RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH RECERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SECOND + PCH DEVELOPMENT (STATE CLEARINGHOUSE NO. 2009101014) 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 A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, Seaport Marina LLC and David Malmuth Development LLC proposed the Second + PCH Development ("Project"), a development within the Southeast Area Development Improvement Plan (SEADIP) (PD-1) zone and within the Local Coastal Zone of the City of Long Beach. The proposed project was a mixed-use development with retail, residential, hotel, restaurant, and entertainment uses. The proposed Project was to include up to 191,475 square feet of retail uses, 325 residential units, a 100-room hotel with 3,510 square feet of meeting space, a 99-seat theater, a 4,175 square foot marine science learning center, and associated landscaping and open space. The proposed construction was to range from two to six stories in height, with one residential tower reaching a maximum of 12 stories (up to approximately 150 feet with rooftop architectural features and emergency helipad). Said Project as originally proposed is more fully described in the Draft Environmental Impact Report (DEIR), a copy of which DEIR and the Proposed Project description is incorporated herein by this

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reference as though set forth in full, word for word;

WHEREAS, Project implementation will require an amendment to the Local Coastal Program Element of the General Plan, a Zoning Amendment to SEADIP (PD-1), a Site Plan Review, approval of a Tentative Subdivision Map, a Standards Variance, demolition, grading and foundation permits, as well as approval of a Coastal Development Permit, and/or agreement approvals as may be required from Responsible and/or Trustee Agencies, including but not limited to the California Coastal Commission, United States Army Corps of Engineers, California Department of Fish and Game, California Department of Transportation, Los Angeles County Fire Department, Los Angeles County Sanitation District, Los Angeles County Department of Public Works, Los Angeles Regional Water Quality Control Board, South Coast Air Quality Management District, and the Southern California Association of Governments. A list of discretionary, Agreement, and permit approvals that may be required for Project implementation is set forth in the DEIR and RDEIR;

WHEREAS, the City began an evaluation of the proposed project by issuing a Notice of Preparation (NOP) that was circulated from September 30, 2009 to November 5, 2009. A Notice of Completion was prepared and filed with the State Office of Planning and Research on April 22, 2010. The Draft Environmental Impact Report was completed on April 22, 2010, and circulated between April 22, 2010 and June 7, 2010. The EIR was recirculated between March 10, 2011 and April 25, 2011. A public scoping meeting was held on October 7, 2009, and the Planning Commission held study sessions on the Recirculated Draft EIR ("RDEIR") on April 7, 2011 and May 19, 2011;

WHEREAS, the Planning Commission did review and consider the information in and the comments to the RDEIR and the responses thereto, the Final Environmental Impact Report ("FEIR") and the RDEIR at a duly noticed Planning Commission meeting held on October 12, 2011, at which meeting the Planning Commission voted to certify the FEIR and continue the matter until November 17, 2011 for further proceedings for the purpose of considering the entitlements associated with

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the Project and adopting revised Facts, Findings and a Statement of Overriding Considerations ("Findings");

WHEREAS, the Planning Commission did read and consider all environmental documentation comprising the FEIR, including the RDEIR, comments and the responses to comments, and errata included in the FEIR, and did determine on October 12, 2011 that the FEIR considered all potentially significant environmental impacts of the Project and was complete and adequate and fully complied with all requirements of CEQA;

WHEREAS, on October 12, 2011, at a duly noticed public hearing, the Planning Commission adopted a Resolution with Findings of Fact and Statement of Overriding Considerations certifying the FEIR, and recommended that the City Council adopt amendments to the Local Coastal Program and SEADIP Subarea 17 to allow development of the Project site in accordance with the development intensity set forth under "Reduced Intensity Alternative A" (also known as Alternative 3 in the FEIR), which is more fully discussed in the FEIR and in the Findings, and which Alternative would involve the development of a mix of land uses on the Project site similar to the proposed Project, but reduced in terms of commercial/retail and residential development intensity, and which Alternative would not include the proposed theater land use and would involve a reduction of approximately five percent in non-hotel restaurant uses;

WHEREAS, on November 17, 2011, at a duly noticed public hearing, the Planning Commission approved the Project entitlement requests (Site Plan Review, Standards Variance, Tentative Subdivision Map, and Local Coastal Development Permit) and adopted a Resolution with revised Findings of Fact and Statement of Overriding Considerations. Adoption of the revised Findings and Statement of Overriding Considerations was required since the Findings provided to the Planning Commission for the October 12, 2011, public hearing supported the development intensity set forth under "Reduced Intensity Alternative B" (also known as Alternative 4 in the FEIR and more fully discussed in the FEIR) rather than the "Reduced Intensity Alternative A" project

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alternative that was ultimately approved by the Planning Commission at the November 17, 2011 meeting, through approval of the project entitlements consistent with the "Reduced Intensity Alternative A" project alternative.

WHEREAS, subsequent to said certification and Project approval, the actions of the Planning Commission were appealed to the City Council for its full consideration and review;

WHEREAS, implementation and construction of the Project constitutes a "project" as defined by 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 RDEIR, and distributed the responses in accordance with Public Resources Code section 21092.5;

WHEREAS, the City Council has read and considered all environmental documentation comprising the FEIR, including the RDEIR, 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 City Council 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 FEIR and/or other information in the record; and

WHEREAS, it is the policy of the City, in accordance with the provisions of

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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 City Council 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 FDEIR has been completed in compliance with CEQA and the State CEQA Guidelines.

Section 3. The FDEIR, which reflects the City Council's independent judgment and analysis, is hereby adopted, approved, and recertified as complete and adequate under CEQA.

Section 4. Pursuant to Public Resources Code Section 21081 and State CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the Facts, Findings and Statement of Overriding Considerations regarding the environmental effects for the Second + PCH development 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 City Council 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

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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 RDEIR, 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 RDEIR or FEIR pursuant to the Public Resources Code.

Section 8. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 20___, by the following vote:

Ayes: Councilmembers: _____

_____

_____

_____

Noes: Councilmembers: _____

_____

Absent: Councilmembers: _____

_____

_____

City Clerk

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CITY OF LONG BEACH RESOLUTION NO. R-1157

EXHIBIT "A"

FACTS, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL EFFECTS FOR THE SECOND + PCH DEVELOPMENT PROJECT

SCH # 2009101014

Lead Agency:
City of Long Beach
333 W. Ocean Boulevard
Long Beach, California 90802
Contact: Mr. Craig Chalfant, Environmental Review Project Manager
(562) 570-6368

October 2011

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STATEMENT OF FACTS AND FINDINGS

I INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following statement of facts and findings has been prepared in accordance with the California Environmental Quality Act (CEQA) and Public Resources Code Section 21081. *CEQA Guidelines* Section 15091 (a) provides that:

> *No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.*

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091 (a) of the *CEQA Guidelines.*

> *(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 and not the 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.*

These findings relevant to the project are presented in Sections V and VI.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Long Beach, the CEQA Lead Agency, finds and declares that the proposed Second + PCH Development Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Long Beach finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to any approval associated with the proposed Second + PCH Development Project, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the Lead Agency, and sets forth an adequate range of alternatives to this project. The City of Long Beach Planning Commission certified the EIR at its hearing of October 6, 2011.

The Final EIR is comprised of the following elements:

- Recirculated Draft Second + PCH Development Project Environmental Impact Report, March 2011;
- Responses to Comments on the Draft EIR, September 2011; and
- Mitigation monitoring and reporting program.

The remainder of this document is organized as follows:

II. Description of project proposed for approval;

III. Effects determined to be less than significant in the Initial Study/Notice of Preparation;

IV. Effects determined to be less than significant;

V. Effects determined to be less than significant with mitigation and findings;

VI. Environmental effects that remain significant and unavoidable after mitigation and findings; and

VII. Alternatives to the proposed project.

VIII. Statement of Overriding Considerations

II DESCRIPTION OF APPLICANT'S PROPOSAL

The applicant's proposal is a mixed-use development that would include up to 191,475 square feet of retail uses, 325 residential units, a 100-room hotel with 3,510 square feet of meeting space and 4,368 square feet of restaurant space, 21,092 square feet of non-hotel restaurant space, a 99-seat theater, a 4,175 square-foot marine/science learning center, and associated landscaping and open space. Buildings would generally range from two to six stories in height, with one residential tower reaching a maximum of 12 stories (up to approximately 150 feet with rooftop architectural features and emergency helipad). Additionally, the project would develop Marina View Lane, a new roadway that would bisect the southern portion of the project site. On-site parking would be provided via structured parking including one subterranean parking level roughly covering the boundaries of the project site, as well as one at-grade level and on above-grade level, both of which would be limited to the southern end of the project site, for a total of 1,440 on-site parking spaces.

III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION

The Initial Study prepared for the project and circulated with a Notice of Preparation (NOP) of a Draft EIR found that the proposed project would have a less than significant impact with respect to a number of environmental topics. A less than significant environmental impact determination was made for each topic area listed below.

AGRICULTURE RESOURCES

Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is fully developed within an urbanized area and is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No agricultural or other related activities occur on-site or in the project vicinity. Therefore, no impacts to farmland would occur.

Conflict with existing zoning for agricultural use or a Williamson Act contract. The project site is located within Subarea 17 of PD-1, Southeast Area Development Improvement Plan (SEADIP), which is designated for commercial development. No agricultural zoning is present in the surrounding area and no nearby lands are enrolled under the Williamson Act. Therefore, no conflict with agricultural zoning of Williamson Act contracts would occur.

Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. No agricultural uses exist on the project site or in the project vicinity, and neither the project site nor the project vicinity is zoned for agricultural use. Thus, the proposed project would not involve the conversion of farmland to non-agricultural uses. No impact to agricultural land or uses would occur.

MINERAL RESOURCES

Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Petroleum is the primary mineral resource within the City of Long Beach. The project site is not classified by the City of Long Beach as an area containing significant deposits of oil, gas, or other mineral deposits. In addition, the project site is not currently utilized for oil extraction, nor are oil or other mineral deposits know to occur within the project site. As the development of the project site would not result in the loss of a known mineral resource, no impact with respect to this issue would occur.

Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The Long Beach General Plan and other specific plans and land use plans do not identify the project site as an important mineral resource recovery site. Project implementation would not result in impacts associated with loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE EIR

The City of Long Beach found that the proposed project would have a less than significant impact with respect to a number of environmental topics discussed in the EIR, without the need for mitigation. A less than significant environmental impact determination was made for each topic area listed below.

AESTHETICS

Project Effects on a Scenic Vista. Although the proposed structures, particularly the 150-foot tower, would be visible from long-range viewpoints to the north, because of the minimal percentage of the viewshed affected by the development from long-range viewpoints and the lack of scenic resources beyond the project site, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

Scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Since the project site is not located within or near a State scenic highway, and does not contain scenic resources, including trees, rock outcroppings, or historic buildings, the proposed project would not substantially damage scenic resources; therefore, the impact would be less than significant.

Degrade the existing visual character or quality of the site and its surroundings. Overall, development of the proposed project would represent a substantial aesthetic improvement relative to the existing appearance of the site. The project would not remove or demolish valued features or elements that contribute to the visual character of the vicinity, and would not degrade or detract from the existing visual quality of the site and its surroundings. Therefore, visual quality impacts due to the proposed project would be less than significant.

Create a new source of light and glare. With adherence to Long Beach Municipal Code (LBMC) regulations, light resulting from construction activities would not significantly impact sensitive uses, substantially alter the character of the offsite areas surrounding the construction area, or interfere with the performance of an off-site activity. Construction activities would not result in substantial areas of flat, shiny surfaces that would reflect sunlight or cause glare. Incorporation of project design features and adherence to applicable LBMC regulations, operation of the proposed project would not create a new source of substantial light which would adversely affect day or nighttime views in the area. The project would not cause glare that would substantially interfere with the performance of an off-site activity or sensitive uses, such as motorists along PCH and Marina Drive or nearby residents. Therefore, impacts attributable to project-induced artificial lighting and glare would be less than significant.

Shadows. The proposed project would not cast new shadows on off-site shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. Pacific Daylight Time (PDT), between late October and early April or more than four hours between the hours of 9:00 A.M. and 5:00 P.M Pacific Savings Time (PST) between early April and late October. Therefore, impacts related to shade and shadow effects would be less than significant.

AIR QUALITY

Conflict with plans or policies that reduce greenhouse gas emissions. The proposed project would employ design features to achieve LEED™ certification, resulting in greenhouse gas (GHG) emissions consistent with SCAG reduction targets, incorporated water conservation, energy conservation, planting trees and other sustainable features consistent with the City's Green Building Requirements. Therefore, the proposed project would not result in significant impacts as it would not conflict with any applicable plan, policy, or regulation to reduce GHG emissions.

BIOLOGICAL RESOURCES

Substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the CDFG or USFWS. The project site is a fully developed commercial lot that contains an existing hotel and several paved surface parking lots. The site does not contain native habitat areas and landscaping is comprised of non-native ornamental plants. Surrounding properties are also developed. The proposed project would have a less than significant impact, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the CDFG or USFWS.

Substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by the CDFG or USFWS. The proposed project is not located on or adjacent to any riparian habitat or sensitive natural community. In addition, no portion of the site is considered riparian habitat or a sensitive natural community. Based on the limited nature of the project's lighting, noise, and invasive species effects given the distance of viable habitat areas from the site and existing background conditions, these impacts would not be substantial. The location of the site down-gradient from the Los Cerritos Wetlands would also avoid hydrology or water quality-related impacts. Therefore, the project would have a less than significant adverse effect on riparian habitat or other natural communities identified in the City or regional plans, policies, or regulations by the CDFG or USFWS.

Substantial adverse effect on federally protected wetlands through direct removal, filling, hydrologic interruption, or other means. The Los Cerritos Wetlands, which contains both riparian and associated sensitive natural communities, is located in the project area; however, the proposed project does not involve activities that would materially affect the condition or function of the Los Cerritos Wetlands. All project-

related activities would be limited to the project site, and due to distance and intervening development, operational activities at the site would not have a direct physical effect on the Los Cerritos Wetlands. In addition, the location of the site down-gradient from the Los Cerritos Wetlands would also avoid hydrology or water quality-related impacts. As such, the proposed project would not have a substantial direct or indirect effect on the Los Cerritos Wetlands or any federally protected wetlands.

Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. The project site is already fully developed and located within an urbanized area. The site does not support any biologically significant wildlife movement nor does it contain or support native wildlife nursery sites. The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Project impacts would therefore be less than significant.

CULTURAL RESOURCES

Cause a substantial adverse change in the significance of a historical resource. Pursuant to CEQA, and based on the evaluation of historic significance provided in the EIR, the property at 6400 East Pacific Coast Highway is not considered potentially eligible as an historic resources under any of the applicable criteria of the National Register of Historic Places, California Register of Historical Resources, or as a City of Long Beach Landmark. It is recommended that the property be assigned a California Historical Resources Status Code of 6Z, which refers to those properties "found ineligible for NR, CR, or local designation through survey evaluation." Pursuant to Section 15064.5(a)(2) of the CEQA Guidelines, the subject property is not considered to be a historic resource and no further consideration of historic resources is required. Given that the on-site structures are not considered historic resources, implementation of the proposed project would not result in an adverse impact to any historical resources on-site. Additionally, implementation of the proposed project would not materially impair the historic setting of previously recorded off-site historic properties, such as Marine Stadium northwest of the project site, such that indirect impacts to resources could occur. The proposed project would have no impact upon these properties given their distance from the site and intervening urban development, landscaping, and infrastructure. As such, the proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 150645.5 of the CEQA Guidelines and the project's impact would be less than significant.

GEOLOGY AND SOILS

Expose people or structures to substantial adverse effects involving strong seismic groundshaking. The project site is located within the seismically-active southern California region. The site could experience a maximum expected site-specific horizontal ground acceleration of 0.49g. However, with compliance with current California Building Code (CBC) design criteria, as well as other applicable

seismic safety requirements, impacts from seismic groundshaking would be less than significant.

Result in substantial soil erosion of the loss of topsoil. To meet the requirements of the National Pollution Discharge Elimination System (NPDES) General Construction permit, the project would be required to implement a Stormwater Prevention Plan (SWPP) during construction activities to prevent the introduction of pollutant, including soil materials, into stromwater flows off-site. The proposed project would also be required to prepare a Water Quality Management Plan (WQMP) to minimize impacts related to erosion and other water quality impacts during project operation. Thus, impacts would be less than significant.

HAZARDS AND HAZARDOUS MATERIALS

Transport, use, or disposal of hazardous materials. Site excavation and grading would involve the off-site transport and disposal of hazardous materials, which would be short-term in nature. With adherence to the requirements of applicable regulations, impacts related to temporary off-site hauling and disposal of excavated materials would be less than significant. Given the nature of the proposed mixed-use development, the project would not involve the routine transport, use, or disposal of large quantities of hazardous materials; therefore, operational impacts would be less than significant.

HYDROLOGY

Substantially alter the existing drainage pattern of the site or area. Runoff from the proposed project would drain similarly to existing conditions, and would continue to discharge all on-site runoff into the proposed 36-inch stormdrain that traverses the site. All other off-site drainage areas would remain as under existing conditions. As such, potential impacts to existing drainage systems would be less than significant.

Exceed the capacity of existing or planned storm water drainage systems. All on-site drainage systems would be designed per City standards to minimize on-sit flooding. The existing 36-inch storm drain that receives all on-site drainage and outlets to Alamitos Bay has sufficient capacity to convey both on-site and off-site flows. Potential impacts to storm water drainage systems would therefore be less than significant.

Require or result in the construction of new, or expansion of existing storm water facilities. The proposed project would not contribute runoff water that would exceed the capacity of existing or planned stromwater drainage systems, require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. Impacts to drainage would therefore be less than significant.

Place housing within a 100-year flood hazard area. The project site is in an area located within a 100-year floodplain that is protected by "Provisionally Accredited" levees (San Gabriel River channel), as determined by the Army Corps of Engineers (ACOE). Therefore, significant impacts associated with the placement of housing or structures within a 100-year flood hazard would not occur.

Place structures within a 100-year flood hazard area which would impede or redirect flood flows. The project site is in an area located within a 100-year floodplain that is protected by "Provisionally Accredited" levees, as determined by the Army Corps of Engineers (ACOE). Therefore, significant impacts associated with the placement of housing or structures within a 100-year flood hazard would not occur.

Expose people or structures to significant risk from flooding due to failure of a levee or dam. The project site is in an area located within a 100-year floodplain that is protected by "Provisionally Accredited" levees, as determined by the Army Corps of Engineers (ACOE). Therefore, significant impacts associated with the placement of housing or structures within a 100-year flood hazard would not occur.

Substantially deplete groundwater supplies or interfere with groundwater recharge. All dewatering required for construction activities and post-construction operation would be performed in accordance with Los Angeles Regional Water Quality Control Board (RWQCB) and State Water Resources Control Board (SWRCB) General Construction Permit requirements. Therefore, impacts to groundwater recharge and groundwater supplies form the proposed project would be less than significant.

Violate any water quality standards or waste discharge requirements. As a result of runoff controls and compliance with National Pollutant Discharge Elimination System (NPDES) and associated local requirements, water quality standard exceedances are not anticipated, and pollutants are not expected in project runoff that would adversely affect beneficial uses in downstream receiving waters. Impacts to surface water quality associated with construction and operation of the project would be less than significant given compliance with applicable regulations.

Alter existing drainage patterns of the site or area in a manner that would result in substantial erosion of siltation. Runoff from the proposed project would drain similarly to existing conditions and would continue to discharge all on-site runoff into the proposed 36-inch storm drain that traverses the site. All other off-site drainage areas would remain as under existing conditions. Potential impacts to existing drainage systems would therefore be less than significant.

Substantially degrade water quality. As a result of runoff controls, water quality exceedances are not anticipated, and pollutants in project runoff that would adversely affect beneficial uses in downstream receiving waters are not expected. Impacts to surface water quality associated with construction and operation of the project will be less than significant given compliance with applicable regulations, including the NPDES and associated local requirements.

NOISE

Expose persons to or generation of excessive groundbourne vibration of noise levels. The proposed project would generate groundbourne construction vibrations. Receptors in the project site vicinity would be exposed to maximum vibration velocities of 0.001-inch per second root-mean-square (RMS) during project construction, which would not

exceed the 0.002-inch per second RMS perception criteria. For project operations, potential vibration impacts from all proposed project sources at the closest location would be less than the significance threshold of 0.002-inch per second RMS for perceptibility. Impacts associated with construction and operation activities would therefore be less than significant.

POPULATION AND HOUSING

Induce substantial population growth in an area. The proposed project would add an estimated 1,386 residents, representing a 2.46 percent, 0.77 percent, and 0.04 percent of the population growth projected by SCAG for the local, subregional, and regional areas, respectively, between the years 2010 and 2030. The proposed project would have a less than significant population impact.

The proposed project would result in the development of 325 residential units, which would represent 1.56 percent, 0.56 percent,and 0.02 percent of the housing growth projected by SCAG for the local, subregional, and regional areas between the years of 2010 and 2030. The addition of new housing units is well within the SCAG housing growth projections for the City of Long Beach, the Gateway Cities COG subregion, and the SCAG region. Impacts related to housing and indirect population growth would be less than significant.

The proposed project would generate an estimated 613 employment positions. Given that the site currently includes approximately 166 employees, the net increase would be 447 employees. This number would represent 3.36 percent, 1.01 percent, and 0.03 percent of the City, subregional, and regional employment growth projected by SCAG between the years 2010 and 2030. The increase in employees would be within SCAG forecasts and impacts associated with employment and indirect population growth would be less than significant.

PUBLIC SERVICES

Fire. The proposed project would be required to implement applicable building code requirements pursuant to the California Building Code (CBC) as well as the Uniform Fire Code (UFC), requiring that fire protection devices would be installed and utilized. Adherence to the applicable codes would decrease demand for fire services. As the project-generated emergency responses would not represent a substantial increase in the number of responses for the fire stations serving the site, the proposed project would not generate service demand exceeding the staff and equipment capabilities of the existing stations or require the expansion of existing stations or construction of a new fire station. Thus, the proposed project would result in a less than significant impact.

Schools. The proposed project would incrementally increase the number of elementary, middle school, and high school students in the Long Beach Unified School District (LBUSD). However, the proposed project would be subject to school developer fees to help build new schools or fund renovations to reduce overcrowding. Therefore, impacts on LBUSD facilities would be reduced to a less than significant level.

Parks. The increase in residents associated with the proposed project would generate demand for parks. However, the applicant would be required to pay parkland in-lieu fees in the amount established by the City of Long Beach. With collection of these fees, the City could provide additional facilities to meet project-generated demand. Thus, impacts regarding parks and recreation would be less than significant.

Libraries. The proposed project would result in increased demand for library services. Based on the availability of several libraries to serve the proposed project and the anticipated revenues to be generated by the project into the City's general fund, new libraries or alterations to existing facilities would not be required to accommodate the proposed project's residents. Impacts related to library services would be less than significant.

TRANSPORTATION AND CIRCULATION

Substantially increase hazards due to a design feature. Overall, the propseod project's on-site circulation system would be adequate to allow for internal vehicular mobility and the provision of new traffic signals at Marina View Lane (Project Driveway B) and PCH, Marina View Lane (Project Driveway E) and Marina Drive, and Marina Drive and Studebaker Road would preclude safety hazards at these locations related to unsafe intersections. With adherence to the internal circulation design and provision of the new traffic signals, the proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. Accordingly, impacts would be less than significant.

Emergency access. The proposed on-site internal circulation system is considered adequate to allow for unobstructed vehicular access throughout the development. Vehicular access for emergency vehicles would be provided throughout development phases within the project site and surrounding area, as required by the City and applicable regulations. As such, impacts would be less than significant.

Inadequate parking capacity. The proposed project would provide 1,440 parking spaces, and would require 2,058 spaces, resulting in a deficit of 618 parking spaces. Based on the results of a shared parking analysis, the proposed project would have a combined peak parking requirement of 1,417 spaces for residential and non-residential land uses, which results in a parking surplus of 23 spaces when compared to a shared parking supply of 1,440 spaces. The proposed project would not result in inadequate parking capacity relative to projected peak parking demand; therefore, impacts would be less than significant.

Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities. The proposed project would comply with all applicable plans, policies, and programs regarding public transit, bicycle, and pedestrian facilities. Given the extent of proposed alternative transportation programs and facilities that would be provided on-site, the project would support and would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Impacts would be less than significant.

UTILITIES AND SERVICE SYSTEMS

Water. Buildout of the proposed project would incrementally increase water demand in the City of Long Beach. However, the Water Availability Assessment (WAA) conducted for the project concludes that adequate water supplies will be available during normal, single- and multiple-dry water years to meet the projected water demand associated with the proposed project, in addition to the existing and other planned future uses of the Long Beach Water Department (LBWD) system. This finding is based on LBWD's rights to reliable supply of groundwater and LBWD's preferential rights to water from the Metropolitan Water District of Southern California (MWD), per Section 135 of the Metropolitan Water District Act. Thus, LBWD would be able to meet the water demand of the project as well as existing and planned future water demand of its service area, and the impact on water supplies would be less than significant.

Wastewater. Buildout of the proposed project would incrementally increase the generation of wastewater to be treated at the Joint Water Pollution Control Plant (JWPCP). This facility has a design capacity of 385 million gallons per day (mgd) and currently treats an average of 322.7 mgd. The City currently has 62.3 mgd additional capacity to treat wastewater, and the proposed project's wastewater generation represents only a small percentage of the total flows; therefore, operational impacts to the treatment facility would be less than significant.

V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION AND FINDINGS

The City of Long Beach, having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Public Services, and Utilities. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach finds that these potentially significant adverse impacts can be mitigated to a less than significant level after implementation of mitigation measures identified in the Final EIR. The Draft EIR is incorporated by reference.

BIOLOGICAL RESOURCES

Conflict with policies or ordinances protecting biological resources. Removal of on-site vegetation during construction activities, during typical nesting activities which occur from February 15 to August 31, there is removal of on-site vegetation, there would be a conflict with the provisions of the Migratory Bird Treaty Act (MBTA). Project impacts could be considered potentially significant. Mitigation is required to reduce potential impacts to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Finding

The potential biological impacts associated with nesting birds have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

C-1 The developer or a designated representative shall ensure that impacts to migratory raptor and songbird species are avoided through one or more of the following methods: (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 that all suitable habitat be thoroughly surveyed for the presence of nesting raptor and songbird species by a qualified biologist before commencement of clearing. If any active

nests are detected, a buffer of at least 300 feet (500 feet for raptors) shall be delineated, flagged, and avoided until the nesting cycle is complete as determined by the qualified biologist to minimize impacts. The developer or designated representative shall submit proof of compliance with this measure to the City of Long Beach Department of Development Services prior to tree removal activities on-site.

CULTURAL RESOURCES

Substantial change in the significance of an archaeological resource. Based on the results of a records search and historic background of the project site and surrounding vicinity, development of the project has the potential to encounter prehistoric and historical-period archaeological deposit. Thus, the project could cause impacts to an archaeological resource and the impact would be potentially significant. Mitigation is required to reduce potential impacts to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Finding

The potential cultural resource impacts associated with archaeological deposits have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

D-1 An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (the "Archaeologist") shall be retained by the Project Applicant and approved by the City to oversee and carry out the mitigation measures stipulated in this EIR.

D-2 A qualified archaeological monitor shall be selected by the Archaeologist, retained by the Project Applicant, and approved by the City to monitor ground-disturbing activities within the project site that include digging, grubbing, or excavation into native sediments that have not been previously disturbed for this project. Ground-disturbing activities do not include movement, redistribution, or compaction of sediments excavated during the project. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule.

D-3 In the event that cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find

can be evaluated. Work shall be allowed to continue outside of the vicinity of the find.

D-4 All cultural resources unearthed by project construction activities shall be evaluated by the Archaeologist. If the Archaeologist determines that the resources may be significant, the Archaeologist will notify the Project Applicant and the City and will develop an appropriate treatment plan for the resources. The Archaeologist shall consult with an appropriate Native American representative in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

D-5 Treatment plans developed for any unearthed resources shall consider preservation of the resource or resources in place as a preferred option. Feasibility and means of preservation in place shall be determined through consultation between the Archaeologist, the Native American representative, the Project Applicant, and the City.

D-6 The Archaeologist shall prepare a final report to be reviewed and accepted by the City. The report shall be filed with the Project Applicant, the City, and the California Historic Resources Information System South Central Coastal Information Center. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall also include all specialists' reports as appendices, if any. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be required. The City shall designate repositories in the event cultural resources are uncovered.

Directly or indirectly destroy a paleontological resource. It is possible that proposed excavations could encounter previously undisturbed native soil/sediment that contains intact paleontological resources. As a result, there is a potential to directly or indirectly destroy a unique paleontological resource, therefore impacts to paleontological resources are considered potentially significant.

Finding

- *Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Finding

The potential cultural resource impacts associated with paleontological deposits have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

D-7 A qualified paleontologist shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into older Quaternary deposits. A qualified paleontologist is defined as a Paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.

D-8 If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.

D-9 At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

D-10 Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.

D-11 Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

D-12 If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

Human Remains/Unrecorded Cultural Resources. The project would involve excavation that may disturb human remains interred outside of formal cemeteries or unrecorded cultural resources of significance.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts from human remains and unrecorded cultural resources associated with the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

D-13 If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American decent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help to determine what course of action should be taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered as possible courses of action by the Project Applicant, the City, and the Most Likely Descendent.

GEOLOGY

Substantial adverse effects from seismic-related ground failure, including liquefaction. The project site has a high susceptibility to liquefaction and a moderate susceptibility to ground shaking and differential settlement. Additionally, loose alluvial soils or undocumented/poorly compacted fill may be present in some areas at the project site. Given the site soil and groundwater conditions impacts associated with ground settlement are considered potentially significant.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts from ground failure as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

E-1 **Liquefaction and Seismic-Related Ground Failure.** Proposed building foundations shall be constructed utilizing driven pre-cast piles or cast-in pile foundations that extend through the liquefiable zones into

competent material, or an equivalent foundation system, for shoring and structural support in order to reduce the potential for adverse impacts related to liquefaction, differential settlement, ground lurching, and dewatering related ground settlement Alternatively, densification of the liquefiable soils using vibro-displacement stone columns or compaction grouting would mitigate the liquefaction hazard, and the new structures could then be supported on shallow foundation systems. The specific building foundation method(s) to be employed shall be determined by the project geotechnical engineer, and reviewed and approved by the City Engineer prior to issuance of building permits.

Unstable soil conditions. The project site is located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. The project site has a high susceptibility to liquefaction and moderate susceptibility to ground shaking and differential settlement, and therefore this impact is considered potentially significant.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts associated with soil conditions on the project site have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

E-2 **Ground Settlement.** If determined necessary by the project geotechnical engineer, removal and recompaction of compressible soils or in-situ ground modification shall be utilized, based on detailed design stage recommendations, in order to address potential ground settlement.

E-3 **Ground Settlement.** In order to address potential ground settlement during construction activities, the construction contractor shall limit the depth of construction dewatering, install sheet piles, and pump from within the excavation to reduce the impacts to groundwater levels outside the excavation, install monitoring wells to evaluate groundwater, monitor adjacent areas for indications of settlement, and/or protect settlement-sensitive structures through ground improvement or foundation underpinning, as deemed appropriate by the project geotechnical engineer.

E-4 **Construction-Related Vibration.** Depending upon the specific technique to be employed to mitigate liquefaction hazards, and prior to initiation of construction, a Vibration Management Plan [VMP) shall be prepared by a qualified consultant hired by the applicant for review and approval by the

City. The VMP shall address the potential for specifically proposed construction activities to cause vibration induced ground settlement on off-site properties. The performance standard for vibration management shall be to prevent vibration induced ground settlement on nearby properties that would result in structural damage or damage to other sensitive off-site improvements. More specifically, the performance standard shall ensure that construction of the project would not result in off-site ground settlement greater than ½ -inch in non-building areas or greater than ¼ -inch in building areas. If it is determined that there would be no potential for significant settlement on off-site properties due to proposed construction techniques, no further requirements for mitigation would apply. In the event potential for significant settlement is identified, the VMP shall include mitigation requirements that will ensure that the performance standard to prevent significant off-site ground settlement is met. Mitigation techniques to reduce the impacts of vibration may include avoiding construction activities that involve vibration, limiting construction involving vibration to specified distances from off-site sensitive receptors, monitoring vibration and settlement during construction, and/or protecting sensitive improvements from excessive settlement by ground stabilization or foundation underpinning. Monitoring methods include installation of ground survey points around the outside of excavations to monitor settlement and/or placing monitoring points on nearby structures or surfaces to monitor performance of the structures. If monitored movement shows potential for the performance standard to be exceeded during the course of construction, all work potentially associated with vibration induced settlement shall stop and the City shall be immediately informed. Subsequently, the contractor's methods shall be reviewed and changes made, as appropriate, with alternative methods of settlement reduction identified for implementation by the contractor to the satisfaction of the City.

HAZARDS AND HAZARDOUS MATERIALS

Significant hazard due to accidental release of hazardous materials. Given the known presence of hazardous materials such as ACMs and LBP in building components on-site, the demolition of existing structures could result in a release of these hazardous materials into the environment, which is considered a potentially significant impact,

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts related to release of hazardous materials have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

F-1 **Soil Management Plan.** The developer shall prepare a project-specific Soil Management Plan (SMP) that will be reviewed and approved by the City of Long Beach prior to the start of construction. The SMP will function as an umbrella plan. It shall incorporate all of the requirements associated with the mitigation measure below, and will include, but not be limited to the findings and recommendations contained in the: (1) Geophysical Survey; (2) Soil Vapor Survey/Health Risk Screening, (3) Transportation Plan; and (4) Dust Monitoring Plan. The SMP will incorporate methodologies for detecting the various environmental concerns noted in relevant hazardous materials investigations during the construction phase of the project. The SMP 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 SMP shall require notification and reporting, according to agency protocols, of applicable local and State regulatory agencies, including the Department of Toxic Substances Control (DTSC), the Regional Water Quality Control Board (RWQCB), CalRecycle, California Department of Oil and Gas and Geothermal Resources, Long Beach Fire Department, and the City of Long Beach.

F-2 **Asbestos and Lead-Based Paint Abatement:** Prior to demolition activities, a qualified contractor shall perform an asbestos and lead-based-paint-containing-materials survey. Thereafter, the qualified contractor shall also sufficiently abate the structures to be demolished on the site according to the applicable and current local, State, and federal guidelines.

F-3 **Geophysical Survey:** Prior to subsurface disturbance and demolition at the project site, the developer shall conduct a geophysical survey. The purpose of the geophysical survey is to locate subsurface features or anomalies, if any, that may pose an environmental concern or present a risk of upset at the site. The geophysical survey shall:

1) Accurately locate and mark the oil pipeline located along the northeast border of the site.
2) Search for, identify and mark the six abandoned oil wells and associated pipelines that are reportedly located at the project site due to historic use of the site for oil production and facilities.
3) Detect the presence of other subsurface anomalies, if any, such as underground vaults/features, buried debris, historical dump sites, waste drums, or tanks.

The geophysical survey will 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 SMP, which shall be reviewed and approved by the City of Long Beach.

F-4 Soil Vapor Survey and Health Risk Screening:

(A) Soil Vapor Survey: The developer shall conduct a systematic soil vapor survey of the project site prior to construction to investigate the possible presence of volatile organic compounds (VOCs) in site soils. The survey will be performed according to the applicable standards of the DTSC and California Environmental Protection Agency (CalEPA). Soil borings shall be placed to a depth of at least five feet below the deepest excavation to occur during site construction and soil vapor samples shall be collected at five-to-ten-foot intervals. Soil samples shall also be collected at a five-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 site. The survey shall specifically include:

1) An evaluation of methane and hydrogen sulfide concentrations (due to possible methane and hydrogen sulfide gases associated with historic oil fields use) to a depth of at least five feet below the deepest excavation to occur during site construction. These soil vapor borings 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 VOCs 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 site through lateral migration of soil vapors.

(B) Health Risk Screening: Following 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 VOC levels at the site for construction workers and future site users. The health risk screening assessment will be performed according to the applicable standards of the DTSC and CalEPA. If the health risk screening assessment indicates that elevated VOCs in soil pose a health risk to site users, then the developer will further define and implement additional measures, tailored to the extent of environmental contamination, that minimize soil vapor exposure to acceptable levels as established by the applicable regulatory agency, including DTSC. The potential mitigation measures could include, but not be limited to, the following:

1) During Construction - VOC levels shall be monitored closely during construction in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166. This rule requires VOC monitoring of petroleum-impacted soils during construction activities. If VOC concentrations exceed threshold levels specified in the Rule, vapor suppression shall be required by amending soil with water or chemical foam. VOC-impacted soil shall be stockpiled and covered in accordance with the Rule. Rule 1166 compliance requirements shall be included in the SMP required by Mitigation Measure F-1 above.

2) Post-Construction - In the unlikely event that elevated concentrations of VOC

persist in site soils post-construction, vapor mitigation shall be performed to protect future site users. Post-construction long-term vapor mitigation measures selected shall be determined based on the remaining extent of VOC concentrations and the associated health risk, if any. Mitigation measures associated with post-construction VOC control could include the following:

i) Soil Vapor Extraction - post-construction vapor mitigation would include a soil vapor extraction (SVE) system to remove residual VOCs from the soil. The SVE system would be employed to remediate soil vapor to a level considered safe for uses proposed on the site.

ii) Vapor Barrier/Sub-slab Depressurization -If the soil vapor survey indicates that extremely high VOCs are present at the site, post-construction, resulting in 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 site.

F-5 **Pre-Construction Removal Action:** The developer shall perform pre-construction removal to include sampling, as necessary to characterize waste, removal action, off-site disposal of characterized waste and confirmation sampling of removal areas. The specific area to undergo pre-construction removal action includes:

1) Removal of Debris and Dirt from Satellite Enclosure: Debris and dirt located in a satellite enclosure on the southern portion of the site shall be removed prior to site construction. The mitigation shall include collection and laboratory analysis of representative soil samples from the debris and dirt 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.

F-6 **Construction De-Watering Permit:** From review of previous environmental reports regarding the project site, groundwater at the site has likely been impacted by petroleum hydrocarbons from one or more possible sources including the former gas station on the project site, the petroleum release from the gas station located across PCH from the site, and former oil field activities. Dewatering will be required during site construction. As such, the developer shall obtain a De-Water permit through the Regional Water Quality Control Board (RWQCB) to de-water and discharge water from the site. The developer will comply with all requirements of the dewatering permit. Petroleum impacted groundwater is subject to pre-treatment during de-watering activities to meet National Pollutant Discharge Elimination System (NPDES) Construction Dewatering permit limits. The construction activities shall conform to the NPDES requirements. The RWQCB requires the water to be tested for possible pollutants. The developer shall collect groundwater samples from existing site wells to determine pre-treatment system requirements for extracted groundwater. A water treatment system shall be designed and installed for treatment of extracted groundwater removed during dewatering activities so that such water complies with the applicable RWQCB and

NPDES permit standards before disposal.

F-7 **Oil Sumps and Mud Pits:** The previously identified oil sumps in the northern area of the site and the area of suspected mudpits and any known areas of dark stained soil noted in historical aerial photographs shall be added to site plans included in the SMP. These areas shall be excavated and the soil stockpiled on plastic sheeting at the site. The stockpiled soil shall be sampled and laboratory-analyzed in accordance with requirements outlined in the SMP and pursuant to the applicable DTSC 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.

F-8 **Construction Dewatering:** Construction dewatering requirements as outlined in the Construction Dewatering permit shall be included in the SMP. Construction dewatering shall be performed in accordance with the permit and SMP during site construction and demolition activities.

F-9 **Construction Site Observer:** A qualified construction site observer shall be present at all times during site excavation activities to observe for areas of possible contamination including, but not limited to, the presence of underground anomalies such as underground structures, pipelines, buried debris, waste drums, tanks, stained soil or odorous soils. The SMP shall provide notification protocols and specific instructions regarding the actions to be taken (i.e., sampling, testing for contamination levels, excavation and stockpiling, or halting construction for remediation) if subsurface anomalies are encountered during construction. Specific instructions shall include field monitoring to assess any safety concerns associated with the subsurface anomaly, environmental sampling, reporting requirements, removal and confirmatory sampling. Removal action of subsurface anomalies shall be documented by the construction site observer in the daily field log including documenting all actions taken in accordance with the SMP, including photo documentation.

F-10 **Abandoned Oil Wells:** Mitigation measures associated with the six known on-site abandoned oil wells shall be provided in the SMP (required by Mitigation Measure F-1), including actions to perform in the event that an abandoned oil well is encountered during construction activities. A summary of these mitigation measures include the following:

1) The developer shall submit the appropriate project application documents to Division of Oil, Gas & Geothermal Resources (DOGGR) to comply with its Construction Site Review process. Thereafter, DOGGR will notify the applicant of required procedures, including re-abandonment permits and procedures, and possible methane mitigation measures.

2) Known abandoned oil wells shall be uncovered during construction without disturbing the casing.

3) A DOGGR inspector shall be notified to inspect the well and provide, if necessary, re-abandonment measures.

4) The well shall be re-abandoned by a licensed contractor in accordance with current regulatory requirements of DOGGR.

5) The construction site observer shall be on the look out at all times during site excavation for abandoned oil wells. Actions to be taken to monitor the abandoned oil well with field instrumentation to assess any safety concerns shall be included in the SMP.

F-11 **Former LA County Flood Control Dump Site:** If, during construction, a dump site is discovered, then the developer shall implement tailored mitigation to remove the dump materials during site construction activities. Response actions to be taken by the contractor if the former dump is encountered shall be provided in the SMP (required by Mitigation Measure F-1) and may include removal through excavation of dump debris, staging of the debris on plastic, monitoring of the excavation for landfill gas, debris loading and disposal in an off-site permitted facility.

F-12 **Soil Transportation Plan:** The developer shall develop a Soils 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.

F-13 **Dust Monitoring Plan:** The developer shall provide a Dust Monitoring Plan in accordance with the requirements of South Coast Air Quality Management District (SQAQMD) Rule 403 to monitor and control fugitive dust that may be generated as a result of construction activities through application of Best Available Control Measures during construction.

Located on a site that is included on a list of hazardous materials site. In the case of the proposed project and the project site, government database searches have demonstrated that the site itself is listed in the LUST database for previous hydrocarbon releases from leaking underground fuel tanks, and the Mobil station across PCH from the site is also listed for similar releases from leaking tanks.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts related to on-site hazardous materials have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

Refer to Mitigation Measures F-1, F-4, F-6 through F-9.

NOISE

Generation of noise in excess of standards or ordinances. Construction noise levels would exceed the 5 dBA significance threshold at the nearest sensitive receptor (R-4) during site grading. Therefore, construction-period noise impacts at the multi-family residential use (R-4) would be potentially significant.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential noise impacts related to construction of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

I-1 Blasting and impact pile driving shall not be used for construction activities. If sonic pile drivers are used for the construction of the proposed project, the other pieces of construction equipment on-site at the time shall not be operated within 600 feet of the property line closest to the noise sensitive receptor location R4.

I-2 Engine idling from construction equipment such as bulldozers and haul trucks shall be limited. Idling of haul trucks shall be limited to five (5) minutes at any given location as established by the South Coast Air Quality Management District.

I-3 Construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously (i.e., no more than six (6) pieces of equipment within 600 feet from the property line of the noise-sensitive receptor R4), which causes excessively high noise levels.

I-4 Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

I-5 The project developer shall retain the services of a qualified acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report to the City during plan check for review and approval, which

demonstrates that the proposed building design for the residential uses and the hotel building achieves an interior sound environment of 45 dBA (CNEL), as required by City's building code.

I-6 The project developer shall retain the services of a qualified acoustical engineer experienced in mechanical noise analysis to provide an acoustical report to City building officials during plan check, which demonstrates that the project's mechanical design meets the requirements of the City's Noise Ordinance. All noise attenuating features necessary to demonstrate compliance with the City's Noise Ordinance shall be identified in the acoustical report.

Substantial permanent increase in ambient noise levels. The proposed project would result in a permanent increase in noise associated with project-related stationary (on-site) and mobile (off-site vehicular) noise sources. Stationary source impacts to on-site noise-sensitive uses (residential units) would be potentially significant.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts related to noise level increases have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Refer to Mitigation Measures I-5 and I-6.

Substantial temporary increase in ambient noise levels. The proposed project would result in a temporary increase in noise generation with operation of construction equipment. Construction noise levels would exceed the 5 dBA significance threshold at the nearest sensitive receptor (R-4) during site grading. Therefore, construction-period noise impacts at the multi-family residential use (R-4) would be potentially significant.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential noise impacts related to project construction have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Refer to Mitigation Measures I-1 through 1-4.

PUBLIC SERVICES

Police Services. Temporary impacts resulting from project construction (i.e., lane closures) would incrementally reduce Long Beach Police Department's (LBPD's) ability to maintain current response times. Therefore, project construction would result in a potentially significant impact to police protection services.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts to police services as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

K-1 The project developer shall notify LBPD of the times of day and locations of all temporary lane closures throughout construction activities and such closures shall be coordinated so that they do not occur during peak traffic periods, to the extent feasible.

UTILITIES

Solid Waste. Construction of the proposed project would require demolition of existing buildings (597,861 square feet), earthwork (271,000 cubic yards of soil export), as well as the construction of new buildings (582,784 square feet of residential uses and 239,716 of non-residential uses) on the project site. Operation of the proposed project would result in a net increase in 475 tons per year of solid waste above what is currently generated by existing uses.

Finding

- *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 Draft EIR.*

Facts in Support of Finding

The potential impacts related to solid waste have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

Mitigation Measures:

M.3-1 Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract indicating that the construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related services. The contract specifying recycled waste service shall be presented to the Development Services Department prior to approval of the certificate of occupancy.

M.3-2 In order to facilitate on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during demolition and construction.

M.3-3 The proposed project shall include recycling bins at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. The bins shall be picked up and appropriately recycled as a part of the proposed project's regular trash disposal program.

M.3-4 New homeowners/tenants shall be provided with educational materials on the proper management and disposal of household hazardous waste, in accordance with educational materials made available by the County of Los Angeles Department of Public Works.

VI ENVIRONMENTAL EFFECTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS

The EIR for the Second + PCH Development Project identifies potentially significant environmental impacts within three issue areas which cannot be fully mitigated and are therefore considered significant and unavoidable. Those impacts are related to Air Quality, Land Use, and Traffic and Circulation. The City of Long Beach, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and *CEQA Guidelines* 15091 (a)(3), that to the extent these impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations, included as Section VIII of these Findings. The unavoidably significant impacts identified in the EIR and EIR Revisions document are discussed below, along with the appropriate findings per CEQA Guidelines Section 15091. Unavoidably significant impacts have been identified with respect to the following issue areas:

- Air Quality
- Land Use and Planning
- Traffic and Circulation

AIR QUALITY

Air Quality/Global Climate Change. Short-term construction activities associated with the implementation of the proposed project would result in temporary significant unavoidable impacts relative to local and regional construction pollutant emissions, even with the implementation of applicable mitigation measures. Project construction would exceed the regional thresholds for NO_x. Even with incorporation of mitigation measures the project would remain in exceedance of the SCAQMD localized construction threshold for PM_{10} and $PM_{2.5}$. Construction of the project would result in a less than significant impact with respect to all other criteria pollutants. However, given the exceedance of air pollutant emissions thresholds, a significant unavoidable impact regarding AQMP consistency would occur.

With respect to operational impacts, the project would not result in a significant and unavoidable impact with respect to localized emissions thresholds. Regarding regional operational emissions would still exceed the SCAQMD daily emission thresholds for VOCs, NO_x, CO, and PM_{10}. Therefore, operation of the project would have a significant and unavoidable impact on long-term regional air quality, which is also considered a significant cumulative impact. Similarly, even with incorporation of applicable mitigation measures, GHG emissions and related global climate change impacts would remain significant and unavoidable.

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Finding

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein. The following mitigation measures would reduce the impacts to the extent feasible:

Mitigation Measures:

B-1 General contractors shall ensure that all construction equipment is properly tuned and maintained at an off-site location in accordance with manufacturer's specifications. This mitigation measure would reduce all criteria pollutant emissions during construction.

B-2 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

B-3 Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

B-4 Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.

B-5 All construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. Signs shall be posted limiting idling to five minutes.

B-6 The project applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations, in particular Rule 1113 (Architectural Coatings). Coatings shall be "super-compliant coatings" and shall be selected from the list of "super-compliant coating manufacturers" listed on the SCAQMD website (http://www.aqmd.gov/prdas/Coatings/super-compliantlist.htm).

B-7 Water exposed surfaces at least three times a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.

B-8 All trucks hauling dirt, sand, soil or other loose materials off-site shall be covered or wetted or shall maintain at least two feet of freeboard [i.e., minimum vertical distance between the top of the material and the top of the truck]. Wash mud-covered tires and under-carriages of trucks leaving construction sites. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.

B-9 Sweep adjacent streets, as needed, to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.

B-10 Securely cover loads with a tight fitting tarp on any truck leaving the construction site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.

B-11 Building walls shall be watered prior to use of demolition equipment. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.

B-12 All on-site construction equipment greater than 50 horsepower (hp) shall be designated as EPA Tier 3 certified engines or engine retrofits comparable to EPA Tier 3 certified engines. This mitigation measure would reduce NOx emissions during construction.

B-13 Diesel-fueled vehicles which will be on-site for 3 or more consecutive days shall be equipped with a diesel particulate filter (DPF) or other control device or technology capable of achieving comparable reductions in particulate matter (PM) emissions. The device or technology shall be properly maintained and operational at all times when on-site. This mitigation measure applies to on- and off-road vehicles, but excludes delivery or haul trucks which visit the site intermittently.

B-14 The project applicant shall, as feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods. This mitigation measure would reduce all criteria pollutant emissions during operation.

B-15 The proposed project would provide preferred parking to low-emission and flex fuel vehicles. The project applicant shall also post information on mass transit and alternative transportation options offered in the vicinity of the proposed project.

LAND USE AND PLANNING

General Plan Inconsistency. The proposed Second + PCH Development project would be consistent with applicable goals, objectives and/or policies of the City's Housing, Noise, Seismic Safety, Public Safety, Conservation, Open Space and Recreation, Air Quality, and Scenic Routes Elements. However, the proposed project would not be consistent with the Land Use Element, the Local Coastal Program (LCP), and the Southeast Area Development Improvement Plan (SEADIP) due to the proposed heights and residential uses. Additionally, the project would conflict with the Transportation Element since the project would result in a significant and unavoidable impact at two intersections. Therefore, the project would conflict with an applicable land use plan, policy, or regulation of agencies with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect and would result in a significant land use impact.

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Finding

Tables IV.H-1, IV.H-2, IV.H-3, and IV.H-4 in Section IV.H of the Draft EIR, *Land Use*, contain discussions of the proposed plan's consistency with applicable policies of the LCP, 2010 Long Beach Strategic Plan, Southeast Area Development and Improvement Plan (SEADIP), SCAG's Regional Transportation Plan and Compass Growth Vision Report, respectively. Consistent with the scope and purpose of this EIR, the discussion primarily focuses on those policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. The project appears to be consistent with the majority of the goals, policies and objectives of the General Plan and other policy documents. However, potential inconsistencies with goals and policies relating to preservation of historic resources are identified and would be considered significant and unavoidable impacts.

Mitigation Measures:

No land use mitigation measures are available that could reduce the significance of impacts. Mitigation measures have been identified for air quality and transportation/circulation impacts; however, proposed measures would not reduce these impacts to below a level of significance.

TRAFFIC AND CIRCULATION

Traffic and Circulation: Regarding temporary construction impacts, two of the nine key study intersections will be temporarily impacted during the site grading/excavation construction phase of the proposed project. These two locations consist of the intersections of Pacific Coast Highway (PCH)/2nd Street and Studebaker Road/2nd Street. With implementation of a Construction Traffic Management Plan, the temporary construction traffic impact at the intersection of PCH/2nd Street is eliminated. For the intersection of Studebaker Road/2nd Street, no physical mitigation measures are feasible; any additional turn lanes would require widening and additional right-of-way. Hence, the temporary construction impact at this key intersection would be considered significant and unavoidable.

Regarding operational impacts, two methodologies were employed in the analysis of traffic impacts; the Intersection Capacity Utilization (ICU) method and the Highway Capacity Manual 2000 (HCM) method. Utilizing the ICU methodology, traffic associated with the proposed project and related projects will significantly impact six (6) of the twenty-five (25) key study intersections in the Year 2015, when compared to the level of service (LOS) standards and significant impact criteria specified in this report. These intersections are as follows:

- No. 6 - PCH at 7th Street
- No. 8 - Studebaker Road at SR-22 Westbound Ramps
- No. 14 - Bay Shore Avenue at 2nd Street
- No. 17 - PCH at 2nd Street
- No. 18 - Shopkeeper Road at 2nd Street
- No. 19 - Studebaker Road at 2nd Street

The remaining fifteen (15) key study intersections are forecast to continue to operate at an acceptable LOS with the addition of project-generated traffic in the Year 2015. Implementation of the project's TDM Plan, recommended mitigation measures, and the project sponsored shuttle service reduces the impact of the project at the six impacted key study intersections. For the remaining two key study intersections (PCH/2nd Street and Studebaker Road/2nd Street), implementation of improvements would reduce the impact of the project at these two intersections. Nevertheless, additional capacity-enhancing improvements at these two key study intersections beyond those identified in this EIR do not appear feasible given right-of-way constraints or other physical limitations. As a result, the project's Year 2015 traffic impacts at the following intersections would remain significant and unavoidable:

- No. 17 - PCH at 2nd Street
- No. 19 - Studebaker Road at 2nd Street

Utilizing the HCM methodology, two of the thirteen (includes Project Driveway B) State-controlled study intersections are forecast to operate at an unacceptable LOS during the A.M., P.M. and/or Saturday Midday peak hours with the addition of project traffic in the Year 2015. These intersections are as follows:

- No. 17 - PCH at 2nd Street
- No. 25 - Seal Beach at PCH

Implementation of recommended improvements at the two adverse intersections result in an acceptable LOS, except for the intersection of PCH/2nd Street, which would continue to operate at unacceptable LOS E during the Saturday Midday peak hour. While implementation of improvements reduces the impact of the project, the project's Year 2015 traffic impacts at the intersection of PCH/2nd Street would remain significant and unavoidable.

In conclusion, for the purposes of the analysis provided in this EIR, full implementation of the proposed project would result in significant unavoidable traffic impacts at the following two intersections:

- No. 17 - PCH at 2nd Street
- No. 19 - Studebaker Road at 2nd Street

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing as discussed in the Statement of Overriding Considerations,*

outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.

Facts in Support of Finding

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein. In addition, the following mitigation measures would reduce the impacts to the extent feasible:

Mitigation Measures:

L-1 **TDM Plan.** The proposed project shall implement at TDM Plan. The TDM Plan shall consist of subsidized transit passes for all residents and employees, on-site flex cars, guaranteed ride home, airport shuttle for hotel guests, a bike facility on-site, and educational materials for residents, employees, and visitors regarding available transit and other alternative transportation services.

L-2 **Shuttle Service.** The proposed project shall implement a shuttle service along 2nd Street between Bay Shore Avenue and the project site. Such shuttle service and corresponding capital improvements will be fully funded by the developer.

L-3 **Intersection No.6 - PCH at 7th Street:** Modify the existing medians on PCH and restripe PCH to provide a second northbound left-turn lane. Modify the existing traffic signal accordingly. Implementation of this improvement completely offsets the impact of the proposed project. The installation of this mitigation measure is subject to the approval of the City of Long Beach and/or Caltrans.

L-4 **Intersection No. 14 – Bay Shore Avenue at 2nd Street:** Project shuttle service (Same as Mitigation Measure L-2). Implementation of this improvement completely offsets the impact of the proposed project.

L-5 **Intersection No. 17 - PCH at 2nd Street:** Project shuttle service. Purchase right-of-way from the Mobil gas station located on the southeast corner of the intersection and construct an exclusive northbound right turn lane. Restripe 2nd Street to convert the eastbound shared through/right-turn lane into an exclusive third eastbound through lane. Modify the existing traffic signal to provide an eastbound right-turn overlap phase. Modify the median and extend the left-turn storage for the dual westbound left-turn lanes on 2nd Street. The installation of these mitigation measures is subject to the approval of the City of Long Beach and/or Caltrans.

L-6 **Intersection No. 8 – Studebaker Road at SR-22 Westbound Ramps:** Modify the intersection to create two separate intersections. The northerly intersection will be entirely new and will consist of the SR-22 westbound off-ramp. The new

intersection will provide two northbound through lanes, three southbound through lanes, dual westbound left-turn lanes and a free westbound right-turn lane controlled by a two-phase traffic signal. The existing southerly intersection will consist of the SR-22 westbound on-ramp and will provide two northbound through lanes, a free northbound right-turn lane, an exclusive southbound left-turn lane and two southbound through lanes controlled by a two phase traffic signal. Implementation of these improvements completely offsets the impact of the proposed project. The installation of these mitigation measures are subject to the approval of the City of Long Beach and/or Caltrans.

L-7 **Intersection No. 18 -Shopkeeper Road at 2nd Street:** Restripe Shopkeeper Road to provide a separate northbound right-turn lane. Extend the storage capacity for the westbound left-turn lane on 2nd Street. Modify the existing traffic signal accordingly. Implementation of these improvements completely offsets the impact of the proposed project. The installation of these mitigation measures are subject to the approval of the City of Long Beach.

L-8 **Construction Truck Traffic -** In order to minimize the temporary construction impact at the intersection of PCH/2nd Street, construction travel patterns to the site shall be modified and trucks shall circulate the site in a "counterclockwise" manner. Trucks traveling to the site shall travel through the PCH/2nd Street intersection, make a westbound left-turn at Marina Drive and make a southbound left-turn into the site through the existing median break. This path of travel would require a flag person at the Marina Drive entrance to facilitate the safe travel of trucks through the existing median break along Marina Drive.

L-9 **Transportation Improvement Fee** - Pursuant to the requirements of the City of Long Beach Municipal Code, Transportation Improvement Fees shall be required of the project. The Transportation Improvement Fee, based on the size of all new residential and commercial development in the City of Long Beach, is assessed as shown
below:

- Residential: $1,125.00 per unit
- Retail (City-Wide): $3.00 per square-foot
- Hotel (City-Wide): $750 per guest room
- Movie Theatre (City-Wide): $140.00 per seat

Based on a total project development of 325 residential dwelling units, a 100-room hotel, 216,935 SF of commercial (retail/restaurant) space, and a 99-seat theatre and using the above-referenced unit costs, the proposed Second + PCH Development can be expected to pay up to $1,105,290 in Transportation Improvement Fees. The precise fee, plus any credit for existing development, shall be determined by the City of Long Beach upon issuance of project building permits.

L-10 **Intersection No. 25 - Seal Beach Boulevard at PCH:** Convert the westbound right turn lane into a third westbound through lane and widen to allow for an exclusive right-turn lane. Implementation of these improvements completely offsets the impact of the proposed project. The installation of this mitigation measure is subject to the approval of the City of Seal Beach and/or Caltrans. As an alternative to the aforementioned improvements, the proposed project could pay the appropriate City of Seal Beach Transportation Facilities and Programs Development Fees to offset its impact at this location.

VII ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR, in Section V, Alternatives (incorporated by reference), discusses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in sections V and VI, above, and to the project objectives, as stated in Section II, Project Description, of the EIR. In making the following alternatives findings, the City of Long Beach certifies that it has independently reviewed and considered the information on alternatives provided in the EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

A NO PROJECT ALTERNATIVE

This alternative assumes that the Second + PCH Project would not be constructed and development of the project site with new uses and structures would not occur.

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and public facilities and for revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

Facts in Support of Finding

This alternative would not meet most of the basic objectives of the proposed project, including:

- Creation of a mixed-use project
- Creation of an aesthetically attractive, high quality design that reflects the property's unique orientation adjacent to an active marina
- Provision of amenities to promote public access to the marina
- Provision of a high level of accessibility to and through the site
- Provision of an economically viable reuse of the site
- Enhancement of the economic vitality of the City and providing property tax, sales tax, and other revenue opportunities
- Creation of a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance

Implementation of the No Project alternative would not preclude future development on the site and/or renovations or expansions of existing structures or uses, including those that would be exempt from CEQA and/or the City's discretionary review.

The No Project alternative would avoid the proposed project's significant and unavoidable impacts related to air quality, land use, and traffic. However, as noted above, the No Project alternative would not meet most of the basic project objectives or provide for the redevelopment of an aging and deteriorating hotel with economically viable commercial and residential development.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support elimination of this alternative from further consideration.

B NO PROJECT/EXISTING ZONING ALTERNATIVE

The No Project/Existing Zoning alternative assumes that the Second + PCH Project would not be developed, but the project site would be redeveloped with commercial uses to the extent allowable under existing zoning. This alternative is assumed to include up to 646,000 square feet of retail, restaurant, or office uses in buildings up to 35 feet in height.

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and public facilities and for revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

Facts in Support of Finding

The intent of this alternative is to provide the public and City decision makers with a comparative analysis between the impacts of the proposed project and those of potential development of the site under existing land use standards. This alternative would meet some of the objectives of the proposed project, but not to the extent desired by the City and applicant. Specifically, the following objectives may not be met by this alternative:

- Creation of a mixed-use project
- Creation of an aesthetically attractive, high quality design that reflects the property's unique orientation adjacent to an active marina
- Provision of amenities to promote public access to the marina
- Provision of a high level of accessibility to and through the site
- Creation of a southeastern gateway to the City that is welcoming, iconic in nature, and visible from a distance

The No Project/Existing Zoning alternative would incrementally reduce environmental impacts as compared to the proposed project with respect to certain issues due to the reduction in overall development intensity onsite. However, this alternative would not eliminate the proposed project's significant and unavoidable air quality and traffic impacts. Long-term impacts to air quality and the local circulation system associated with this alternative would be greater than those of the proposed project.

The findings set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support elimination of this alternative from further consideration.

C REDUCED INTENSITY ALTERNATIVE A

Reduced Intensity Alternative A would involve the development of a mix of land uses on the project site similar to the proposed project, but reduced in terms of commercial/retail and residential development intensity (20 and 15 percent, respectively), and this alternative would not include the theater use that is included in the proposed project. Hotel, hotel restaurant, hotel meeting space, and marine science center uses, as well as public open space and maximum building heights, would be the same as under the proposed project, though non-hotel restaurant uses would be reduced by approximately five percent.

Finding

- *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.*

Facts in Support of Finding

This alternative would meet many of the objectives of the proposed project and would incrementally reduce the level of environmental impact with respect to some issues as compared to the proposed project. However, air quality, land use, and traffic impacts would remain significant under this alternative.

This alternative is considered feasible, would meet many of the project objectives, and would reduce environmental impacts as compared to the proposed project. Therefore, adoption of this alternative would constitute a change or alteration that would substantially lessen the environmental effects identified in the final EIR. The findings set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support adoption of this alternative.

D REDUCED INTENSITY ALTERNATIVE B

Reduced Intensity Alternative B would involve the development of a mix of land uses on the project site similar to the proposed project, but reduced in terms of commercial/retail and residential development intensity (35 and 33 percent, respectively), and this alternative would not include the theater use that is included in the proposed project. Hotel, hotel restaurant, hotel meeting space, and marine science center uses, as well as public open space, would be the same as under the proposed project, though non-hotel restaurant uses would be reduced by approximately five percent. Under this alternative, maximum building heights would be reduced by approximately 45 percent (i.e., from 12 stories to six stories, or from 150 feet to 82 feet).

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and public facilities and for revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

Facts in Support of Finding

This alternative would meet many of the objectives of the proposed project and would incrementally reduce the level of environmental impact with respect to some issues as compared to the proposed project. This alternative would reduce maximum building height from 12 to six stories and would reduce weekday traffic levels by about 25 percent as compared to the proposed project. As such, although it would not eliminate the proposed project's significant and unavoidable air quality, land use, and traffic impacts (i.e., impacts in these issue areas would remain significant), this alternative or some variation of it would substantially reduce the magnitude of these impacts as compared to the proposed project.

This alternative would meet many of the project objectives and would reduce overall environmental impacts as compared to the proposed project due to the reduction in onsite development intensity and reduced maximum building height. However, this alternative would not avoid the proposed project's significant and unavoidable air quality, land use, and traffic impacts. In addition, it may not meet the following key objectives:

- Provide an economically viable reuse of the project site
- Enhance the economic vitality of the City

Based on the above, the findings set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support elimination of this alternative from further consideration.

E REDUCED INTENSITY ALTERNATIVE C

Reduced Intensity Alternative C would involve the development of a mix of land uses on the project site similar to the proposed project, but reduced in terms of commercial/retail and residential development intensity (40 and 70 percent, respectively), and this alternative would not include the theater use that is included in the proposed project. Hotel, hotel restaurant, hotel meeting space, and marine science center uses, as well as public open space, would be the same as under the proposed project. Under this alternative, maximum building heights would be reduced by approximately 45 percent (i.e., from 12 stories to fewer than six stories, or from 150 feet to less than 82 feet).

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and public facilities and for revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

Facts in Support of Finding

This alternative would meet many of the objectives of the proposed project and would reduce the level of environmental impact with respect to some issues as compared to the proposed project. However, this alternative would not eliminate the proposed project's significant and unavoidable air quality, land use, and traffic impacts.

This alternative would meet many of the project objectives and would reduce overall environmental impacts as compared to the proposed project due to the reduction in onsite development intensity and reduced maximum building height. However, this alternative would not avoid the proposed project's significant and unavoidable air quality, land use, and traffic impacts. In addition, it may not meet the following key objectives:

- Provide an economically viable reuse of the project site
- Enhance the economic vitality of the City

Based on the above, the findings set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support elimination of this alternative from further consideration.

F REDUCED INTENSITY ALTERNATIVE D

Reduced Intensity Alternative D would involve the development of a mix of land uses on the project site similar to the proposed project, but reduced in terms of commercial/retail development intensity (40 percent), and would not include either the residential development or the theater use that are included in the proposed project. Hotel, hotel restaurant, hotel meeting space, and marine science center uses, as well as public open space, would be the same as under the proposed project. Under this alternative, maximum building heights would be reduced by approximately 45 percent (i.e., from 12 stories to fewer than six stories, or from 150 feet to less than 82 feet).

Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and public facilities and for revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

Facts in Support of Finding

This alternative would meet many of the project objectives and would reduce overall environmental impacts as compared to the proposed project due to the reduction in onsite development intensity and reduced maximum building height. However, this alternative would not eliminate the proposed project's significant and unavoidable air quality, land use, and traffic impacts. In addition, it may not meet the following key objectives:

- Create a mixed use project that includes residential condominiums, a full-service hotel, and a successful retail center on the site
- Provide an economically viable reuse of the project site
- Enhance the economic vitality of the City

Based on the above, the findings set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations support elimination of this alternative from further consideration.

VIII STATEMENT OF OVERRIDING CONSIDERATIONS

A INTRODUCTION

The California Environmental Quality Act (CEQA) and the CEQA Guidelines provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not avoided or substantially lessened, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.

- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

The City of Long Beach, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Second + PCH Development Project (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on the project.

B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Air Quality/Greenhouse Gas Emissions
- Land Use and Planning – General Plan/Zoning Inconsistency.
- Transportation and Circulation

Details of these significant unavoidable adverse impacts are discussed in the Second + PCH Development Project EIR and are summarized in Section VII, Other Environmental Considerations, and in the Statement of Facts and Findings.

C STATEMENT OF OVERRIDING CONSIDERATIONS

The City of Long Beach must adopt discretionary actions to approve the Second + PCH Development Project. Analysis in the EIR for this project has concluded that the proposed project would result in impacts to air quality, land use, transportation and circulation that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts can be mitigated to a less than significant level through mitigation measures in the Final EIR.

The California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The City of Long Beach has determined that the significant unavoidable adverse project impacts, which would remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of a reduced Intensity alternative, as summarized below:

1. The City of Long Beach finds that all feasible mitigation measures/alternatives have been imposed to lessen project impacts to less than significant levels.

2. Implementation of Reduced Intensity Alternative A will contribute to long-range development goals identified by the City in the General Plan Land Use Element, the Southeast Area Development and Improvement Plan, and the 2010 Long Beach Strategic Plan. The 2010 Strategic Plan states that "[i]n order to improve neighborhood stability, we need to find locations for high density housing, where transportation and other public and private services can support it." A reduced intensity alternative furthers this goal by providing multi-family housing.

3. Reduced Intensity Alternative A will positively enhance Long Beach by developing an underutilized site with a mix of residential, commercial, and public uses in proximity to employment, entertainment, retail, and transit opportunities, as well as the adjacent Alamitos Bay Marina.

4. Reduced Intensity Alternative A will enhance access to the site and the adjacent marina by providing a high quality pedestrian environment, efficient vehicular access, bicycle facilities, and access to mass transit.

5. Reduced Intensity Alternative A will include a mix of residences, restaurants, retail development, a hotel, a science center, and public open spaces. This mix of uses will enhance the area and provide enhanced commercial opportunities within walking distance of existing residential areas.

6. The new residential units included in Reduced Intensity Alternative A will increase the availability of housing in the City of Long Beach, helping meet the City's housing goals, enhancing the jobs/housing balance, and encouraging walking and transit use.

7. Reduced Intensity Alternative A will enhance opportunities for private financial investments through home ownership opportunities, job opportunities and retail opportunities.

8. Reduced Intensity Alternative A will strive for sustainability and utilize strategies to encourage efficient use of land and energy conservation. This will further the City's sustainability goals and reduce air pollution in the City.

9. Reduced Intensity Alternative A will enhance the economic vitality of the site vicinity and the City as a whole by providing economically viable residential and non-residential development that will provide property tax, sales tax, and other revenue opportunities.

Therefore, the City of Long Beach, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of a monitoring and reporting program for the mitigation measures necessary to mitigate or avoid significant effects on the environment. The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (EIR) that applies to the applicant's proposal, specifications are made herein that identify the action required and the monitoring that must occur. In addition, the party for verifying compliance with individual mitigation measures is identified.

Exhibit "B"

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AIR QUALITY							
Mitigation Measure B-1: General contractors shall ensure that all construction equipment is properly tuned and maintained at an off-site location in accordance with manufacturer's specifications. This mitigation measure would reduce all criteria pollutant emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-2: General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-3: Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-4: Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-5: All construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. Signs shall be posted limiting idling to five minutes.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-6: The project applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations, in particular Rule 1113 (Architectural Coatings). Coatings shall be "super-compliant coatings" and shall be selected from the list of "super-compliant coating manufacturers" listed on the SCAQMD website (http://www.aqmd.gov/prdas/Coatings/super-compliantlist.htm).	Review of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure B-7: Water exposed surfaces at least three times a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			

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Mitigation Measure B-8: All trucks hauling dirt, sand, soil or other loose materials off-site shall be covered or wetted or shall maintain at least two feet of freeboard [i.e., minimum vertical distance between the top of the material and the top of the truck]. Wash mud-covered tires and under-carriages of trucks leaving construction sites. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-9: Sweep adjacent streets, as needed, to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-10: Securely cover loads with a tight fitting tarp on any truck leaving the construction site. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-11: Building walls shall be watered prior to use of demolition equipment. This mitigation measure would reduce PM10 and PM2.5 emissions during construction.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-12: All on-site construction equipment greater than 50 horsepower (hp) shall be designated as EPA Tier 3 certified engines or engine retrofits comparable to EPA Tier 3 certified engines. This mitigation measure would reduce NOx emissions during construction.	Review of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure B-13: Diesel-fueled vehicles which will be on-site for 3 or more consecutive days shall be equipped with a diesel particulate filter (DPF) or other control device or technology capable of achieving comparable reductions in particulate matter (PM) emissions. The device or technology shall be properly maintained and operational at all times when on-site. This mitigation measure applies to	Review of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification	Once for construction specifications review; periodically throughout construction for	LBDS, OCM			

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on- and off-road vehicles, but excludes delivery or haul trucks which visit the site intermittently.		during construction	field verification				
Mitigation Measure B-14: The project applicant shall, as feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods. This mitigation measure would reduce all criteria pollutant emissions during operation.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure B-15: The proposed project would provide preferred parking to low-emission and flex fuel vehicles. The project applicant shall also post information on mass transit and alternative transportation options offered in the vicinity of the proposed project.	Review of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
BIOLOGICAL RESOURCES							
Mitigation Measure C-1: The developer or a designated representative shall ensure that impacts to migratory raptor and songbird species are avoided through one or more of the following methods: (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 that all suitable habitat be thoroughly surveyed for the presence of nesting raptor and songbird species by a qualified biologist before commencement of clearing. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) shall be delineated, flagged, and avoided until the nesting cycle is complete as determined by the qualified biologist to minimize impacts. The developer or designated representative shall submit proof of compliance with this measure to the City of Long Beach Department of Development Services prior to tree removal	Verification that required surveys (if any) have been conducted; field verification of compliance with any required buffers	Review of required surveys prior to issuance of demolition permit; field verification during construction	Once for survey review; periodically throughout construction for field verification	LBDS, OCM			

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activities on-site.							
CULTURAL RESOURCES							
Mitigation Measure D-1: An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (the "Archaeologist") shall be retained by the Project Applicant and approved by the City to oversee and carry out the mitigation measures stipulated in this EIR.	Verification that a qualified archaeologist has been retained	Prior to issuance of demolition permit	Once	LBDS			
Mitigation Measure D-2: A qualified archaeological monitor shall be selected by the Archaeologist, retained by the Project Applicant, and approved by the City to monitor ground-disturbing activities within the project site that include digging, grubbing, or excavation into native sediments that have not been previously disturbed for this project. Ground-disturbing activities do not include movement, redistribution, or compaction of sediments excavated during the project. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule.	Verification that a qualified monitor has been retained; field verification of monitoring	Verification that a monitor has been retained prior to issuance of demolition permit; field verification during construction	Once for verification that a monitor has been retained; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure D-3: In the event that cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure D-4: All cultural resources unearthed by project construction activities shall be evaluated by the Archaeologist. If the Archaeologist determines that the resources may be significant, the Archaeologist will notify the Project Applicant and the City and will develop an appropriate treatment plan for the resources. The Archaeologist shall consult with an appropriate Native American representative in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.	Field verification of compliance; review and approval of any treatment plan	Field verification during construction; treatment plan review prior to re-initiating work (if resources unearthed)	Periodically throughout construction for field verification; once for treatment plan review	OCM, LBDS			
Mitigation Measure D-5: Treatment plans developed for any unearthed resources shall consider preservation of	Review and approval of any treatment plan	Prior to re-initiating work (if	Once	LBDS			

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the resource or resources in place as a preferred option. Feasibility and means of preservation in place shall be determined through consultation between the Archaeologist, the Native American representative, the Project Applicant, and the City.		resources unearthed)					
Mitigation Measure D-6: The Archaeologist shall prepare a final report to be reviewed and accepted by the City. The report shall be filed with the Project Applicant, the City, and the California Historic Resources Information System South Central Coastal Information Center. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall also include all specialists' reports as appendices, if any. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be required. The City shall designate repositories in the event cultural resources are uncovered.	Review and approval of report (if required)	Prior to re-initiating work (if resources unearthed)	Once	LBDS			
Mitigation Measure D-7: A qualified paleontologist shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into older Quaternary deposits. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.	Verification that a qualified paleontologist has been retained; field verification of monitoring	Verification that a monitor has been retained prior to issuance of demolition permit; field verification during construction	Once for verification that a monitor has been retained; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure D-8: If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary,	Field verification of compliance	During construction	Periodically throughout construction	OCM			

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salvage.							
Mitigation Measure D-9: At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure D-10: Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.	Verification that fossils have been recovered, catalogued, and donated (if required)	Prior to re-initiating work (if resources unearthed)	Once	LBDS			
Mitigation Measure D-11: Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.	Verification that fossils have been recovered and donated (if required)	Prior to re-initiating work (if resources unearthed)	Once	LBDS			
Mitigation Measure D-12: If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.	Review and approval of report (if required)	Prior to re-initiating work (if resources unearthed)	Once	LBDS			
Mitigation Measure D-13: If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine	Verification that County Coroner and/or NAHC consultation has occurred (if human remains unearthed)	Prior to re-initiating work (if human remains unearthed)	Once	LBDS			

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what course of action should be taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered as possible courses of action by the Project Applicant, the City, and the Most Likely Descendent.							
GEOLOGY AND SOILS							
Mitigation Measure E-1: Proposed building foundations shall be constructed utilizing driven pre-cast piles or cast-in pile foundations that extend through the liquefiable zones into competent material, or an equivalent foundation system, for shoring and structural support in order to reduce the potential for adverse impacts related to liquefaction, differential settlement, ground lurching, and dewatering related ground settlement. Alternatively, densification of the liquefiable soils using vibro-displacement stone columns or compaction grouting would mitigate the liquefaction hazard, and the new structures could then be supported on shallow foundation systems. The specific building foundation method(s) to be employed shall be determined by the project geotechnical engineer, and reviewed and approved by the City Engineer prior to issuance of building permits.	Review and approval of final building plans; field verification of compliance with required methods	Final building plan review prior to issuance of building permits; field verification during construction	Once for final building plan review; periodically throughout construction for field verification	PWD, OCM			
Mitigation Measure E-2: If determined necessary by the project geotechnical engineer, removal and recompaction of compressible soils or in-situ ground modification shall be utilized, based on detailed design stage recommendations, in order to address potential ground settlement	Field verification of compliance	During construction	Periodically throughout construction	OCM			
Mitigation Measure E-3: In order to address potential ground settlement during construction activities, the construction contractor shall limit the depth of construction dewatering, install sheet piles, and pump from within the excavation to reduce the impacts to groundwater levels outside the excavation, install monitoring wells to evaluate groundwater, monitor adjacent areas for indications of settlement, and/or protect settlement-sensitive structures through ground improvement or foundation underpinning, as deemed appropriate by the project geotechnical engineer.	Review and approval of final building plans; field verification of compliance with required methods	Final building plan review prior to issuance of building permits; field verification during construction	Once for final building plan review; periodically throughout construction for field verification	PWD, OCM			
Mitigation Measure E-4: Depending upon the specific technique to be employed to mitigate liquefaction hazards,	Review and approval of vibration	Vibration management	Once for vibration	PWD, OCM			

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and prior to initiation of construction, a Vibration Management Plan [VMP) shall be prepared by a qualified consultant hired by the applicant for review and approval by the City. The VMP shall address the potential for specifically proposed construction activities to cause vibration induced ground settlement on off-site properties. The performance standard for vibration management shall be to prevent vibration induced ground settlement on nearby properties that would result in structural damage or damage to other sensitive off-site improvements. More specifically, the performance standard shall ensure that construction of the project would not result in off-site ground settlement greater than ½-inch in non-building areas or greater than ¼-inch in building areas. If it is determined that there would be no potential for significant settlement on off-site properties due to proposed construction techniques, no further requirements for mitigation would apply. In the event potential for significant settlement is identified, the VMP shall include mitigation requirements that will ensure that the performance standard to prevent significant off-site ground settlement is met. Mitigation techniques to reduce the impacts of vibration may include avoiding construction activities that involve vibration, limiting construction involving vibration to specified distances from off-site sensitive receptors, monitoring vibration and settlement during construction, and/or protecting sensitive improvements from excessive settlement by ground stabilization or foundation underpinning. Monitoring methods include installation of ground survey points around the outside of excavations to monitor settlement and/or placing monitoring points on nearby structures or surfaces to monitor performance of the structures. If monitored movement shows potential for the performance standard to be exceeded during the course of construction, all work potentially associated with vibration induced settlement shall stop and the City shall be immediately informed. Subsequently, the contractor's methods shall be reviewed and changes made, as	management plan; field verification of compliance with required methods	plan review prior to issuance of building permits; field verification during construction	management plan review; periodically throughout construction for field verification				

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appropriate, with alternative methods of settlement reduction identified for implementation by the contractor to the satisfaction of the City.							
HAZARDS AND HAZARDOUS MATERIALS							
Mitigation Measure F-1: The developer shall prepare a project-specific Soil Management Plan (SMP) that will be reviewed and approved by the City of Long Beach prior to the start of construction. The SMP will function as an umbrella plan. It shall incorporate all of the requirements associated with the mitigation measure below, and will include, but not be limited to the findings and recommendations contained in the: (1) Geophysical Survey; (2) Soil Vapor Survey/Health Risk Screening, (3) Transportation Plan; and (4) Dust Monitoring Plan. The SMP will incorporate methodologies for detecting the various environmental concerns noted in relevant hazardous materials investigations during the construction phase of the project. The SMP 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 SMP shall require notification and reporting, according to agency protocols, of applicable local and State regulatory agencies, including the Department of Toxic Substances Control (DTSC), the Regional Water Quality Control Board (RWQCB), CalRecycle, California Department of Oil and Gas and Geothermal Resources, Long Beach Fire Department, and the City of Long Beach.	Review and approval of SMP; field verification of compliance with required remediation; verification of compliance with agency reporting requirements	SMP review prior to issuance of demolition permits; field verification and verification of compliance with agency reporting requirements during construction	Once for SMP review; as needed throughout construction for field verification and verification of agency reporting requirement compliance	LBDS, OCM			
Mitigation Measure F-2: Prior to demolition activities, a qualified contractor shall perform an asbestos and lead-based-paint-containing- materials survey. Thereafter, the qualified contractor shall also sufficiently abate the structures to be demolished on the site according to the applicable and current local, State, and federal guidelines.	Review and approval of survey findings; verification that abatement has been conducted	Prior to issuance of demolition permit	Once	LBDS			
Mitigation Measure F-3: Prior to subsurface disturbance and demolition at the project site, the developer shall conduct a geophysical survey. The purpose of the	Review of the SMP to verify that the geophysical survey	Prior to issuance of demolition permit	Once	LBDS			

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geophysical survey is to locate subsurface features or anomalies, if any, that may pose an environmental concern or present a risk of upset at the site. The geophysical survey shall: 1) Accurately locate and mark the oil pipeline located along the northeast border of the site. 2) Search for, identify and mark the six abandoned oil wells and associated pipelines that are reportedly located at the project site due to historic use of the site for oil production and facilities. 3) Detect the presence of other subsurface anomalies, if any, such as underground vaults/features, buried debris, historical dump sites, waste drums, or tanks. The geophysical survey will 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 SMP, which shall be reviewed and approved by the City of Long Beach.	has been conducted						
Mitigation Measure F-4: (A) Soil Vapor Survey: The developer shall conduct a systematic soil vapor survey of the project site prior to construction to investigate the possible presence of VOCs in site soils. The survey will be performed according to the applicable standards of the DTSC and California Environmental Protection Agency (CalEPA). Soil borings shall be placed to a depth of at least five feet below the deepest excavation to occur during site construction and soil vapor samples shall be collected at five-to-ten-foot intervals. Soil samples shall also be collected at a five-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 site. The survey shall specifically include: 1) an evaluation of methane and hydrogen sulfide concentrations (due to possible methane and hydrogen sulfide gases associated with historic oil fields use) to a depth of at least five feet below the deepest excavation to	Verification that a soil vapor survey and health risk screening have been conducted; field verification of compliance with VOC measures	Verification of soil survey and health risk screening prior to issuance of building permits; field verification and verification of compliance with VOC measures during construction and potentially. following construction	Once for soil survey/health risk screening review; as needed throughout construction for field verification; at least annually for any post-construction VOC measures	LBDS, OCM			

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occur during site construction. These soil vapor borings 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 VOCs 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 site through lateral migration of soil vapors. (B) Health Risk Screening: Following 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 VOC levels at the site for construction workers and future site users. The health risk screening assessment will be performed according to the applicable standards of the DTSC and CalEPA. If the health risk screening assessment indicates that VOCs in soil pose a health risk to site users, then the developer will further define and implement additional measures, tailored to the extent of environmental contamination, that minimize soil vapor exposure to acceptable levels as established by the applicable regulatory agency, including DTSC. The potential mitigation measures could include, but not be limited to, the following: 1) During Construction - VOC levels shall be monitored closely during construction in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166. This rule requires VOC monitoring of petroleum-impacted soils during construction activities. If VOC concentrations exceed threshold levels specified in the Rule, vapor suppression shall be required by amending soil with water or chemical foam. VOC-impacted soil shall be stockpiled and covered in accordance with the Rule. Rule 1166 compliance requirements shall be included in the SMP required by Mitigation Measure F-1 above.							

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2) Post-Construction - In the unlikely event that elevated concentrations of VOC persist in site soils post-construction, vapor mitigation shall be performed to protect future site users. Post-construction long-term vapor mitigation measures selected shall be determined based on the remaining extent of VOC concentrations and the associated health risk, if any. Mitigation measures associated with post-construction VOC control could include the following: i) Soil Vapor Extraction - post-construction vapor mitigation would include a soil vapor extraction (SVE) system to remove residual VOCs from the soil. The SVE system would be employed to remediate soil vapor to a level consider safe for uses proposed on the site. ii) Vapor Barrier/Sub-slab Depressurization -If the soil vapor survey indicates that extremely high VOCs are present at the site, post-construction, resulting in 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 site.							
Mitigation Measure F-5: The developer shall perform pre-construction removal to include sampling, as necessary to characterize waste, removal action, off-site disposal of characterized waste and confirmation sampling of removal areas. The specific area to undergo pre-construction removal action includes: 1) Removal of Debris and Dirt from Satellite Enclosure: Debris and dirt located in a satellite enclosure on the southern portion of the site shall be removed prior to site construction. The mitigation shall include collection and laboratory analysis of representative soil samples from the debris and dirt 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.	Verification that removal of contaminated soil has been removed and properly disposed of	Prior to issuance of building permits	Once	LBDS			

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Mitigation Measure F-6: From review of previous environmental reports regarding the project site, groundwater at the site has likely been impacted by petroleum hydrocarbons from one or more possible sources including the former gas station on the project site, the petroleum release from the gas station located across PCH from the site, and former oil field activities. Dewatering will be required during site construction. As such, the developer shall obtain a De-Water permit through the Regional Water Quality Control Board (RWQCB) to de-water and discharge water from the site. The developer will comply with all requirements of the dewatering permit. Petroleum impacted groundwater is subject to pre-treatment during de-watering activities to meet National Pollutant Discharge Elimination System (NPDES) Construction Dewatering permit limits. The construction activities shall conform to the NPDES requirements. The RWQCB requires the water to be tested for possible pollutants. The developer shall collect groundwater samples from existing site wells to determine pre-treatment system requirements for extracted groundwater. A water treatment system shall be designed and installed for treatment of extracted groundwater removed during dewatering activities so that such water complies with the applicable RWQCB and NPDES permit standards before disposal.	Verification that an RWQCB de-water and discharge permit has been obtained; field verification of compliance with permit requirements	Verification that a permit has been obtained prior to issuance of demolition permit; field verification during construction	Once of permit verification; periodically for field verification	LBDS, OCM			
Mitigation Measure F-7: The previously identified oil sumps in the northern area of the site and the area of suspected mud pits and any known areas of dark stained soil noted in historical aerial photographs shall be added to site plans included in the SMP. These areas shall be excavated and the soil stockpiled on plastic sheeting at the site. The stockpiled soil shall be sampled and laboratory-analyzed in accordance with requirements outlined in the SMP and pursuant to the applicable DTSC 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 SMP to verify inclusion of applicable requirements; field verification of compliance with required remediation program	SMP review prior to issuance of demolition permit; field verification during construction	Once for SMP review; as needed throughout construction for field verification	LBDS, OCM			

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					Initial	Date	Comments
Mitigation Measure F-8: Construction dewatering requirements as outlined in the Construction Dewatering permit shall be included in the SMP. Construction dewatering shall be performed in accordance with the permit and SMP during site construction and demolition activities.	Review and approval of SMP to verify inclusion of dewatering requirements; field verification of compliance	SMP review prior to issuance of demolition permit; field verification during construction	Once for SMP review; as needed throughout construction for field verification	LBDS, OCM			
Mitigation Measure F-9: A qualified construction site observer shall be present at all times during site excavation activities to observe for areas of possible contamination including, but not limited to, the presence of underground anomalies such as underground structures, pipelines, buried debris, waste drums, tanks, stained soil or odorous soils. The SMP shall provide notification protocols and specific instructions regarding the actions to be taken (i.e., sampling, testing for contamination levels, excavation and stockpiling, or halting construction for remediation) if subsurface anomalies are encountered during construction. Specific instructions shall include field monitoring to assess any safety concerns associated with the subsurface anomaly, environmental sampling, reporting requirements, removal and confirmatory sampling. Removal action of subsurface anomalies shall be documented by the construction site observer in the daily field log including documenting all actions taken in accordance with the SMP, including photo documentation.	Review and approval of SMP to verify inclusion of applicable requirements; field verification of compliance	SMP review prior to issuance of demolition permit; field verification during construction	Once for SMP review; as needed throughout construction for field verification	LBDS, OCM			
Mitigation Measure F-10: Mitigation measures associated with the six known on-site abandoned oil wells shall be provided in the SMP (required by Mitigation Measure F-1), including actions to perform in the event that an abandoned oil well is encountered during construction activities. A summary of these mitigation measures include the following: 1) The developer shall submit the appropriate project application documents to DOGGR to comply with its Construction Site Review process. Thereafter, DOGGR will notify the applicant of required procedures, including re-abandonment permits and procedures, and possible	Review and approval of SMP to verify inclusion of applicable requirements; field verification of compliance	SMP review prior to issuance of demolition permit; field verification during construction	Once for SMP review; as needed throughout construction for field verification	LBDS, OCM			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
methane mitigation measures. 2) Known abandoned oil wells shall be uncovered during construction without disturbing the casing. 3) A DOGGR inspector shall be notified to inspect the well and provide, if necessary, re-abandonment measures. 4) The well shall be re-abandoned by a licensed contractor in accordance with current regulatory requirements of DOGGR. 5) The construction site observer shall be on the look out at all times during site excavation for abandoned oil wells. Actions to be taken to monitor the abandoned oil well with field instrumentation to assess any safety concerns shall be included in the SMP.							
Mitigation Measure F-11: If, during construction, a dump site is discovered, then the developer shall implement tailored mitigation to remove the dump materials during site construction activities. Response actions to be taken by the contractor if the former dump is encountered shall be provided in the SMP (required by Mitigation Measure F-1) and may include removal through excavation of dump debris, staging of the debris on plastic, monitoring of the excavation for landfill gas; debris loading and disposal in an off-site permitted facility.	Review and approval of SMP to verify inclusion of applicable requirements; field verification of compliance	SMP review prior to issuance of demolition permit; field verification during construction	Once for SMP review; as needed throughout construction for field verification	LBDS, OCM			
Mitigation Measure F-12: The developer shall develop a Soils 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 Soils Transportation Plan; field verification of compliance	Soils Transportation Plan review prior to issuance of demolition permit; field verification during construction	Once for Soils Transportation Plan review; as needed throughout construction for field verification	LBDS, OCM			
Mitigation Measure F-13: The developer shall provide a Dust Monitoring Plan in accordance with the requirements of South Coast Air Quality Management District (SQAQMD) Rule 403 to monitor and control fugitive dust that may be generated as a result of construction activities through application of Best Available Control Measures during	Review and approval of Dust Monitoring Plan; field verification of compliance	Dust Monitoring Plan review prior to issuance of demolition permit; field verification	Once for Dust Monitoring Plan review; as needed throughout construction for	LBDS, OCM			

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					Initial	Date	Comments
construction.		during construction	field verification				
NOISE							
Mitigation Measure I-1: Blasting and impact pile driving shall not be used for construction activities. If sonic pile drivers are used for the construction of the proposed project, the other pieces of construction equipment on-site at the time shall not be operated within 600 feet of the property line closest to the noise sensitive receptor location R4.	Review and approval of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure I-2: Engine idling from construction equipment such as bulldozers and haul trucks shall be limited. Idling of haul trucks shall be limited to five (5) minutes at any given location as established by the South Coast Air Quality Management District.	Review and approval of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure I-3: Construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously (i.e., no more than six (6) pieces of equipment within 600 feet from the property line of the noise-sensitive receptor R4), which causes excessively high noise levels.	Review and approval of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during construction	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure I-4: Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.	Review and approval of construction specifications; field verification of compliance	Construction specifications review prior to issuance of demolition permit; field verification during	Once for construction specifications review; periodically throughout construction for field verification	LBDS, OCM			

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		construction					
Mitigation Measure I-5: The project developer shall retain the services of a qualified acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report to the City during plan check for review and approval, which demonstrates that the proposed building design for the residential uses and the hotel building achieves an interior sound environment of 45 dBA (CNEL), as required by City's building code.	Review and approval of acoustical report	Prior to issuance of building permits	Once	LBDS			
Mitigation Measure I-6: The project developer shall retain the services of a qualified acoustical engineer experienced in mechanical noise analysis to provide an acoustical report to City building officials during plan check, which demonstrates that the project's mechanical design meets the requirements of the City's Noise Ordinance. All noise attenuating features necessary to demonstrate compliance with the City's Noise Ordinance shall be identified in the acoustical report.	Review and approval of acoustical report	Prior to issuance of building permits	Once	LBDS			
Public Services							
Mitigation Measure K-1: The project developer shall notify LBPD of the times of day and locations of all temporary lane closures throughout construction activities and such closures shall be coordinated so that they do not occur during peak traffic periods, to the extent feasible.	Verification that LBPD has been given written notification	Prior to individual lane closures	As needed throughout construction	OCM			
Traffic and Circulation							
Mitigation Measure L-1- TDM Plan. The proposed project shall implement at TDM Plan. The TDM Plan shall consist of subsidized transit passes for all residents and employees, on-site flex cars, guaranteed ride home, airport shuttle for hotel guests, a bike facility on-site, and	Review and approval of TDM plan	Prior to issuance of occupancy permits	Once	LBDS			

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educational materials for residents, employees, and visitors regarding available transit and other alternative transportation services.							
Mitigation Measure L-2 - Shuttle Service. The proposed project shall implement a shuttle service along Second Street between Bay Shore Avenue and the project site. Such shuttle service and corresponding capital improvements will be fully funded by the developer.	Review and approval of shuttle service plan	Prior to issuance of occupancy permits	Once	LBDS			
Mitigation Measure L-3 - Intersection No.6 - PCH at 7th Street: Modify the existing medians on PCH and restripe PCH to provide a second northbound left-turn lane. Modify the existing traffic signal accordingly. Implementation of this improvement completely offsets the impact of the proposed project. The installation of this mitigation measure is subject to the approval of the City of Long Beach and/or Caltrans.	Review and approval of intersection improvement plans to verify compliance with City and Caltrans requirements	Prior to issuance of building permits	Once	PWD			
Mitigation Measure L-4 - Intersection No. 14 – Bay Shore Avenue at Second Street: Project shuttle service *(Same as Mitigation Measure L-2)*	Review and approval of shuttle service plan	Prior to issuance of occupancy permits	Once	LBDS			
Mitigation Measure L-5 - Intersection No. 17 - PCH at Second Street: Project shuttle service. Purchase right-of-way from the Mobil gas station located on the southeast corner of the intersection and construct an exclusive northbound right turn lane. Restripe Second Street to convert the eastbound shared through/right-turn lane into an exclusive third eastbound through lane. Modify the existing traffic signal to provide an eastbound right-turn overlap phase. Modify the median and extend the left-turn storage for the dual westbound left-turn lanes on Second Street. The installation of these mitigation measures is subject to the approval of the City of Long Beach and/or Caltrans.	Review and approval of intersection improvement plans to verify compliance with City and Caltrans requirements	Prior to issuance of building permits	Once	PWD			
Mitigation Measure L-6 - Intersection No. 8 – Studebaker Road at SR-22 Westbound Ramps: Modify the intersection to create two separate intersections. The northerly intersection will be entirely new and will consist of the SR-22 westbound off-ramp. The new intersection	Review and approval of intersection improvement plans to verify compliance with City and Caltrans	Prior to issuance of building permits	Once	PWD			

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will provide two northbound through lanes, three southbound through lanes, dual westbound left-turn lanes and a free westbound right-turn lane controlled by a two-phase traffic signal. The existing southerly intersection will consist of the SR-22 westbound on-ramp and will provide two northbound through lanes, a free northbound right-turn lane, an exclusive southbound left-turn lane and two southbound through lanes controlled by a two phase traffic signal. Implementation of these improvements completely offsets the impact of the proposed project. The installation of these mitigation measures are subject to the approval of the City of Long Beach and/or Caltrans.	requirements						
Mitigation Measure L-7 - Intersection No. 18- Shopkeeper Road at Second Street: Restripe Shopkeeper Road to provide a separate northbound right-turn lane. Extend the storage capacity for the westbound left-turn lane on Second Street. Modify the existing traffic signal accordingly. Implementation of these improvements completely offsets the impact of the proposed project. The installation of these mitigation measures are subject to the approval of the City of Long Beach.	Review and approval of intersection improvement plans to verify compliance with City requirements	Prior to issuance of building permits	Once	PWD			
Mitigation Measure L-8 - Construction Truck Traffic: In order to minimize the temporary construction impact at the intersection of PCH/Second Street, construction travel patterns to the site shall be modified and trucks shall circulate the site in a "counterclockwise" manner. Trucks traveling to the site shall travel through the PCH/Second Street intersection, make a westbound left-turn at Marina Drive and make a southbound left-turn into the site through the existing median break. This path of travel would require a flag person at the Marina Drive entrance to facilitate the safe travel of trucks through the existing median break along Marina Drive.	Review and approval of construction period traffic control plan; field verification of compliance	Traffic control plan review prior to issuance of grading permit; field verification during construction	Once for traffic control plan review; periodically throughout construction for field verification	PWD, OCM			
Mitigation Measure L-9 - Transportation Improvement Fee: Pursuant to the requirements of the City of Long Beach Municipal Code, Transportation Improvement Fees shall be required of the project. The Transportation	Verification that the applicant has paid applicable Transportation	Prior to issuance of occupancy permits	Once	LBDS			

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Improvement Fee, based on the size of all new residential and commercial development in the City of Long Beach, is assessed as shown below: • Residential: $1,125.00 per unit • Retail (City-Wide): $3.00 per square-foot • Hotel [City-Wide): $750 per guest room • Movie Theatre (City-Wide): $140.00 per seat Based on a total project development of 325 residential dwelling units, a 100-room hotel, 216,935 SF of commercial (retail/restaurant) space, and a 99-seattheatre and using the above-referenced unit costs, the proposed Second + PCH Development can be expected to pay up to $1,105,290 in Transportation Improvement Fees. The precise fee, plus any credit for existing development, shall be determined by the City of Long Beach upon issuance of project building permits.	Improvement Fees						
Mitigation Measure L-10 – Intersection No. 25 - Seal Beach Boulevard at PCH: Convert the westbound right turn lane into a third westbound through lane and widen to allow for an exclusive right-turn lane. Implementation of these improvements completely offsets the impact of the proposed project. The installation of this mitigation measure is subject to the approval of the City of Seal Beach and/or Caltrans. As an alternative to the aforementioned improvements, the proposed project could pay the appropriate City of Seal Beach Transportation Facilities and Programs Development Fees to offset its impact at this location.	Review and approval of intersection improvement plans to verify compliance with City requirements OR verification of payment of applicable City of Seal Beach Transportation Facilities and Programs Development Fees	Prior to issuance of building permits	Once	PWD, LBDS			
UTILITIES/SERVICE SYSTEMS							
Mitigation Measure M.3-1: Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract indicating that the construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the	Verification that the construction contractor uses a waste disposal company that recycles demolition and construction wastes	Prior to issuance of demolition or building permits	Once	LBDS			

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Development Services Department prior to approval of certificate of occupancy.							
Mitigation Measure M.3-2: In order to facilitate on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during demolition and construction.	Review and approval of construction waste management plan; field verification of compliance	Review and approval of construction waste management plan prior to issuance of demolition permit; field verification during construction	Once for plan review and approval; periodically throughout construction	LBDS, OCM			
Mitigation Measure M.3-3: The proposed project shall include recycling bins at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. The bins shall be picked up and appropriately recycled as a part of the proposed project's regular trash disposal program.	Review and approval of final building plans; field verification of compliance	Building plan review and approval prior to issuance of building permit; field verification prior to issuance of occupancy permits	Once for building plan review and approval; once for field verification	LBDS			
Mitigation Measure M.3-4: New homeowners/tenants shall be provided with educational materials on the proper management and disposal of household hazardous waste, in accordance with education materials made available by the County of Los Angeles Department of Public Works.	Verification that educational materials are made available to project occupants	Prior to issuance of occupancy permits	Once	LBDS			

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