of land uses involved. Furthermore, over time, the LBFD would continue to monitor population growth and land development throughout the City and identify additional resource needs including staffing, equipment, trucks and engines, ambulances, other special apparatuses, and possibly station expansions or new station construction that may become necessary to achieve the desired level of service.

Based on the above, the Project's contribution to cumulative impacts to fire protection and emergency medical services would not be cumulatively considerable. As such, cumulative impacts on fire protection and emergency medical services would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to fire protection services have been identified.

4.2.11 Public Services – Police Protection

Under the CEQA Guidelines (Appendix G), a project would have significant impacts related to police protection if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

The Following Project Design Features J.2-1 through J.2-2 will be required to ensure the Project's impacts related to police protection remain less than significant.

- **Project Design Feature J.2-1:** During construction, the Project Applicant shall implement temporary security measures including perimeter security fencing, lighting, and locked entry.

- **Project Design Feature J.2-2:** The Project shall incorporate permanent security features, including a private on-site security patrol, alarm systems for individual tenants, security cameras, and appropriate night lighting in parking, circulation, and common areas.

4.2.11.1 Police Protection – Construction

A. *Finding – Less Than Significant Impact.* The Project's impacts related to police protection during construction would be less than significant.

B. *Facts in Support of Finding.* Pursuant to Project Design Feature J.2-1, the Project Applicant would implement temporary security measures including, security fencing, lighting, and locked entry to

secure the Project Site during construction. With implementation of these features, potential impacts associated with theft and vandalism during construction would be less than significant.

Additionally, Project construction could require temporary lane closures along Pacific Coast Highway (PCH), 2nd Street, and Marina Drive to construct proposed driveway and access improvements, utility connections, and drainage facilities. Construction activities also would generate traffic associated with the movement of construction equipment, the hauling of construction materials to and from the Project Site, and construction worker traffic. However, the Project's construction traffic impacts would be less than significant with implementation of mitigation requiring the preparation and implementation of a Construction Management Plan. Furthermore, appropriate detour signage would be placed as necessary to ensure emergency access would be maintained to the Project Site and that traffic flow would be maintained on street rights-of-way. The construction-related traffic generated by the Project would not be anticipated to significantly impact emergency vehicle response times within the Project vicinity since the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic.

With implementation of Project Design Feature J.2-1, the Project would not generate a demand for additional police protection services that would substantially exceed the capability of the LBPD to serve the Project Site, nor would the Project because a substantial increase in emergency response times as a result of increased traffic congestion. Therefore, impacts on police protection services during Project construction would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to police protection during construction have been identified.

4.2.11.2 Police Protection – Operation

A. *Finding – Less Than Significant Impact.* The Project's impacts related to police protection during operation would be less than significant.

B. *Facts in Support of Finding.* The Project does not include the development of new residential units, thus the residential population in the East Patrol Division service area would not increase. In addition, removal of the existing hotel on the Project Site, which has fallen into disrepair, would somewhat offset the Project's demand for additional police protection services. However, the Project would increase the employee and visitor population in the area and, accordingly, the demand for police protection services provided by the LBPD could increase.

Per Project Design Feature J.2-2, as part of the Project a private on-site security force would conduct regular site patrols and would be available to respond to any incidents on-site, thus limiting the need for LBPD response. Other security features would include alarm systems for individual tenants, security cameras, and appropriate night lighting in parking, circulation, and common areas. Alarm systems would be monitored, and police would be dispatched only as needed. With regard to lighting, the Project would include exterior lighting on buildings for security and wayfinding purposes, as well as entryway lighting within the parking structures and along driveways and internal roadways for safety. Such lighting would improve visibility and prevent dark or concealed spaces. These preventative and proactive security measures would reduce the number of service calls for LBPD. Furthermore, in accordance with LBMC Chapter 18.22, the Project Applicant would pay the appropriate police facilities impact fee. The Project also would generate revenues

to the City's general fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing, as deemed appropriate or necessary. Based on the above, the Project would not generate an additional demand for police protection services that would substantially exceed the capability of the LBPD to serve the Project Site. Impacts to police protection services during operation of the Project would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to police protection during project operation have been identified.

4.2.11.3 Police Protection – Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects, would not result in a cumulative impact related to police services.

B. *Facts in Support of Finding.* Since the City is considered essentially built out, the Related Projects represent rather limited floor area associated with a mix of recreational, office, commercial/retail, restaurant, storage/warehouse, and infrastructure uses. Based on the location of the Related Projects, four of the six developments fall within the service area of the East Patrol Division (the other two Related Projects are located in the City of Seal Beach). An increase in development and related daytime (employment and visitor) populations associated with the Project in combination with the Related Projects would result in a cumulative increase in the demand for LBPD services. However, as with the Project, the Related Projects comprise non-residential uses. As such, the Project and related projects would not generate a new residential population in the East Patrol Division service area.

Also, like the Project, the Related Projects would be subject to the payment of police facilities impact fees in accordance with LABMC Chapter 18.22. Additionally, the Related Projects would generate revenues to the City's general fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing, as deemed appropriate or necessary. The LBPD continues to monitor population growth and land development throughout the City and identify additional resource needs including staffing, equipment, vehicles, and additional facility expansions that may become necessary to achieve the desired level of service.

Based on the above, the Project's contribution to cumulative impacts related to police protection services would not be cumulatively considerable, and, as such, cumulative impacts on police protection services would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to police protection services have been identified.

4.2.12 Traffic and Access

Under CEQA's Guidelines (Appendix G), a project would have a significant impact related to traffic and access if the Project would: (i) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle

paths, and mass transit?; (ii) Conflict with an applicable congestion management program including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (iii) 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; (iv) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; (v) Result in inadequate emergency access? (vi) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

In addition to the thresholds of significance from Appendix G of the CEQA Guidelines, impacts to the City of Long Beach intersections would be considered significant if: (i) An unacceptable peak-hour Level of Service (i.e., LOS E or F) at any of the key intersections is projected. The City considers LOS D (ICU = 0.801 - 0.900) to be the minimum acceptable LOS for all intersections. The current LOS, if worse than LOS D (i.e., LOS E or F), should also be maintained; (ii) The project increases traffic demand at the study intersection by 2 percent of capacity (ICU increase $\geq$ 0.020), causing or worsening LOS E or F (ICU > 0.901); and (iii) At unsignalized intersections, an impact is considered to be significant if a project causes an intersection operating at LOS D or better to degrade to LOS E or F, and the traffic signal warrant analysis determines that a traffic signal is justified.

In addition to the significance thresholds in the CEQA Guidelines and from the City of Long Beach, impacts to the City of Seal Beach intersections would be considered significant if: (i) An unacceptable peak-hour LOS (i.e., LOS E or F) at any of the key intersections is projected. The City of Seal Beach considers LOS D (ICU = 0.801 - 0.900) to be the minimum acceptable LOS for all intersections; (ii) Per City of Seal Beach criteria, a significant transportation impact is determined based on a sliding scale that varies with LOS. At LOS A or B, the threshold of significance is an increase of 0.06 or greater in the ICU value. At LOS C or D, the threshold of significance is an increase of 0.04 or greater or 0.02 or greater, respectively, in the ICU value. This is reduced to 0.01 or greater under LOS E and F; and (iii) At unsignalized intersections, this report identifies a significant traffic impact when the addition of Project traffic results in a decrease in LOS by one level or more for those locations operating at LOS D or E.

To evaluate the Project's potential impacts related to traffic, base assumptions were established in consultation with the City of Long Beach and in accordance with City of Seal Beach and Los Angeles County Congestion Management Program Requirements, as applicable. An analysis of potential changes in operating conditions at 31 study intersections identified within the traffic study area were evaluated, including 24 in the City of Long Beach and 7 in the City of Seal Beach. The Project's impacts were evaluated against existing (2016) and future (2019) traffic conditions.

The Project would implement the following Project Design Features K-1 through K-8 to reduce the Project's potential impacts related to traffic and access:

- **Project Design Feature K-1:** Pacific Coast Highway Project Frontage—Provide an acceleration/deceleration lane on PCH along the Project Site frontage. The deceleration lane will function as a southbound right-turn lane at Project Driveway No. 1 and Project Driveway No. 2. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Project Design Feature K-2:** Pacific Coast Highway at Project Driveway No. 1—Construct the Project driveway and provide one inbound lane and one outbound lane (i.e., one eastbound right-turn lane). It is recommended that the median on PCH be modified to prohibit eastbound (outbound) left turns and restriped to provide one 100-foot northbound left-turn lane with a 90-foot transition. Install

a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Project Design Feature K-3:** Pacific Coast Highway at Project Driveway No. 2—Construct the Project driveway and a new driveway that will serve the Long Beach Marketplace on the east side of PCH. The Project driveway will provide one inbound lane, dual 150-foot eastbound left-turn lanes, and a 150-foot eastbound shared through/right-turn lane. The Long Beach Marketplace driveway will provide two inbound lanes, one 90-foot westbound left-turn lane, and one 90-foot westbound shared through/right-turn lane. The median on PCH will be modified to provide appropriate left-turn lane pockets and transitions in both the northbound and southbound directions. Install an eight-phase traffic signal. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Project Design Feature K-4:** Marina Drive at Project Driveway No. 3—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Project Design Feature K-5:** Marina Drive at Project Driveway No. 4—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Project Design Feature K-6:** Marina Drive at Project Driveway No. 5—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Project Design Feature K-7:** 2nd Street at Project Driveway No. 6—Construct the Project driveway and provide one inbound lane and one outbound lane (i.e., one northbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Project Design Feature K-8:** In compliance with LBMC Section 21.64.030(B) 1, 2, and 3, the Project shall implement transportation demand management (TDM) measures to reduce vehicle trips and encourage the use of public transit. These measures include, but are not limited to:

    - Provide a bulletin board/kiosk displaying information regarding bus schedules and routes, ridesharing, bike routes, and carpool/vanpool opportunities.

    - Provide 10 stalls for employee parking located as close as practical to employee entrance for use by potential carpool/vanpool vehicles. These reserved parking spaces shall be signed/ striped as demand warrants with at least two spaces provided at all times.

    - Vanpool/carpool loading/unloading and parking areas;

    - Provide bicycle parking facilities which are safely and conveniently accessible from the external street system, with the number and location(s) determined in consultation with the City;

- Provide a designated rideshare drop off/pickup area and concierge service to facilitate and encourage the use of rideshare programs.

4.2.12.1 Operational – Public Transit

A. *Finding – Less Than Significant Impact.* The Project's impacts related to public transit during operation would be less than significant.

B. *Facts in Support of Finding.* Public transportation the Project area is provided by the Los Angeles County Metropolitan Transportation Authority (Metro), the Orange County Transportation Authority (OCTA), and Long Beach Transit (LBT).

The Project would generate 13,666 net new weekday daily trips, including 412 weekday A.M. peak-hour trips and 792 weekday P.M. peak-hour trips. The Project would also generate approximately 17,611 weekend daily trips, including 1,439 weekend midday peak-hour trips. In accordance with CMP guidelines, the Project trip generation values were adjusted to estimate Project-related transit trip generation. Specifically, as set forth in the CMP, person trips equal 1.4 times vehicle trips and transit trips equal 3.5 percent of the total person trips. When applying these values to the Project's trip generation, the Project is forecasted to generate 20 transit trips (11 inbound and 9 outbound) during the A.M. peak hour and 39 transit trips (21 inbound and 18 outbound) during the P.M. peak hour. Over a 24-hour period the Project is forecasted to generate 670 daily weekday transit trips. Given the availability of public transit in the Project area, it is anticipated that the existing transit service in the Project area would be able to accommodate the Project-generated transit trips. Therefore, given the number of transit trips generated by the Project and the existing transit routes in the Project vicinity, the existing public transit system would not be substantially impacted by the Project. Therefore, impacts to the existing public transit system would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to public transit during the Project's operation have been identified.

4.2.12.2 Operational – Site Access and Circulation

A. *Finding – Less Than Significant Impact.* The Project's impacts related to access and circulation during operation would be less than significant.

B. *Facts in Support of Finding.* As part of the Project, access to the Project Site would be provided via two driveways located along PCH (referred to as Driveway No. 1 and No. 2), three driveways along Marina Drive (referred to as Driveway No. 3, No. 4, and No. 5), and one driveway along 2nd Street (referred to as Driveway No. 6). Project Driveways No. 1, No. 3, No. 4, and No. 5 are existing driveways that will remain in their current location as part of the Project. The remaining Project driveways would serve to facilitate site access and circulation. Relative to Driveway No. 1, eastbound (outbound) left-turn movements from this driveway to northbound Pacific Coast Highway are currently allowed, but will be prohibited as a part of the Project in order to improve safety along PCH. In addition, improvements are proposed at the PCH and Driveway No. 2/Long Beach Marketplace intersection in order to improve access to the site, subject to the review and approval of the City of Long Beach and Caltrans.

As it relates to internal circulation, the two driveways on PCH would provide access to the two-way drive aisle ("Main Street") within the site interior, connecting to parking structures at the

northern and southern ends of the Project Site. Of the three driveways along Marina Drive, the southern driveway would provide direct access to the southern parking structure, the northern driveway would provide direct access to the northern parking structure, and the middle driveway would provide access to the northern parking structure as well as the interior Main Street. In addition, a driveway along 2nd Street would provide right-in/right-out access to the northern parking structure.

Prior to Project approval, the Project's access and circulation design would be reviewed by the City during the building permit process to ensure the Project includes adequate drive aisle widths, driveway widths, and parking stall widths. Therefore, as the proposed access generally would be similar to existing conditions, and as the Project's access points and circulation corridors would comply with standard City requirements, it is not anticipated that the Project's proposed access points and internal circulation would impede traffic flows on adjacent streets or result in potential safety impacts. As such, Project impacts with regard to access and circulation would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to site access and circulation during operation have been identified.

4.2.12.3 Queuing Impacts

A. *Finding – Less Than Significant Impact.* The Project's impacts related to queuing during Project operation would be less than significant.

B. *Facts in Support of Finding.* In response to City staff comments stacking/storage requirements at the Project driveways were evaluated. The queuing evaluation was conducted based on projected Future Plus Project peak-hour traffic volumes using the HCM signalized and unsignalized methodology. That analysis showed that adequate storage would be provided at the six project driveways except for the southbound left-turn lane (into Long Beach Marketplace on the east side of PCH) and the dual eastbound left-turn lanes at PCH/Driveway No. 2. As proposed, the southbound left-turn lane at PCH/Driveway No. 2 would provide 130-feet of storage with a 90-foot transition. Based on the 95th percentile queuing results, it is recommended that this turn pocket be lengthened by 50 feet to provide 180 feet of storage. Review of the current site plan indicates this can be accommodated by shortening the proposed 150-foot northbound left-turn lane at PCH/Driveway No. 1 by 50 feet, resulting in a 100-foot northbound left-turn lane at Driveway No. 1. The queuing analysis indicates a 100-foot northbound left-turn lane at Driveway No. 1 would be more than adequate to accommodate the projected 95th percentile queue at that location.

Although the 189-foot eastbound queue would exceed the proposed 150-foot dual eastbound left-turn lanes at PCH/Driveway No. 2, additional storage capacity is available on-site within the drive aisles. Therefore, adequate storage would be provided for the dual eastbound left-turn lanes at PCH/Driveway No. 2.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to queuing have been identified.

4.2.12.4 Bicycle, Pedestrian, and Vehicular Safety

A. *Finding – Less Than Significant Impact.* The Project's impacts related to bicycle, pedestrian, and vehicular safety would be less than significant.

B. *Facts in Support of Finding.* Access to the Project Site would be provided via driveways along PCH and Marina Drive. The Project access locations would be required to conform to City standards and would be designed to provide adequate sight distance, sidewalks, and pedestrian movement controls that meet the City's requirements to protect pedestrian safety. In addition, the proposed driveways would be designed to limit potential impediments to visibility. The Project would include separate pedestrian entrances and would provide access from adjacent streets, parking facilities, and transit stops to facilitate pedestrian movement. Further, the Project would maintain existing sidewalks and provide a direct and safe path of travel with minimal obstructions to pedestrian movement within and adjacent to the Project Site. As the Project would maintain the existing adjacent sidewalks and bike lanes that are part of the local circulation system, the Project would not disrupt pedestrian or bicycle flow along PCH, Marina Drive, or 2nd Street. Furthermore, visitors, patrons, and employees arriving by bicycle would have the same access opportunities as pedestrian visitors, and bike parking would be provided on-site as part of the Project's sustainability features. Therefore, the Project would not substantially increase hazards to bicyclists, pedestrians, or vehicles, or impact existing pedestrian and bicycle facilities. Impacts related to bicycle and pedestrian safety and facilities would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to bicycle, pedestrian, and vehicular safety have been identified.

4.2.12.5 Parking

A. *Finding – Less Than Significant Impact.* Although not a required study impact area under CEQA, the City finds that the Project's impacts related to parking would be less than significant based on the Project's compliance with requirements in the City's Municipal Code.

B. *Facts in Support of Finding.* The Long Beach Municipal Code Section 21.41.219 permits a reduced parking ratio for shopping centers greater than 150,000 square feet in size if it can be demonstrated in a shared parking analysis that the proposed parking supply will meet demand. Based on the parking analysis conducted for the Project (summarized in Appendix S of the Draft EIR), the proposed 1,150 parking spaces included in the Project providing a ratio of approximately 4.7 per 1,000 gross square feet of floor area) would be adequate to meet Project-generated parking demand. Specifically, weekday peak parking demand would be 1,131 spaces and weekend peak parking demand would be 1,134 spaces. As the proposed shared parking supply would meet projected demand during both the weekday and weekend peak demand periods, parking impacts would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to parking have been identified.

4.2.13 Utilities and Service Systems – Water Supply and Infrastructure

Under CEQA's Guidelines (Appendix G), a project would have significant impacts related to water supply and infrastructure if the project would: (i) 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; or (ii) have sufficient water supplies available to serve the project from existing entitlements and resources, or whether new or expanded entitlements are needed.

The analysis of the Project's impacts related to water supply is based on a calculation of the Project's anticipated net water demand by applying the City's wastewater generation rates to the proposed uses. The project's resulting net water demand was then analyzed relative to Long Beach Water Department's (LBWD) existing and planned future water supplies to determine if LBWD would be able to accommodate the project's water demands during a normal weather year, single dry year, and multiple dry years. The analysis with regard to water infrastructure evaluated the adequacy of the existing water conveyance system to accommodate the Project's water demand.

Project Design Features

The Project would incorporate green principles to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's Leadership n Energy and Environmental Design (LEED®) program, including water conservation features such as the use of drought-tolerant landscaping and use of water-efficient plumbing fixtures. In particular, the following is proposed as part of the Project: (i) install water conserving fixtures that reduce water use by at least 20 percent; (ii) install weather-based irrigation controllers. Incorporation of those features will help ensure the Project's impacts related to water supply and infrastructure remain less than significant.

4.2.13.1 Construction – Water Supply

A. *Finding – Less Than Significant Impact.* The Project's impacts related to water supply during construction would be less than significant.

B. *Facts in Support of Finding.* Project construction activities would result in a temporary increase in water demand. However, the short-term and intermittent water use during construction is not expected to be substantial. Furthermore, the water demand generated by construction activities would be offset by the reduction in water consumption resulting from the removal of the existing hotel. In addition, as concluded in LBWD's 2015 urban water management plan (UWMP), projected water demand for the City will be met by available supplies during a normal year, single dry year, and multiple dry year hydrological conditions through 2040, as well as the intervening years.

   The Project would require construction of new, on-site water distribution lines to connect the proposed uses to the existing 12-inch water mains located in 2nd Street and Marina Drive. The design and installation of new water connections would meet applicable City standards. No upgrades to the water main lines that serve the Project Site would be required. Minor off-site construction activities associated with connections to the public water mains would occur. Vehicular and pedestrian access immediately surrounding the Project Site could be affected during construction of new water connections to the public water mains. However, pursuant to Mitigation Measure K-1, a construction management plan would be implemented during Project construction to ensure that adequate and safe access remains available within and near the Project Site during construction activities.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to water supply during construction have been identified.

4.2.13.2 Operation – Water Supply

A. *Finding – Less Than Significant Impact.* The Project's impacts related to water supply during operation would be less than significant.

B. *Facts in Support of Finding.* Development of the Project would increase the long-term water demand associated with consumption, operational uses, maintenance, and other on-site activities. It is estimated that the Project would have an average daily domestic water demand of approximately 108,282 gallons per day (gpd) or approximately 121.3 acre-feet per year (as summarized in Table IV.L-1-3 in the Draft EIR). The existing uses within the Project Site are estimated to have a water demand of approximately 12,498 gpd or approximately 14 acre-feet per year. When accounting for the existing uses to be removed, the Project would result in a net increase in average daily water demand of approximately 95,784 gpd or approximately 107.3 acre-feet per year. The Project's estimated water demand is conservative, as it does not account for water conservation features that would be included as part of the Project or that would be required by the City.

   The Project's estimated net increase in water demand of approximately 107.3 acre-feet per year would comprise approximately 0.17 percent of the City's water demand in 2019. Therefore, the Project would be well within the available and projected water supplies from 2019 through the year 2040 and, as such, the LBWD would be able to meet the water demand for the Project in combination with existing and planned water demand in its future service area.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to water supply during the Project's operation have been identified.

4.2.13.3 Operation – Water Infrastructure

A. *Finding – Less Than Significant Impact.* The Project's impacts related to water infrastructure during operation would be less than significant.

B. *Facts in Support of Finding.* Water service to the Project Site would continue to be provided by the LBWD for domestic and fire protection uses. While domestic water demand is typically the main contributor to water consumption, fire flow demands have a much greater instantaneous impact on infrastructure and therefore are the primary means for analyzing infrastructure capacity. Per the California Fire code, fire flow requirements are based on building types and floor area and range from 1,500 to 8,000 gallons per minute at 20 pounds per square inch. In accordance with Section 18.48.420 of the Long Beach Fire Code, all new commercial, industrial, and non-residential buildings that require two or more exits or that are greater than 3,000 square feet shall be protected by an automatic sprinkler system. Per the Long Beach Fire Code, fire flows can be reduced by up to 50 percent when the fire sprinklers are installed. Prior to the issuance of building permits, the LBFD would be required to grant approval of the final building design, including all fire prevention and suppression systems, which would ensure the Project is developed pursuant to Fire Code requirements. In addition, on-site water connections would be constructed, as necessary, to comply with the fire flow set for the Project by the LBFD during the plan check process.

With implementation of on-site water system improvements, which include a loop fire distribution system and new metered domestic water distribution system, the Project would not exceed the available capacity within the distribution infrastructure that would serve the Project Site. Therefore, impacts related to water infrastructure would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to water infrastructure during operation have been identified.

4.2.13.4 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with growth forecasted in the City through 2019 (including the Related Projects), would not have cumulative impacts related to water supply or water infrastructure.

B. *Facts in Support of Finding.* With respect to water supply, the geographic context for the cumulative impact analysis is the LBWD service area (i.e., the City). The LBWD, as a public water service provider, is required to prepare and update every five years a UWMP to plan and provide for water supplies to serve existing and projected demands over a 20-year horizon. The 2015 UWMP prepared by the LBWD accounts for existing development within the City, as well as projected growth through the year 2040. The growth assumed in the UWMP water demand projections incorporate population, housing, and employment growth anticipated in the City based on both historical trends and official forecasts from SCAG and the California Department of Finance.

Four of the six Related Project are located in the City of Long Beach and would be served by the LBWD. However, as the City is considered essentially built out, the Related Projects represent rather limited floor area, with several of the land uses (e.g., a wetlands mitigation bank, an energy storage facility) generating little water demand. The LBWD's 2015 UWMP acknowledges that growth in the City is expected to continue to be lower than that of other cities in Southern California and the region as a whole. In addition, the LBWD has determined it will be able to reliably provide water to its customers from 2015 through the year 2040, as well as during intervening years (i.e., 2019, the Project build out year).

With respect to water infrastructure, the geographic context for the cumulative impact analysis is the Project vicinity. Development of the Project and future new development in the Project vicinity would cumulatively increase demands on the existing water conveyance system. However, new development projects would be subject to City review to assure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project, and individual projects would be subject to City requirements regarding infrastructure improvements needed to meet respective water demands, fire flow and pressure requirements. Additionally, the LBWD, Long Beach Department of Public Works, and the LBFD would conduct ongoing evaluations to ensure facilities are adequate. Therefore, Project impacts on the water infrastructure system would not be cumulatively considerable.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to water supply or water infrastructure have been identified.

4.2.14 Utilities and Service Systems – Energy

Under CEQA"s Guidelines (Appendix F), the potentially significant energy implications of a project should be considered in an EIR. According to Appendix F, the environmental impact analysis may include: (i) the project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed; (ii) the effects of the project on local and regional energy supplies and on requirements for additional capacity; (iii) the effects of the project on peak and base period demands for electricity and other forms of energy; (iv) the degree to which the project complies with existing energy standards; (v) the effects of the project on energy resources; and/or (vi) the project's protected transportation energy use requirements and its overall use of efficient transportation alternatives.

In the context of that guidance in Appendix F, the Project would have a significant impact on energy use if it would: (i) cause wasteful, inefficient, and unnecessary consumption of energy during construction, operation, and/or maintenance; (ii) result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which would cause significant environmental effects; (iii) conflict with adopted energy conservation plans; or (iv) violate state or federal energy standards.

Project Design Features

The Project would incorporate green principles to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's Leadership n Energy and Environmental Design (LEED®) program at the Certified level (or equivalent). These include energy conservation, transportation, waste reduction, and other related measures, including the measures listed below:

- Energy Measures: (i) Shield exterior fixtures to limit light pollution and glare; (ii) Commission all building envelope and energy consuming systems to ensure efficient operations and reduce both operational and maintenance costs; (iii) Meet or exceed Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2016 Energy Efficiency Standards requirements.

- Transportation Measures: (i) Provide bike parking on-site to reduce vehicle trips; (ii) Provide preferred parking for clean air, van pools, and fuel efficiency vehicles to encourage clean air vehicle use; (iii) Provide pre-wiring for electric vehicles in parking spaces on-site as required by the Green Building Standards Code (Long Beach Municipal Code Chapter 18.47).

- Construction Materials: (i) Recycle or otherwise divert from landfills a minimum of 65 percent of construction waste generated on-site; (ii) Utilize finishing materials such as paints, primers, sealants, and other materials that emit low quantities of volatile organic compounds (VOCs) and/or other air quality pollutants; (iii) Utilize panelized wood products that have low levels of formaldehyde; (iv) Utilize carpet and hard flooring that has low VOC content and/or is composed of recycled products.

- Indoor Air Quality and Durability: (i) Weather protect all exterior entrances to improve the long-term durability of buildings; (ii) Require third-party testing to ensure that energy systems are installed and functioning as intended; (iii) Ensure tight ductwork in air conditioning systems to improve comfort and

reduce energy costs; (iv) Utilize bathroom fan systems that either operate continuously or have humidistats to automatically remove moisture and minimize mold growth.

- Water Measures: (i) Install water conserving fixtures that reduce water use by at least 20 percent; (ii) Install weather-based irrigation controllers.

4.2.14.1 Construction

A. *Finding – Less Than Significant Impact.* The Project's impacts related to energy during construction, including impacts related to electricity, natural gas, and transportation energy, would be less than significant.

B. *Facts in Support of Finding.* Project construction is anticipated to occur over approximately 16 months, with completion anticipated in 2019. During Project construction, energy would be consumed in the form of electricity and petroleum-based fuels.

Electricity. Approximately 45,973 kilowatt hours (kWh) of electricity is anticipated to be consumed during Project construction (as summarized in Table IV.L.2-1 of the Draft EIR). When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Therefore, the use of electricity during Project construction would not be wasteful, inefficient, or unnecessary. Construction of the Project's electrical infrastructure would primarily occur within the Project Site, although some off-site construction activities to connect the Project's electrical infrastructure with primary electrical distribution lines could occur. Construction of the Project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. The estimated construction electricity usage represents approximately 2.24 percent of the Project's estimated net operational demand, which would be within the supply and infrastructure service capabilities of SCE.

Natural Gas. Construction activities typically do not involve the consumption of natural gas. Accordingly, natural gas would not be supplied to support Project construction activities, and there would be no demand generated during construction. However, the Project would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements to serve the Project Site. Project construction would not result in an increase in demand for natural gas that affects available supply or distribution infrastructure capabilities and would not result in the need for new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Construction-related impacts to natural gas supply and infrastructure would be less than significant.

Transportation Energy. Based on the amount of transportation energy that could potentially be consumed during Project construction based on a conservative set of assumptions, on- and off-road vehicles would consume an estimated 33,991 gallons of gasoline and approximately 92,504 gallons of diesel fuel throughout the Project's construction period. That estimated use is summarized in Table IV.L.2-1 of the Draft EIR. For comparison purposes, the fuel usage during Project construction would represent approximately 0.001 percent of the 2015 annual on-road gasoline-related energy consumption and 0.01 percent of the 2015 annual diesel fuel-related energy consumption in Los Angeles County.

The recycling of solid waste materials also contributes to reduced energy consumption. Specifically, when products are manufactured using recycled materials, the amount of energy that would have otherwise been consumed to extract and process virgin source materials is reduced. The Project would contribute to reduced energy consumption through construction-related recycling and waste diversion activities. Based on the above, Project construction would not result in the wasteful, inefficient, and unnecessary consumption of transportation-related energy resources.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to energy during construction have been identified.

4.2.14.2 Operation

A. *Finding – Less Than Significant Impact.* The Project's impacts related to energy during operation would be less than significant.

B. *Facts in Support of Finding.* During Project operation, energy would be consumed for multiple purposes, including, but not limited to: heating/ventilating/air conditioning (HVAC); refrigeration; lighting; and the use of electronics, equipment, and machinery. Energy would also be consumed during Project operations in conjunction with water usage, solid waste disposal, and vehicle trips. The Project's net new energy demand would be approximately 2,055 megawatt hours (MWh) of electricity per year; 6,951,862 cubic feet (cf) of natural gas per year; 954,952 gallons of gasoline per year; and 165,309 gallons of diesel fuel per year (as summarized in Table IV.L.2-2 of the Draft EIR).

Electricity. With compliance with applicable CALGreen requirements, Project buildout would result in a projected net increase in the on-site demand for electricity totaling approximately 2,055 MWh per year. In addition to complying with CALGreen requirements, the Project would incorporate "green" principles to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's LEED® program. Furthermore, the Project would comply with Title 24 Section 110.10, which includes mandatory requirements for solar-ready buildings and, as such, would not preclude the potential use of alternate fuels. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of electricity during operation. It is anticipated that SCE's existing and planned electricity capacity and electricity supplies and infrastructure would be sufficient to support the Project's electricity demand.

Natural Gas. The Project is projected to generate an increase in the on-site demand for natural gas, totaling approximately 6,951,862 cf per year. In addition to complying with applicable regulatory requirements regarding energy conservation (e.g., California Building Energy Efficiency Standards and CALGreen), the Project would implement a variety of sustainability features, many of which would either directly or indirectly conserve energy. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of natural gas during operation. Further, based on the 2016 California Gas Report, the California Energy and Electric Utilities estimates natural gas consumption within LBGO's planning area will be approximately 23.7 million cf per day in 2019 (i.e., the Project buildout year). It is anticipated that LBGO's existing and planned natural gas supplies and infrastructure would be sufficient to support the Project's net increase in demand for natural gas.

Transportation Energy. During operation, Project-related traffic would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. The Project's proximity to public transit and its characteristics will reduce vehicle trips and VMT as compared to standard ITE trip generation rates. More specifically, the Project characteristics listed below are consistent with the California Air Pollution Control Officers Association (CAPCOA) guidance document, *Quantifying Greenhouse Gas Mitigation Measures*, which provides emission reduction values for recommended mitigation measures and serves to reduce vehicle trips and VMT. Measures applicable to the Project include the following:

- **Increase Diversity of Urban and Suburban Developments (Mixed-Uses) (LUT-3):** The Project would introduce new uses on the Project Site, including new commercial/retail/restaurant uses. The Project would co-locate complementary commercial/retail/restaurant uses in proximity to other existing off-site residential and commercial uses. The increases in land use diversity and the specific mix of uses on the Project Site would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation (i.e., walking and biking), which would result in corresponding reductions in transportation-related emissions. (Note: This measure results in a 15.5-percent reduction in VMT.)

- **Increase Destination Accessibility (LUT-4):** The Project Site is located within 5 miles of Downtown Long Beach and the Port of Long Beach, both of which are primary job centers and are easily accessible by public transportation. Access to multiple destinations in proximity to the Project Site would reduce vehicle trips and VMT compared to the statewide average; encourage walking and non-automotive forms of transportation; and would result in corresponding reductions in transportation-related emissions as a result of the Project. (Note: This measure results in a 9.3-percent reduction in VMT.)

- **Increase Transit Accessibility (LUT-5)**: Locating a project with high density near transit will facilitate the use of transit by people traveling to or from the Project Site. CAPCOA provides a range of effectiveness between 0.5 – 24.6 percent reduction in VMT for transit station/stops with high-quality, high-frequency bus service located within a 5-10 minute walk. The Project Site is well serviced by Long Beach Transit which operates 10 bus lines in the Project area and provides free Passport shuttle service connecting visitors to and around Downtown Long Beach attractions and destinations. However, the GHG analysis conservatively did not quantify the reduction from transit as the transit station is located at a distance greater than a 5-10 minute walk.

- **Locate Project near Bike Path/Bike Lane (LUT-8):** A Project that is designed around an existing or planned bicycle facility encourages alternative mode use. The Project Site is located adjacent to existing Class II bike lanes on PCH, Marina Drive, and 2nd Street. CalEEMod does not provide this measure under mitigation and, therefore, it was not quantified in the GHG analysis. However, CAPCOA provides a 0.625 percent reduction in VMT for this measure.

- **Improve Walkability Design (LUT-9)**: Improved design elements to enhance walkability and connectivity within a neighborhood include street accessibility and a pedestrian-oriented environment. CAPCOA provides a range of effectiveness between 3.0 – 21.3 percent reduction in VMT. The Project Site is located in an area of the City with a mature network of pedestrian facilities including sidewalks, crosswalks, and pedestrian safety features along PCH, Marina Drive, and 2nd Street. The existing sidewalk system within the Project vicinity provides direct

connectivity to the existing shopping center to the immediate south and public transit stops along PCH and 2nd Street. CalEEMod requires the number of intersections within a square mile of the Project Site, which is 46 intersections. This number was then doubled to account for the adjacent marina which would provide additional walking opportunities. (Note: This measure results in a 14.1-percent reduction in VMT.)

- **Provide Pedestrian Network Improvements (SDT-1):** Project design would provide pedestrian access that minimizes barriers and links the Project Site with the existing street network to encourage people to walk instead of drive. The Project would provide direct access to the existing off-site pedestrian network to encourage and increase pedestrian activities in the area, which would further reduce VMT and associated transportation-related emissions. (Note: This measure results in a 3.6-percent reduction in VMT.)

- **Proximity to Traffic Calming Measures (SDT-2):** Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. CAPCOA provides a range of effectiveness between 0.25 – 1.0 percent reduction in VMT. As discussed above, the City is undertaking the Marina Drive Project which will include a mid-block pedestrian crossing adjacent to the 2nd & PCH frontage; new sidewalk where there are gaps in the existing sidewalks thereby providing a continuous sidewalk on the east side between 2nd Street and Studebaker Road. This measure was not quantified in the Draft EIR. CalEEMod requires the percentage of streets with sidewalks (100 percent) and the percentage of intersections (25 percent) with improvements (e.g., cross walks or other pedestrian safety features) in the Project vicinity. (Note: This measure results in a 0.2-percent reduction in VMT.)

- **Provide Bike Parking in Non-Residential Projects (SDT-6):** A non-residential project that provides bicycle parking facilities encourages alternative mode use. Bicycle parking spaces for the Project would be provided in compliance with LBMC requirements. Based on LBMC Section 21.64.030(B)(2)(c), a minimum of eight bicycle parking spaces would be required. CalEEMod does not provide this measure under mitigation and, therefore, it was not quantified in the GHG analysis. However, CAPCOA provides a 0.625 percent reduction in VMT for this measure.

- **Limit Parking Supply (PDT-1):** Reducing the number of parking spaces can encourage "smart growth" development and alternative transportation choices. As discussed in Section IV.K, Traffic and Access, of the Draft EIR, that the Project would provide parking at a reduced rate relative to LBMC parking requirements. Specifically, LBMC Chapter 21.41, *Off-Street Parking and Loading Requirements,* sets forth parking requirements for development projects based on the types and floor area of land uses. As detailed therein, community, regional, and neighborhood shopping centers require five spaces per 1,000 square feet plus additional parking for detached fast-food restaurants. Based on the Parking Analysis included as Appendix S of the Draft EIR, the proposed 1,150 parking spaces included in the Project (providing a ratio of approximately 4.7 per 1,000 gross square feet of floor area) would be adequate to meet Project-generated parking demand. (Note: This measure results in a 3.0-percent reduction in VMT.)

In addition, Project Design Feature K-8 would require implementation of transportation demand management (TDM) measures to reduce vehicle trips and encourage the use of public transit. These measures include the provision of appropriate bicycle parking facilities; vanpool/carpool loading/unloading and parking areas; preferential parking spaces for employee carpool/vanpool

vehicles; a bulletin board/kiosk displaying information regarding bus schedules and routes, bike routes, carpool/vanpool opportunities; and a rideshare drop off/pickup area and concierge service that would be incorporated into the Project's design. Although a specific reduction in trips associated with these TDM measures has not been determined, a reasonable conservative estimate based on similar TDM plans would be a 10 percent reduction in trips.

As such, the Project's siting characteristics would minimize transportation fuel consumption through the reduction of VMT, as described above. When accounting for the features implemented to reduce VMT, the Project's estimated net petroleum-based fuel usage would be approximately 954,952 gallons of gasoline and 165,309 gallons of diesel per year, or a total of 1,120,261 gallons of petroleum-based fuels annually. Based on the above characteristics, the Project would not cause wasteful, inefficient, and unnecessary consumption of petroleum-based fuel during operation. Impacts associated with operational transportation-related energy use would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to energy during Project operation have been identified.

4.2.14.3 Regulatory Consistency

A. *Finding – Less Than Significant Impact.* The Project's impacts related to consistency with the applicable regulatory requirements concerning energy would be less than significant.

B. *Facts in Support of Finding.* The Project would comply with applicable regulatory requirements for the design of new buildings, including the provisions set forth in the CALGreen Code and California's Building Energy Efficiency Standards, as well as the City of Long Beach Green Building Ordinance. The Project's "green" principles would comply with the sustainability intent of the U.S. Green Building Council's LEED® program, and measures implemented as part of the Project would address energy conservation, transportation, waste reduction, water conservation, and indoor air quality and durability.

The Project also would be consistent with regional planning strategies that address energy conservation. SCAG's 2016–2040 RTP/SCS focuses on creating livable communities with an emphasis on sustainability and integrated planning and identifies mobility, economy, and sustainability as the three principles most critical to the future of the region. As part of the approach, the 2016–2040 RTP/SCS emphasizes reducing fossil fuel use by decreasing VMT, reducing building energy use, and increasing the use of renewable sources. The Project would be consistent with the energy efficiency policies emphasized in the 2016–2040 RTP/SCS. Most notably, the Project is a mixed-use, infill development project within an area designated as Land Use District (LUD) No. 7, Mixed Use District, by the City's General Plan. As set forth in the General Plan, uses intended for LUD No. 7 include employment centers, such as retail uses, offices, and medical facilities; higher density residences; visitor-serving facilities; personal and professional services; and recreational facilities. The Project would provide greater proximity to neighborhood services and jobs and would be well-served by existing public transportation, including Metro, Orange County Transportation Authority, and Long Beach Transit bus lines. This is evidenced by the Project Site's location within a designated HQTA. The introduction of new job opportunities within a HQTA, as proposed under the Project, is consistent with numerous policies

in the 2016–2040 RTP/SCS related to locating new jobs near transit. In addition, the Project would comply with state energy efficiency requirements and would use electricity from SCE, which has a current renewable energy mix of 20 percent. All of these features would serve to reduce the consumption of electricity, natural gas, and transportation fuel associated with VMT.

Based on the above, the Project would not conflict with adopted energy conservation plans, or violate state or federal energy standards. Impacts associated with regulatory consistency would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant impacts related to consistency with the applicable regulatory requirements concerning energy have been identified.

4.2.14.4 Cumulative Impacts

A. *Finding – Less Than Significant Impact.* The Project, in conjunction with the Related Projects and forecasted growth, would not lead to cumulatively significant impacts related to energy, including impacts related to electricity, natural gas, and transportation energy.

B. *Facts in Support of Finding. Electricity.* Buildout of the Project, Related Projects, and additional forecasted growth in SCE's service area would cumulatively increase the demand for electricity supplies and infrastructure capacity. Based on the Project's estimated electrical consumption of 2,055 MWh per year, the Project would account for approximately 0.002 percent of the 2024 demand forecasted in the SCE planning area. Thus, although Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could limit future availability, the use of such resources would be on a relatively small scale and would be consistent with growth expectations for SCE's service area. Accordingly, the Project's contribution to cumulative impacts related to electricity consumption would not be cumulatively considerable and, thus, would be less than significant. Future projects would also be expected to incorporate energy conservation features, comply with applicable regulations including the CALGreen code and state energy standards under Title 24, and incorporate mitigation measures, as necessary. It is expected that SCE would continue to expand delivery capacity as needed to meet demand increases within its planning area. Development projects within its service area also would be anticipated to incorporate site-specific infrastructure improvements, as necessary.

Natural Gas. The Project would account for approximately 0.008 percent of the 2019 forecasted consumption in LBGO's planning area. LBGO's forecasts take into account projected population growth and development based on local and regional plans. Although Project development would result in the use of natural gas resources, which could limit future availability, the use of such resources would be on a relatively small scale and would be consistent with regional and local growth expectations for LBGO's service area. Furthermore, future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including the CALGreen code and state energy standards under Title 24, and incorporate mitigation measures, as necessary. It is also expected that LBGO would continue to expand delivery capacity if necessary to meet demand increases within its service area. Development projects within its service area also would be anticipated to incorporate site-specific infrastructure improvements, as appropriate.

Transportation Energy. Buildout of the Project, Related Projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the State and region. The transportation-related fuel usage for the Project would represent approximately 0.006 percent of

the 2015 annual on-road gasoline- and diesel-related energy consumption in Los Angeles County. According to the CEC demand forecasts, gasoline consumption will decline by up to 3.7 percent for the next 10 years due to improved fuel economy and the use of alternative fuels, such as natural gas, biofuels, and electricity. As with the Project, other future development projects would be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions. Furthermore, the Project would be consistent with the energy efficiency policies emphasized by the 2016–2040 RTP/SCS. Since the Project is consistent with the 2016–2040 RTP/SCS, its contribution to cumulative transportation energy use would not be cumulatively considerable and, therefore, would be less than significant.

C. *Mitigation Measures*. No mitigation measures are required, as no significant cumulative impacts related to energy have been identified.

4.3 Impact Areas with Less than Significant Impacts After Implementation of Mitigation Measures

4.3.1 Cultural Resources

4.3.1.1 Archeological Resources

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to archeological resources would be less than significant with implementation of Mitigation Measures C-1 through C-3.

B. *Facts in Support of Finding*. Results of archeological resources searches for the Project Site indicate that there are no archeological sites located within the Project Site, but four archeological sites are located within a 0.5-mile radius. Additionally, extensive disturbance of the ground surface has previously occurred on-site in conjunction with past development activities. According to the 2015 records search, archeological surface finds would be unlikely on-site. However, based on the presence of archeological resources in the surrounding vicinity and the ethnographic evidence which suggests prehistoric groups inhabited the area, the potential to encounter prehistoric resources in native soils (i.e., at depth) is considered moderate to high. Accordingly, impacts with regard to archeological resources and the discovery of human remains would be potentially significant. The 2015 records search recommended archeological monitoring of ground-disturbing activities in order to avoid damaging any previously unidentified resources.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to archeological resources, the following Mitigation Measures C-1 through C-3 will be required. With implementation of those measures, the Project will avoid damaging any previously unidentified resources, and the Project's impacts to archeological resources would be less than significant.

Mitigation Measures

- **Mitigation Measure C-1:** An Archaeologist meeting the Secretary of the Interior's Professional Qualification Standards shall be retained by the Project Applicant and approved by the City to oversee and carry out the archaeological mitigation measures set forth in this EIR. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule. As part of this effort, the Archaeologist shall select a

qualified archaeological monitor to be retained by the Project Applicant and approved by the City.

- **Mitigation Measure C-2**: The qualified archaeological monitor shall monitor excavation and grading activities within native soils on the Project Site that have not been previously disturbed. In the event cultural resource(s) are unearthed during ground-disturbing activities, the archaeological monitor shall halt or redirect such activities away from the area of the find to allow evaluation, and work may continue outside the vicinity of the find. Deposits shall be treated in accordance with applicable federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. In addition, if it is determined that an archaeological site is a historical resource, the provisions of Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5 shall be implemented.

  The Archaeologist shall evaluate the discovered resource(s) and if significant, notify the Project Applicant, the City, and an appropriate Native American representative (if prehistoric or Native American in nature), and then develop an appropriate treatment plan. Treatment plans shall consider preservation of the resource(s) in place as a preferred option. The Archaeologist shall then prepare a report to be reviewed and approved by the City and file it with the Project Applicant, the City, and the South Central Coastal Information Center located at the California State University, Fullerton. The report shall describe any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources and the National Register of Historic Places. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared. The City shall designate one or more appropriate repositories for any cultural resource(s) that are uncovered.

- **Mitigation Measure C-3**: If human remains are encountered unexpectedly during ground-disturbing activities, work in the affected area and the immediate vicinity shall be halted immediately. The construction manager at the Project Site shall be contacted and shall notify the County Coroner. If the County Coroner determines the remains to be Native American, the Archaeologist and Native American monitor shall then be contacted, if they are not on-site at the time, as well as the responsible lead agency of the discovery, who in turn shall notify the Native American Heritage Commission. Disposition of the human remains and any associated grave goods shall be in accordance with California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.91 and 5097.98. The Archaeologist and the Native American monitor, with the concurrence of the City, shall determine the area of potential impact and the timing when construction activities can resume. Preservation of the remains in place shall be considered as a possible course of action by the Project Applicant, the City, and the Most Likely Descendent.

4.3.1.2 Paleontological Resources

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to paleontological resources would be less than significant with implementation of Mitigation Measure C-4.

B. *Facts in Support of Finding.* A paleontological resources search indicated that there are no vertebrate fossil localities within the Project Site. In addition, surficial material identified on the Project Site, which consists of artificial fill top of younger Quaternary Alluvium, is unlikely to

contain vertebrate fossils. Past development activities have also disturbed virtually the entire ground surface within the Project Site. However, deeper excavations within older Quaternary deposits may contain significant fossil vertebrate materials. As such, there is a potential to encounter paleontological resources within deeper excavations, and impacts would be potentially significant. The 2015 records search recommended that any substantial and deep excavations should be monitored to recover any fossil remains that are discovered.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to paleontological resources, the following mitigation measure C-4 will be required. With implementation of that mitigation measure, the Project will avoid damaging any previously undiscovered fossil remains, and the Project's impacts related to paleontological resources would be less than significant.

Mitigation Measures

- **Mitigation Measure C-4**: A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities within any older Quaternary deposits at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. If paleontological materials are encountered during ground-disturbing activities associated with Project construction, all further ground disturbance in the immediate area shall be temporarily diverted and the services of a qualified paleontologist shall then be secured. The paleontologist shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource, as appropriate. The Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Ground-disturbing activities may resume once the paleontologist's recommendations have been implemented to the satisfaction of the paleontologist. The fossils and a copy of the report shall be deposited in an accredited curation facility.

4.3.1.3 Tribal Cultural Resources

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Projects impacts related to tribal cultural resources would be less than significant with implementation of Mitigation Measures C-5 through C-6.

B. *Facts in Support of Finding.* On October 20, 2016, the City sent a formal notification of the Project to 12 representatives of 10 different Native American tribal groups in compliance with the requirements of AB 52. As of January 2017, the City had received responses from John Tommy Rosas of the Tongva Ancestral Territorial Nation and Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians, Kizh Nation. Mr. Rosas request archeological testing be conducted by a qualified archeologist concurrent with geotechnical core testing for building foundations using hollow bits, and Chairman Salas requested a certified Native American monitor be present during ground disturbing activities. Archeological evidence indicates prehistoric occupation of the general Project area by the Gabrieleño, and Chairman Salas confirmed the Project Site is located in an area where tribal villages were once located. The Project's impacts on tribal resources, therefore, could be potentially significant. However, based on the information provided by the Tongva Ancestral

Territorial Nation and the Gabrieleño Band of Mission Indians, Kizh Nation, tribal monitoring and archeological testing will be conducted.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to tribal cultural resources, the following Mitigation Measures C-5 through C-6 will be required. With implementation of those measures, the Project will avoid any previously unidentified tribal cultural resources, and the Project's impacts to tribal cultural resources will be less than significant.

Mitigation Measures

- **Mitigation Measure C-5**: The Project Applicant shall allow access to the Project Site by a certified Native American tribal monitor during any and all ground-disturbing activities (including, but not limited to, pavement removal, post holing, auguring, boring, grading, excavation, and trenching) to protect any cultural resources which may be affected during construction or development. Discovery of any archaeological resources shall trigger implementation of Mitigation Measures C-1 through C-3, as applicable.

- **Mitigation Measure C-6**: Archaeological testing shall be conducted concurrently with geotechnical core testing for building foundations using hollow bits; the use of augur bits shall be prohibited. Discovery of any archeological resources shall trigger Mitigation Measures C-1 through C-3, as applicable.

4.3.2 Geology & Soils

4.3.2.1 Liquefaction

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to liquefaction would be less than significant with implementation of Mitigation Measures D-1 and D-2.

B. *Facts in Support of Finding.* Liquefaction is the loss of soil strength or stiffness due to the buildup of pore-water pressure during severe ground shaking. Liquefaction is associated with loose (low density), saturated, fine-to-medium grained, cohesionless soils. As the shaking action of an earthquake progresses, the soil grains are rearranged and the soil densifies within a short period of time. Rapid densification of the soil results in a buildup of pore-water pressure. When the pore-water pressure approaches the overburden pressure, the soil reduces greatly in strength and temporarily behaves similarly to a fluid.

According to the California Geological Survey Seismic Hazards Zones Maps and the Long Beach General Plan Seismic Safety Element, the Project Site is located within an area considered susceptible to liquefaction. Based on the Geotechnical Report and the 2010 Geotechnical Evaluation, the existing soil conditions within the Project Site are potentially liquefiable during a strong earthquake event. Therefore, the Project's impacts associated with liquefaction would be considered potentially significant.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to liquefaction, the following Mitigation Measures D-1 through D-2 will be required. With implementation of those measures, the Project's impacts related to liquefaction would be less than significant.

Mitigation Measures

- **Mitigation Measure D-1**: The Project shall incorporate site-specific ground improvement requirements as a result of liquefaction and liquefaction-induced settlement set forth in a final, site-specific geotechnical report. Such requirements could include, but would not be limited to, stone columns, ramped aggregate e piers, or deep soil mixing that would improve the strength of soils and/or provide drainage paths for pore water pressure dissipation. Following ground improvement, the proposed structures may be supported on a conventional shallow foundation system. As an alternative, the proposed structures may be supported on a deep foundation system that extends through liquefiable zones into competent material.

- **Mitigation Measure D-2:** Soils on-site shall be treated according to the recommendations of a final, site-specific geotechnical report to reduce differential settlement to 0.5 inch over a horizontal distance of 30 feet and 1 inch over the entire building footprint. The zone of ground improvement shall cover the structure footprints and extend a minimum horizontal distance of 10 feet beyond the footprints, where feasible, if a mat foundation is used. If a conventional shallow foundation system is used, closely spaced ground improvement shall be incorporated within the footprint of the footings.

4.3.2.2 Settlement

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to settlement would be less than significant with implementation of Mitigation Measures D-1 and D-2.

B. *Facts in Support of Finding.* Seismically induced settlement or the compaction of dry or moist, cohesionless soils may also occur during a major earthquake. These settlements occur primarily within loose to medium dense sandy soils due to reductions in volume during, and shortly after, an earthquake. Based on the Updated Geotechnical Exploration Report prepared for the Project Site (provided as Appendix H to the Draft EIR) and information from previous geotechnical investigations completed for the Project Site in 2010 and 2005 (provided as Appendix I to the Draft EIR), due to the Project Site's location within an area susceptible to liquefaction, there is a potential for liquefaction-induced settlement within the Project Site. Additionally, potential compressible natural soils and undocumented fills underlying the Project Site could pose a risk of adverse settlement under static loads imposed by new foundations and structures. Therefore, impacts associated with settlement could be potentially significant.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to settlement, the following Mitigation Measures D-1 through D-2 will be required. With implementation of those measures, the Project's impacts related to settlement would be less than significant.

4.3.3 Hazards and Hazardous Materials

4.3.3.1 Construction – Soil and Groundwater Contamination

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to soil and groundwater contamination during construction would be less than significant with implementation of Mitigation Measures F-1 through F-8. Mitigation Measures F-

1 through F-8 require a variety of site surveys, screenings, and remediation activities to reduce potential impacts related on-site contamination to less than significant levels.

B. *Facts in Support of Finding.* Soil, soil vapor, and groundwater within portions of the Project Site have been previously impacted by the release of hazardous materials associated with past uses. Specifically, the leaking underground storage tank database indicates the Project Site is currently open for remediation. The City conducted a Phase II Environmental Assessment of the Project Site, which indicated elevated concentrations of petroleum hydrocarbons, benzene, and ethylbenzene are still present in on-site soils as a result of this case.

The north portion of the Project Site includes a former gas station (at 6280 East 2nd Street), and that former gas station is currently an open remediation site under the oversight of the Regional Water Quality Control Board (RWQCB). All contaminated soils removed as part of the preliminary remediation activities were transported and disposed of in accordance with applicable laws and regulations. Remediation of the site is still considered an open case with ongoing remediation, and when complete with closure certified by the RWQCB, the former gas station site is not anticipated to represent a hazard to the Project.

During Project construction, an estimated 7,582 cubic yards of soil would be removed. Of that soil, an estimated 6,688 cubic yards would be reused on-site, for a net export volume from the Project Site of 894 cubic yards. Construction-related earthmoving activities could expose construction workers and the public to contaminants associated with petroleum hydrocarbons, volatile organic compounds (VOCs), and soil gases from previous uses on the Project Site, the Exxon Mobil gas station located across Pacific Coast Highway, and potentially from activities associated with former oil production on-site. This could pose a hazard to the public or the environment through the release of hazardous materials into the environment and could result in a potentially significant impact.

Additionally, groundwater and soil vapor contamination have been identified near the 8-inch petroleum pipeline along the eastern edge of the Project Site, which indicates the potential to encounter impacted soil in the pipeline right-of-way. If contaminated soil is encountered and disturbed, construction workers and the public could be exposed to potential safety and health risks during the Project's construction. As such, impacts associated with contaminated soil near the pipeline could be potentially significant.

C. *Mitigation Measures*. Since the Project could result in significant impacts related to soil and groundwater contamination during construction, Mitigation Measures F-1 through F-8 will be required. Those mitigation measures require a variety of site surveys, screenings, and remediation activities to reduce potential impacts related to on-site contamination to less than significant levels.

Mitigation Measures

- **Mitigation Measure F-1**: Soil Management Plan. Prior to the start of construction, the Project Applicant shall prepare a Project-specific Soil Management Plan that shall be reviewed and approved by the City of Long Beach before construction can commence. The Soil Management Plan shall incorporate, but shall not be limited to, the following: (1) Geophysical Survey; (2) Soil Vapor Survey/Health Risk Screening; (3) Soil Transportation Plan; and (4) fugitive dust control measures. The Soil Management Plan shall incorporate methodologies for detecting the various environmental concerns noted in relevant hazardous materials investigations during the construction phase of the Project. The Soil Management Plan shall include measures to

address each environmental concern, if encountered, according to the applicable regulatory standards and the mitigation measures contained herein. In addition, the Soil Management Plan shall require notification and reporting, according to protocols of applicable local and state regulatory agencies, including the Department of Toxic Substances Control, the Regional Water Quality Control Board, CalRecycle, California State Division of Oil, Gas and Geothermal Resources, Long Beach Fire Department, and the City of Long Beach.

- **Mitigation Measure F-2**: Geophysical Survey. Prior to subsurface disturbance and demolition activities, the Project Applicant shall conduct a geophysical survey to locate subsurface features or anomalies, if any, that may pose an environmental concern or present a risk of upset at the Project Site. The geophysical survey shall inform the site construction and remediation activities so as to remove or avoid subsurface hazardous materials or associated facilities. The results of the geophysical survey shall be included in the Soil Management Plan, and reviewed and approved by the City of Long Beach. The geophysical survey shall: (1) Accurately locate and mark the oil pipeline located along the northeast border of the Project Site; (2) Attempt to detect the presence of the subsurface anomalies, if any, such as underground vaults/features, buried debris, historical dump sites, previously unidentified oil wells, waste drums, or tanks.

- **Mitigation Measure F-3**: Soil Vapor Survey. Prior to construction, the Project Applicant shall conduct a systematic soil vapor survey of the Project Site to investigate the possible presence of volatile organic compounds in site soils. The soil vapor survey shall be performed according to the applicable standards of the Department of Toxic Substances Control and the California Environmental Protection Agency. Soil borings shall be placed at a depth of at least five (5) feet below the deepest excavation to occur during construction and soil vapor samples shall be collected at 5 to 10 foot intervals. Soil samples shall be collected at a five (5) foot interval from the soil borings to assess the soil for heavier petroleum hydrocarbons that may be present due to past oil field use of the Project Site. The Soil Vapor Survey shall include, at a minimum, the following:

    (1) Evaluation of methane concentrations to a depth of at least five (5) feet below the deepest excavation to occur during site construction. These soil vapor boring shall be placed in the vicinity of any abandoned oil wells located during the geophysical survey; and
    (2) Additional soil vapor borings to test for volatile organic compounds on and in the vicinity of the land area where the former on-site gas station was located and in locations where the off-site gas station may have impacted the Project Site through lateral migration of soil vapors.

- **Mitigation Measure F-4**: Health Risk Screening. At the completion of the soil vapor survey, a qualified environmental professional shall use the results of the survey to develop a health risk screening that assesses health and safety concerns associated with volatile organic compound levels at the site for construction workers and future site users. The health risk screening assessment shall be performed according to the applicable standards of the Department of Toxic Substances Control and California Environmental Protection Agency. In the event the health risk screening assessment indicates that elevated volatile organic compound levels in the soils pose a health risk to site users, the Project Applicant shall further define and implement additional measures to minimize soil vapor exposure to acceptable levels

as established by the applicable regulatory agency. Measures to be implemented shall include, but is not limited to, the following:

(1) During Construction: Volatile organic compound levels shall be monitored in accordance with the South Coast Air Quality Management District Rule 1166, which requires volatile organic compound monitoring of petroleum-impacted soils during construction activities. In the event volatile organic compound concentrations exceed threshold levels specified in Rule 1166, vapor suppression measures shall be required by amending soil with water or chemical foam. Volatile organic compound impacted soils shall be stockpiled and covered in accordance with Rule 1166. Rule 1166 compliance requirements shall be included in the Soil Management Plan; and

(2) Post Construction: In the event elevated concentrations of volatile organic compounds persist in site soils post-construction, vapor mitigation shall be performed prior to site occupancy to protect future site users. Post-construction long-term vapor mitigation measures selected shall be determined based on the remaining extent of volatile organic compound concentrations and the associated health risk, if any. Mitigation measures associated with post-construction volatile organic compounds control shall include, but is not limited to, the following: (i) Soil Vapor Extraction: Use of a soil vapor extraction system to remove residual volatile organic compounds from the soil. The soil vapor extraction system shall be employed to remediate soil vapor to a level considered safe for uses proposed on the Project Site; and (ii) Vapor Barrier/Sub-slab Depressurization: In the event the soil vapor survey indicates extremely high volatile organic compounds present at the Project Site and results in an elevated human health risk, a vapor barrier and sub-slab depressurization system shall be designed and implemented for the proposed buildings to be constructed at the Project Site.

- **Mitigation Measure F-5**: Pre-Construction Removal Action. Prior to construction, the Applicant shall perform pre-construction removal activities, including sampling, as necessary, to characterize waste, removal action, off-site disposal of characterized waste, and confirmation sampling of removal areas. Pre-construction removal actions shall include the following: Removal of Debris and Dirt from the Satellite Enclosure: Prior to site construction, debris and dirt located in a satellite enclosure on the southern portion of the Project Site shall be removed. Following removal, representative soil samples from the debris and dirt shall be collected for laboratory analysis to characterize the waste for off-site disposal purposes. Based on the laboratory analysis and waste characterization, the soil and debris shall be disposed of at an appropriate facility.

- **Mitigation Measure F-6**: Oil Sumps and Mud Pits. In the event any suspected oil sumps, mud pits, or areas of dark stained soils are identified, these areas shall be added to the site plans included in the Soil Management Plan. The areas shall be excavated and the soil stockpiled on plastic sheeting at the Project Site. The stockpiled soil shall be sampled and laboratory-analyzed in accordance with requirements outlined in the Soil Management Plan and pursuant to the applicable Department of Toxic Substance Control guidelines. The stockpiled soil shall be characterized in accordance with the laboratory analysis and disposed of at a facility that is licensed to accept the soil based on established site action levels.

- **Mitigation Measure F-7**: Soil Transportation Plan. Prior to construction, the Applicant shall develop a Soil Transportation Plan in compliance with State of California and federal Department of Transportation requirements for the safe and legal transport to an off-site disposal facility for hazardous materials that may be encountered during construction activities.

- **Mitigation Measure F-8**: In accordance with SCAQMD Rule 403, the Project shall incorporate fugitive dust control measures at least as effective as the following measures:

  - Use watering to control dust generation during the demolition of structures;

  - Use of watering and/or street sweeping for on-site paved roads used for construction activities;

  - Clean-up mud and dirt carried onto paved streets from the site;

  - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;

  - All haul trucks would be covered or would maintain at least 6 inches of freeboard;

  - Suspend earthmoving operations or additional watering would be implemented to meet Rule 403 criteria if wind gusts exceed 25 mph; and

  - An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. A construction relations officer shall be appointed to act as a community liaison concerning on-site activity, including investigation and resolution of issues related to fugitive dust generation.

4.3.3.2 Construction – Asbestos/Lead-Based Paint

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to asbestos-containing materials during construction would be less than significant with implementation of Mitigation Measure F-9.

B. *Facts in Support of Finding*. Based on the age of the existing on the Project Site, building components may contain hazardous building materials such as asbestos-containing materials (ACMs), which would pose an environmental risk to construction workers and the public in the event the materials are released into the environment during demolition and site clearing activities. Given the likely presence of ACMs within the Project Site, demolition could result in a potentially significant impact.

   The Project would comply with all applicable federal, state, and local regulations regarding ACMs, including SCAQMD Rule 1403, which requires that ACMs be removed by a certified asbestos containment contractor in accordance with applicable regulations. Mitigation Measure F-9 would also require a comprehensive asbestos survey prior to demolition, subject to approval by the Development Services Department. With adherence to applicable regulations and implementation

of mitigation, impacts associated with asbestos-containing materials would be reduced to a less than significant level.

C. *Mitigation Measures*. Since the Projects impacts related to asbestos-containing materials during construction could be significant, implementation of Mitigation Measure F-9 will be required.

Mitigation Measure

- **Mitigation Measure F-9: Asbestos and Lead-Based Paint Abatement.** Prior to demolition activities, a qualified contractor shall perform an asbestos-containing materials and lead-based paint-survey. The qualified contractor shall sufficiently abate the structure(s) to be demolished on the Project Site according to applicable and current local, state, and federal guidelines.

4.3.3.3 Construction – Lead-Based Paint

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to lead-based paint during construction would be less than significant with implementation of Mitigation Measure F-9.

B. *Facts in Support of Finding.* Based on the age of the existing on-site structures, building components may contain hazardous building materials, such as lead-based paints, which would pose an environmental risk to construction workers and the public in the event the materials are released into the environment during demolition and site clearing activities. Any release of such hazardous materials would result in a potentially significant impact.

However, implementation of Mitigation Measure F-9 would require a comprehensive lead-based paint survey prior to demolition. In the event lead-based paint is found within areas proposed for demolition, suspect materials would be removed and disposed of in accordance with procedural requirements and regulations. With implementation of mitigation, impacts related to lead-based paint during construction would be reduced to a less than significant level.

C. *Mitigation Measures*. Since the Project could have significant impacts related to lead-based paint during construction, Mitigation Measure F-9 will be required.

4.3.3.4 Construction – Abandoned Oil Wells/Methane Gas

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to abandoned oil wells and methane gas during construction would be less than significant with implementation of mitigation measures F-1 through F-8.

B. *Facts in Support of Finding.* Six reported abandoned wells were identified at the Project Site, and previously unidentified wells could also be located on-site. Based on a review of the well records, these wells do not appear to have been abandoned in accordance with current standards. However, reabandonment of the known on-site oil wells is currently underway under the supervision of the California State Division of Oil, Gas and Geothermal Resources (DOGGR). As such, these wells are not anticipated to represent a hazard to the Project. Other potential hazards associated with known and possible unknown oil wells include the sudden release of methane gas from a well that is disturbed during construction.

Mitigation Measure F-2 would require a geophysical survey to locate subsurface features or anomalies, including any previously unidentified oil wells. If previously unidentified oil wells are encountered, they would be properly abandoned in accordance with all applicable laws and regulations under the supervision of DOGGR, therefore reducing any potential impact to a less than significant level.

Although no soil or groundwater contamination associated with on-site oil wells was identified during the course of the Phase II ESA, the on-site wells may have resulted in the release of hazardous materials that could be encountered during construction-related activities on the Project Site. Mitigation Measures F-1 through F-8 would reduce potential impacts associated with the release of hazardous materials during construction to less than significant levels.

C. *Mitigation Measures*. Since the Project would lead to significant impacts related to abandoned on-site wells and methane gas, Mitigation Measures F-1 through F-8 will be required. With implementation of those mitigation measures, impacts will be less than significant.

4.3.3.5 Operation – Contaminated Soil and Groundwater Contamination

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to contaminated soil and groundwater contamination during operation would be less than significant with implementation of Mitigation Measure F-4.

B. *Facts in Support of Finding.* Separate from the Project, subsurface remediation work will be undertaken pursuant to oversight by appropriate regulatory agencies, including the Los Angeles Region Water Quality Control Board (LARWQCB) and Department of Oil and Gas. A certificate of occupancy would not be issued for the Project without adequate remediation as confirmed by relevant regulatory agencies (e.g. LARWQCB). Therefore, the Project could not operate without remediation of on-site contamination. However, in the event that elevated concentrations of residual VOCs persist in on-site soils post-construction, long-term vapor mitigation may be implemented per Mitigation Measure F-4, if determined necessary, prior to site occupancy to reduce soil vapor exposure to site users to acceptable levels in accordance with Department of Toxic Substances Control (DTSC) and CalEPA regulations. With implementation of mitigation, potential impacts would be reduced to less than significant levels.

C. *Mitigation Measures*. Since the Project would have significant impacts related to soil and groundwater contamination, Mitigation Measure F-4 will be required. With implementation of Mitigation Measure F-4, impacts will be less than significant.

4.3.4 Noise

4.3.4.1 Construction Noise – On-Site

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to on-site construction noise would be less than significant with implementation of Mitigation Measures I-1 through I-3.

B. *Facts in Support of Finding.* Noise impacts from Project construction activities occurring within or adjacent to the Project Site would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction

activities, and the relative distance to noise sensitive receptors. Construction activities would generally include demolition, site grading, and building construction.

Individual pieces of construction equipment that would be used for Project construction produce maximum noise levels (L_{max}) of 74 dBA to 90 dBA at a reference distance of 50 feet from the noise source. These maximum noise levels would occur when equipment is operating under full power conditions (i.e., the equipment engine at maximum speed). The City estimated construction noise levels for various construction stages at off-site noise sensitive receptors. The estimated noise levels represent a worst-case scenario in which all construction equipment was assumed to operate simultaneously and assumed to be located at the construction area nearest to the affected receptors. Based on those estimates, the construction-related noise levels at Receptor R1 would exceed the 5 dBA significance threshold during the demolition phase by 0.8 dBA. The estimated construction noise levels would be below the significance threshold for all other construction phases. Therefore, temporary noise impacts associated with the Project's on-site construction activities would be significant before implementation of mitigation measures. Implementation of the proposed mitigation measures would reduce Project construction noise levels to the extent feasible. Implementation of Mitigation Measure I-1 would reduce the noise generated by on-site demolition activities at Receptor R1 by 5dBA. The estimated construction-related noise reductions attributable to Mitigation Measures I-2 and I-3, although not easily quantifiable, also would reduce noise impacts associated with on-site construction activities to the extent feasible. The minimum 5dBA noise reduction provided by these mitigation measures would reduce construction noise impacts at the nearest off-site noise-sensitive receptors to a less than significant level. In response to comments received on the Draft EIR, the City conducted additional analysis related to construction noise and revised Mitigation Measure I-1 to reduce impacts related to construction noise to less than significant levels (attached as Appendix FEIR-E to the Final EIR).

C. *Mitigation Measures*. Mitigation Measures I-1 through I-3 would be required, as impacts related to on-site construction noise may be significant. With implementation of mitigation measures I-1 through I-3, impacts will be less than significant.

Mitigation Measures

- **Mitigation Measure I-1**: During the site demolition phase, a temporary and impermeable sound barrier shall be erected along the Project Site's northwestern and northeastern property lines between the construction area and nearby sensitive uses. The temporary sound barrier shall be a minimum of six feet tall and extend for a length of approximately 860 feet (specifically, 200 feet along Marina Drive south from 2nd Street, approximately 460 feet along 2nd Street, and 200 feet along Pacific Coast Highway south from 2nd Street). The temporary sound barrier shall be designed to provide a 5 dBA noise reduction at the residential uses to the northwest (Receptor R1) and the wetlands area to the northeast.

- **Mitigation Measure I-2:** Stationary source equipment that is flexible with regard to relocation (e.g., generators and compressors) shall be located so as to maintain the greatest distance from noise-sensitive land uses, and unnecessary idling of such equipment shall be prohibited.

- **Mitigation Measure I-3:** Loading and unloading of heavy construction materials shall be located on-site and away from noise-sensitive uses, to the extent feasible.

4.3.5 Traffic and Access

4.3.5.1 Construction – Access and Safety

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's traffic impacts related to access and safety during construction would be less than significant with implementation of Mitigation Measure K-1.

B. *Facts in Support of Finding.* Given the size of the Project Site, it is anticipated that Project construction activities generally would be contained within the Project Site boundaries. Additionally, as part of the Project, construction staging and construction worker vehicle parking would be provided on-site to the extent possible. The Project also would not require the removal of any on- or off-street parking.

However, some construction activities could encroach into the public right-of-way adjacent to the Project Site for driveway and utility improvements. As such, the use of the public right-of-way could require temporary rerouting of pedestrian and/or vehicular traffic. Therefore, the Project could result in the temporary loss of access to sidewalks surrounding the Project Site perimeter, which represents a potentially significant impact prior to mitigation. Implementation of Mitigation Measure K-1 would ensure that adequate and safe access remains available within and surrounding the Project Site and would minimize potential conflicts between construction activity and pedestrian and vehicular traffic in the vicinity of the Project Site.

C. *Mitigation Measures*. Since the Project could result in significant traffic impacts related to access and safety during construction, the following Mitigation Measure K-1 will be required. Mitigation Measure K-1 would ensure that adequate and safe access remains available within and surrounding the Project Site and would minimize conflicts between construction activity and pedestrian and vehicular traffic in the vicinity of the Project Site. With implementation of this Mitigation Measure, the Project's construction traffic impacts related to access and safety would be less than significant.

Mitigation Measure

In compliance with the City's practices and procedures, Mitigation Measure K-1 will be implemented as follows:

- **Mitigation Measure K-1:** Prior to the start of construction, the Project Applicant shall provide for the preparation of a detailed Construction Management Plan, including haul routes and a staging plan, and submit it to the City of Long Beach Department of Public Works, Traffic and Transportation Bureau for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and shall include, but not be limited to, the following elements, as appropriate:

  - Traffic control for any street closure, detour, or other disruption to traffic circulation.

- Identify the routes that construction vehicles would utilize for the delivery of construction materials (i.e. lumber, tiles, piping, windows, etc.), to access the Project Site, traffic controls and detours, and proposed construction phasing plan for the Project.

- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.

- Require the Applicant to keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.

- Hauling or transport of oversize loads shall be allowed between the hours of 9:00 A.M. and 3:00 P.M. only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays.

- Haul trucks entering or exiting public streets shall at all times yield to public traffic.

- Construction-related parking and staging of vehicles shall occur on-site to the extent possible.

- The Construction Management Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as City of Long Beach requirements.

- During periods when the public right-of-way is affected by Project construction activities, coordinate with the City of Long Beach and Long Beach Transit to ensure the provision of safe pedestrian and bicycle access and the temporary relocation of any affected transit stops, in accordance with applicable laws and regulations as feasible.

- During periods when the public right-of-way is affected by Project construction activities, coordinate with the City of Long Beach and Long Beach Transit to ensure the provision of safe pedestrian and bicycle access and the temporary relocation of any affected transit stops, in accordance with applicable laws and regulations and as feasible.

4.3.5.2 Construction – Public Transit

A. *Finding – Less Than Significant Impact with Implementation of Mitigation Measures.* The Project's impacts related to public transit during construction would be less than significant with implementation of Mitigation Measure K-1.

B. *Facts in Support of Finding.* An existing bus stop is located adjacent to the Project Site along PCH. It is anticipated that the Project's construction activities generally would be contained within the Project Site boundaries. However, some construction activities could encroach into the public right-of-way adjacent to the Project Site for driveway and utility improvements. As such, the potential use of the public right-of-way during construction could require the temporary relocation of the existing bus stop along PCH, which represents a potentially significant impact prior to mitigation. Mitigation Measure K-1 would ensure that adequate and safe access remains available within and

during the Project Site and would minimize potential conflicts between construction activity and pedestrian and vehicular traffic in the vicinity of the Project Site.

C. *Mitigation Measures*. Since the Project could result in significant traffic impacts related to public transit during construction, Mitigation Measure K-1 will be required. With implementation of this Mitigation Measure, the Project's construction traffic impacts related to public transit would be less than significant.

4.4 Significant and Unavoidable Impacts

4.4.1 Air Quality

4.4.1.1 Operational – Regional Impacts

A. *Finding – Significant and Unavoidable.* The Project's regional air quality impacts during the Project's operation would remain significant and unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* Analysis of the Project's likely impact on regional air quality during long-term Project operations (i.e., after construction is complete) takes into consideration four types of sources: (1) area; (2) energy; (3) mobile; and (4) stationary. Area source emissions are generated by, among other things, landscape equipment, fireplaces, and the use of consumer products. Energy source emissions are generated as a result of activities in buildings for which natural gas is used (e.g., natural gas for heat or cooking). Mobile source emissions are generated by the increase in motor vehicle trips to and from the Projects Site associated with operation of the Projects. Stationary source emissions are generated from proposed emergency generators during routine maintenance/testing. SCAQMD's CalEEMod was used to calculate regional area, energy, mobile source, and statutory emissions. As summarized in Table IV.B-6 of the Draft EIR, the regional emissions resulting from the Project's operations would not exceed the SCAQMD daily threshold for VOC, CO, SOx, PM10, or PM2.5. However, the Project's operations would exceed the SCAQMD daily threshold for NOx. Therefore, the Project's regional operational emissions would result in a significant impact.

Operational mobile criteria pollutant emissions make up a majority of those regional emissions. The average daily trips used to generate mobile criteria pollutant emissions are based on the Project's trip generate estimates included in the Project's Traffic Study (Appendix R of the Draft EIR). The analysis of mobile emissions also incorporates the vehicle miles traveled (VMT) reduction measures through (e.g. site-specific benefits resulting from the proposed mix of uses). The Project will also implement Project Design Features E-1 through E-3. Those measures would reduce VMT by approximately 57 percent.

The Project would incorporate Project Design Features E-1 through E-3 (GHG features) (described further below) to support and promote environmental sustainability. While these features are designed primarily to reduce greenhouse gas emissions, they would also serve to reduce the emission of criteria pollutants. Those project design features include the Project's Site's accessibility to job centers (including on-site development), an increase in the diversity of land uses and development density, and the provision of on-site pedestrian improvements.

In response to public comments on the Draft EIR, additional project design features and mitigation measures were considered to address the Project's significant and unavoidable impact with respect to regional NOx emissions. Additional air quality analysis was also completed evaluating the Project's potential impacts, provided in the AQ/GHG Memo provided in Appendix FEIR-D to the Final EIR. While mitigation measures were suggested in comments received on the Draft EIR, the City's additional analysis determined that those mitigation measures would largely reduce the Project's electricity uses. When electricity is used in buildings, the electricity generation typically takes place at off-site power plans, which are permitted by the local air district and/or the UESPA. SCAQMD's recommended CalEEmod model does not calculate potential emissions related to electricity usage in buildings. Further, the Project's NOx emissions are mostly the result of the Project's mobile source impacts during operation. Incorporation of measures related to the Project's electricity, therefore, would not serve to reduce the Project's significant and unavoidable regional operational NOx impact. No other feasible project design features or feasible mitigation measures were available to reduce the Project's operational impact associated with regional emissions.

C. *Mitigation Measures*. Feasible project design features and mitigation measures would not substantially lessen or avoid the regional air quality impacts during the Project's operation. Therefore, impacts would remain significant and unavoidable.

4.4.1.2 Cumulative Impacts – Operation

A. *Finding – Significant and Unavoidable.* The Project's cumulative air quality impacts during operation, in conjunction with the Related Projects, would remain significant and unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* According to the SCAMD, if an individual project results in air emissions of criteria pollutants that exceed the SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. Operational emissions from the Project would not exceed the SCAQMD's localized significance thresholds. Therefore, localized emission of non-attainment pollutants would not be cumulatively considerable. However, operational emissions from the Project would exceed the SCAQMD's regional NOx significance threshold. Therefore, regional emissions of NOx generated by Project operation would be cumulatively considerable.

With respect to TAC emissions, neither the Project nor any of the Related Projects (with recreational, office, commercial/retail, restaurant, storage/warehouse, and infrastructure uses) would represent a substantial source of TAC emissions, which are more typically associated with large-scale industrial, manufacturing, and transportation hub facilities. The Project and Related Projects would be consistent with the recommended screening level siting distances for TAC sources, as set forth in CARB's Land Use Guidelines, and the Project and Related Projects would not result in a cumulative impact requiring further evaluation. However, the Project and each of the Related Projects would likely generate minimal TAC emissions related to the use of consumer products and landscape maintenance activities, among other things. The SCAQMD has adopted numerous rules that specifically address TAC emissions. These SCAQMD rules have resulted in and will continue to result in substantial Air Basin-wide TAC emissions reductions. As such, cumulative TAC emission during long-term operations would be less than significant. Additionally, the Project would not result in any substantial sources of TACs that have been identified in CARB's Land Use Guidelines, and, thus, would not result in a cumulatively considerable impact or cumulatively significant impact.

C. *Mitigation Measures*. No mitigation measures are required with respect to cumulative localized emissions or TAC emissions, as no significant cumulative impacts related to those impact areas have been identified. However, with respect to regional air quality impacts during operation, there are no feasible mitigation measures that would substantially lessen or avoid the Project's significant impacts. Therefore, Impacts would remain significant and unavoidable.

4.4.2 Traffic and Access

4.4.2.1 Construction – Intersection Capacity

A. *Finding – Significant and Unavoidable.* The Project's impacts related to traffic concerning trip generation and intersection capacity would remain significant and unavoidable during construction with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* The Project's construction could generate a maximum of 650 daily trips during the building foundation/framing/construction phase, with 214 total trips during the A.M. peak hour and 214 total trips during the P.M. peak hour. Typical construction hours generally require workers to be on-site before the morning commuter peak period (i.e., arrival prior to 7:00 A.M.) and allow them to leave before or after the afternoon peak period (i.e., before 4:00 P.M. or after 6:00 P.M.). Therefore, most construction trips are likely to occur outside the typical weekday commuter morning and afternoon peak periods. During construction, regional access to and from the Project Site for construction trucks associated with hauling deliveries would be provided via the SR-22 Freeway. It is anticipated that construction worker traffic would utilize both regional and local roadways to travel to and from the Project Site, including PCH, 2nd Street, and Marina Drive.

The temporary traffic impacts of the Project during the peak construction phase associated with building foundation/framing/construction, would result in six of the 31 study intersections being temporarily impacted. Those six impacted intersections include: (i) Intersection No. 10: Studebaker Road at SR-22 Eastbound Ramps; (ii) Intersection No. 17: Pacific Coast Highway at 2nd Street; (iii) Intersection No. 18: Shopkeeper Road at 2nd Street; (iv) Intersection No. 19: Studebaker Road at 2nd Street; and (vi) Intersection No. 23: Pacific Coast Highway at Marina Drive. A summary of the temporary traffic impacts at each of the 31 study intersections is summarized in Table IV.K-9 of the Draft EIR.

C. *Mitigation Measures*. Since the Project could have significant traffic impacts related to intersection capacity during construction, implementation of Mitigation Measure K-1 will be required to those impacts to the extent possible. However, Mitigation Measure K-1 would not reduce those impacts to less than significant levels, and there are no other feasible mitigation measures that would substantially lessen or avoid the Project's traffic construction impacts related to intersection capacity. Therefore, impacts would remain significant and unavoidable.

4.4.2.2 Operational – Intersection Capacity

A. *Finding – Significant and Unavoidable.* The Project's impacts related to intersection capacity during operation would be significant and unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding*. The City evaluated the Existing Plus Project Conditions, which evaluated the potential Project-related traffic impacts as compared to existing conditions during the typical A.M. and P.M. peak periods for all intersections and weekend midday peak period for selected intersections. Under that scenario, the estimated Project traffic volumes during the morning and afternoon peak periods and the weekend midday peak period were added to existing morning and afternoon peak period and weekend midday peak period traffic volumes, respectively, to determine the change in the volume-to-capacity ratios for signalized intersections, the change in delay for unsignalized intersections, and the corresponding Level of Service (LOS). The traffic estimates from that analysis are summarized in Table IV.K-10 of the Draft EIR. Based on those estimates, the Project would significantly impact 9 of the 31 study intersections, including Intersection No. 8, Intersection No. 14, Intersection No. 17, Intersection No. 19, Intersection No. 20, Intersection No. 22, Intersection No. 23, Intersection No. 24, and Intersection No. 25. Intersection No. 5: Park Avenue at 7th Street, Intersection No. 6: Pacific Coast Highway at 7th Street, Intersection No. 7: Eastbound Ramps are forecast to operate at unacceptable LOS E during the A.M., P.M., and/or Saturday midday peak hours with the addition of Project traffic. However, the Project is expected to add less than 0.020 to the Intersection Capacity Utilization (ICU) value and would not result in a significant impact to these intersections. (The ICU methodology estimates the volume-to-capacity (V/C) ratios on a critical movement basis.) The remaining study intersections are forecast to continue to operate in an acceptable LOS with the addition of Project-generated traffic to existing traffic. In sum, under Existing Plus Project Conditions, the Project would result in a significant impact at intersections Nos. 8, 14, 17, 19, 20, 22, 23, 24, and 25 prior to mitigation.

The City also evaluated the Future Plus Project Conditions, which identifies the potential impacts of the Project at full buildout on projected future operating conditions during the typical weekday morning and afternoon peak periods and during the weekend midday peak period for selected intersections by adding the net Project-generated traffic to the Future Without Project traffic forecasts for the year 2019. Those estimates are summarized in Table IV.K-11 of the Draft EIR. Based on those estimates, under Future Plus Project Conditions, the Project would significantly impact 11 of the 31 study intersections, including Intersection No. 8, Intersection No. 12, Intersection No. 14, Intersection No. 17, Intersection No. 19, Intersection No. 20, Intersection No. 22, Intersection No. 23, Intersection No. 24, Intersection No. 25, and Intersection No. 29. Intersection No. 1: Bellflower Boulevard at Atherton Street, Intersection No. 5: Park Avenue at 7th Street, Intersection No. 6: Pacific Coast Highway at 7th Street, Intersection No. 7: Bellflower Boulevard at 7th Street, Intersection No. 10: Studebaker Road at SR-22 Eastbound Ramps, and Intersection No. 18: Shopkeeper Road at 2nd Street are forecast to operate at unacceptable LOS E or LOS F during the A.M., P.M., and/or Saturday midday peak hours with the addition of Project traffic. However, the Project is expected to add less than 0.020 to the ICU value and would not result in a significant impact to these intersections. The remaining study intersections are forecast to continue to operate at an acceptable LOS with the addition of Project generated traffic in the Year 2019. In sum, under Future Plus Project Conditions, the Project would result in a significant impact at Intersections Nos. 8, 12, 14, 17, 19, 20, 22, 23, 24, 25, and 29 prior to mitigation. The CMP's TIA guidelines also require that a traffic study analyze traffic conditions at all CMP mainline freeway monitoring locations where a project will add 150 or more trips in either direction during either A.M. or P.M. weekday peak hours. (A freeway mainline is the freeway segment between ramps.) The CMP also requires that a transit system analysis be performed to determine whether a project adds ridership that exceeds the capacity of the transit system.

C. *Mitigation Measures*. The Draft EIR identified Mitigation Measures K-2 through K-12 (listed below) as potential mitigation measures that could reduce the Project's operational impacts related

to traffic. Those Mitigation Measures would include physical improvements to the intersections impacted by the Project. However, after the release of the Draft EIR, the City determined that proposed Mitigation Measures K-2 through K-12 would be infeasible.

Specifically, the physical improvements in proposed Mitigation Measures K-3, K-4, and K-6 would each require the approval of the City of Long Beach and the acquisition of a right-of-way. The acquisition of the required right-of-way for each of those proposed Mitigation Measures cannot be guaranteed. Therefore, the proposed Mitigation Measures K-3, K-4, and K-6 would be infeasible.

The physical improvements proposed in Mitigation Measures K-2, K-5, and K-7 through K-12 would each require the approval of the City of Long Beach and/or the approval of either the City of Seal Beach and/or Caltrans, and each would also require the acquisition of a right-of-way. The physical improvements proposed in this set of Mitigation Measures, therefore, are within the responsibility and jurisdiction of another public agency. The City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements will be approved by those public agencies. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Seal Beach and/or Caltrans' jurisdiction. The acquisition of the required right-of-way, therefore, cannot be guaranteed. Additionally, the City of Seal Beach does not have an established fair share program in accordance with the Mitigation Fee Act that would impose fees for traffic impacts caused by projects in neighboring jurisdictions. Since the approval of the physical improvements and acquisition of rights-of-way in the proposed Mitigation Measures K-2, K-5, and K-7 through K-12 cannot be guaranteed, those mitigation measures would be infeasible.

There are no other feasible mitigation measures that would substantially lessen or avoid those significant impacts. Accordingly, for purposes of the City's analysis, impacts at the identified impacted intersections under Existing Plus Project Conditions and Future Plus Project Conditions are considered to be significant and unavoidable.

Proposed Mitigation Measures in Draft EIR that have been found to be infeasible:

- **Mitigation Measure K-2:** Intersection No. 8: Studebaker Road at SR-22 Westbound Ramps—Widen and restripe the westbound approach to provide a third westbound left-turn lane. Widen and restripe the southbound approach of Studebaker Road to provide a third southbound through lane. These improvements would require right-of-way acquisition at the on/off ramp and along the west side of Studebaker Road. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Mitigation Measure K-3:** Intersection No. 12: Studebaker Road at Loynes Drive—Widen and restripe the northbound approach of Studebaker Road to provide a third northbound through lane. This improvement would require right-of-way acquisition from property owners along the east side of Studebaker Road. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Mitigation Measure K-4:** Intersection No. 14: Bay Shore Avenue at 2nd Street—Widen and restripe the northbound approach of Bay Shore Avenue to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition at the southeast corner of the intersection and may affect the existing sidewalk and/or existing public restroom

building. This improvement would also require the elimination of short-term parking on Bay Shore Avenue adjacent to the Bay Shore Neighborhood Library. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Mitigation Measure K-5:** Intersection No. 17: Pacific Coast Highway at 2nd Street—Widen and restripe the northbound approach of Pacific Coast Highway to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection and may affect the existing Mobil gas canopy. Widen and restripe the eastbound approach of 2nd Street to provide a fourth eastbound through lane. This improvement would require right-of-way acquisition from property owners on the southwest corner and the southeast corner of the intersection and may affect the existing Mobil gas canopy. Widen and restripe the westbound approach of 2nd Street to provide a third westbound left-turn lane. This improvement would require right-of-way acquisition from property owners on the northeast corner of the intersection and may affect the existing In-N-Out burger drive-through lane. Modify the existing traffic signal as necessary and install an eastbound right-turn overlap phase. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Mitigation Measure K-6:** Intersection No. 19: Studebaker Road at 2nd Street—Widen and restripe the eastbound approach of 2nd Street to provide a third eastbound left-turn lane. Widen and restripe Studebaker Road to provide a third northbound receiving lane. These improvements would require right-of-way acquisition along the south side of 2nd Street and on the east side of Studebaker Road within the existing wetlands. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach.

- **Mitigation Measure K-7:** Intersection No. 20: Seal Beach Boulevard at Westminster Avenue—Widen and restripe the northbound approach of Seal Beach Boulevard to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach.

- **Mitigation Measure K-8:** Intersection No. 22: Pacific Coast Highway at Studebaker Road—Convert the exclusive southbound right-turn lane on Pacific Coast Highway to a shared through/right-turn lane. Widen and restripe Pacific Coast Highway to provide a third southbound receiving lane. The third southbound receiving lane would require right-of-way acquisition from property owners on the southwest corner of the intersection in order to maintain the existing bike lane. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.

- **Mitigation Measure K-9:** Intersection No. 23: Pacific Coast Highway at Marina Drive—Install a three-phase traffic signal with protected left-turn phasing in the northbound direction. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans.

- **Mitigation Measure K-10:** Intersection No. 24: Pacific Coast Highway at Main Street/Bolsa Avenue—Widen and restripe the northbound approach of Pacific Coast Highway to provide a

third northbound through lane. This improvement would require right-of-way acquisition from property owners on the northeast corner and the southeast corner of the intersection. This improvement may also affect the existing building located on the northeast corner of the intersection and the existing parking spaces within Seal Beach Center located on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans.

- **Mitigation Measure K-11:** Intersection No. 25: Seal Beach Boulevard at Pacific Coast Highway—Widen and restripe the northbound approach of Seal Beach Boulevard to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans.

- **Mitigation Measure K-12:** Intersection No. 29: Pacific Coast Highway at 1st Street—Widen and restripe the southbound approach of Pacific Coast Highway to provide an exclusive southbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the northwest corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans.

4.4.2.3 Operational – Los Angeles County Congestion Management Program

A. *Finding – Significant and Unavoidable.* The Project's impacts related to Los Angeles County's Congestion Management Program would be significant an unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* The Los Angeles County Congestions Management Program (CMP) is a State-mandated program enacted by the state legislature that requires new development projects to analyze potential impacts on CMP monitoring locations if an EIR is prepared for a project. The CMP project traffic impact analysis (TIA) guidelines require that the traffic study analyze traffic conditions at all CMP arterial monitoring intersections where a project will add 50 or more trips during either the A.M. or P.M. weekday peak hours of adjacent street traffic.

Two CMP arterial monitoring locations are located in proximity to the Project Site: (i) CMP Station No. 39: Pacific Coast Highway at Westminster Avenue (2nd Street), which is also Intersection No. 17 in the City's traffic study; and (ii) CMP Station No. 36: Pacific Coast highway at 7th Street, which is also Intersection No. 6 in the City's traffic study. The Project would generate 13,666 net new weekday daily trips, including 412 weekday A.M. peak-hour trips and 792 weekday P.M. peak-hour trips. The Project would also generate approximately 17,611 weekend daily trips, including 1,439 weekend midday peak-hour trips. Since the Project would add 50 or more trips at the identified CMP intersections during the weekday a.m. peak hour or p.m. peak hour, a CMP intersection traffic impact analysis was conducted.

For CMP Station No. 36, the Project would add approximately 67 trips during the A.M. peak hour and 131 trips during the P.M. peak hour at that location. The Project would not increase the demand at this key intersection by two percent (0.02) or more during the A.M. and P.M. peak hours. Therefore, the Project would not have a CMP impact at this location. For CMP Station No. 39, the Project would add approximately 209 trips during the a.m. peak hour and 504 trips during the p.m.

peak hour at that location. The Project would increase demand at this key intersection by more than two percent (0.02) during the A.M. and P.M. peak hours (0.034 and 0.102, respectively). Therefore, the Project would result in a significant impact at this intersection prior to mitigation.

With respect to the CMP freeway segment analysis, the nearest mainline freeway monitoring location is CMP Station NO: 1065: I-405 Freeway north of SR-22. Based on the Project-trip generation estimates, the Project would not add 150 or more trips (in either direction) during the A.M. or P.M. or weekday peak periods at this CMP mainline freeway monitoring location. Therefore, a CMP freeway traffic impact analysis was not required.

C. *Mitigation Measures*. The Project would result in a significant impact at CMP Station No. 39 (Intersection No. 17: Pacific Coast Highway and 2nd Street). Implementation of Mitigation Measure K-5 would reduce Project impacts at Intersection No. 17. However, implementation of this mitigation measure is subject to the approval of the City of Long Beach and Caltrans, as well as the acquisition of right-of-way. The City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements will be approved by Caltrans. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Caltrans' jurisdiction. The acquisition of the required right of way, therefore, cannot be guaranteed, and Mitigation Measure K-5 is considered infeasible. Accordingly, for purposes of the City's analysis, impacts at that CMP arterial monitoring station are considered to be significant and unavoidable. There are no other feasible mitigation measures that would substantially lessen or avoid those significant impacts. Therefore, impacts related to CMP Station No. 39 would remain significant and unavoidable.

Impacts at CMP Station No. 36 would be less than significant, and no mitigation measure is required. Project impacts to a CMP freeway monitoring location would also be less than significant, and no mitigation measure is required.

4.4.2.4 Operational – Intersection Capacity (Caltrans)

A. *Finding – Significant and Unavoidable.* The Project's impacts related to Caltrans intersection capacity would be significant and unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* In accordance with the current Caltrans *Guide for the Preparation of Traffic Impact Studies*, existing and projected weekday, A.M. P.M., and weekend midday peak-hour operating conditions at the 16 state-controlled study intersections were evaluated using the Highway Capacity Manual (HCM). Those 16 intersections include Intersections No. 2, No. 3, No. 6, No. 7, No. 8, No. 9, No. 10, No. 11, No. 17, No. 22, No. 23, No. 24, No. 25, No. 28, No. 29, No. 30. The HCM methodology calculates the average control delay, in seconds, of a vehicle. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The control delay is used to determine the intersection LOS.

Under existing conditions, all of the state-controlled study intersections currently operate at an acceptable LOS D or better during the A.M. and P.M. peak hours except for Intersection 23: Pacific Coast Highway at Marina Drive. Intersection No. 23 currently operates at unacceptable LOS E during the A.M. peak hour. Under the Existing Plus Project Conditions, three of the 16-state controlled study intersections are forecast to operate at an unacceptable service level during the A.M. and/or P.M. peak hours with the addition of Project traffic to existing traffic. The Existing Plus

Project Peak-Hour Intersection Capacity Analysis is summarized in Table IV.K-13 of the Draft EIR. Specifically, Intersection No. 17: Pacific Coast Highway at 2nd Street, Intersection No. 23: Pacific Coast Highway at Marina Drive, and Intersection No. 25: Seal Beach Boulevard at Pacific Coast Highway are forecast to operate at unacceptable LOS E during the A.M. and/or P.M. peak hours. The remaining state-controlled key intersections are forecast to continue to operate at an acceptable LOS with the addition of Project-generated traffic to existing traffic. Therefore, based on Caltrans recommended methodology, the Project would significantly impact Intersections Nos. 17, 23, and 25 under Existing Plus Project prior to mitigation.

With respect to the Future Plus Project Conditions, all of the state-controlled study intersections are projected to operate at an acceptable LOS D or better during the A.M. and P.M. peak hours except for Intersection 23: Pacific Coast Highway at Marina Drive. Intersection No. 23 is projected to operate at unacceptable LOS E during the A.M. peak hour. A summary of the estimated Future Plus Project Conditions can be found in Table IV.K-14 in the Draft EIR. Three of the 16 state-controlled study intersections would operate at an unacceptable service level during the A.M., P.M. and/or weekend midday peak hours under Future Plus Project Conditions. The remaining state-controlled key study intersections are forecast to continue to operate an acceptable LOS with the addition of Project-generated traffic in the year 2019. Therefore, based on Caltrans recommended methodology under the Future Plus Project Conditions, the Projects would significantly impact intersections Nos. 17, 23, and 25 prior to mitigation.

C. *Mitigation Measures*. Since the Project could lead to significant impacts related to Caltrans roadways, implementation of mitigation would be required. The physical improvements included in proposed Mitigation Measures K-2 through K-12 would reduce Project impacts at all of the significantly impacted state-controlled study intersections under Existing Plus Project Conditions and Future Plus Project Conditions (as summarized in Tables IV.K-21 and IV.K-22 of the Draft EIR). However, the physical improvements are either subject to the approval of the City of Long Beach and acquisition of right-of-way in the City of Long Beach, or are subject to the approval of the City of Seal Beach and/or Caltrans and the acquisition of right-of-way in the jurisdiction of Seal Beach and/or Caltrans. The City of Long Beach cannot guarantee the acquisition of right-of-way for proposed Mitigation Measures K-3, K-4, or K-6. For the remaining proposed mitigation measures, the City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements will be approved by other public agencies. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Seal Beach and/or Caltrans' jurisdiction. The acquisition of the required right-of-way, therefore, cannot be guaranteed. Since the approval of the physical improvements and acquisition of rights-of-way in the proposed Mitigation Measures cannot be guaranteed, those mitigation measures would be infeasible. Accordingly, for purposes of the City's analysis, these impacts are considered to be significant and unavoidable. There are no other feasible mitigation measures that would substantially lessen or avoid those significant impacts.

4.4.2.5 Operational – Freeway Segments (Caltrans)

A. *Finding – Significant and Unavoidable.* The Project's impacts related to Caltrans freeway segments would be significant an unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* Under existing conditions, three of the 12 freeway segments analyzed operate at an unacceptable LOS E during the A.M. and/or P.M. peak hours. The same three freeway

segments are forecast to operate at an unacceptable LOS during the A.M. and/or P.M. peak hours with the addition of Project traffic to existing traffic. Although the addition of Project trips is not anticipated to result in any new deficient service levels, the Project's contribution to the freeway system would be significant at two of the 12 freeway segments under this traffic impact analysis scenario. The summary of the Existing Plus Project impacts to the studied freeway segments appears in Table IV.K-15 of the Draft EIR.

With respect to the Future Plus Project Conditions, under future (2019) conditions, three of the 12 freeway segments are forecast to operate at an unacceptable LOS E during the A.M. and/or P.M. peak hours. The same three freeway segments are forecast to operate at an unacceptable LOS during the A.M. and/or P.M. peak hours with the addition of Project traffic. Although the addition of Project trips is not anticipated to result in any new deficient service levels, the Project's contribution to the freeway system would be significant at two of the 12 freeway segments under this traffic impact analysis scenario. The summary of the Future Plus Project Conditions impacts to the studied freeway segments appears in Table IV.K-16 of the Draft EIR.

C. *Mitigation Measures*. The Project could have significant traffic impacts related to Caltrans freeway segments. However, SR-22 is controlled exclusively by the State, and there is no mechanism by which the City of Long Beach can construct or guarantee the construction of any improvements to the significantly impacted freeway segments. Therefore, the Project's impacts on Caltrans freeway segments are considered significant and unavoidable, as there are no feasible mitigation measures that would substantially lessen or avoid mainline impacts to below significance thresholds or achieve acceptable service level goals.

4.4.2.6 Freeway Ramps (Caltrans)

A. *Finding – Significant and Unavoidable.* The Project's impacts related to Caltrans freeway ramps would be significant and unavoidable with implementation of all feasible project design features and mitigation measures.

B. *Facts in Support of Finding.* An analysis of the four ramps at the SR-22 interchange at Studebaker Road was also conducted. That analysis is consistent with Caltrans requirements and was prepared using HCM methodology.

Under existing conditions, two of the four analyzed ramps operate at an unacceptable LOS during the A.M. and or P.M. peak hours. The same two ramps are forecast to operate at an unacceptable LOS during the A.M. or P.M. peak hours with the addition of Project traffic. Although the addition of Project trips is not anticipated to result in any new deficient service levels, the Project's contribution to the freeway ramp system would be significant at those two freeway ramps under this traffic impact analysis scenario. The summary of the Existing Plus Project impacts to the studied freeway ramps appears in Table IV.K-17of the Draft EIR.

With respect to Future Plus Project Conditions, two of the four ramps are forecast to operate at an unacceptable LOS during the A.M. and/or P.M. peak hours under future (2019) conditions. The same two ramps are forecast to operate at an unacceptable LOS during the A.M. and/or P.M. peak hours with the addition of Project traffic. Although the addition of Project trips is not anticipated to result in any new deficient service levels, the Project's contribution to the freeway ramp system would be significant at those two freeway ramps under this traffic impact analysis scenario. The summary

of the Future Plus Project Conditions impacts to the studied freeway ramps appears in Table IV.K-18 of the Draft EIR.

C. *Mitigation Measures*. The project could have significant impacts related to Caltrans freeway ramps. However, SR-22 is controlled exclusively by the State, and there is no mechanism by which the City of Long Beach can construct or guarantee the construction of any improvements to the significantly impacted freeway segments. Therefore, the Project's impacts on Caltrans freeway segments are considered significant and unavoidable, as there are no feasible mitigation measures that would substantially lessen or avoid mainline impacts to below significance thresholds or achieve acceptable service level goals.

4.4.2.7 Cumulative Impacts

A. *Finding – Significant and Unavoidable.* The Project, in conjunction with the Related Projects, would have cumulatively considerable impacts related to construction, intersection level of service during operation, Caltrans roadways, Caltrans Freeway segments, and Caltrans ramps. The Project's cumulative impacts related to the regional transportation system, access and circulation, bicycle/pedestrian/vehicular safety, and parking would be less than significant. Overall, cumulative impacts would be significant and unavoidable.

B. *Facts in Support of Finding. Construction.* With respect to construction, the Related Projects are dispersed throughout the Project area and would draw upon a workforce from all parts of the Los Angeles County and Orange County region. Many, and likely most, of the construction workers are anticipated to arrive and depart the individual construction sites during off-peak hours (i.e., arrival prior to 7:00 A.M. and departure between 3:00 and 4:00 P.M.), thereby avoiding construction-related trips during the A.M. and P.M. peak traffic periods. In addition, it is anticipated that the haul truck routes for the related projects would be approved by the City according to the location of the individual construction sites and the ultimate destination(s) in a manner that reduces impacts to the local and regional roadway systems as much as possible. The City's established review process takes into consideration overlapping construction projects and would balance haul routes to minimize the impacts of cumulative hauling on any particular roadway. Nevertheless, the potential exists for the construction-related activities and/or haul routes of the Project and the related projects to overlap, particularly with respect to related projects west, south, and southeast of the Project Site that travel north along Pacific Coast Highway or 2nd Street to access the SR-22 Freeway. In particular, there is a potential for these related projects and the Project to use the same haul routes at the same time. The Project would result in temporary intersection impacts during construction. As such, the Project's contribution traffic impacts during construction would be cumulatively considerable, and construction-related cumulative traffic impacts would be significant.

Operation. With respect to the Project's operation, the traffic models used in the City's analysis incorporated forecasted traffic increases due to ambient growth as well as the Related Projects through the year 2019. The CMP analysis also evaluated traffic impacts on a larger, regional scale. Therefore, cumulative impacts on intersections, including Caltrans facilities, and the regional transportation system as a result of the Project, are accounted for in the Future Plus Project scenario summarized above.

Intersection Level of Service. Under cumulative conditions (Future Plus Project Conditions), the Project would result in significant impacts to 11 of the 31 study intersections. Therefore, the

Project's contribution to cumulative impacts would be considerable, and cumulative impacts would be significant at the intersections significantly impacted by the Project (Intersection Nos. 8, 12, 14, 17, 19, 20, 22, 23, 24, 25 and 29).

Regional Transportation System. The Project would add 50 or more trips at the identified CMP intersections during the weekday A.M. peak hour and P.M. peak hour. Specifically, the Project would add approximately 209 trips during the A.M. peak hour and 504 trips during the P.M. peak hour at CMP Station No. 39 (Intersection No. 17: Pacific Coast Highway at 2nd Street). The Project would increase demand at this key intersection by more than two percent (0.02) during both the A.M. and P.M. peak hour (0.034 and 0.102 respectively). Therefore, the Project would result in a significant impact at this location prior to mitigation. At CMP Station No. 36 (Intersection No. 6: Pacific Coast Highway at 7th Street), the Project would add approximately 67 trips during the A.M. peak hour and P.M. peak hour. The Project would not increase demand at this intersection by two percent or more during the A.M. and P.M. peak hours. As such, the Project would not result in a significant CMP impacts at this intersection. Therefore, the Project would not contribute to a significant cumulative impact at this location.

The Project would not add 150 or more trips (in either direction) during the A.M. or P.M. weekday peak periods at the nearest mainline freeway monitoring location (CMP Station No. 1065: I-405 Freeway, north of SE-22). Therefore, the Project would not contribute to a significant cumulative impact at this location.

With respect to public transit, the Related Projects would generate an overall increase in transit riders. However, the effect is considered a positive impact and is consistent with City land use and transportation policies to reduce traffic. Given the availability of public transit in the Project area, the anticipated increased transit ridership associated with the Project and Related Projects is not expected to exceed the capacity of transit systems. Therefore, Project impacts with regard to transit would not be cumulatively considerable, and cumulative impacts would be less than significant.

Access and Circulation. Due to the distance of the related projects from the Project Site, it is not anticipated that the Project, when combined with the Related Projects, would create a significant cumulative impact to access and circulation. Additionally, as with the Project, the Related Projects would be subject to review by the City for compliance with standard City requirements regarding adequate access and circulation. Therefore, the Project's cumulative impacts would not be cumulatively considerable, and impacts to access and circulation would be less than significant.

Bicycle, Pedestrian, and Vehicular Safety. The Project impacts related to bicycle, pedestrian, and vehicular safety would be less than significant. Additionally, as with the Project, it is anticipated that future Related Projects would be subject to the City review to ensure that such projects are designed with adequate access and circulation, including standards for sight distance, sidewalks, crosswalks, and pedestrian movement controls. Therefore, Project impacts with regard to bicycle, pedestrian, and vehicular safety would not be cumulatively considerable, and cumulative impacts would be less than significant.

Parking. The parking demand associated with the Project would not contribute to a cumulative demand for parking in the vicinity of the Project Site as a result of development of the Project and Related Projects. As with the Project, Related Projects have been or would be subject to City review to ensure that adequate parking be provided for each of the Related Projects. Therefore, Project

impacts with regard to parking would not be cumulatively considerable, and cumulative impacts would be less than significant.

Caltrans Roadway Analysis. Under cumulative conditions (Future Plus Project Conditions), the Project would result in significant impacts to three of the 16 Caltrans study intersections. Therefore, the Project's contribution to cumulative impacts would be considerable, and cumulative impacts would be significant at those intersections (Intersection Nos. 17, 23, and 25).

Caltrans Freeway Analysis. Under cumulative conditions (Future Plus Project Conditions), the Project would result in significant impacts to two of the 12 evaluated freeway segments. Therefore, the Project's contribution to cumulative impacts would be considerable, and cumulative impacts would be significant at those segments (Freeway Segments Nos. 1 and 2).

Caltrans Ramps Analysis. Under cumulative conditions (Future Plus Project Conditions), the Project would result in significant impacts to two of the four ramps studied. Therefore, the Project's contribution to cumulative impacts would be considerable, and cumulative impacts would be significant at those ramps (Ramps Nos. 2 and 3).

C. *Mitigation Measures*. The Project would have significant cumulative impacts related to traffic during construction and operation. Implementation of proposed Mitigation Measures K-2 through K-12 could lessen some of those impacts. However, the physical improvements included in those mitigation measures are subject to the approval of the City of Long Beach, City of Seal Beach, and/or Caltrans, and are dependent on the acquisition of right-of-way, which cannot be guaranteed. The City of Long Beach cannot guarantee the acquisition of right-of-way for proposed Mitigation Measures K-3, K-4, or K-6. For the remaining proposed mitigation measures, the City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements will be approved by other public agencies. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Seal Beach and/or Caltrans' jurisdiction. The acquisition of the required right-of-way, therefore, cannot be guaranteed. Since the approval of the physical improvements and acquisition of rights-of-way in the proposed Mitigation Measures cannot be guaranteed, those mitigation measures would be infeasible. Accordingly, for purposes of the City's analysis, cumulative impacts are considered to be significant and unavoidable. There are no other feasible mitigation measures that would substantially lessen or avoid those significant impacts.

5.0 Other CEQA Findings

5.1 Project Alternatives

Pursuant to CEQA Guidelines section 15126.6, alternatives to the Project were considered that could mitigate or avoid the significant environmental impacts associated with the Project while still achieving the Project's primary objectives. CEQA Guidelines section 15126.6(e) also requires the analysis of a "no project" alternative, and CEQA Guidelines section 15126.6(f) requires an evaluation of alternative location(s) for the project, if feasible. Based on the alternatives analysis, an environmentally superior alternative is to be designated. If the environmentally superior alternative is the No Project Alternative, then the EIR shall identify an environmentally superior alternative among the other alternatives.

The Project would result in significant impacts that cannot be feasibly mitigated with respect to regional air quality during operation and traffic. The Project would also lead to cumulative impacts related to regional

air quality during operation and traffic. The City evaluated three alternatives to the Project based on the Project's significant environmental impacts, the objectives established for the Project, the feasibility of the possible alternatives that were considered, and public input received during the Draft EIR scoping process.

Under CEQA Guidelines section 15126.6(c), the range of potential alternatives to a project shall include those that could feasibility accomplish most of the basic project objectives and could avoid or substantially lessen one or more of the significant effects. Factors that may be taken into account when addressing feasibility and infeasibility are site suitability, economic viability, availability of infrastructure, social factors, and technical feasibility. The three alternatives considered for the Project include: (i) Alternative 1: No Project/Reoccupation of Existing Hotel Alternative; (ii) Alternative 2: Reduced Density Alternative; and (iii) Alternative 3: Mixed-Use –Commercial and Hotel Alternative.

5.1.1.1 Alternatives Considered and Rejected

CEQA Guidelines section 15126.6(c) states that a lead agency should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. Under the CEQA Guidelines, the factors that may be used to eliminate an alternative from detailed consideration include: (i) the alternative's failure to meet most of the basic project objectives; (ii) the alternative's infeasibility; (iii) or the alternative's inability to avoid significant environmental impacts.

The City considered the following alternatives that were rejected as infeasible during the scoping process:

- **Residential Use Alternative:** An alternative was considered in which the Project would include residential uses. Under this alternative, impacts would be similar to those of the Project. However, residential uses are not currently permitted on the Project Site, and previous proposals for residential uses on the Project Site were met with public opposition. Furthermore, development of residential uses on-site would not be expected to eliminate the Project's significant and unavoidable impacts with respect to regional air quality. This alternative would also fail to meet the Project's underlying purpose of creating a distinctive commercial environment within the community by providing a blend of shopping and dining uses, open space, and amenities that collectively offer an active shopping and dining experience and rejuvenate an existing underutilized commercial site. Based on those conclusions, this alternative was ultimately rejected as infeasible.

- **Substantially Reduced Density Alternatives:** Alternatives with greater reductions in floor area than evaluated herein were also considered. Under these scenarios, impacts would be reduced compared to those of the Project, and in some cases could be reduced to less than significant levels. However, substantial floor area reductions would render the Project financially infeasible. A retail project which reflects greater than a 30 percent reduction in rentable area would not achieve the financial returns required for institutional investors and therefore is considered infeasible. The fixed land price coupled with the substantial and atypical site improvement costs (which include items such as: stone column/geopier infrastructure to stabilize the site due to a high water table and liquefaction potential; remediation of contaminated soil; oil well reabandonment; and utility infrastructure) plus building construction costs require a certain amount of rentable area to generate sufficient revenue to offset the total development costs. It is important to note that the site improvement costs and fixed land price would be the same regardless of the size of the Project. Developing a project with a reduction of more than 30 percent in rentable area would produce investor returns/yields far below what is acceptable in the market and produce minimal to no profit, rendering it infeasible. Accordingly, alternatives with a floor area reduction of greater than 30 percent were rejected as infeasible.

5.1.1.2 Alternative 1: No Project/Reoccupation of Existing Hotel Alternative

Under the No Project/Reoccupation of Existing Hotel Alternative, the Project would not be approved and the existing hotel and associated on-site improvements would remain. However, while the existing conditions for the purposes of the City's environmental review of the Project are based on the conditions that existed on-site at the time the Notice of Preparation was publicly circulated (November 2016), in accordance with CEQA Guidelines Section 15125(a), at which time the SeaPort Marina Hotel and associated commercial uses within the hotel were operating, those uses subsequently ceased operations and all buildings on-site are currently vacant. Accordingly, the No Project/Reoccupation of Existing Hotel Alternative would involve the reoccupation of the hotel and associated commercial uses, which would necessarily involve improvements to bring the existing structures up to current standards under the Long Beach Municipal Code (LBMC). It is also assumed under this Alternative that interior renovations may also occur in order to appeal to a new customer base, along with limited landscape improvements. Additionally, while only 170 of the SeaPort Marina Hotel's 248 rooms were operating in November 2016, it can be assumed that any new hotel operator would strive for full occupancy, particularly given the need for capital improvements in order to recommence operations. The site plan under this Alternative would resemble existing condition. Amenities and commercial uses within the hotel are expected to be similar to those that previously existed (e.g., rental car/limousine service, fitness studio, and restaurant/café uses). Additionally, the hotel would host occasional banquets and meetings, as previously occurred on-site.

Alternative 1 would have the following environmental impacts in comparison to the Project's impacts:

- *Aesthetics/Visual Quality, Views, Light and Glare, and Shading*: No visual quality impacts associated with construction would occur, and impacts would be less than significant in comparison to the Project's less than significant impacts. During operation, Alternative 1 would not alter the existing uses on the Project Site, introduce new buildings on the Project Site, or degrade the appearance of the Project Site. The Project Site, which is considered to be in relatively poor condition and outdated in design, would not be improved with a commercial development involving updated architecture, new amenities, and extensive landscaping elements. Therefore, during operation, while impacts to aesthetics would be less than significant, such impacts would be greater in comparison to the Project's less than significant impacts based on the limited changes that would occur on-site. Existing views of the Project site would not be altered. As such, no impacts to views would occur, and impacts would be less in comparison to the less than significant impacts of the Project. No impacts with respect to light and glare would occur during construction and operation, and impacts would be less in comparison to the less than significant impacts of the Project. No impacts with respect to shading would occur, and impacts would be less in comparison to the less than significant impacts of the Project.
- *Air Quality*. Since no new physical development would occur, and existing uses would remain, Alternative 1 would result in fewer impacts with regards to air quality compared to the Project during construction, with no impacts with respect to regional emissions, localized emission, toxic air contaminants, or odors. While Alternative 1 would increase hotel occupancy, the increase in occupancy would increase the operational emissions related to vehicular traffic and the consumption of electricity and natural gas beyond those currently generated by existing uses on the site. However, the new the new emissions generated by Alternative 1 would not increase substantially so as to exceed the operational regional and localized air quality thresholds. Alternative 1 would result in less than significant operational air quality impacts, and these impacts would be reduced compared to the Project's less than significant impacts associated with

operational localized emission, toxic air contaminants, and odors, as well as the Project's significant and unavoidable regional NOx impacts.

- *Cultural Resources*. Alternative 1 would not physically alter the existing structures on the Project Site or construct new structures on-site. Therefore, no impacts to historic resources, archeological resources, paleontological resources, or tribal cultural resources would occur, and impacts would be less in comparison to the less than significant impacts of the Project.
- *Geology and Soils*. Although no new development would be introduced under Alternative 1, given the potential for seismic ground shaking, soil liquefaction, subsidence, and collapse, improvements would be required to bring the existing structures up to current seismic standards. However, such improvements would be less invasive than those required of the Project. Accordingly, impacts would be less than the Project's and less then significant.
- *Greenhouse Gas Emissions*. Alternative 1's increase in use and occupancy would result in an increase in operational GHG emission related to vehicular traffic, the consumption of electricity and natural gas, and water usage and wastewater generation beyond the levels currently generated by the existing uses on-site. However, both the number of average daily vehicle trips and utility usage would be less under Alternative 1 than under the Project. As such, impacts associated with GHG emissions would be less than significant and less in comparison to the Project's less than significant impacts.
- *Hazards and Hazardous Materials*. No new physical construction, earthwork, or ground-disturbing activities would occur that could expose workers to hazardous materials known to exist in soil and groundwater nor result in the need for off-site transport or disposal of excavated hazardous materials. Any use of hazardous materials would involve those typical of commercial uses, such as cleaning agents and limited pesticide use, which would be stored and handled in accordance with manufacturers' specifications, similar to existing conditions. There would be no potential for new or increased generation of hazardous waste, uncovering of subsurface hazards, dewatering during construction, or encountering asbestos-containing materials or lead-based paint, or polychlorinated biphenyls. No construction-related impacts would occur and operational impacts would be less than significant, all of which would be reduced in comparison to the Project.
- *Hydrology and Water Quality*. No new physical development would occur and the existing development would remain. Therefore, existing drainage patterns or the amount of impervious surface area on-site and surface water runoff volumes and flow rates would remain unchanged. However, an increase in occupancy of the hotel would likely involve an increase in pollutants to stormwater runoff, and Alternative 1 would not achieve the beneficial impacts that would result from implementation of the Project's best management practices. Impacts with respect to surface water hydrology would be less than significant and reduced in comparison to the Project. Alternative 1 would result in less than significant impacts to surface water quality, although such impacts would be greater in comparison to the Project's. Impacts with respect to groundwater hydrology under Alternative 1 would be less than significant and reduced in comparison to the Project. Alternative 1 would result in less than significant impacts to surface water quality, but such impacts would be greater in comparison to the Project's. Impacts related to seiche and tsunamic risk would be similar to the Project's and less than significant.
- *Land Use*. Under Alternative 1, no changes to the existing land uses or the physical characteristics of the Project Site would occur. The existing uses would continue to be consistent with applicable land use plans, policies, and regulations, including the land use designations and zoning for the site. Impacts related to consistency with land use regulations and plans would not occur, and such impacts would be less than those of the Project. Impacts related to land use compatibility would not occur, and impacts would be less in comparison to the less than significant impacts of the Project.

- *Noise*. Since no construction-related noise or vibration would be generated on or off-site, such impacts would be reduced in comparison n to the Project. Fewer vehicle trips would be generated under Alternative 1. Therefore, impacts associated with operational noise would be less than significant and reduced in comparison to the Project.
- *Public Services*. Alternative 1 would not represent an increased demand for fire protection services relative to existing conditions. No impact related to fire protection services would occur, and impacts would be reduced in comparison to those of the Project. Since Alternative 1 would increase the daytime service population on-site in comparison to existing conditions, Alternative 1 has the potential to increase calls for police protection services. Nonetheless, impacts to police protection services would be less than significant and reduced in comparison to the Project's impacts.
- *Traffic and Access*. No construction-related traffic impacts would occur, which would be less in comparison to the Project's significant and unavoidable construction traffic impacts. Although no new development is proposed, traffic and transit ridership under Alternative 1 would increase slightly over existing conditions. While significant Existing Plus Project impacts would not occur, traffic under Alternative 1 would result in a significant impact at one study intersection under Future Plus Project Conditions using City methodology and two study intersections using Caltrans methodology. As with the Project, implementation of the identified mitigation measures would require the approval of the City of Long Beach, the City of Seal Beach, and/or Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. Further, no feasible mitigation for impacts on freeway segments and ramps has been identified. Therefore, these impacts would remain significant and unavoidable. Impacts with respect to public transit, parking, and access would be less than significant and less than the Project's impacts.
- *Utilities and Services Systems*. No new physical development would occur, and no water demand related to construction activities would result. The increase in hotel occupancy as compared to existing conditions at the time of the NOP would involve an associated increase in water demand, although this demand would not exceed historic water demand generated by the hotel and associated uses on-site. The Impacts to water supply and infrastructure would be less than significant and reduced in comparison to the Project. Increased hotel occupancy would also increase demand for electricity, natural gas, and petroleum-based fuels, although this demand would not exceed historic energy demands generated by the hotel and associated uses on-site. Overall, energy impacts would be less than significant and reduced in comparison to the Project.

In sum, Alternative 1 would avoid the Project's significant environmental impact related to regional air quality emissions. However, reoccupation of the existing hotel would result in an increase in traffic over existing conditions. As such, Alternative 1 would result in significant traffic impacts that, like the Project, would remain significant and unavoidable. Under Future Plus Project Conditions, Alternative 1 would result in significant impacts to one study intersection using City methodology, two study intersections using Caltrans methodology, and various freeway segments and ramps. However, such impacts would be reduced in comparison to the Project's significant and unavoidable impacts, as fewer locations would be significantly impacted. Alternative 1 would also reduce most of the Project's less than significant impacts, although impacts relative to Hydrology and Water Quality would be greater than the Project's. In particular, certain improvements and elements proposed as part of the Project would have beneficial effects, and such improvements would not be implemented under Alternative 1. This alternative would not result in new environmental impacts and would not require mitigation measures to reduce impacts regarding cultural resources, geology and soils, hazards and hazardous materials, and noise.

Additionally, Alternative 1 would not meet the underlying purpose of the Project or a majority of the Project objectives. Specifically, Alternative 1 would not: develop a high quality shopping center that reflects the property's unique orientation adjacent to an active marina; enhance the economic vitality of the City and

provide property tax, sales tax, and other revenue opportunities to the same extent as the Project; create a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance; provide a high level of accessibility to and through the site to ensure a high-quality pedestrian environment, efficient vehicular access, including bicycle facilities, and access to mass transit; provide amenities that encourage and promote public access to the marina; provide a distinctive, high quality, mixed-use commercial environment that maximizes the variety of commercial uses on-site to support the needs of nearby residents and businesses and attract future businesses, employers, and visitors; locate a large retailer at the Project Site in a high visibility location adjacent to a public street to contribute to the initial draw for shoppers to visit the Project and explore its diversity of uses; maximize the visibility of retail tenants through a project design that locates retail tenants in areas easily visible from adjacent public streets, in order to attract a variety of high-quality retailers that will provide for the long-term vitality of the Project; nor provide readily accessible and easily identifiable, centrally located retail and parking facilities with shared parking, serving synergistic commercial uses in order to provide visitors with an easy and convenient retail destination experience and encourage return visits. Furthermore, although the Project's significant and unavoidable regional operational air quality impact would not occur, Alternative 1 would not completely avoid the Project's significant and unavoidable traffic impacts, although such impacts would be reduced.

Therefore, it is found pursuant to CEQA Guidelines section 15126.6 that Alternative 1 would not feasibly obtain most of the Project's objectives, nor would Alternative 1 reduce all of the Project's significant and unavoidable impacts to less than significant levels.

5.1.1.3 Alternative 2: Reduced Density Alternative

Alternative 2, the Reduced Density Alternative, would include the development of a similar mix of land uses as the Project, including commercial, retail, and restaurant uses, but reduced in development intensity. More specifically, Alternative 2 represents a 30-percent reduction in the Project's total development and would consist of approximately 170,000 square feet of new floor area, resulting in approximately 124,100 square feet of retail uses, 27,200 square feet of quality restaurant uses, and 18,700 square feet of high-turnover restaurant uses at the Project Site. The reduction in square footage would be achieved by replacing one of the Project buildings along PCH with a surface parking lot. Under Alternative 2, the height of the proposed buildings would be the same as under the Project (i.e., one- and two-story buildings ranging in height from a maximum of 30 feet to 35 feet). Parking for Alternative 2 would be provided within a surface parking area, a two-level parking structure, and a three-level parking structure. As with the Project, Alternative 2 would require demolition of the existing SeaPort Marina Hotel and associated on-site uses, with a similar amount of grading and soil export. The overall duration of construction would be incrementally reduced compared to the Project due to the reduction in building construction. However, construction activities during maximum activity days would be similar in scale to those of the Project.

Alternative 2 would have the following environmental impacts in comparison to the Project's impacts:

- *Aesthetics/Visual Quality, Views, Light and Glare, and Shading:* Alternative 2 would involve the same general phases of construction as the Project, which would temporarily alter the visual appearance of the Project Site due to the removal of the existing SeaPort Marina Hotel and existing surface parking areas. Like the Project, Alternative 2 would include the use of screening to reduce the visibility of the construction site. Therefore, aesthetics/visual quality impacts associated with construction would be less than significant and similar to the less than significant impacts of the Project. Alternative 2's architectural design, maximum building heights, and landscaping features would be similar to those of the Project, with a reduced building footprint along PCH due to replacement of a Project building with surface parking. Therefore, operational impacts related to

aesthetics/visual quality would be less than significant and similar compared to those of the Project. Alternative 2's impacts related to views, light and glare, and shading would also be less than significant and similar to those of the Project.

- *Air Quality.* Alternative 2 would involve the same amount of demolition and grading excavation as the Project, but less new construction as a result of the reduction in development intensity. Since Alternative 2 would emit fewer pollutants over the entire duration of construction, impacts would be incrementally reduced compared to the Project. Overall, impact levels related to air quality during construction would be the same as the Project's impacts. Impacts due to TAC emissions and the corresponding individual cancer risk would also be somewhat less than the Project's less than significant impacts during construction. Construction-related odor impacts would also be less than significant, and similar to those of the Project. Due to the 30-percent reduction in Project development, traffic levels would be reduced compared to the Project. Both area sources and stationary sources would generate less on-site operational air emissions compared to the Project. While the number of daily trips generated by Alternative 2 would be reduced compared to the Project, the reduction would not be substantial enough to reduce NOx emissions to a less than significant level. Consequently, under Alternative 2, regional emissions of NOx would exceed the SCAQMD threshold. Like the Project, this regional impact would be significant and unavoidable, although reduced in comparison to the Project. With the reduction in new floor area, localized emissions from on-site sources would be slightly reduced compared to levels under the Project. Also similar to the Project, Alternative 2 would not release substantial amounts of TAC s and would result in a less than significant air quality impact related to TACs. Alternative 2 would not include any uses identified by the SCAQMD as being associated with odors, and odor impacts would be less than significant. Alternative 2 would also be consistent with the air quality policies set forth in SCAQMD's AQMP and the City of Long Beach General Plan Air Quality Element.
- *Cultural Resources.* Similar to the Project, Alternative 2 would require limited grading and excavation activities with a potential maximum depth of 11.5 feet for the placement of building footings and foundations, as well as for soil remediation. Alternative 2's impacts to historic resources, archeological resources, paleontological resources, and tribal cultural resources would be less than significant with mitigation, and impacts would be similar to the Project's.
- *Geology and Soils.* Alternative 2's impacts related to site-specific geologic hazards, including fault rupture, strong seismic shaking, liquefaction, seismically induced settlement, and subsidence, would be similar to those under the Project since such impacts are a function of the Project Site's underlying geologic conditions rather than the type of land uses or amount of development proposed. Overall, given the similar construction methods, building types, and amount of grading and excavation, impacts related to geology and soils would be less than significant with mitigation, similar to the Project.
- *Greenhouse Gas Emissions.* Alternative 2 would have a reduced amount of floor area compared to the Project, reducing the average daily vehicle trips and amount of water consumption and wastewater generation as compared to the Project. The Resulting GHG emissions would be less than under the Project. Overall, GHG impacts would be less than significant and less than those of the Project.
- *Hazards and Hazardous Materials*. Alternative 2 involves development of the same types of land uses as the Project, with similar potential for the use and storage of hazardous materials related to both construction and operations. Overall, impacts related to hazards and hazardous materials under Alternative 2 would be less than significant with mitigation, similar to the Project.
- *Hydrology and Water Quality*. Alternative 2 would slightly increase the amount of impervious surface area on-site and would have the potential to generate surface water pollutants that could affect groundwater. Impacts related to surface water hydrology, surface water quality, groundwater

quality, and seiche and tsunami risk would be similar to the Project's and less than significant. Since Alternative 2 would be located on the same Project Site, impacts to groundwater hydrology would be the same as under the Project and less than significant.

- *Land Use*. Given the similarities in the development proposals of Alternatives 2 and the Project, land use consistency impacts under Alternative 2 would be less than significant and similar to those of the project.
- *Noise*. While the overall amount of building construction would be less than what is proposed under the Project over the entire duration of the construction period, construction noise impacts would be similar on days with maximum construction activities. Because maximum daily conditions are used for measuring significance, noise impacts on these days would be similar to those of the Project, which would be less than significant. Overall, impacts related to construction vibration levels would be less than significant, but incrementally reduced in comparison to the Project due to the reduction in the overall duration of construction activities. During operation, overall, noise levels from all sources factored into the composite noise level analysis would be reduced or similar to those under the Project. Therefore, operational noise impacts would be less than significant and slightly reduced in comparison to the Project.
- *Public Services*. Construction-related impacts with regard to fire protection under Alternative 2 would be less than significant, and incrementally less than the Project impacts due to the reduced overall duration of construction. Impacts related to fire protections services would be less than significant under Alternative 2 during operation, but reduced somewhat compared to the Project due to the reduction in the amount of development. Construction-related impacts with regard to police protection under Alternative 2 would be less than significant, and somewhat less than the Project's impacts due to the reduced duration of construction. Operational impacts related to police protection under Alternative 2 would be less than significant and reduce din comparison to the Project.
- *Traffic and Access.* With respect to construction, the overall amount of building demolition and excavation would be similar to the Project. However, the total amount of building construction would be less than under the Project and would require a reduced number of construction truck trips. Similar to the Project, Alternative 2 would implement project design features and a Construction Management Plan and include payment of a Transportation Fee, as determined by the City upon issuance of building permits. However, due to existing congestion on surrounding roads, construction traffic may still result in significant impacts to study intersections. Therefore, it is assumed that construction impacts related to traffic and access under Alternative 2 would be equal to or less than the Project, but remain significant and unavoidable. With respect to operation, Alternative 2 would impact fewer intersections than the Project under Existing Plus Project Conditions (four compared to eight significantly impacted intersections) and Future Plus Project Conditions (seven compared to eleven significantly impacted intersections) based on the City methodology, with similar reductions based on Caltrans methodology. Like the project, all feasible mitigation has been identified that would reduce these impacts to a less than significant level. However, as is the case with the Project, implementation of these mitigation measures would require the approval of the City of Long Beach, the City of Seal Beach, and/or Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. Therefore, impacts would remain significant and unavoidable. Impacts to mainline freeway segments and ramps would also remain significant and unavoidable. Impacts to public transit would be less than significant and less than those of the Project. Impacts related to access, circulation, and bicycle/pedestrian/vehicular safety would be similar to the Project's and less than significant. Parking impacts would be similar to those of the Project, based on a shared parking supply that would meet demand generated by the proposed uses.

- *Utilities and Service Systems*. Construction impacts related to water would be less than significant under Alternative 2 and incrementally less than those of the Project. As alternative 2 involves a 30-percent reduction in Project development, water demand would be less than under the Project. Long Beach Water District would have the ability to meet the water demand of Alternative 2, as well as the existing and planned future water demands within its service area. Overall, Alternative 2 would involve similar water distribution infrastructure improvements, with a reduction in water demand. Impacts would be less than significant under Alternative 2 and reduced in comparison to the Project. Impacts related to energy would be less than significant under Alternative 2 and incrementally less than those of the Project. Due to the reduced development, impacts to energy resources under Alternative 2 would be less than significant and less than those of the Project.

In sum, Alternative 2 would reduce but not avoid the Project's significant and unavoidable environmental impacts related to operational regional air quality emissions and traffic. This Alternative would reduce many of the Project's less than significant impacts, including impacts associated with air quality; greenhouse gas emissions; noise; public services; traffic; and utilities and service systems. All other impacts, such as impacts associated with aesthetics, cultural resources, geology, hazards and hazardous materials, hydrology and water quality, and land use would be similar under this Alternative when compared to the Project. Alternative 2 would not result in greater impacts with regards to any environmental issues.

Alternative 2 would meet all of the Project objectives, although some would be met to a lesser extent. For example, Alternative 2 would not fully meet the objective to provide a distinctive, high quality, commercial environment that maximizes the variety of uses on-site to support the needs of nearby residents and businesses and attract future businesses, employers, and visitors as Alternative 2 would not be physically maximize development within the Project Site. Similarly, this Alternative would strengthen the economic vitality of the City by providing property tax, sales tax, and other revenues, as well as construction-related and permanent employment opportunities, although to a lesser extent than the Project. Alternative 2 also would redevelop an underutilized site with a high quality, vibrant shopping center designed to capitalize on the property's unique location adjacent to an active marina; create a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance; provide a high level of accessibility to and throughout the site to ensure a safe pedestrian environment, efficient vehicular access, convenient bicycle facilities, and access to mass transit; incorporate sustainability features, green building design elements, and landscaping that promote resource conservation, waste reduction, and efficient water management; create a dynamic destination for dining and shopping that offers appropriate amenities and a human scale in order to enhance the pedestrian experience; and provide new landscaping combined with sensitively designed hardscape areas both within the site interior and along its borders to enhance the pedestrian experience, improve the street appearance, and revitalize the site frontage along PCH and Marina Drive. Therefore, it is found pursuant to CEQA Guidelines section 15126.6 that Alternative 2 would not fully meet the Project's underlying purpose and the objectives that support the Project's underlying purpose to the same extent as the Project.

The City further finds that a retail project which reflects more than a 30% reduction in rentable area would not achieve the financial returns required for institutional investors and therefore is considered infeasible. The fixed land price coupled with the significant and atypical site improvement costs (which include items such as: stone column/geopier infrastructure to create site stabilization due to high water tables and liquefaction, remediation of contaminated soil, oil well abandonment and utility infrastructure) and building construction costs, require a certain amount of rentable area to generate sufficient revenue to offset the total project costs and fixed land price would be the same regardless of the size of the Project. As

the City found that an alternative of a more than 30% reduction in rentable area would be infeasible due to those cost and revenue factors, the City also finds that Alternative 2 with a reduction of 30% in rentable area would also produce investor returns/yields far below what is acceptable in the market and produce minimal or perhaps no profit and would therefore be infeasible. The extraordinary site improvement costs and fixed land price are the same regardless of the size of the project.

Accordingly, Alternative 2 with a reduction of rentable area of 30% is considered infeasible.

5.1.1.4 Alternative 3: Mixed-Use Commercial and Hotel Alternative

Alternative 3, the Mixed-Use—Commercial and Hotel Alternative would include a mix of land uses consisting of commercial, retail, restaurant, and hotel uses. Alternative 3 would include the development of a 100-room hotel and 120,000 square feet of commercial use consisting of 87,600 square feet of retail, 19,200 square feet of quality restaurant uses, and 13,200 square feet of high-turnover restaurant uses. Development under Alternative 3 would be arranged in a similar configuration as the Project, with the hotel located along Marina Drive. Similar to the Project, the proposed buildings would have a maximum height of 30 to 35 feet. Parking for Alternative 3 would be provided within a two-level parking structure in the northern portion of the Project Site and a three-level parking structure in the southern portion, both of which would include parking decks above the proposed retail uses.

Other design elements associated with Alternative 3, including the architectural, lighting, signage, and landscape features, would be generally similar to those of the Project. Alternative 3 would be designed in a contemporary architectural style with elements conjuring images of water and the coast and would integrate various architectural and pedestrian elements throughout the buildings to create a community destination. While landscaped pedestrian pathways would be provided around the site perimeter, similar to the Project, and a landscaped paseo would be provided between the southwestern retail building and the hotel, the Project's central plaza would not be included. However, open space areas and recreational uses associated with the hotel would consist of a swimming pool and likely a fitness center. Like the Project, Alternative 3 would incorporate sustainability features to comply with the City of Long Beach Green Building Ordinance (Ordinance No. ORD-09-0013) and the sustainability intent of the U.S. Green Building Council's LEED® program at the Certified level. The internal access and circulation scheme for Alternative 3 would be similar to that of the Project, although the interior drive aisle ("Main Street") would be modified to accommodate the hotel's drop-off/pick-up area. Pursuant to LBMC Chapter 21.41, Alternative 3 would be required to provide a minimum of 952 parking spaces, although the site plan accommodates only 700 spaces.

As with the Project, Alternative 3 would require demolition of the existing SeaPort Marina Hotel and associated commercial uses, parking areas, and landscaping, and a similar amount of grading and soil export is expected. The overall duration of construction would be similar compared to the Project regardless of the change of uses, and the level of activity on maximum construction activity days would be similar in scale to that of the Project.

Alternative 3 would have the following environmental impacts in comparison to the Project's impacts:

- *Aesthetics/Visual Quality, Views, Light and Glare, and Shading:* Alternative 3 would involve the same general phases of construction as the Project, and construction activities would temporarily alter the visual appearance of the Project Site due to the removal of the existing SeaPort Marina

Hotel and surface parking areas. However, like the Project, Alternative 3 would include the use of screening to reduce the visibility of the construction site. Aesthetic/visual quality impacts associated with construction would be less than significant, similar to the less than significant impacts of the Project. Under Alternative 3, the architectural design of the retail buildings, maximum building heights, and most landscaping features would be similar to those of the Project. Operational impacts related to aesthetics/visual quality would be less than significant and similar to those of the Project. Impacts to views, light and glare, and shading would also be less than significant and similar to those of the Project.

- *Air Quality*. Alternative 3 would involve the same amount of demolition and grading/excavation as the Project, as well as a similar amount of construction. Alternative 3 would emit a similar amount of pollutants over a similar construction duration, and impacts would be similar to the Project's. Since Alternative 3 would have a similar construction intensity as the Project, impacts due to TAC emission and the corresponding individual cancer risk would be similar to the Project's less than significant impacts. Construction-related odor impacts would also be less than significant and similar to those of the Project. With respect to operation, Alternative 3 would not result in a floor area reduction in comparison to the Project. However, the mix of land uses would generate fewer daily trips. Area source and stationary sources would generate similar on-site operational air emissions as the Project. While the number of daily trips generated by Alternative 3 would be reduced compared to the Project, the reduction is not substantial enough to reduce emission to below the threshold for NOx. Consequently, regional emissions of NOx would be significant and unavoidable, but less than that of the Project. Localized impacts would be less than significant and reduced in comparison to the Project. Alternative 3 would also result in a less than significant impact related to TACs and odors.
- *Cultural Resources*. Alternative 3 would include grading and excavation for the placement of building footings and foundations, as well as soil remediation, likely to the same maximum depth of 11.5 feet. Impacts to historic resources, archeological resources, paleontological resources, and tribal cultural resources would be less than significant with mitigation and similar to the Project's impacts.
- *Geology and Soils*. Impacts related to site-specific geologic hazard would be similar to those under the Project since such impacts are a function of the Project Site's underlying geologic conditions rather than the type of land uses amount or development proposed. Given the similar construction methods, building types, building footprints, and geological conditions, impacts related to geology and soils would be less than significant with mitigation, and similar to the Project's impacts.
- *Greenhouse Gas Emissions*. The mix of uses under Alternative 3 would result in a reduction in average daily trips and a reduction in the amount of water consumption and wastewater generation as compared to the Project. Therefore, GHG emission generated by Alternative 3 would be less than under the Project. Overall, GHG impacts would be less than significant and less than the Project's less than significant impacts.
- *Hazards and Hazardous Materials*. Alternative 3 would involve a similar potential for the use and storage of hazardous materials as the Project during both construction and operation. Overall, impacts related to hazards and hazardous materials under Alternative 3 would be less than significant with mitigation and similar to the Project.
- *Hydrology and Water Quality*. Alternative 3 would result in approximately the same percentage of impervious area as the Project. Alternative 3 would also introduce commercial and hotel uses that would have the potential to generate surface water pollutants. Impacts related to surface water hydrology, surface water quality, groundwater hydrology, groundwater quality, and seiche and tsunami risk would be less than significant and similar to those of the Project.

- *Land Use*. Given the similarities in the development proposals, land use consistency impacts under Alternative 3 would be less than significant and similar to those of the Project.
- *Noise*. As with the Project, construction of Alternative 3 would generate noise and vibration from the use of heavy-duty construction equipment and haul truck and construction worker trips. Noise and vibration impacts during construction would be similar to the Project's and less than significant. Operational noise levels would be comparable to those under the Project, despite the introduction of a new hotel use. As with the Project, impacts from these operational noise sources would be less than significant. Alternative 3 would result in a net increase in traffic compared to existing conditions. However, based on Alternative 3's land use mix, traffic levels would be reduced as compared to the Project. Therefore, operational noise impacts would be less than significant, and less than the Project's less than significant levels.
- *Public Services*. Construction-related fire protection impacts would be less than significant, and similar to the Project's less than significant impacts. Due to the increased demand for fire protection services generated by the hotel use, impacts related to fire protection services under Alternative 3 would be greater than under the Project, although these impacts would remain less than significant. Construction-related impacts with regard to police protection under Alternative 3 would be less than significant, and similar to Project impacts. Alternative 3 would generate a smaller police service population than the Project and would not represent a substantial change in the officer per resident ratio of Long Beach Police Department. Operational impacts related to police protection under Alternative 3 would be less than significant and reduced in comparison to the Project.
- *Traffic and Access*. Construction of Alternative 3 would generate additional trips from heavy-duty construction equipment, haul trucks, and construction workers. The overall amount of building demolition, excavation, and building construction would be similar to the Project. Alternative 3 would also implement project design features and a Construction Management Plan as mitigation to minimize impacts. However, due to existing congestion on surrounding roads, construction traffic may still result in significant impacts to study intersections. Therefore, it is assumed that construction impacts related to traffic and access under Alternative 3 would be equal to those of the Project and remain significant and unavoidable. With respect to operation, Alternative 3 would impact fewer intersections than the Project under Existing Plus Project Conditions (three compared to eight significantly impacted intersections) and Future Plus Project Conditions (five compared to eleven significantly impacted intersections) based on City methodology, with similar reduction based on Caltrans methodology. Mitigation measures have been identified. However, implementation of these measures would require the approval of the City of Long Beach, the City of Seal Beach, and/or Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. Therefore, impacts would remain significant and unavoidable. Impacts to mainline freeway segments and ramps would also remain significant and unavoidable. Impacts to public transit would be less than significant and reduced compared to the Project. Internal access and circulation scheme for Alternative 3 would be the same as that of the Project. Impacts to access and circulation; parking; and bicycle, pedestrian, and vehicular safety would be similar to those of the Project and less than significant.
- *Utilities and Service Systems*. Construction impacts related to water would be less than significant and similar to the Project's less than significant impacts. As a result of the different mix of uses and reduced square footage dedicated to restaurants, water demands would be less than under the Project. It is anticipated that LBWD would be able to meet the water demand under Alternative 3. Alternative 3 would involve similar water distribution infrastructure improvements, with a reduction in water demand. Operational impacts related to water would be less than significant and reduced in comparison to the Project. Construction impacts related to energy would be less than significant and similar to the Project. The mix of land uses under Alternative 3 would result in a

reduced energy demand compared to the Project. Overall, impacts to energy resources under Alternative 3 would be less than significant and less than those of the Project.

In sum, Alternative 3 would reduce but not avoid Project's significant and unavoidable environmental impacts related to operational regional air quality and traffic. Additionally, impacts associated with aesthetics/visual character; construction air quality; cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; operational noise; public services; and construction-related utility usage would be similar under this Alternative when compared with the Project. Operational impacts with respect to fire protection would be greater than the Project, but would remain less than significant. All other impacts would be less than those of the Project.

Alternative 3 would meet or partially meet the Project objectives. Specifically, Alternative 3 would provide a distinctive, high quality, mixed-use commercial environment that maximizes the variety of commercial uses on-site to support the needs of nearby residents and businesses, and attract future businesses, employers, and visitors; create an aesthetically attractive, high quality design that reflects the property's unique orientation adjacent to an active marina; enhance the economic vitality of the City and provide property tax, sales tax, and other revenue opportunities; create a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance; provide a high level of accessibility to and through the site to ensure a high-quality pedestrian environment, efficient vehicular access, including bicycle facilities, and access to mass transit; provide amenities that encourage and promote public access to the marina; locate a large retailer at the Project Site in a high visibility location adjacent to a public street to contribute to the initial draw for shoppers to visit the Project and explore its diversity of uses; maximize the visibility of retail tenants through a project design that locates retail tenants in areas easily visible from adjacent public streets, in order to attract a variety of high-quality retailers that will provide for the long term vitality of the Project, and provide readily accessible and easily identifiable centrally located retail and parking facilities with shared parking, serving synergistic commercial uses in order to provide visitors with an easy and convenient retail destination experience, and encourage return visits.

However, it is found pursuant to CEQA Guidelines section 15126.6 that Alternative 3 would not eliminate the Project's significant and unavoidable impacts with respect to operational air quality and traffic, as previously discussed.

5.1.1.5 Environmentally Superior Alternative

The Project would result in significant and unavoidable impacts related to operational air quality from regional emissions and traffic. Alternative 1 would avoid the Project's significant environmental impacts with respect to regional NOx emissions and reduce all of the Project's less than significant impacts. However, Alternative 1 would not eliminate all of the Project's significant and unavoidable traffic impacts, nor would it meet the Project's objectives. Notwithstanding of the alternatives analyzed, Alternative 1, the No Project/Reoccupation of Existing Hotel Alternative is considered the Environmentally Superior Alternative as it would reduce most of the impacts anticipated under the Project.

The CEQA Guidelines require the identification of an Environmentally Superior Alternative other than a No Project Alternative. In accordance with the CEQA Guidelines, a comparative evaluation of the remaining alternatives indicates that Alterative 2, the Reduced Density Alternative, would reduce a number of the Project's less than significant impacts. However, Alternative 2 would reduce but not eliminate any of the Project's significant and unavoidable impacts. More specifically, this alternative would reduce many of the Project's less than significant impacts prior to mitigation and less than significant impacts with mitigation, including air quality impacts during construction and operation (with the exception of regional

NO_X emissions), greenhouse gas emissions, noise, public services, traffic (access and safety and public transit), and utilities and service systems. Impacts with respect to aesthetics, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and land use would be similar to the Project's impacts and either less than significant or less than significant with mitigation. Alternative 2 would lessen the impacts with respect to operational NO_X emissions and traffic, but impacts would remain significant and unavoidable. Further, despite any reductions in impacts, as discussed above, Alternative 2 would not meet the Project's objectives to the same extent as the Project.

5.2 Summary of Significant and Unavoidable Impacts

Pursuant to CEQA Guidelines section 15126.6(b), the City finds that the Project will result in significant and unavoidable environmental impacts with respect to air quality and traffic.

Air Quality
Regional emissions resulting from operation of the Project would exceed the South Coast Air Quality Management District daily threshold for NOx. Therefore, regional emissions of NOx generated by the Project operation would also be cumulatively considerable. As such, Project operation would result in significant and unavoidable Project-level and cumulative impacts with regard to regional NOx emissions.

Traffic
Construction. The Project would result in temporary intersection impacts during construction. The Project would implement a Construction Management Plan pursuant to Mitigation Measure K-1, which would provide for traffic controls during any street closures, detours, or other disruption to traffic circulation, as well as identify the routes that construction vehicles would use and the hours for transport of oversize loads. While this would minimize traffic impacts upon the local circulation system in the Project area and the impacts would be temporary/short-term, impacts would remain significant and unavoidable. Additionally, the Project's contribution to traffic impacts during construction would be cumulatively considerable. As such, construction-related cumulative traffic impacts would be significant and unavoidable.

Operation. With respect to intersection levels of service, under Existing Plus Project conditions, implementation of the identified mitigation measures would reduce Project impacts at all study intersections impacted under Existing Plus Project Conditions to below a level of significance, using both City and Caltrans methodology. However, implementation of the mitigation measures would require the approval of the City of Long Beach, the City of Seal Beach, and/or Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. The City of Long Beach cannot guarantee the acquisition of right-of-way for proposed Mitigation Measures K-3, K-4, or K-6. Additionally, the City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements for the remaining proposed mitigation measures will be approved by Seal Beach and/or Caltrans. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Seal Beach and/or Caltrans' jurisdiction. The acquisition of the required right-of-way, therefore, cannot be guaranteed. Since the approval of the physical improvements and acquisition of rights-of-way in the proposed Mitigation Measures cannot be guaranteed, those mitigation measures would be infeasible. As such, traffic impacts under Existing Plus Project Conditions would be significant and unavoidable. With respect to intersection levels of service under Future Plus Project conditions, implementation of the identified mitigation measures would reduce Project impacts at all study intersections impacted under Future Plus Project Conditions to below a level of significance, using both City and Caltrans methodology. However, implementation of the mitigation measures would require the approval of the City of Long Beach, the City of Seal Beach, and/or Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. As such, traffic impacts under Future Plus Project Conditions would be significant and unavoidable.

With respect to the regional transportation system, The Project would result in a significant impact at CMP Station No. 39 (Intersection No. 17: Pacific Coast Highway at 2nd Street). Implementation of Mitigation Measure K-5 would reduce Project impacts at Intersection No. 17 to a less than significant level. However, implementation of this mitigation measure would require the approval of the City of Long Beach and Caltrans, as well as the acquisition of right-of-way, which cannot be guaranteed. The City of Long Beach, as the lead agency, cannot predict whether those proposed physical improvements will be approved by Caltrans. Additionally, neither the City nor the Project applicant can exercise eminent domain to obtain the required right-of-way in areas under Caltrans' jurisdiction. The acquisition of the required right of way, therefore, cannot be guaranteed, and Mitigation Measure K-5 is considered infeasible. As such, Project-level and cumulative impacts to a CMP arterial monitoring station would be significant and unavoidable.

With respect to Caltrans freeways segments, the Project would result in impacts to State Route 22 (SR-22). SR-22 is controlled exclusively by the State and there is no mechanism by which the lead agency (i.e., the City of Long Beach) can construct or guarantee the construction of any improvements to these freeways segments. Therefore, the Project's impacts on SR-22 are considered significant and unavoidable as there are no feasible mitigation measures that will reduce mainline impacts to below significance thresholds or achieve acceptable service level goals. As such, Caltrans freeway impacts would remain significant and unavoidable.

With respect to Caltrans ramps, The Project would result in impacts to SR-22 ramps. SR-22 is controlled exclusively by the State and there is no mechanism by which the lead agency (i.e., the City of Long Beach) can construct or guarantee the construction of any improvements to these freeways segments. Therefore, the Project's impacts on SR-22 are considered significant and unavoidable as there are no feasible mitigation measures that will reduce ramp impacts to below significance thresholds or achieve acceptable service level goals. As such, Caltrans freeway ramp impacts would remain significant and unavoidable.

5.3 Significant Irreversible Environmental Changes

In accordance with Section 15126.2(c) of the CEQA guidelines, the City evaluated significant irreversible environmental changes that would be caused by implementation of the proposed project. The Project would necessarily consume limited, slowly renewable, and non-renewable resources, resulting in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation and the associated impacts related to air quality.

Based on the summary below, Project construction and operation would require the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources and the Project Site for future generations or for other uses. Specifically, the Project will consume resources as building materials, water for construction and operation, and energy for construction and operation. However, the consumption of such resources would not be considered substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. Further, mitigation measures and project design features will be implemented to minimize the Project's impacts related to those resources. Therefore, although irreversible

environmental changes would result from the Project, such changes are concluded to be less than significant.

5.4 Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that lead agencies consider growth-inducing impacts of a project. Growth-inducing impacts are characteristic of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth can be induced or fostered as follows: (i) direct growth associated with a project; or (ii) indirect growth created by either the demand not satisfied by a project or the creation of surplus infrastructure not utilized by a project.

The Project would not lead to growth inducing impacts. The Project would not introduce a new residential population to the area, but would introduce a day-time population of visitors to Project Site. Upon buildout, the Project is anticipated to employ a total of 903 persons, including approximately 720 full-time employees and 183 part-time employees. Therefore, given that the Project would not directly contribute to population growth in the Project area and as most of the employment opportunities generated by the Project would be filled by people already residing in the vicinity of the Project Site, the potential growth associated with Project employees who may relocate their place of residence would not be substantial. Therefore, the Project would be well within the Southern California Association of Governments' (SCAG's) population projection for the Los Angeles Subregion. Construction workers would not be expected to relocate their households' places of residence as a direct consequence of working on the Project as the work requirements of most construction projects are highly specialized so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Additionally, the Project would not remove impediments to growth. While the Project may require local infrastructure upgrades to maintain and improve water, sewer, electricity, and natural gas lines on-site and in the immediate vicinity of the Project Site, such improvements would be intended primarily to meet Project-related demand, and would not necessitate regional utility infrastructure improvements that have not otherwise been accounted for and planned for on a regional level. In addition, the Project would not require any major roadway improvements, and access improvements would be limited to driveways necessary to provide immediate access to the Project Site.

5.5 Potential Secondary Effects

Pursuant to Section 15126.4(a)(1)(D) of the CEQA Guidelines, the City evaluated the potential impacts that could result with the implementation of each mitigation measure proposed for the Project. Implementation of the following mitigation measures would not result in adverse secondary impacts.

Biological Resources. Mitigation Measure IS-1 would require vegetation removal be scheduled outside of nesting season for raptor and songbird species (typically February 15 through August 31). In the event any construction activities occur during nesting season, a survey shall be conducted and a buffer zone established in the event nesting birds were identified. This mitigation measure would reduce impacts to nesting birds to a less than significant level.

Cultural Resources. Mitigation Measures C-1 through C-6 represent procedural actions and would be beneficial in protecting cultural resources that could potentially be encountered on-site. As such, the implementation of these mitigation measures would not result in physical changes to the environment and would not result in adverse secondary impacts.

Geology and Soils. Mitigation Measure D-1 requires that the Project incorporates the site-specific requirements regarding liquefaction, liquefaction-induced settlement, and lateral spreading set forth in a final, site-specific geotechnical report. Mitigation Measure D-2 requires that soils on-site shall be treated according to the recommendations of a final, site-specific geotechnical report to reduce differential settlement on the Project Site. Implementation of these mitigation measures would reduce potential geotechnical impacts to a less than significant level. As such, implementation of these mitigation measures would not result in adverse secondary impacts.

Hazards and Hazardous Materials. Mitigation Measures F-1 through F-9 would not result in physical changes to the environment and would not result in adverse secondary impacts.

Traffic and Access. Mitigation Measure K-1 requires preparation and implementation of a Construction Management Plan to minimize construction impacts on the road network which would not result in secondary impacts. Proposed Mitigation Measures K-2 through K-12 require various improvements to intersections impacted by the Project. Construction of the intersection improvements would comply with all applicable regulations, design standards, and mitigation measures discussed throughout this Draft EIR. Therefore, no adverse secondary impacts would occur as a result of implementation of these mitigation measures.

6.0 Other CEQA Considerations

1. The City, acting through the Department of Development Services, is the "Lead Agency" for the Project evaluated in the Final EIR. The City finds that the Final EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the Final EIR, and that the Final EIR reflects the independent judgment of the City.

2. The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and adequately responds to comments made during the public review period.

3. The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of Development Services prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR as defined under CEQA. The lead agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the Final EIR.

4. The mitigation measures which have been identified for the Project were identified in the text and summary of the Final EIR. The final mitigation measures are described in the Mitigation Monitoring and Reporting Program. Each of the mitigation measures identified in the Mitigation Monitoring and Reporting Program, and contained in the Final EIR, is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the

mitigation measures identified in the Mitigation Monitoring and Reporting Program, and contained in the Final EIR.

5. CEQA requires the lead agency approving a project to adopt a Mitigation Monitoring and Reporting Program for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with project implementation. The mitigation measures included in the Final EIR as certified by the City and included in the Mitigation Monitoring and Reporting Program as adopted by the City serve that function. The Mitigation Monitoring and Reporting Program includes all the mitigation measures identified in the Final EIR and has been designed to ensure compliance during implementation of the Project. In accordance with CEQA, the Mitigation Monitoring Program provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources code section 21081.6, the City hereby adopts the Mitigation Monitoring and Reporting Program.

6. In accordance with the requirements of Public Resources Code section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

7. The custodian of the documents or other materials which constitute the record of proceedings upon which the City's decision is based is the Department of Development Services, City of Long Beach, located at 333 West Ocean Boulevard, 4th Floor, Long Beach, California.

8. The City finds and declares that substantial evidence for each and every finding made herein is contained in the Final EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

9. The citations provided as references in the Final and Draft EIR for each impact area discussed in these Findings are for reference purposes only and are not intended to represent an exhaustive listing of all evidence that supports these Findings.

10. The City is certifying the EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the Final EIR. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City is the lead agency for the Project, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.

7.0 Consideration and Approval of the Final EIR

Pursuant to Article 7 of the CEQA Guidelines, these Findings have been prepared for the consideration and approval of the Final EIR and the analysis contained herein. The Final EIR was completed in accordance with CEQA; and the decision-making body has reviewed and considered the information contained in the Final EIR prior to the action. It is recommended that the Proposed Project, along with the above detailed mitigation measures to reduce identified significant environmental effect to below a level of significance, be adopted. Since the Project will result in significant and unavoidable impacts related to air quality and traffic, a Statement of Overriding Considerations will be required.

8.0 Statement of Overriding Considerations

The Final EIR for the Project has identified unavoidable and significant impacts that will result from implementation of the Project. Section 21081 of the Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a public agency's decision allows the occurrence of significant impacts identified in a Final EIR that are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. CEQA Guidelines Section 15093(b) requires that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the Final EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These Findings and the Statement of Considerations are based on the record of proceedings, including, but not limited to, the Final EIR, and other documents and materials that constitute the record of proceedings.

The following impacts cannot be mitigated to less than significant levels with incorporation of all feasible mitigation measures:

Air Quality

- The Project's regional impacts related to NOx emissions.

- The Project's contribution to cumulative regional operational NOx emissions.

Traffic

Impacts at the following nine intersections would remain significant and unavoidable after implementation of all feasible mitigation measures under Existing Plus Project Conditions:

1. Intersection No. 8: Studebaker Road at SR-22 Westbound Ramps (LOS E—P.M.)
2. Intersection No. 14: Bay Shore Avenue at 2nd Street (LOS F—p.m., LOS F—Sat.)
3. Intersection No. 17: Pacific Coast Highway at 2nd Street (LOS E—a.m./p.m., LOS F—Sat.)
4. Intersection No. 19: Studebaker Road at 2nd Street (LOS E—p.m.)
5. Intersection No. 20: Seal Beach Boulevard at Westminster Avenue (LOS E—p.m.)
6. Intersection No. 22: Pacific Coast Highway at Studebaker Road (LOS E—Sat.)
7. Intersection No. 23: Pacific Coast Highway at Marina Drive (LOS E—a.m.)
8. Intersection No. 24: Pacific Coast Highway at Main/Bolsa Avenue (LOS C—p.m.)
9. Intersection No. 25: Seal Beach Boulevard at Pacific Coast Highway (LOS D—p.m.)

Impacts at the following 11 intersections would remain significant and unavoidable after implementation of all feasible mitigation measures under Future Plus Project Conditions:

1. Intersection No. 8: Studebaker Road at SR-22 Westbound Ramps (LOS E—p.m.)
2. Intersection No. 12: Studebaker Road at Loynes Drive (LOS E—p.m.)
3. Intersection No. 14: Bay Shore Avenue at 2nd Street (LOS F—p.m./Sat.)
4. Intersection No. 17: Pacific Coast Highway at 2nd Street (LOS F—a.m./p.m./Sat.)
5. Intersection No. 19: Studebaker Road at 2nd Street (LOS E—a.m., LOS F—p.m.)
6. Intersection No. 20: Seal Beach Boulevard at Westminster Avenue (LOS E—p.m.)
7. Intersection No. 22: Pacific Coast Highway at Studebaker Road (LOS E—p.m./Sat.)
8. Intersection No. 23: Pacific Coast Highway at Marina Drive (LOS E—a.m.)
9. Intersection No. 24: Pacific Coast Highway at Main/Bolsa Avenue (LOS C—p.m.)

10. Intersection No. 25: Seal Beach Boulevard at Pacific Coast Highway (LOS D—p.m.)
11. Intersection No. 29: Pacific Coast Highway at 1st Street (LOS D—p.m.)

Accordingly, the City adopts the following Statement of Overriding Considerations. Having (i) adopted all feasible mitigation measures; (ii) rejected as infeasible the alternatives to the Project as discussed above; (iii) recognized all significant, unavoidable impacts; and (iv) balanced the benefits of the Project against its significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals, and objectives of the Project and provide the rationale for the benefits of the Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the adverse environmental impacts of the Project and justify its approval and certification of the Final EIR.

- Implementation of the Project will redevelop and rejuvenate a currently underutilized site with a distinctive mix of shopping and dining uses, open space, and amenities that will offer an active shopping and dining experience for the community.

- Implementation of the Project will promote a vibrant shopping center designed to capitalize on the Project Site's unique location adjacent to an active marina.

- Implementation of the Project will enhance the City's aesthetic character and image by providing a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance.

- Implementation of the Project will improve pedestrian and bicycle safety around the Project Site and will encourage employees and visitors to the site to use mass transit by providing a high level of accessibility to and throughout the site, efficient vehicular access, convenient bicycle facilities, and access to mass transit.

- Implementation of the Project will incorporate sustainability features, green building design elements, and landscaping that promote resource conservation, waste reduction, and efficient water management.

- Implementation of the Project will enhance the pedestrian experience around the Project Site by creating a dynamic destination for dining and shopping that offers appropriate amenities on an appropriate human scale.

- Implementation of the Project will provide a distinctive, high quality, commercial environment that maximizes the variety of uses on-site to support the needs of nearby residents and businesses and attract future businesses, employers, and visitors.

- Implementation of the Project will enhance the pedestrian experience, improve the street appearance, and revitalize the site frontage along Pacific Coast Highway and Marina Drive by providing new landscaping combined with sensitively designed hardscape areas both within the site interior and along its borders.

- Implementation of the Project will generate one-time construction revenues for the City's General Fund in the amount of approximately $350,000. This figure does not include any planning or

construction permit fees paid to the City, including environmental mitigation, LEED certifications, or other public benefit commitments.

- Implementation of the Project would increase the amount of annual tax revenue generated by the Project Site. After the Project's buildout, the Project will generate approximately $2.8 million annually in net fiscal impact for the City's General Fund. This represents an incremental net fiscal impact per year of approximately $2.7 million above the existing development, as the existing hotel generates approximately $100,000 in net fiscal impact for the City.

- Implementation of the Project will generate approximately 1,011 total construction-related jobs within the City's economy, including approximately 726 jobs that would be involved directly in the Project's construction, approximately 107 jobs at businesses selling merchandise and services directly to the construction general contractor and subcontractors, and 178 additional jobs resulting from household expenditures by direct and indirect employees.

- Implementation of the Project will generate a net total of approximately 903 permanent employees within the City during the Project's operation, including approximately 720 employees that would be involved directly in the Project's daily operation located in the City, approximately 76 employees through indirect impacts, and approximately 107 employees through induced impacts. Indirect impact employees are those resulting from goods and services purchased by Project Site businesses to support business operations. Induced employee impacts result from Project household spending and purchases by direct and indirect employees for their household-related goods and services.

IV. Mitigation Monitoring and Reporting Program

EXHIBIT "B"

IV. Mitigation Monitoring and Reporting Program

1. Introduction

The California Environmental Quality Act (CEQA) requires a Mitigation Monitoring and Reporting Program (MMRP) for projects where mitigation measures are a condition of project approval and development. An EIR has been prepared to address the potential environmental impacts of the proposed 2nd & PCH Project; where appropriate, the EIR identifies project design features or recommends mitigation measures that would avoid or substantially lessen the significant environmental impacts associated with the Project. Accordingly, this MMRP has been prepared for the Project pursuant to Public Resources Code (CEQA) Section 21081.6 and CEQA Guidelines Section 15097.[1] This MMRP is designed to monitor implementation of the project design features and mitigation measures identified in the EIR. This MMRP describes the procedures the Project Applicant shall use to implement the project design features and mitigation measures adopted in connection with Project approval and the methods for monitoring and reporting such actions. "Monitoring" is generally an ongoing or periodic process of project oversight. "Reporting" generally consists of a written compliance review that is presented to the decision-making body or authorized staff person. For this MMRP, the City of Long Beach (City) is the Lead Agency for the Project.

2. Purpose

It is the intent of this MMRP to:

1. Verify compliance with the project design features and mitigation measures identified in the EIR;

2. Provide a framework to document implementation of the project design features and mitigation measures included in the EIR;

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[1] *Neither CEQA Section 21081.6 nor CEQA Guidelines Section 15097 requires the inclusion of project design features in a MMRP; however, the project design features identified for the Project in the EIR have been included herein for the convenience of the Lead Agency and other monitoring departments.*

3. Provide a record of mitigation requirements;

4. Identify monitoring and enforcement agencies;

5. Establish and clarify administrative procedures for the clearance of project design features and mitigation measures;

6. Establish the frequency and duration of monitoring; and

7. Utilize the existing agency review processes wherever feasible.

3. Organization

As shown on the following pages, each project design feature and mitigation measure for the Project is listed and categorized by impact area, with accompanying discussion of:

- Action Indicating Compliance—The action that indicates compliance with the identified project design feature or required mitigation measure has been implemented.

- Monitoring Phase—The phase of the Project during which the project design feature or mitigation measure shall be monitored; relevant phases include pre-construction, construction, pre-operation, and operation.

- Monitoring Agency—The agency to which reports involving feasibility, compliance, implementation, and development are made or which otherwise verifies compliance.

- Enforcement Agency—The agency with the power to enforce the project design feature or mitigation measure.

All departments listed within the MMRP are within the City of Long Beach unless otherwise noted.

4. Administrative Procedures and Enforcement

This MMRP shall be enforced throughout all phases of the Project. The Project Applicant shall be responsible for implementing each project design feature and mitigation measure, unless otherwise noted, and shall be obligated to provide verification, as identified below, to the appropriate monitoring and enforcement agencies that each project design feature and mitigation measure has been implemented. The Project Applicant shall

maintain records demonstrating compliance with each project design feature and mitigation measure listed below. Such records shall be made available to the City upon request.

5. Program Modification

After review and approval of the MMRP by the Lead Agency, minor changes and modifications to the MMRP are permitted, but can only be made by the Project Applicant or its successor subject to the City's approval, which may require a public hearing. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMRP and the need to protect the environment with a workable program. No changes will be permitted unless the MMRP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

6. Mitigation Monitoring and Reporting Program

The MMRP is provided in the following table.

Mitigation Monitoring and Reporting Program

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Aesthetics, Views, and Light/Glare							
Project Design Feature A-1: Temporary construction fencing shall be placed around the perimeter of the Project Site to screen construction activity from view at street level.	Field inspection	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature A-2: The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.	Field inspection	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature A-3: Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary.	Field inspection	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature A-4: All new street and pedestrian lighting required for the Project shall be shielded and directed away from any off-site light-sensitive uses.	Review and approval of final building plans	Pre-operation	Long Beach Development Services	Long Beach Development Services			
Air Quality							
Project Design Feature B-1: In accordance with South Coast Air Quality Management District Rule 403, the Project shall incorporate fugitive dust control measures at least as effectively as the following measures:	Field inspection/ Quarterly compliance report submitted by	Construction	Long Beach Development Services	South Coast Air Quality Management District			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
• Use watering to control dust generation during the demolition of structures; • Clean-up mud and dirt carried onto paved streets from the site; • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; • All haul trucks would be covered or would maintain at least 6 inches of freeboard; • All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of spillage or dust; • Suspend earthmoving operations or additional watering would be implemented to meet Rule 403 criteria if wind gusts exceed 25 mph; • The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions; and • An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. A construction relations officer shall be appointed to act as a community liaison	Project contractor						

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
concerning on-site activity, including investigation and resolution of issues related to fugitive dust generation.							
Project Design Feature B-2: In accordance with California Code of Regulations Title 13, Section 2485, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.	Field inspection/ Quarterly compliance report submitted by Project contractor	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature B-3: In accordance with California Code of Regulations Title 17, Section 93115, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.	Field inspection/ Quarterly compliance report submitted by Project contractor	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature B-4: The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.	Review and approval of final building plans	Construction	Long Beach Development Services	South Coast Air Quality Management District			
Project Design Feature B-5: The Project shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.	Review and approval of final building plans and Applicant-proposed odor control methods	Pre-operation	Long Beach Development Services	South Coast Air Quality Management District			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Project Design Feature B-6: New on-site facility nitrogen oxide emissions shall be minimized through the use of emission control measures (e.g., use of best available control technology for new combustion sources such as boilers and water heaters) as required by South Coast Air Quality Management District Regulation XIII, New Source Review.	Review and approval of final building plans and Applicant-proposed control measures	Pre-operation	Long Beach Development Services	South Coast Air Quality Management District			
Cultural Resources							
Mitigation Measure C-1: An Archaeologist meeting the Secretary of the Interior's Professional Qualification Standards shall be retained by the Project Applicant and approved by the City to oversee and carry out the archaeological mitigation measures set forth in this EIR. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule. As part of this effort, the Archaeologist shall select a qualified archaeological monitor to be retained by the Project Applicant and approved by the City.	Approval of qualified Archaeologist	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure C-2: The qualified archaeological monitor shall monitor excavation and grading activities within native soils on the Project Site that have not been previously disturbed. In the event cultural resource(s) are unearthed during ground-disturbing activities, the archaeological monitor shall halt or redirect such activities away from the area of the find to allow evaluation, and work may continue outside the vicinity of the find. Deposits shall be treated in accordance with applicable federal, state, and	Field verification of monitoring/ Approval of Archaeologist's report (if required)	Construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
local guidelines, including those set forth in California Public Resources Code Section 21083.2. In addition, if it is determined that an archaeological site is a historical resource, the provisions of Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5 shall be implemented. The Archaeologist shall evaluate the discovered resource(s) and if significant, notify the Project Applicant, the City, and an appropriate Native American representative (if prehistoric or Native American in nature), and then develop an appropriate treatment plan. Treatment plans shall consider preservation of the resource(s) in place as a preferred option. The Archaeologist shall then prepare a report to be reviewed and approved by the City and file it with the Project Applicant, the City, and the South Central Coastal Information Center located at the California State University, Fullerton. The report shall describe any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources and the National Register of Historic Places. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared. The City shall designate one or more appropriate repositories for any cultural resource(s) that are uncovered.							

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure C-3: If human remains are encountered unexpectedly during ground-disturbing activities, work in the affected area and the immediate vicinity shall be halted immediately. The construction manager at the Project Site shall be contacted and shall notify the County Coroner. If the County Coroner determines the remains to be Native American, the Archaeologist and Native American monitor shall then be contacted, if they are not on-site at the time, as well as the responsible lead agency of the discovery, who in turn shall notify the Native American Heritage Commission. Disposition of the human remains and any associated grave goods shall be in accordance with California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.91 and 5097.98. The Archaeologist and the Native American monitor, with the concurrence of the City, shall determine the area of potential impact and the timing when construction activities can resume. Preservation of the remains in place shall be considered as a possible course of action by the Project Applicant, the City, and the Most Likely Descendent.	Verification that County Coroner and/or Native American Heritage Commission consultation has occurred (if human remains unearthed)	Construction (prior to re-initiating work if human remains unearthed)	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure C-4: A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities within any older Quaternary deposits at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils	Verification that a qualified paleontolo-gist has been retained/ Field verification of monitoring	Construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
encountered. If paleontological materials are encountered during ground-disturbing activities associated with Project construction, all further ground disturbance in the immediate area shall be temporarily diverted and the services of a qualified paleontologist shall then be secured. The paleontologist shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource, as appropriate. The Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum. Ground-disturbing activities may resume once the paleontologist's recommendations have been implemented to the satisfaction of the paleontologist. The fossils and a copy of the report shall be deposited in an accredited curation facility.							
Mitigation Measure C-5: The Project Applicant shall allow access to the Project Site by a certified Native American tribal monitor during any and all ground-disturbing activities (including, but not limited to, pavement removal, post holing, auguring, boring, grading, excavation, and trenching) to protect any cultural resources which may be affected during construction or development. Discovery of any archaeological resources shall trigger implementation of	Verification that a certified Native American tribal monitor has been retained/ Field verification of	Construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measures C-1 through C-3, as applicable.	monitoring						
Mitigation Measure C-6: Archaeological testing shall be conducted concurrently with geotechnical core testing for building foundations using hollow bits; the use of augur bits shall be prohibited. Discovery of any archeological resources shall trigger Mitigation Measures C-1 through C-3, as applicable.	Written verification of archaeological testing	Construction	Long Beach Development Services	Long Beach Development Services			
Geology and Soils							
Project Design Feature D-1: A final design-level geotechnical report that complies with all applicable state and local code requirements will be prepared for the Project by a qualified geotechnical engineer and certified engineering geologist and submitted to the Long Beach Bureau of Building and Safety, consistent with City of Long Beach Building Standards Code requirements. The site-specific geotechnical report will be prepared to the written satisfaction of the City of Long Beach Bureau of Building and Safety and will include recommendations for specific building locations and designs, including those pertaining to site preparation, fills and compaction, foundations, etc.	Review and approval of geotechnical investigation	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure D-1: The Project shall incorporate site-specific ground improvement requirements as a result of liquefaction and liquefaction-induced settlement set forth in a final, site-specific geotechnical report. Such requirements could include, but would not be	Review and approval of geotechnical investigation	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
limited to, stone columns, ramped aggregate piers, or deep soil mixing that would improve the strength of soils and/or provide drainage paths for pore water pressure dissipation. Following ground improvement, the proposed structures may be supported on a conventional shallow foundation system. As an alternative, the proposed structures may be supported on a deep foundation system that extends through liquefiable zones into competent material.							
Mitigation Measure D-2: Soils on-site shall be treated according to the recommendations of a final, site-specific geotechnical report to reduce differential settlement to 0.5 inch over a horizontal distance of 30 feet and 1 inch over the entire building footprint. The zone of ground improvement shall cover the structure footprints and extend a minimum horizontal distance of 10 feet beyond the footprints, where feasible, if a mat foundation is used. If a conventional shallow foundation system is used, closely spaced ground improvement shall be incorporated within the footprint of the footings.	Review and approval of geotechnical investigation	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Greenhouse Gas Emissions							
Project Design Feature E-1: The design of new buildings shall incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED® Certified or equivalent green building standards. Specific sustainability features integrated into the Project design to enable the Project to achieve the	Review and approval of plans	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
LEED® Certified level shall include, but are not limited to, the following: • The Project's design shall make use of passive solar energy through appropriate building orientation and landscaping; minimizing heating during cool seasons and solar heat gain during hot seasons; and enhancing natural ventilation by taking advantage of prevailing winds. • Utilize a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings. • Provide education regarding energy efficiency to tenants, employees, and customers. Provide information on energy management services for large energy users. • Provide energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use. • Increase insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structures and/or within the heating and cooling distribution system(s). • Install energy-efficient space heating and cooling equipment. • Install electrical hook-ups at loading dock areas. • Install dual-paned or other energy efficient windows. • Install automatic devices to turn off lights when they are not needed.							

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Project Design Feature E-2: Upon buildout of the Project, at least 25 percent of the total code-required parking spaces provided for all types of parking facilities shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.	Review and approval of plans	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature E-3: Upon buildout of the Project, at least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations and/or outlets for plugin. Plans shall indicate the proposed type and location(s) of charging stations. Plan design for charging stations shall be based on Level 2 or greater EVSE at its maximum operating capacity.	Review and approval of plans	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure E-1: Upon buildout of the Project, the Project shall provide a minimum of 250 kilowatts of photovoltaic panels on the Project Site.	Review and approval of plans	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Hazards and Hazardous Materials							
Mitigation Measure F-1: Soil Management Plan. Prior to the start of construction, the Project Applicant shall prepare a Project-specific Soil Management Plan that shall be reviewed and approved by the City of Long Beach before construction can commence. The Soil Management Plan shall incorporate, but shall not be limited to, the following: (1) Geophysical Survey; (2) Soil Vapor Survey/Health Risk Screening; (3) Soil Transportation Plan; and (4) fugitive dust control measures. The Soil Management Plan shall incorporate methodologies for detecting the various environmental concerns noted in relevant hazardous materials investigations during the construction phase of the Project. The Soil Management Plan shall include measures to address each environmental concern, if encountered, according to the applicable regulatory standards and the mitigation measures contained herein. In addition, the Soil Management Plan shall require notification and reporting, according to protocols of applicable local and state regulatory agencies, including the Department of Toxic Substances Control, the Regional Water Quality Control Board, CalRecycle, California State Division of Oil, Gas and Geothermal Resources, Long Beach Fire Department, and the City of Long Beach.	Review and approval of Soil Management Plan/ Submittal of compliance report or other verification of compliance with agency reporting requirements	Pre-construction/ Construction	Long Beach Development Services	Los Angeles Regional Water Quality Control Board			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure F-2: Geophysical Survey. Prior to subsurface disturbance and demolition activities, the Project Applicant shall conduct a geophysical survey to locate subsurface features or anomalies, if any, that may pose an environmental concern or present a risk of upset at the Project Site. The geophysical survey shall inform the site construction and remediation activities so as to remove or avoid subsurface hazardous materials or associated facilities. The results of the geophysical survey shall be included in the Soil Management Plan, and reviewed and approved by the City of Long Beach. The geophysical survey shall: (1) Accurately locate and mark the oil pipeline located along the northeast border of the Project Site; (2) Attempt to detect the presence of the subsurface anomalies, if any, such as underground vaults/features, buried debris, historical dump sites, previously unidentified oil wells, waste drums, or tanks.	Review and approval of Soil Management Plan	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure F-3: Soil Vapor Survey. Prior to construction, the Project Applicant shall conduct a systematic soil vapor survey of the Project Site to investigate the possible presence of volatile organic compounds in site soils. The soil vapor survey shall be performed according to the applicable standards of the Department of Toxic Substances Control and the California Environmental Protection Agency. Soil borings shall be placed at a depth of at least five (5) feet	Submittal of report documenting soil vapor survey results	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
below the deepest excavation to occur during construction and soil vapor samples shall be collected at 5 to 10 foot intervals. Soil samples shall be collected at a five (5) foot interval from the soil borings to assess the soil for heavier petroleum hydrocarbons that may be present due to past oil field use of the Project Site. The Soil Vapor Survey shall include, at a minimum, the following: (1) Evaluation of methane concentrations to a depth of at least five (5) feet below the deepest excavation to occur during site construction. These soil vapor boring shall be placed in the vicinity of any abandoned oil wells located during the geophysical survey; and (2) Additional soil vapor borings to test for volatile organic compounds on and in the vicinity of the land area where the former on-site gas station was located and in locations where the off-site gas station may have impacted the Project Site through lateral migration of soil vapors.							
Mitigation Measure F-4: Health Risk Screening. At the completion of the soil vapor survey, a qualified environmental professional shall use the results of the survey to develop a health risk screening that assesses health and safety concerns associated with volatile organic compound levels at the site for construction workers and future site users. The health risk screening assessment shall be performed	Submittal of health risk screening report/Documentation of proposed soil vapor mitigation measures (if	Pre-construction/ Construction (if required)/ Pre-operation (if required)	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
according to the applicable standards of the Department of Toxic Substances Control and California Environmental Protection Agency. In the event the health risk screening assessment indicates that elevated volatile organic compound levels in the soils pose a health risk to site users, the Project Applicant shall further define and implement additional measures to minimize soil vapor exposure to acceptable levels as established by the applicable regulatory agency. Measures to be implemented shall include, but is not limited to, the following: (1) <u>During Construction</u>: Volatile organic compound levels shall be monitored in accordance with the South Coast Air Quality Management District Rule 1166, which requires volatile organic compound monitoring of petroleum-impacted soils during construction activities. In the event volatile organic compound concentrations exceed threshold levels specified in Rule 1166, vapor suppression measures shall be required by amending soil with water or chemical foam. Volatile organic compound impacted soils shall be stockpiled and covered in accordance with Rule 1166. Rule 1166 compliance requirements shall be included in the Soil Management Plan; and (2) <u>Post Construction</u>: In the event elevated concentrations of volatile organic compounds persist in site soils post-construction, vapor mitigation shall be performed prior to site	required)						

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
occupancy to protect future site users. Post-construction long-term vapor mitigation measures selected shall be determined based on the remaining extent of volatile organic compound concentrations and the associated health risk, if any. Mitigation measures associated with post-construction volatile organic compounds control shall include, but is not limited to, the following: (i) Soil Vapor Extraction: Use of a soil vapor extraction system to remove residual volatile organic compounds from the soil. The soil vapor extraction system shall be employed to remediate soil vapor to a level considered safe for uses proposed on the Project Site; and (ii) Vapor Barrier/Sub-slab Depressurization: In the event the soil vapor survey indicates extremely high volatile organic compounds present at the Project Site and results in an elevated human health risk, a vapor barrier and sub-slab depressurization system shall be designed and implemented for the proposed buildings to be constructed at the Project Site.							
Mitigation Measure F-5: Pre-Construction Removal Action. Prior to construction, the Applicant shall perform pre-construction removal activities, including sampling, as necessary, to characterize waste, removal action, off-site disposal of characterized waste, and confirmation	Verification of removal and proper disposal of materials	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
sampling of removal areas. Pre-construction removal actions shall include the following: Removal of Debris and Dirt from the Satellite Enclosure: Prior to site construction, debris and dirt located in a satellite enclosure on the southern portion of the Project Site shall be removed. Following removal, representative soil samples from the debris and dirt shall be collected for laboratory analysis to characterize the waste for off-site disposal purposes. Based on the laboratory analysis and waste characterization, the soil and debris shall be disposed of at an appropriate facility.							
Mitigation Measure F-6: Oil Sumps and Mud Pits. In the event any suspected oil sumps, mud pits, or areas of dark stained soils are identified, these areas shall be added to the site plans included in the Soil Management Plan. The areas shall be excavated and the soil stockpiled on plastic sheeting at the Project Site. The stockpiled soil shall be sampled and laboratory-analyzed in accordance with requirements outlined in the Soil Management Plan and pursuant to the applicable Department of Toxic Substance Control guidelines. The stockpiled soil shall be characterized in accordance with the laboratory analysis and disposed of at a facility that is licensed to accept the soil based on established site action levels.	Review and approval of Soil Management Plan/ Verification of removal and proper disposal of materials	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure F-7: Soil Transportation Plan. Prior to construction, the Applicant shall develop a Soil Transportation Plan in compliance with State of California and federal Department of Transportation requirements for the safe and legal transport to an off-site disposal facility for hazardous materials that may be encountered during construction activities.	Review and approval of Soil Transportation Plan	Soils Transportation Pre-construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure F-8: In accordance with SCAQMD Rule 403, the Project shall incorporate fugitive dust control measures at least as effective as the following measures: • Use watering to control dust generation during the demolition of structures; • Use of watering and/or street sweeping for on-site paved roads used for construction activities; • Clean-up mud and dirt carried onto paved streets from the site; • Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; • All haul trucks would be covered or would maintain at least 6 inches of freeboard; • Suspend earthmoving operations or additional watering would be implemented to meet Rule 403 criteria if wind gusts exceed 25 mph; and • An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to	Field inspection/ Quarterly compliance report submitted by Project contractor	Construction	Long Beach Development Services	South Coast Air Quality Management District			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
report complaints regarding excessive fugitive dust generation. A construction relations officer shall be appointed to act as a community liaison concerning on-site activity, including investigation and resolution of issues related to fugitive dust generation.							
Mitigation Measure F-9: Asbestos and Lead-Based Paint Abatement. Prior to demolition activities, a qualified contractor shall perform an asbestos-containing materials and lead-based paint-survey. The qualified contractor shall sufficiently abate the structure(s) to be demolished on the Project Site according to applicable and current local, state, and federal guidelines.	Submittal of survey report/ Verification of abatement	Pre-construction	Long Beach Development Services	Long Beach Development Services			
Hydrology and Water Quality							
Project Design Feature G-1: In accordance with National Pollutant Discharge Elimination System (NPDES) and City of Long Beach requirements, prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Long Beach Department of Public Works, as appropriate, that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board (SWRCB) for coverage under the Construction General Permit and a certification that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Los Angeles Regional Water Quality Control Board (LARWQCB), or a letter from either agency stating that the NOI has been filed. The SWPPP shall include a menu of Best	Submittal of Storm Water Pollution Prevention Plan	Pre-construction	Long Beach Development Services	Los Angeles Regional Water Quality Control Board			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Management Practices (BMPs) to be selected and implemented based on each construction phase and weather conditions in order to effectively control erosion. BMPs to be implemented as part of the Project may include, but shall not be limited to, the following: • Erosion Control BMPs to protect the soil surface and prevent soil particles from detaching. Selection of appropriate erosion control BMPs shall be based on minimizing areas of disturbance, stabilizing disturbed areas, and protecting slopes/channels; • Sediment Control BMPs, which are treatment controls that trap soil particles that have been detached by water or wind. Selection of appropriate sediment control BMPs shall be based on keeping sediments on-site and controlling the site boundaries; • Wind Erosion Control BMPs, which consist of applying water to prevent or minimize dust nuisance; • Tracking Control BMPs, which consist of preventing or reducing the tracking of sediment off-site by vehicles leaving the construction area. These BMPs include street sweeping and vacuuming. The construction site shall have a stabilized construction entrance to prevent off-site tracking of sediment and debris; • Non-Stormwater Management BMPs, which are also referred to as "good housekeeping practices" involve keeping a clean, orderly construction site; and							

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
• Waste Management and Materials Pollution Control BMPs consist of implementing procedural and structural BMPs for handling, storing, and disposing of wastes generated by a construction project to prevent the release of waste materials into stormwater runoff or discharges through the proper management of construction waste.							
Project Design Feature G-2: In accordance with NPDES and City requirements, the Applicant has prepared and submitted for review and approval by the City of Long Beach Department of Public Works a Standard Urban Stormwater Mitigation Plan (SUSMP) that includes BMPs and demonstrates compliance with the City's Low Impact Development (LID) requirements. Specific BMPs to be implemented as part of the SUSMP to manage post-construction stormwater runoff shall consist of bio-filtration, retention, and treatment BMPs in the form of flow-through planters, as described below: • The flow-through planter BMP functions as a soil and plant-based filtration device that removes stormwater pollutants through a combination of overland flow through vegetation, surface detention, and filtration through soil. Pore spaces and organic material in the soils help to retain water in the form of soil moisture and to promote the adsorption of pollutants (i.e., dissolved metals and petroleum hydrocarbons) into the soil matrix. Adequate contact time between the surface and pollutant shall be provided for in the design of the system	Submittal of Standard Urban Stormwater Mitigation Plan	Pre-construction	Long Beach Development Services	Los Angeles Regional Water Quality Control Board			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
for this removal process to occur. • Rainfall from rooftops and parking structures shall be directed to large flow-through planters adjacent to each building via downspouts. These planters shall provide biofiltration to the discharge from the roof downspouts and convey the flow through parkway culverts, which shall then discharge to the adjacent street. For any runoff collected and discharged into the infiltration planter box by the roof conveying system, the sediment capture chamber shall serve as a pre-treatment to the filtration process. The sediment capture chamber shall consist of baffle walls and perforations to allow drainage of standing water into the growing medium. This growing medium shall be composed of a minimum of 18 inches of sandy loam, with a minimum infiltration rate of 5 inches per hour. The sandy loam shall be underlain by a level of gravel and subdrains connecting to the existing off-site storm drain system. • Plant materials shall be tolerant of summer drought, ponding fluctuations, and saturated soil conditions for 48 hours. Native plant species and/or hardy cultivars that are not invasive and do not require chemical inputs shall be used to the maximum extent practicable. • The proposed flow-through planters shall treat the peak mitigation flow rate or volume of runoff produced by a 0.75-inch 24-hour rainfall event. Based on the SUSMP calculations, the flow-through planters shall be designed and sized to							

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
treat, at a minimum, 1.65 cubic feet per second or 15,548 cubic feet of combined on-site runoff. • Installation of grate inlet atrium drains, catch basins, roof drains, and surface parking drains to screen trash and debris. • Common area landscape management that includes use of drought tolerant, native landscaping, minimizing fertilizer and pesticide application, use of slow-release fertilizers, maintenance activities, and providing education and training for employees on management of landscape materials and stormwater management. • Installing and maintaining efficient irrigation systems designed to minimize water by eliminating overspray to hardscape areas, and setting irrigation timing and cycle lengths in accordance with water demands, given time of year, weather, and day and night temperatures. • Stenciling of "No Dumping—Only Rain In Drain" or equally effective phrase on catch basins and/or area drains to alert the public as to the destination of pollutants discharged into the stormwater. • Parking lot, walkway and driveway sweeping, and common area litter control. • Compliance with SUSMP design requirements for outdoor trash and storage areas, loading docks, and storm drain stenciling. The trash enclosures will have screens or walls to minimize the transport of trash and litter by the wind or water; the drainage will be directed to							

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
vegetated areas where feasible; and runoff water from adjoining roofs and pavement will be directed around trash areas.							
Project Design Feature G-3: The Project shall include the installation of new storm drain laterals, where appropriate, to capture and discharge stormwater generated on-site. Post-Project lateral flows to the mainline shall match the existing tributary drainage areas. Site surface flows to the perimeter streets shall be maintained, where appropriate, to match existing runoff conditions and shall not affect the capacity of the existing local storm drain system.	Review and approval of final building plans/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			
Noise							
Project Design Feature I-1: Power construction equipment (including combustion engines), whether fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise due to worn or improperly maintained parts would be generated.	Review of construction specifica-tions/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature I-2: Project construction shall not include the use of driven piles systems.	Review of construction specifica-tions/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Project Design Feature I-3: Project-related outdoor mechanical equipment shall be designed so as not to exceed 55 dBA at the Project property line, in accordance with the LBMC.	Review and approval of final building plans/Field inspection	Pre-construction/ Pre-operation	Long Beach Development Services	Long Beach Development Services			
Project Design Feature I-4: Project loading dock and trash collection areas shall be designed such that the line of sight between these noise sources and any adjacent noise sensitive land use shall be obstructed to the extent necessary to comply with LBMC.	Review and approval of final building plans/Field inspection	Pre-construction/ Pre-operation	Long Beach Development Services	Long Beach Development Services			
Project Design Feature I-5: Outdoor amplified sound systems shall be designed so as not to exceed a maximum noise level of 80 dBA (L_{eq}) at a distance of 50 feet from the amplified sound system.	Review and approval of final building plans/Field inspection	Pre-construction/ Pre-operation	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure I-1: During the site demolition phase, a temporary and impermeable sound barrier shall be erected along the Project Site's northwestern and northeastern property lines between the construction area and nearby sensitive uses. The temporary sound barrier shall be a minimum of six feet tall and extend for a length of approximately 860 feet (specifically, 200 feet along Marina Drive south from 2nd Street, approximately 460 feet along 2nd Street, and 200 feet along Pacific Coast Highway south from 2nd Street). The temporary sound barrier shall be designed to provide a 5 dBA noise reduction at the residential uses to the northwest (Receptor R1) and the wetlands area to the northeast.	Review of construction specifica-tions/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure I-2: Stationary source equipment that is flexible with regard to relocation (e.g., generators and compressors) shall be located so as to maintain the greatest distance from noise-sensitive land uses, and unnecessary idling of such equipment shall be prohibited.	Review of construction specifications/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			
Mitigation Measure I-3: Loading and unloading of heavy construction materials shall be located on-site and away from noise-sensitive uses, to the extent feasible.	Review of construction specifications/Field verification	Pre-construction/ Construction	Long Beach Development Services	Long Beach Development Services			
Public Services—Police Protection							
Project Design Feature J.2-1: During construction, the Project Applicant shall implement temporary security measures including perimeter security fencing, lighting, and locked entry.	Field inspection	Construction	Long Beach Development Services	Long Beach Development Services			
Project Design Feature J.2-2: The Project shall incorporate permanent security features, including a private on-site security patrol, alarm systems for individual tenants, security cameras, and appropriate night lighting in parking, circulation, and common areas.	Review and approval of final building plans/Field inspection	Pre-construction/ Pre-operation	Long Beach Development Services	Long Beach Development Services			
Traffic and Access							
Project Design Feature K-1: Pacific Coast Highway Project Frontage—Provide an acceleration/deceleration lane on PCH along the Project Site frontage. The deceleration lane will function as a southbound right-turn lane at Project Driveway No. 1 and Project Driveway No. 2. The installation of these improvements is subject to the	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works/ Caltrans			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
approval of the City of Long Beach and Caltrans.							
Project Design Feature K-2: Pacific Coast Highway at Project Driveway No. 1—Construct the Project driveway and provide one inbound lane and one outbound lane (i.e., one eastbound right-turn lane). It is recommended that the median on PCH be modified to prohibit eastbound (outbound) left turns and restriped to provide one 100-foot northbound left-turn lane with a 90-foot transition. Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works/ Caltrans			
Project Design Feature K-3: Pacific Coast Highway at Project Driveway No. 2—Construct the Project driveway and a new driveway that will serve the Long Beach Marketplace on the east side of PCH. The Project driveway will provide one inbound lane, dual 150-foot eastbound left-turn lanes, and a 150-foot eastbound shared through/right-turn lane. The Long Beach Marketplace driveway will provide two inbound lanes, one 90-foot westbound left-turn lane, and one 90-foot westbound shared through/right-turn lane. The median on PCH will be modified to provide appropriate left-turn lane pockets and transitions in both the northbound and southbound directions. Install an eight-phase traffic signal. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works/ Caltrans			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Project Design Feature K-4: Marina Drive at Project Driveway No. 3—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works			
Project Design Feature K-5: Marina Drive at Project Driveway No. 4—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works			
Project Design Feature K-6: Marina Drive at Project Driveway No. 5—Maintain the existing driveway to provide one inbound lane and one outbound lane (i.e., one westbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works			
Project Design Feature K-7: 2nd Street at Project Driveway No. 6—Construct the Project driveway and provide one inbound lane and one outbound lane (i.e., one northbound right-turn lane). Install a stop sign, "STOP" pavement legend, and stop bar at the Project driveway. The installation of these improvements is subject to the approval of the City of Long Beach.	Review and approval of improvement plans	Pre-construction	Long Beach Public Works	Long Beach Public Works			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Project Design Feature K-8: In compliance with LBMC Section 21.64.030(B) 1, 2, and 3, the Project shall implement transportation demand management (TDM) measures to reduce vehicle trips and encourage the use of public transit. These measures include, but are not limited to: • Provide a bulletin board/kiosk displaying information regarding bus schedules and routes, ridesharing, bike routes, and carpool/vanpool opportunities. • Provide 10 stalls for employee parking located as close as practical to employee entrance for use by potential carpool/vanpool vehicles. These reserved parking spaces shall be signed/ striped as demand warrants with at least two spaces provided at all times. • Vanpool/carpool loading/unloading and parking areas. • Provide bicycle parking facilities which are safely and conveniently accessible from the external street system, with the number and location(s) determined in consultation with the City. • Provide a designated rideshare drop off/pickup area and concierge service to facilitate and encourage the use of rideshare programs.	Review and approval of TDM, circulation, and parking plans/Field inspection	Pre-construction/ Pre-operation	Long Beach Public Works	Long Beach Public Works			
Mitigation Measure K-1: Prior to the start of construction, the Project Applicant shall provide for the preparation of a detailed Construction Management Plan, including haul routes and a staging plan, and submit it to the City of Long Beach Department of Public Works, Traffic and	Review and approval of Construction Management Plan/Field	Pre-construction/ Construction	Long Beach Public Works	Long Beach Public Works			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Transportation Bureau for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and shall include, but not be limited to, the following elements, as appropriate: • Traffic control for any street closure, detour, or other disruption to traffic circulation. • Identify the routes that construction vehicles would utilize for the delivery of construction materials (i.e. lumber, tiles, piping, windows, etc.), to access the Project Site, traffic controls and detours, and proposed construction phasing plan for the Project. • Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets. • Require the Applicant to keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. • Hauling or transport of oversize loads shall be allowed between the hours of 9:00 A.M. and 3:00 P.M. only, Monday through Friday, unless approved otherwise by the City Engineer. No	inspection						

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. • Construction-related parking and staging of vehicles shall occur on-site to the extent possible. • The Construction Management Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as City of Long Beach requirements. • During periods when the public right-of-way is affected by Project construction activities, coordinate with the City of Long Beach and Long Beach Transit to ensure the provision of safe pedestrian and bicycle access and the temporary relocation of any affected transit stops, in accordance with applicable laws and regulations and as feasible.							
Mitigation Measure K-2: Intersection No. 8: Studebaker Road at SR-22 Westbound Ramps—Widen and restripe the westbound approach to provide a third westbound left-turn lane. Widen and restripe the southbound approach of Studebaker Road to provide a third southbound through lane. These improvements would require right-of-way acquisition at the on/off ramp and along the west side of Studebaker Road. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans.	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.							
Mitigation Measure K-3: Intersection No. 12: Studebaker Road at Loynes Drive—Widen and restripe the northbound approach of Studebaker Road to provide a third northbound through lane. This improvement would require right-of-way acquisition from property owners along the east side of Studebaker Road. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			
Mitigation Measure K-4: Intersection No. 14: Bay Shore Avenue at 2nd Street—Widen and restripe the northbound approach of Bay Shore Avenue to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition at the southeast corner of the intersection and may affect the existing sidewalk and/or existing public restroom building. This improvement would also require the elimination of short-term parking on Bay Shore Avenue adjacent to the Bay Shore Neighborhood Library. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach. Since	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.							
Mitigation Measure K-5: Intersection No. 17: Pacific Coast Highway at 2nd Street—Widen and restripe the northbound approach of Pacific Coast Highway to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection and may affect the existing Mobil gas canopy. Widen and restripe the eastbound approach of 2nd Street to provide a fourth eastbound through lane. This improvement would require right-of-way acquisition from property owners on the southwest corner and the southeast corner of the intersection and may affect the existing Mobil gas canopy. Widen and restripe the westbound approach of 2nd Street to provide a third westbound left-turn lane. This improvement would require right-of-way acquisition from property owners on the northeast corner of the intersection and may affect the existing In-N-Out burger drive-through lane. Modify the existing traffic signal as necessary and install an eastbound right-turn overlap phase. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure K-6: Intersection No. 19: Studebaker Road at 2nd Street—Widen and restripe the eastbound approach of 2nd Street to provide a third eastbound left-turn lane. Widen and restripe Studebaker Road to provide a third northbound receiving lane. These improvements would require right-of-way acquisition along the south side of 2nd Street and on the east side of Studebaker Road within the existing wetlands. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			
Mitigation Measure K-7: Intersection No. 20: Seal Beach Boulevard at Westminster Avenue—Widen and restripe the northbound approach of Seal Beach Boulevard to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure K-8: Intersection No. 22: Pacific Coast Highway at Studebaker Road—Convert the exclusive southbound right-turn lane on Pacific Coast Highway to a shared through/right-turn lane. Widen and restripe Pacific Coast Highway to provide a third southbound receiving lane. The third southbound receiving lane would require right-of-way acquisition from property owners on the southwest corner of the intersection in order to maintain the existing bike lane. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Long Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			
Mitigation Measure K-9: Intersection No. 23: Pacific Coast Highway at Marina Drive—Install a three-phase traffic signal with protected left-turn phasing in the northbound direction. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time.	N/A	N/A	N/A	N/A			
Mitigation Measure K-10: Intersection No. 24: Pacific Coast Highway at Main Street/Bolsa Avenue—Widen and restripe the northbound approach of Pacific Coast Highway to provide a third northbound through lane. This improvement	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
would require right-of-way acquisition from property owners on the northeast corner and the southeast corner of the intersection. This improvement may also affect the existing building located on the northeast corner of the intersection and the existing parking spaces within Seal Beach Center located on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.							
Mitigation Measure K-11: Intersection No. 25: Seal Beach Boulevard at Pacific Coast Highway—Widen and restripe the northbound approach of Seal Beach Boulevard to provide an exclusive northbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the southeast corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure K-12: Intersection No. 29: Pacific Coast Highway at 1st Street—Widen and restripe the southbound approach of Pacific Coast Highway to provide an exclusive southbound right-turn lane. This improvement would require right-of-way acquisition from property owners on the northwest corner of the intersection. Modify the existing traffic signal as necessary. The installation of these improvements is subject to the approval of the City of Seal Beach and Caltrans. Since publication of the Draft EIR, the City of Long Beach has determined this mitigation measure to be infeasible at this time given the issues attendant to acquisition of private right-of-way.	N/A	N/A	N/A	N/A			
Initial Study Mitigation—Biological Resources							
Mitigation Measure IS-1: The Applicant shall perform one or more of the following to reduce potential impacts to migratory raptor and songbird species to a less than significant level: (1) vegetation removal activities shall be scheduled outside the nesting season for raptor and songbird species (nesting season typically occurs from February 15 to August 31) to avoid potential impacts to nesting species (this will ensure that no active nests will be disturbed and that habitat removal could proceed rapidly); and/or (2) any construction activities that occur during the raptor and songbird nesting season shall require all suitable habitat to be thoroughly surveyed for the presence of nesting raptor and songbird species by a qualified biologist no earlier than seven days prior to commencement of disturbance. If any	Review and approval of construction schedule	Pre-construction	Long Beach Development Services	Long Beach Development Services			

Mitigation Monitoring and Reporting Program (Continued)

Project Design Feature/Mitigation Measure	Action Indicating Compliance	Monitoring Phase	Monitoring Agency	Enforcement Agency	Compliance Verification		
					Initial	Date	Comments
actives nests are detected, a buffer of at least 300 feet (500 feet for raptors) or as determined by the qualified biologist shall be delineated, flagged, and avoided until the nesting cycle is complete, as determined by the qualified biologist. The results of the survey(s) shall be reported to the lead agency to document compliance with applicable state and federal laws pertaining to the protection of nesting native birds.							

Acronyms:

BMPs	Best Management Practices
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
dBA	A-Weighted Decibel
EIR	Environmental Impact Report
LARWQCB	Los Angeles Regional Water Quality Control Board
LBMC	Long Beach Municipal Code
L_{eq}	Equivalent Sound Level
LID	Low Impact Development
mph	miles per hour
MUTCD	Manual on Uniform Traffic Control Device
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
SUSMP	Standard Urban Stormwater Mitigation Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TDM	Transportation Demand Management