

RESOLUTION NO. RES-06-0035

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2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH (i) CERTIFYING THAT THE FINAL  
5 ENVIRONMENTAL IMPACT REPORT FOR THE LONG  
6 BEACH SPORTS PARK PROJECT (SCH#1999091108) HAS  
7 BEEN COMPLETED IN ACCORDANCE WITH THE  
8 PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL  
9 QUALITY ACT AND STATE AND LOCAL GUIDELINES AND  
10 MAKING CERTAIN FINDINGS AND DETERMINATIONS  
11 RELATIVE THERETO; (ii) ADOPTING A STATEMENT OF  
12 OVERRIDING CONSIDERATIONS; AND (iii) ADOPTING A  
13 MITIGATION MONITORING AND REPORTING PROGRAM  
14

15 WHEREAS, the City of Long Beach ("City") has proposed the development  
16 of a pay-for-play Sports Park and a commercial (retail/office) parcel ("Project") on a 55.5  
17 acre site in the City adjacent to the City of Signal Hill and bordered by Willow Street,  
18 California Avenue, Orange Avenue, and Spring Street ("Project");

19 WHEREAS, the Project includes General Plan amendments, zone changes,  
20 site plan review of a Master Site Plan, conditional use permits, a variance, and lot line  
21 adjustments;

22 WHEREAS, the City began an evaluation of the shortage of sports fields in  
23 the City in 1984, and identified at that time a location next to the Nature Center in El  
24 Dorado Regional Park as a potential site for a sports park;

25 WHEREAS, after that site was eliminated from consideration because of  
26 possible impacts to the Nature Center, a City-wide task force began evaluating ten different  
27 locations, ultimately recommending a site in Area III in the northwest corner of El Dorado  
28 Regional Park;

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1 WHEREAS, after several years of review, the City Council ruled out El  
2 Dorado Regional Park as a potential site, and in 1996 directed staff to consider the Project  
3 Site for a sports park;

4 WHEREAS, a feasibility study was prepared in 1999 and an environmental  
5 impact report ("EIR") was prepared in 2000 ("DEIR 2000") analyzing a sports park located  
6 at the Project Site but, as a result of subsequent site planning requirements and additional  
7 site environmental investigations, the City concluded that DEIR 2000 could not be relied  
8 upon for environmental review purposes and a Final EIR 2000 was never certified;

9 WHEREAS, in 2002, the City introduced for study in a public forum the  
10 current master planning and environmental review process for the Project, hiring LSA  
11 Associates to prepare a new EIR for the Project;

12 WHEREAS, implementation and construction of the Project constitutes a  
13 "project" as defined by CEQA, Public Resources Code sections 21000 *et seq.*, and the City  
14 is the Lead Agency for the Project under CEQA;

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

18 WHEREAS, the City prepared a Notice of Preparation of an EIR ("NOP") that  
19 described the Project, published the NOP on January 23, 2004, and mailed the NOP to  
20 public agencies, organizations, and persons likely to be interested in the potential impacts  
21 of the proposed Project;

22 WHEREAS, the City released the Draft Environmental Impact Report  
23 ("DEIR") for the Project to the members of the public, responsible agencies, and other  
24 interested persons for review and comment from January 23, 2004 through February 23,  
25 2004 for a 30-day comment period;

26 WHEREAS, the DEIR was re-circulated between December 15, 2004 and  
27 February 14, 2005 for a 60-day comment period;

28 WHEREAS, the City prepared full and complete responses to the comments

1 received on the DEIR and distributed the responses in accordance with Public Resources  
2 Code section 21092.5;

3 WHEREAS, the City Council reviewed and considered the information and  
4 the comments and responses pertaining to the DEIR and Final Environmental Impact  
5 Report ("FEIR") at a duly noticed City Council meeting held on April 18, 2006, at which time  
6 evidence, both written and oral, was presented to and considered by the City Council;

7 WHEREAS, the City Council read and considered all environmental  
8 documentation comprising the FEIR, including the comments and the responses to  
9 comments and errata included in Volume III of the FEIR, and has determined that the FEIR  
10 considers all potentially significant environmental impacts of the Project and is complete  
11 and adequate and fully complies with all requirements of CEQA;

12 WHEREAS, the City Council evaluated and considered all significant impacts,  
13 mitigation measures, and project alternatives identified in the FEIR;

14 WHEREAS, CEQA and the State CEQA Guidelines provide that no public  
15 agency shall approve or carry out a project for which an EIR has been completed which  
16 has identified one or more significant effects of the project, unless the public agency makes  
17 written findings for each of the significant effects, accompanied by a statement of facts  
18 supporting each finding. The possible findings are: (i) Changes or alterations have been  
19 required in, or incorporated into, the project which avoid or substantially lessen the  
20 significant environmental effect as identified in the EIR; (ii) Such changes or alterations are  
21 within the responsibility and jurisdiction of another public agency, which can and should  
22 adopt them; or (iii) Specific economic, legal, social, technological, or other considerations  
23 make infeasible the mitigation measures or project alternatives identified in the EIR;

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

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

7  
8           NOW, THEREFORE, the City Council of the City of Long Beach does hereby  
9 find, determine and resolve:

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

12           Sec. 2. The FEIR has been completed in compliance with CEQA and the  
13 State CEQA Guidelines.

14           Sec. 3. The FEIR, which reflects the City Council's independent judgment  
15 and analysis, is hereby adopted, approved, and certified as complete and adequate under  
16 CEQA.

17           Sec. 4. Pursuant to Public Resources Code section 21081 and State CEQA  
18 Guidelines section 15091, the City Council has reviewed and hereby adopts the CEQA  
19 Findings and Statement of Facts as shown on the attached Exhibit "A" entitled "Findings  
20 and Facts in Support of Findings for the Long Beach Sports Park Project Final  
21 Environmental Impact Report," which document is incorporated herein by reference as  
22 though set forth in full.

23           Sec. 5. Although the FEIR identifies certain significant environmental effects  
24 that would result if the Project is approved, most environmental effects can feasibly be  
25 avoided or mitigated and will be avoided or mitigated by the imposition of mitigation  
26 measures included with the FEIR. Pursuant to Public Resources Code section 21081.6,  
27 the City Council has reviewed and hereby adopts the Mitigation Monitoring and Reporting  
28 Program ("MMRP") as set forth in the FEIR in Volume I, Section 7.0, together with any

1 adopted corrections or modifications thereto, and further finds that the mitigation measures  
2 identified in the FEIR are feasible, and specifically makes each mitigation measure a  
3 condition of project approval.

4           Sec. 6. Pursuant to State CEQA Guidelines section 15091(e), the record of  
5 proceedings relating to this matter has been made available to the public at the  
6 Department of Planning and Building, 333 West Ocean Boulevard, 7th Floor, Long Beach,  
7 California, and is available for review during normal business hours.

8           Sec. 7. The information provided in the various staff reports submitted in  
9 connection with the Project, the corrections and modifications to the DEIR and FEIR made  
10 in response to comments which was not previously re-circulated, and the evidence  
11 presented in written and oral testimony at the public hearing do not represent significant  
12 new information so as to require re-circulation of the EIR pursuant to the Public Resources  
13 Code.

14           Sec. 8. Pursuant to Public Resources Code section 21081(b) and Guidelines  
15 section 15093, the City Council has balanced the benefits of the proposed Project against  
16 the following unavoidable adverse impacts associated with the proposed Project, as set  
17 forth in Volume I, Section 8.0 of the DEIR, and has adopted all feasible mitigation  
18 measures with respect to these impacts: biological resources, public services, air quality,  
19 cultural resources, and traffic. The City Council also has examined alternatives to the  
20 proposed Project, none of which both meet the Project objectives and is environmentally  
21 superior to the proposed Project. The City Council, after balancing the specific economic,  
22 legal, social, technological and other benefits of the proposed Project, has determined that  
23 the unavoidable environmental risks and impacts identified above may be considered  
24 "acceptable" due to the following specific considerations which outweigh and override the  
25 unavoidable, potentially adverse environmental impacts of the proposed Project. Each of  
26 the separate benefits of the proposed Project, as stated herein, is determined to be, unto  
27 itself, and independent of the other Project benefits, a basis for overriding all unavoidable  
28 adverse environmental impacts identified in the findings. Accordingly, the City Council

1 approves and adopts the following "Statement of Overriding Considerations," finding that  
2 the Project will:

3 (a) Serve to develop a 35- to 40-acre operationally self-sufficient  
4 Sports Park to meet the documented demand for adult and youth league sports facilities,  
5 as reflected in the 2002 Open Space and Recreation Element of the City of Long Beach  
6 General Plan, the 2002 Department of Parks, Recreation and Marine Strategic Plans, and  
7 Long Beach Strategic Plan 2010.

8 (b) Create additional recreation open space and enhance recreation  
9 opportunities for both adults and children in the City of Long Beach.

10 (c) Free up space in neighborhood parks currently used by adult sports  
11 leagues, thus giving preference to children's sports leagues over adult sports leagues in  
12 neighborhood parks.

13 (d) Promote and assist with the remediation of a contaminated  
14 "Brownfield" site in the City of Long Beach.

15 (e) Serve to manage an oil, water, and natural gas extracting site and  
16 operations to extend the life of these resources.

17 (f) Maintain open space buffers adequate to keep property and lives  
18 safe from natural and manmade disasters within the City, including unstable soil areas,  
19 known active fault zones, low-lying flood prone lands, airport flight paths, and areas of  
20 physical and noise contamination.

21 (g) Increase youth engagement in productive activities.

22 (h) Minimize the costs to the City by developing the commercial Sports  
23 Park on a site that does not result in excessive site acquisition costs to the City, with  
24 minimal demolition and tenant relocation costs.

25 (i) Provide community sports and recreation facilities on a site centrally  
26 located within the City.

27 (j) Redevelop a blighted site characterized by multiple development  
28 constraints (soils impacted with chemicals associated with oil field activities, a geologic

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
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Telephone (562) 570-2200

1 fault, ongoing oil operations, etc.) with an economically viable and attractive use.

2 (k) Be compatible with future operations of oil facilities, consistent with  
3 provisions of Chapter 12 of the Long Beach Municipal Code, entitled "Oil Code."

4 (l) Improve public infrastructure on and near the Project site, including  
5 adjacent roadways.

6 (m) Enhance the economic vitality of the City through redevelopment  
7 of this underutilized property.

8 Sec. 9. The project as described in the DEIR is the environmentally superior  
9 alternative in that it minimizes impacts to the environment to the maximum extent  
10 practicable while achieving all of the basic objectives of the Project.

11 Sec. 10. This resolution shall take effect immediately upon its adoption by  
12 the City Council, and the City Clerk shall certify to the vote adopting this resolution.

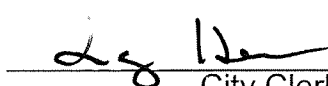
13 I hereby certify that the foregoing resolution was adopted by the City Council  
14 of the City of Long Beach at its meeting of April 18, 2006, by the following  
15 vote:

16  
17 Ayes: Councilmembers: Lowenthal, O'Donnell, Kell, Richardson,  
18 Reyes Uranga, Gabelich, Lerch.

19  
20  
21 Noes: Councilmembers: None.

22  
23 Absent: Councilmembers: None.

24 Abstain: Councilmembers: Colonna.

25  
26   
27 \_\_\_\_\_  
City Clerk

**EXHIBIT A**

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS  
FOR THE LONG BEACH SPORTS PARK PROJECT  
FINAL ENVIRONMENTAL IMPACT REPORT  
ADDENDUM FOR REVISED MASTER PLAN 3B**

**CITY OF LONG BEACH**

**(STATE CLEARINGHOUSE # 1999091108)**



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## SECTION 1: INTRODUCTION

### 1.1 Statutory Requirements for Findings

The California Environmental Quality Act (CEQA), Public Resources Code Section 21081, and the State CEQA Guidelines (14 Cal. Code of Regs. Section 15091) require that a public agency consider the environmental impacts of a project before a project is approved, and make specific findings. State CEQA Guidelines Section 15091 and Public Resources Code, Section 21081, provide that:

- (a) No public agency shall approve or carry out a project for which an environmental impact report 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. The possible findings are:
  - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final Environmental Impact Report (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 environmental impact report.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

## 1.2 Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City of Long Beach's decision on the proposed project consists of: (1) matters of common knowledge to the City Council, including but not limited to federal, State, and local laws and regulations; and (2) the following documents that are in the custody of the City of Long Beach (City):

- Notice of Preparation, Notice of Availability, and Notice of Completion, which were issued by the City in conjunction with the proposed project (see the Final EIR for the Notice of Preparation, Notice of Availability, and Notice of Completion)
- The Final EIR, dated October 2005, which includes all written comments submitted by agencies or members of the public during the public comment period on the Draft EIR and responses to those comments and all of the documents referenced therein
- The Final EIR Addendum, dated March 2006 for Master Plan 3B
- The Mitigation Monitoring and Reporting Program
- The Long Beach Sports Park Conceptual Site Plan
- The Long Beach Sports Park Conceptual Site Plan/Master Plan 3B
- All findings, statements of overriding consideration, and resolutions adopted by the City in connection with the proposed project, and all documents cited or referred to therein
- All final reports, studies, memorandums, maps, correspondence, and all planning documents prepared by the City, or the consultants or responsible or trustee agencies, with respect to: (1) the City's compliance with CEQA; (2) development of the project site; or (3) the City's action on the proposed project
- All documents submitted to the City by agencies or members of the public in connection with development of the proposed project
- All documents compiled by the City in connection with the study of the proposed project and the alternatives
- The testimony and evidence presented at the public scoping meeting on February 9, 2004, the Long Beach Parks and Recreation Commission Capital Improvement Project Committee Meeting on June 15, 2005, the Parks and Recreation Commission public meetings on July 21, 2005, and February 16, 2006, the Long Beach Planning Commission Study Session on September 1, 2005, the Long Beach Planning Commission public hearing on October 20, 2005, community meetings on December 14, 2005, and February 25, 2006, the City Council Study Session on April 4, 2006, and the City Council meeting of April 18, 2006.
- The record of proceeding

## 1.3 Organization/Format of Findings

Section 2 of these findings contains a summary description of the proposed revised project (Master Plan 3B), sets forth the objectives of the proposed project, and provides related background facts. Section 3 identifies the potentially significant effects of the proposed project that will be mitigated to

a less than significant level. All mitigation measures referenced in this document can be found in the Final EIR. Section 4 identifies the significant impacts that cannot be mitigated to a less than significant level. Section 5 identifies the proposed project's potential environmental effects that were determined to be less than significant and therefore did not require mitigation measures. Section 6 discusses the feasibility of proposed project alternatives. Section 7 includes general findings.

## **SECTION 2: LONG BEACH SPORTS PARK (MASTER PLAN OPTION 3B)**

### **2.1 Project Objectives**

The proposed project as evaluated in the EIR would result in the construction and operation of a Sports Park, a youth golf center, and creation of a commercial (retail/office) parcel on a 55.5-acre site in the City of Long Beach (City). The revised project Master Plan 3B would result in the construction and operation of a Sports Park, passive open space with a view park and a wetlands restoration area, and creation of a commercial (retail/office) parcel on a 55.5-acre site in the City. The specific objectives of the proposed project are the following:

1. Develop a 35- to 40-acre operationally self-sufficient Sports Park to meet the documented demand for an adult and youth league sports facility, as reflected in the 2002 Open Space and Recreation Element of the City of Long Beach General Plan, the 2002 Department of Parks, Recreation and Marine Strategic Plans, and Long Beach Strategic Plan 2010. Objectives outlined in these plans include:
  - Develop a new Sports Park on City property at Spring Street and Orange Avenue. (Department of Parks, Recreation and Marine Strategic Plan, page 42).
  - Create additional recreation open space and pursue all appropriate available funding to enhance recreation opportunities (Open Space and Recreation Element, Open Space for Outdoor Recreation and Recreation Facilities, Policy 1).
  - Give preference to children's sports leagues over adult sports leagues in neighborhood parks (Open Space and Recreation Element, Open Space for Outdoor Recreation and Recreation Facilities, Policy 12).
  - Promote and assist with the remediation of contaminated sites (Open Space and Recreation Element, Open Space for the Preservation of Natural Resources, Policy 4).
  - Manage oil, water, and natural gas extracting site and operations to extend the life of these resources (Open Space and Recreation Element, Open Space for the Managed Projection of Resources, Policy 3).
  - Maintain open space buffers adequate to keep property and lives safe from natural and manmade disasters within the City, including unstable soil areas, known active fault zones, low-lying flood prone lands, airport flight paths, and areas of physical and noise contamination. (Open Space and Recreation Element, Open Space for Public Health and Safety, Policy).

- Increase youth engagement in productive activities (Long Beach Strategic Plan 2010, Our Children and Schools, Policy 5).<sup>1</sup>
2. Minimize costs to the City by developing the commercial Sports Park on a site that does not result in excessive site acquisition costs to the City, with minimal demolition and tenant relocation costs.
  3. Provide community sports and recreational facilities on a site centrally located within the City.
  4. Redevelop a blighted site characterized by multiple development constraints (soils impacted with chemicals associated with oil field activities, geologic fault, ongoing oil operations, etc.) with an economically viable and attractive use.
  5. Promote compatibility of the proposed development with future operation of oil facilities and operations, consistent with provisions of Chapter 12 of the Long Beach Municipal Code, entitled "Oil Code."
  6. Improve public infrastructure on and near the project site, including adjacent roadways.
  7. Enhance the economic vitality of the City of Long Beach through redevelopment of this underutilized property.

## 2.2 Project Description Master Plan 3B

The City of Long Beach proposes to develop a Sports Park and passive open space with a view park and a wetlands restoration area, and to rezone a portion of the 55.5-acre project site for future commercial (retail/office) use. The proposed project site ("site") is located south of Spring Street and is bounded by California Avenue on the west, Orange Avenue on the east, and the Long Beach Municipal and Sunnyside cemeteries on the south. The City of Long Beach owns most of the project site and intends to acquire (either through purchase or use of eminent domain) the remainder of the property. The site is rectangular in shape with the exception of a ±1.4-acre parcel ("outparcel") and a small area in the southeast corner that are not included in the proposed project. Although the project site is located entirely within the City of Long Beach, the City of Signal Hill is adjacent to the site along Orange and California Avenues and across a portion of Spring Street.

The revised project includes an application for a General Plan amendment, zone changes, and a tentative parcel map that will create separate parcels for the outparcel and future commercial uses. The City's intent is to acquire and retain ownership of the assembled project site, with the exception of the commercial parcel on the corner of Spring Street and California Avenue, and the City may use contract operators to manage the facilities.

The recreation components of the Sports Park include three soccer fields, six softball/baseball diamonds, a skate park, batting cages, two playgrounds, two volleyball courts, and two multipurpose pavilions. Patrons of the Sports Park will be charged for the use of the sports facilities.

A single operator would manage the operationally self sufficient Sports Park facilities with the property remaining under the ownership of the City. Patrons of the Sports Park would access the

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<sup>1</sup> This objective correlates with the provision of the youth golf center, including after-school programs.

facilities through a single point of entry from a parking lot along Orange Avenue. In addition to the recreation uses, the Sports Park includes three restaurant/concession buildings; alcohol will be sold for on-site consumption.

In addition to active recreation components, revised Master Plan 3B also includes a total of approximately 10.73 acres of open space with native vegetation, including a 1.49-acre wetlands restoration area, and a passive view park.

The 2.5-acre commercial parcel in the northwest corner will be created by a tentative parcel map. The parcel will be rezoned for retail/commercial (CCA) use and the General Plan land use district for this portion of the project site amended from LUD #9G (Industrial) to LUD #8A (Traditional Retail Strip Commercial). Commercial use of the property is analyzed in this Draft EIR. To facilitate analysis of this portion of the proposed project, it was assumed that a 30,000 square foot commercial office building would be built on the parcel. The project currently under consideration does not include construction of this building.

The layout of the recreation uses and parking areas responds to the physical constraints of the site, which include the Cherry Hill earthquake fault, topographic and geologic variations across the site, grading and water detention requirements, and continued operation of 17 on site oil wells and 2 adjacent to the site.

The Cherry Hill fault diagonally transects the southern half of the site. Buildings have been set back from the fault in accordance with the requirements of the Alquist-Priolo Act. The soccer fields have been sited in the southern portion of the site where grades are low enough that this portion of the site can be used as a storm water detention basin capable of holding a minimum of 36 acre-feet of water.

A minimum setback of 150 feet from operating oil wells is proposed for the multipurpose pavilions. A minimum setback of 50 feet from operating oil wells is proposed for the concession/restaurant buildings. Vehicular access for well maintenance and emergency vehicles is provided in the site plan.

The project also includes a wetlands mitigation program, and an on-site location for wetlands mitigation has been identified in Master Plan 3B.

The following discussion provides a more detailed description of project components.

**Design and Landscape Elements.** Hardscape elements proposed throughout the project include walls, columns, fences, paving, and lighting. A perimeter six-foot wrought-iron fence is proposed around the sports facilities and parking areas with landscaping in front of the fence. The parking lots will not be gated. Textured paving material will be incorporated into the project to define pedestrian and activity areas.

The proposed landscape plan includes approximately 1,100 trees and palms throughout the project site. The plant palette is composed of both ornamental and native plant materials. Specific tree species were selected for use to provide distinctive form and function, to create a unique character, to provide interest, to create focal point areas, to create a naturalized landscape, and to provide privacy and screening.

In addition to the perimeter fencing around the project boundary, evergreen trees are used to provide privacy and to create a parklike setting. Native vegetation will be planted to provide habitat for the loggerhead shrike and other species.

**Wetlands and Open-Space Areas.** A wetlands restoration and riparian habitat area is near the southern boundary of the site. The wetlands restoration area will also serve as a storm water detention basin capable of holding a minimum of 36 acre-feet of water. A total of 1.49 acres of wetlands will be committed to wetlands and riparian habitat, with 9.24 additional acres of the project site committed to native vegetation, including grasslands. Public access to these areas will be limited to designated walkways to allow habitat to develop without human interference. The patrons of the view park will be restricted to walkways to protect native vegetation and habitat areas and to separate the active and passive recreation uses on site.

The final design of the wetlands restoration area will be prepared for approval by the U.S. Army Corps of Engineers and California Department of Fish and Game as part of their respective Section 404 and Section 1602 approvals.

**Oil Facilities and Operations.** Much of the existing project site is an operating oilfield containing 46 wells (and two off-site wells). Fifteen of the wells are currently active and producing oil.

Of the 46 oil wells (and two adjacent off-site wells), 25 are previously abandoned, 15 are currently operating, and 8 are idle. Abandonment of a well means the permanent plugging of a well in accordance with the California Division of Oil, Gas, and Geothermal Resources (DOGGR). An idle well is one where petroleum operations have ceased but the well has not been abandoned in accordance with DOGGR requirements. As the site is developed, 17 on-site wells and 2 adjacent off-site wells will remain in operation with a 150-foot building setback for the soccer pavilions and a 50-foot setback for the concession/ restaurant buildings. The remaining wells on the site will be legally abandoned or reabandoned. There will be no idle wells on the site under project conditions. All of the operating wells will be subject to vertical changes in wellhead location as a result of site grading.

**Outparcel.** The project site is a rectangle bound by California Avenue, Spring Street, Orange Avenue, and the Long Beach Municipal and Sunnyside Cemeteries, with the exception of an irregularly shaped lot that is excluded. The excluded area, or "outparcel," accommodates the existing office building located at 2901 Orange Avenue. The outparcel will be created by a Tentative Parcel Map. The parking area servicing the existing SHPI office will be relocated south of the existing office building. The new parking area will be accessed from Orange Avenue separately from the Sports Park complex. Approval of the Tentative Parcel Map is the only discretionary action required to create the outparcel and its Orange Avenue access.

**Parking and Access.** The Sports Park will operate as a distinct, fenced facility with a single parking lot and a primary and secondary vehicular access point. Pedestrian access to the site will be provided via a public sidewalk that will be provided on all three street frontages. It is anticipated that most of

the site users will access the site via private vehicles, given the site's relative isolation from residential neighborhoods and schools. The project as revised will provide 612 parking spaces.

Separate parking and access are provided for the outparcel (not a part of the project) and the commercial parcel. Assuming a 30,000 square foot commercial office building were to be built on the commercial parcel, City of Long Beach Zoning Code standards would require 100 parking spaces.

Vehicular access is provided from Orange Avenue, Spring Street, and California Avenue. Access to the proposed project will be provided via five access driveways. The driveway at the intersection of Orange Avenue and 28th Street will be signalized. All other project driveways are anticipated to be one-way stop controlled.

**On-Site and Off-Site Infrastructure.** The project infrastructure components to be implemented will require improvements to, and connection with, off-site and on-site infrastructure systems. These systems, consisting of water, electricity, natural gas, telephone and cable television/telecommunication lines, sewerage, storm water drains, and street improvements, will be constructed on the project site for the development and will be fully provided and maintained by the municipal entities. Portions of California Avenue will be reconstructed along the western site boundaries. A backbone infrastructure plan has been developed to serve the proposed uses.

The water and sewer system will be constructed to City of Long Beach Water Department (LBWD) standards and maintained by the LBWD, the provider of both potable and reclaimed water within the City. The natural gas lines will be constructed to City of Long Beach Energy Department (LB Energy) standards and maintained by LB Energy, the provider of natural gas within the City.

The proposed water, sewer, and natural gas improvements include the following components:

- Construction of water delivery and on-site sewer collection and elimination systems.
- Construction of sewer connection to the existing sewer line located in California Avenue at the intersection with 28th Street.
- Construction of a water pipeline connecting the development to the 12-inch water line in Orange Avenue and Spring Street.
- Construction of a gas pipeline connecting the development to the existing 14-inch gas line beneath Orange Avenue and Spring Street.
- In addition to the on-site improvements, the project also includes an extension to the project site of the reclaimed water line that currently terminates at Walnut Avenue, north of Interstate 405.

In addition, the City of Long Beach will work with utility service providers, including the Long Beach Water Department and Southern California Edison, to obtain the proper permits and authorization to remove and/or relocate on-site utilities and infrastructure. As part of the proposed project, the following on-site utilities and infrastructure will be relocated:

- Three major storm drainage pipes exist on the site. Two of the pipes bring storm water into the site from Spring Street. One is a 69-inch RCP maintained by the City of Long Beach. The other is



a 78-inch RCP maintained by the County of Los Angeles. Both pipes combine approximately 700 feet into the site into a single 108-inch RCP that discharges into the on-site detention basin. The third pipe is a 54-inch RCP that received water from the detention basin and conveys it off site. Most of these storm drains will need to be replaced and/or relocated to accommodate the proposed project.

- The existing 21-inch VCP trunk sewer traversing the site from Spring Street about 300 feet west of the intersection of Spring Street and Orange Avenue and exiting the site at 28th Street and California Avenue will need to be replaced and/or relocated to accommodate the proposed project.
- Development of the site may require the relocation and/or undergrounding of the existing overhead electrical facilities owned and operated by Southern California Edison.
- Several pipes and overhead electrical lines crisscross the site in support of existing oil extraction and transportation activities. Grading of the site will require the majority of these pipelines to be relocated.

**Storm Drain System.** A comprehensive surface drainage/storm drain system has been developed to collect and convey runoff on the project site into the existing and planned City storm drain system. Storm runoff from on-site development and slopes will be collected by a new on-site storm drain system and conveyed to inlet structures. Storm water runoff is then conveyed into a storm drain pipe connected to a 54-inch storm drain located at the southwest corner of the site. On-site drainage will be discharged via outlet structures into existing City storm drain facilities and public streets. The project is subject to the new Los Angeles County Standard Urban Storm Water Mitigation Plan and is required to implement structural or treatment control Best Management Practices (BMPs) as required.

**Site Preparation.** Previous grading beginning at some time in the late 1800s and continuing to the present day has affected essentially the entire site. Undocumented fills with varying thickness/depth from less than a foot to about 70 feet cover most of the natural topography. Implementation of the revised project (Master Plan 3B) includes mass grading of the project site. Site preparation for the proposed project would require approximately 702,640 cubic yards of cut and 702,640 cubic yards of fill. At the present time, it is anticipated that much of the concrete rubble produced during demolition will be crushed on site so that it can be incorporated in planned fills and/or used as a paving base for the proposed project improvements.

### Summary of Physical Changes to the Project: Master Plan 3B

Revisions to the project resulting from changes to the site plan include the following:

- **Open Space.** Inclusion of passive recreation components, including open space areas with native vegetation, a view park with pedestrian walkways, and a wetlands restoration area
- **Wetlands Restoration Area.** 1.49-acre wetlands restoration and riparian habitat area along the southwestern boundary of the project site
- **Active Recreation.** Removal of the youth golf center

- **Active Recreation.** Removal of one soccer field
- **Parking.** Removal of parking reserved for the youth golf center (reduction of 134 spaces)
- **Grading.** Changes to project grading plan and cut/fill quantities

### **Addendum Findings**

The City is the Lead Agency for the proposed Long Beach Sports Park. The City has determined that analyses of project environmental effects are best provided through use of an Addendum and that none of the conditions set forth in Public Resource Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR have been met.

1. There are no substantial changes to the project that would require major revisions of the 2005 Recirculated EIR due to new significant environmental effects or a substantial increase in severity of impacts identified in the 2005 Recirculated EIR.
2. No substantial changes have occurred in the circumstance under which the project is being undertaken that will require major revisions to the 2005 Recirculated EIR to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified in the 2005 Recirculated EIR.
3. There is no new information of substantial importance which was not known at the time the 2005 Recirculated EIR was certified, indicating that
  - The project will have one or more significant effects not discussed in the 2005 Recirculated EIR;
  - There are no impacts that were determined to be significant in the 2005 Recirculated EIR that would be substantially more severe;
  - There are no additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in the 2005 Recirculated EIR; and
  - There are no additional mitigation measures or alternatives that were rejected by the project proponent considerably different from those analyzed in the 2005 Recirculated EIR that would substantially reduce any significant impact identified in that EIR.

The complete evaluation of potential environmental effects of the project, including rationale and facts supporting City findings, is contained in Chapter 3.0 of the Addendum.

### **SECTION 3: EFFECTS DETERMINED TO BE MITIGATED TO LESS THAN SIGNIFICANT LEVELS**

The Final EIR identified certain potentially significant effects that could result from the proposed project. However, the City finds for each of the significant or potentially significant impacts identified in this section, Section 3, based upon substantial evidence in the record, that changes or alterations have been required or incorporated into the proposed project that avoid or substantially

lessen the significant effects as identified in the Final EIR.<sup>1</sup> As a result, adoption of the mitigation measures set forth below will reduce the identified significant effects to a less than significant level.

## Land Use

**Impact: Conflict with Applicable Land Use Plan, Policy, or Regulation.** The project site is currently zoned Medium Industrial (IM) and Institutional (I), and the City of Long Beach General Plan Land Use District (LUD) for the project site is 9G Industrial. The proposed project would not be consistent with the existing City of Long Beach General Plan and zoning designations. Development of the project will require a General Plan Amendment from LUD 9G to LUD 11, Open Space and Park, and rezoning of the project site from Medium Industrial and Institutional to P, Park.

The proposed commercial parcel located on the corner of Spring Street and California Avenue will require a General Plan Amendment from LUD 9G to LUD 8A (Traditional Retail Strip Commercial) and a rezone from Institutional (IM) to Community Commercial-Automobile Oriented (CCA).

- 4.1.1** Development of the commercial parcel will adhere to the requirements of the CCA Zone and the City Parking Code, as determined by the City Zoning Administrator at the time of Site Plan Review and Plan Check. The need for subsequent CEQA action will be determined by the City of Long Beach Environmental Planning Officer.
- 4.1.2** City Council approval of the proposed project shall include a General Plan Amendment from LUD 9G (Industrial) to LUD 11 (Open Space and Park) and LUD 8A (Traditional Retail Strip Commercial), a zone change from Industrial (IM) and Institutional (I) to Park (P) and Community Commercial-Automobile Oriented (CCA), and a Standard Variance from parking requirements. The Director of Planning and Building shall implement the approved General Plan Amendment upon approval and the Zone Change after second Council reading of the ordinance.

**Finding:** The City hereby finds that impacts related to land use policies, plans, and regulations will be reduced to a less than significant level with implementation of Mitigation Measures 4.1.1 and 4.1.2. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Conflict with existing on-site or adjacent land uses.** Short-term effects of the project will result from demolition of the existing on-site improvements, site grading, and construction activity for on-site and off-site improvements. It is anticipated that no tenants will be on site at the time of demolition and grading. Therefore, these businesses will not experience short-term impacts from demolition, grading, and construction. SHPI is expected to remain open and operational during all phases of construction. These activities will result in short-term air quality effects as described in

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<sup>1</sup> CEQA Guidelines, Section 15091.

Section 4.10, short-term noise effects as described in Section 4.14, and short-term traffic effects as described in Section 4.9 of the Draft EIR.

Surrounding land uses are generally heavy commercial and industrial uses. These are not considered to be sensitive receptors, and they will not experience short-term effects outside those described in Sections 4.9, 4.10, and 4.11 of the Draft EIR. The project will result in short-term construction-related impacts to the adjacent SHPI office building and cemeteries; however, these impacts are less than significant with mitigation. Visitors at the cemeteries located adjacent to the project site may experience noise and dust as a result of on-site demolition, grading, and construction activities and an associated increase in truck traffic. Mitigation measures are included to reduce the effect of short-term construction noise impacts. Short-term noise effects are less than significant.

The proposed project has been designed to accommodate well access and maintenance, and the presence of operating wells is consistent with the historic use of the property. The potential impacts of the operating wells on the proposed recreation uses include potential noise, air quality emissions, and visual effects. Implementation of Mitigation Measure 4.1.3 in addition to mitigation measures from other sections benefit on-site and off-site uses, further reducing potential land use conflicts, and include the following: (1) Noise—Mitigation Measures 4.11.1 through 4.11.2; and (2) Public Health and Safety—Mitigation Measures 4.13.1 through 4.13.11.

**4.1.3** The City Zoning Administrator shall ensure at the time of Plan Check that project plans include a six-foot-high opaque fence around all operating oil wells. Wells that are visible to the public from on-site pedestrian areas, will be surrounded by a fence designed in a manner that is consistent with overall project design. The project operators shall ensure that all wells remain accessible for maintenance and repair and to City Fire Department standards.

**Finding:** The City hereby finds that impacts related to conflicts with on site or adjacent land uses will be reduced to a less than significant level with implementation of Mitigation Measures 4.1.3. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## Geology and Soils

**Impact: Seismic ground shaking and seismic-related ground failure.** Strong seismic ground shaking is considered a potentially significant impact to the proposed project unless appropriate mitigation measures are implemented as a part of project design and construction. The Cherry Hill Fault crosses the southwesterly corner of the project site. The Newport-Inglewood Fault Zone, of which the Cherry Hill Fault is a part, is within a designated an Alquist-Priolo Earthquake Fault Zone and is therefore subject to the requirements and conditions of the 1994 “Alquist-Priolo Earthquake Fault Zoning Act” with regard to the potential for surface fault rupture. Potential landslides and slope instability that could affect project improvements and structures are a potential significant impact of the project. Implementation of Mitigation Measure 4.3.1 will reduce potential impact related to seismic ground shaking to a less than significant level. Implementation of Mitigation Measure 4.3.2 will reduce the potential for surface fault rupture affecting an occupied structure on the project site to a less than significant level. Implementation of Mitigation Measures 4.3.4 through 4.3.6 and building

code requirements will provide stabilized engineered fill and slope faces. These measures will reduce the potential impact of landslides and slope instability to a less than significant level.

- 4.3.1** Appropriate seismic design provisions shall be implemented with project design and construction in accordance with governing building codes. Unless superseded by other regulatory provisions or standards, seismic design criteria shall be developed on the basis of the requirements of the current UBC and reviewed and approved by the City Building Official prior to issuance of building permits. The following UBC design parameters are based on the 1997 UBC, Volume 2, Chapter 16, Divisions IV and V. These parameters are considered applicable for the seismic design evaluation of proposed structures pending any more recent updates of the UBC, or unless more site-specific design values are required by the project structural engineer (e.g., response spectra or site period), as approved by the City Building Official.

#### **Project Site Seismic Design Parameters**

Seismic Zone Factor Z:	0.4
Soil Profile Type:	S <sub>D</sub>
Design Fault:	Newport Inglewood
Fault Distance:	<1.24 miles (2 kilometers)

Prior to issuance of building permits, the City of Long Beach Building Official (or designee) is required to review and approve final design plans to ensure that all structures are designed to resist earthquake forces as defined by the UBC for a Seismic Zone 4.

- 4.3.2** All habitable structures shall be set back a minimum of 50 feet from the current Alquist-Priolo Special Studies Zone or the Special Studies Zone as modified by the project geotechnical consultant based upon additional soil and fault study. Final foundation setback recommendations shall be based on in-grading review and mapping of the fault trace by the project geotechnical consultant, including appropriate projection of the exposed conditions. All recommendations for final foundation setback shall be reviewed and approved by the City Building Official prior to issuance of building permits.
- 4.3.4** Proposed permanent cut and fill slopes shall not exceed a surface gradient of 2:1 (horizontal:vertical). Pending future final design evaluations, granular soils shall be excluded from the outer 10 to 12 feet of any proposed slope face within the anticipated inundation area of planned detention basins, and/or this portion of the slope can be reinforced appropriately. Additional site-specific final design evaluations shall be performed by the project geotechnical consultant to evaluate the stability conditions of proposed slopes, including the surficial stability/erosion potential, and with particular regard to slopes within the planned detention basins and view park. Grading plan review shall also be performed by the project geotechnical consultant prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated into the project plans. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the City of Long Beach Building Official prior to issuance of grading permits.

- 4.3.5** In general, proposed temporary cut slopes shall not exceed a gradient of 1:1 (horizontal:vertical). Pending future site-specific final design evaluations, planned construction slope excavations at a 1:1 gradient (45-degree angle) shall not exceed a height of 16 feet, and those excavated at a 1.5:1 gradient shall not exceed a height of 37 feet. Proposed temporary slope excavations in undocumented fill and alluvium adjacent to Spring Street and California Avenue shall be subject to additional site-specific exploration, testing, and stability evaluations by the project geotechnical consultant to refine and enhance the preliminary recommendations. Grading plan review shall also be performed by the project geotechnical consultant prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated into the project plans. Temporary construction slopes shall be reviewed by the project geotechnical consultant during excavation to assess and mitigate potential unanticipated structural anomalies and/or unforeseen groundwater conditions. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the City of Long Beach Building Official prior to issuance of grading permits.
- 4.3.6** Unreinforced fill slopes shall not exceed a gradient of 2:1 (horizontal:vertical). Any portion of a proposed slope with gradients steeper than 2:1 shall require appropriate reinforcement and/or installation of a retaining wall. The project geotechnical consultant shall perform additional site-specific final design evaluations of the proposed retaining walls to refine and enhance the preliminary recommendations. These evaluations shall address wall drainage and surficial stability/erosion potential of the adjoining sections of the fill slope. Geotechnical evaluations of proposed retaining walls within planned detention basins shall also include development of the appropriate geotechnical criteria for the wall design under rapid draw-down groundwater conditions. Grading plan review shall also be performed by the project geotechnical consultant prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated in the project plans. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the City of Long Beach Building Official prior to issuance of grading permits.

**Finding:** The City hereby finds that impacts related to seismic ground shaking will be reduced to a less than significant level with implementation of Mitigation Measures 4.3.1, 4.3.2, and 4.3.4 through 4.3.6. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Soil erosion or the loss of topsoil.** Under conditions of uncontrolled concentrated surface runoff, erosion of the graded areas on the project site is considered a potential significant impact unless mitigation measures are implemented as a part of project design and construction.

Implementation of Mitigation Measure 4.3.7 will reduce and minimize the potential for erosion, slope failure, and surficial soil instability.

**4.3.7** The surficial stability/erosion potential of the proposed graded slopes shall be evaluated by the project geotechnical consultant as a part of the geotechnical design evaluation. Best management practices (BMPs) shall be employed during construction to minimize the potential for erosion, and the project shall conform to applicable National Pollution Discharge Elimination System (NPDES) requirements and regulations. Appropriate landscape planting shall be installed as soon as is practical after completion of grading, particularly in the graded slope areas. Erosion control recommendations and design provisions shall be developed and incorporated into grading plans prepared by the project civil engineer for implementation during construction. Grading plans shall be reviewed and approved by the project geotechnical consultant prior to the start of grading construction. BMP development and implementation should be closely coordinated with the water quality requirements of the project construction and operation standard urban storm water mitigation plans [SUSMP]. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the City of Long Beach Building Official prior to issuance of grading permits.

**Finding:** The City hereby finds that impacts related to soil erosion or loss of topsoil will be reduced to a less than significant level with implementation of Mitigation Measure 4.3.7. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: On-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.**

Geotechnical evaluation of the subsurface data indicates that local intervals of saturated loose sand in the vicinity of the previously existing drainage channel will likely have a significant potential for liquefaction under conditions of strong seismic ground shaking. The relatively sporadic occurrence of much of the observed groundwater seepage suggests water is limited in volume and will not likely be a significant construction constraint on most of the project site. However, in the vicinity of the previously excavated drainage course near Spring Street in the north and California Street in the west, the previous seepage observations were relatively consistent. The occurrence of shallow groundwater at these locations may, therefore, be a construction constraint that will require local dewatering. Landscape irrigation associated with development may tend to create localized perched groundwater conditions and/or raise the local groundwater levels. Inundation of the proposed detention basins and associated infiltration will also contribute to the local shallow groundwater conditions. The presence of shallow groundwater can have a deleterious effect on the stability and deformation potential of nearby slopes and foundations. Possible uncontrolled groundwater flow is considered a potentially significant impact both during construction and after construction of the proposed project. Implementation of Mitigation Measure 4.3.3 requiring remedial treatment of existing fills and/or alluvium will reduce the potential for liquefaction to a less than significant level. Implementation of Mitigation Measures 4.3.9 and 4.3.10 will provide control of groundwater conditions to reduce this potential impact to a less than significant level.

- 4.3.3** Remedial treatment shall be required for any of the existing fills and/or underlying alluvium that are comprised of loose sandy soils that may become saturated in the future and are also intended for support of planned structures, slopes, and associated improvements. In general, foundation soils that are within a 1:1 (45-degree) downward projection from the perimeter of proposed structures, slopes, and associated improvements shall be considered as supporting these improvements. Remedial treatment of highly compressible soil and/or undocumented/unengineered fill that are intended for the support of planned improvements shall be performed, as required by the City of Long Beach Building Official. Removal and replacement of these unsuitable soils as compacted fill is considered the most straightforward method of remedial treatment. Alternative remediation measures, such as in-situ densification and/or installation of deep foundations, may be used in areas of the site where existing constraints make removal and compaction cost-prohibitive or difficult due to property line constraints. Site-specific final design evaluation and grading plan review shall be performed by the project geotechnical consultant, including assessment of possible remedial alternatives prior to the start of grading construction. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Long Beach Building Official prior to issuance of grading permits.
- 4.3.9** Subdrains shall be installed behind all fill slopes and retaining walls and shall be considered and evaluated for installation in other areas where the proposed ground surface is near the buried surface of the underlying San Pedro formation. Pending future additional site-specific evaluations, canyon-type subdrains shall be installed along the flanks of the previously existing drainage course at elevations that will daylight at the northeasterly perimeter of the planned large detention basin. Some consideration shall also be given to installation of a central canyon type subdrain within the planned compacted fill along an approximation of the original flowline alignment. The recommended subdrain shall be constructed with a minimum drainage gradient of one percent. Design of underdrain systems for the playing fields shall be undertaken by a specialized consultant with specific expertise in this type of design. These measures shall conform to the recommendations of the project geotechnical consultant and the project civil engineer. As recommended by the project geotechnical consultant in a final report, proposed subdrain systems shall be integrated with planned storm drains (see also Section 4.4, Water Resources), as approved by the Director of Public Works prior to issuance of grading permits.

Site-specific final design evaluation and grading plan review shall be performed by the project geotechnical consultant prior to the start of grading to verify that recommendations developed during the geotechnical design process are appropriately incorporated in the project plan. The project geotechnical consultant shall review construction excavations during excavation to assess possible unforeseen groundwater conditions and to approve as-built locations and construction materials/methods for recommended subdrains. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the Director of Public Works prior to issuance of grading permits.



- 4.3.10** Surface drainage provisions for the project shall be evaluated and designed by the project civil engineer and shall be reviewed and approved by the project geotechnical consultant prior to the start of grading activities. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final report, subject to review by the City Building Official prior to issuance of grading permits.

**Finding:** The City hereby finds that impacts related to on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse will be reduced to a less than significant level with implementation of Mitigation Measures 4.3.3, 4.3.9, and 4.3.10. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Expansive Soils.** Expansive soils are considered unlikely to be a significant design constraint for most of the project area. However, much of the materials that will be involved in the grading activity consist of undocumented fills with locally variable soil types that may include expansive clays. Local intervals within the alluvium consists of clay that will likely exhibit a significant expansion potential. The possibility of slope and/or foundation instability associated with expansive soils on site cannot be ruled out on the basis of the available test data and is therefore, considered a potentially significant impact. Implementation of Mitigation Measure 4.3.8 will provide engineered soil conditions below project structures to reduce the potential impact related to expansive soils to a less than significant level.

- 4.3.8** Proposed grading shall be implemented to provide relatively uniform soil conditions in the upper portion of the building areas. A moderate level of moisture shall be installed and maintained in the fill/foundation soils to minimize future volume changes. Appropriate drainage provisions as designed and/or recommended by the project civil engineer and geotechnical consultant shall be implemented to minimize future soil moisture changes. Subsurface drainage improvements shall be approved by the City of Long Beach Building Official prior to issuance of grading permits. On-site inspection during grading shall be conducted by the Building Official or a designee to ensure compliance with City-approved drainage design and soil mixture and recompaction.

Additional site testing and final design evaluations regarding the possible presence of significant volumes of expansive soils on site shall be performed by the project geotechnical consultant to refine and enhance the preliminary recommendations. Grading plan review shall also be performed by the project geotechnical consultant prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated in the project plans. Final design and recommendations regarding expansive soils shall be based on testing and analyses of the near-surface soils following the completion of grading. Design and grading construction shall be performed in accordance with the requirements of the UBC applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized

in a final report, subject to review by the City Building Official prior to issuance of grading permits.

**Finding:** The City hereby finds that impacts related to expansive soils will be reduced to a less than significant level with implementation of Mitigation Measures 4.3.8. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### Water Quality and Hydrology

**Impact: Water Quality (Construction).** During construction, the City will adhere to the General Construction Permit and will utilize typical BMPs specifically identified in the Storm Water Pollution Prevention Plan (SWPPP) for the project in order to prevent construction pollutants from contacting storm water and to keep all products of erosion from moving off site into receiving waters. Because shallow groundwater has been encountered at the site during geotechnical investigations, it is possible that groundwater may need to be removed during construction. To prevent significant impacts from dewatered groundwater, the City will comply with the RWQCB's NPDES permit requirements for this issue. The project will implement several Site Design, Source Control, and Treatment Control BMPs required by the City of Long Beach under the Municipal NPDES Permit for priority development in order to reduce the discharge of pollutants to the maximum extent practicable. In addition, the project SUSMP shall address pollutants that have impaired receiving waters for the project as applicable. Implementation of a project SUSMP that addresses pollutants of concern to the maximum extent practicable is required to reduce potential water quality impacts to a less than significant level. Mitigation Measures 4.4.1, 4.4.2, and 4.4.3 will reduce potential waste discharge and water quality violations related to construction runoff to less than significant levels.

- 4.4.1** The City of Long Beach shall ensure that construction plans for the project shall include features meeting the applicable construction activities BMPs and erosion and sediment control BMPs published in the *California Stormwater BMP Handbook—Construction Activity*. The construction contractor shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City that shall include the BMP types listed in the handbook. The SWPPP shall be prepared by a civil or environmental engineer and will be reviewed and approved by the City Building Official prior to the issuance of any grading or building permits. The plan shall reduce the discharge of pollutants to the maximum extent practicable using management practices, control techniques and systems, design and engineering methods, and such other provisions that are appropriate. A copy of the SWPPP shall be kept at the project site.

The construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. The construction contractor shall inspect BMP facilities before and after every rainfall event predicted to produce observable runoff and at 24-hour intervals during extended rainfall events, except on days when no ongoing site activity takes place. Prestorm activities will include inspection of the major storm drain grate inlets and examination of other on-site surface flow channels and swales, including the removal of any debris that blocks the flow path. Poststorm activities will include inspection of the grate inlets, looking for evidence of unpermitted discharges. The construction contractor shall implement corrective actions specified by the City of Long Beach Building

Official, as necessary, at the direction of the Director of Public Works. Inspection records and compliance certification reports shall be submitted to the Director of Public Works on a monthly basis and shall be maintained for a period of three years. Inspection schedules shall be monthly during the dry season and weekly during the wet season for the duration of project construction or until all lots and common areas are landscaped.

- 4.4.2** The City of Long Beach shall ensure that the project complies with the requirements of the State General Construction Activity NPDES Permit. The construction contractor shall demonstrate to the City that coverage has been obtained under the State General Construction Activity NPDES Permit by providing a copy of the NOI submitted to the SWRCB and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) number or other proof of filing to the City of Long Beach Building Official.

The City of Long Beach shall ensure that a project SUSMP is prepared for the project in accordance with the Los Angeles County SUSMP and the Municipal NPDES Permit. The project SUSMP shall identify all of the nonstructural and structural BMPs that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have impaired the Los Angeles River. The SUSMP shall be reviewed and approved by the Building Official prior to issuance of a grading permit.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.4.1, 4.4.2, and 4.4.3 will reduce potential waste discharge and water quality violations related to construction runoff to less than significant levels. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Water Quality (Operation).** After build out of the revised project, approximately 35 percent of the site will be covered with impervious surfaces (a 5 percent increase from the existing condition), including sports facilities, a commercial area, and paved parking. This increase in impervious area will result in a corresponding increase in the total volume of water draining from the site. However, the project design incorporates a larger detention basin (in the form of wetlands); 50-year storm flows exiting the site will be the same as in the existing condition and will not contribute to downstream flooding. Mitigation measures are required to ensure that project hydrology will meet drainage system standards and to ensure that BMPs, including the detention basin, are maintained. With implementation of Mitigation Measures 4.4.1 through 4.4.5, the storm drain system capacity will not be exceeded, and potential erosion and siltation impacts will be reduced to less than significant levels.

- 4.4.4** Prior to approval of a Final Parcel Map, the City of Long Beach Director of Public Works/City Engineer shall review and approve a final hydrology plan. The hydrology plan shall include any on-site structures or modifications of existing drainage facilities necessary to accommodate increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system.

**4.4.5** Prior to approval of a Final Parcel Map, the City of Long Beach shall, under the direction of the Director of Public Works, design a plan to ensure ongoing maintenance for permanent BMPs. This plan shall include a statement from the Director of Parks, Recreation, and Marine indicating the City's acceptance of responsibility for all structural and Treatment Control BMP maintenance until the time the property is transferred. All future transfers of the property to a private or public owner shall have conditions requiring the recipient to assume responsibility for the maintenance of any structural or Treatment Control BMP. The condition of transfer shall include a provision requiring the property owner to conduct a maintenance inspection at least once a year and retain proof of inspection. In addition, educational materials indicating locations of storm water facilities and how maintenance can be performed shall accompany first deed transfers.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.4.1 through 4.4.5 will ensure that the storm drain system capacity will not be exceeded, and potential erosion and siltation impacts will be reduced to less than significant levels. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### **Biological Resources**

**Impact: Candidate, sensitive, or special interest species.** A nesting pair of loggerhead shrike and a pair of red-tailed hawk were observed on the site. The loggerhead shrike is a California Department of Fish and Game species of special concern. While the decline in population in this region reflects the population decline for this species in much of the United States, the problem is more acute in coastal Los Angeles County, where few breeding pairs of loggerhead shrikes are known to exist.

Nesting pairs of red-tailed hawks, although protected during nesting by the Migratory Bird Treaty Act, are widespread throughout North America, and their populations are maintaining healthy levels.

In addition to active recreation components, revised Master Plan 3B also includes approximately 10.73 acres of open space with native vegetation, including a 1.49-acre wetlands restoration area, and a passive view park.

**4.5.2** Prior to issuance of grading permits and subject to the approval of the City of Long Beach Director of Planning and Building, project plans shall specify a native vegetation area in the southern half of the site. The native vegetation area will include isolated patches of dense shrubs suitable for nesting by the loggerhead shrike. The suitable nesting habitat shall not be less than 0.65 acre. Plant material in the native vegetation area will include coyote brush (*Baccharis pilularis*) and needlegrass (*Nassella* sp.) as well as elderberry (*Sambucus mexicana*) planted in isolated clumps rather than uniformly.

**Finding:** The City hereby finds that implementation of Mitigation Measure 4.5.2 will reduce project impacts related to the loggerhead shrike to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Riparian habitat or other sensitive natural community.** Grading of the project site will result in the filling of a total of approximately 0.5 acre of cattail marsh and open water, which are subject to U.S. Army Corps of Engineers and California Department of Fish and Game jurisdiction. In addition, virtually all streambeds and associated plant communities are considered sensitive biological resources and are regulated by agencies. Therefore, impacts to these areas will require mitigation.

- 4.5.3** Prior to the issuance of grading permits, the City of Long Beach Director of Planning and Building shall verify that authorization has been obtained from: (1) the U.S. Army Corps of Engineers (Corps) under the Section 404 Permit program for the discharge of fill material into the jurisdictional drainages; and (2) the California Department of Fish Game (CDFG) under Section 1602 of the California Fish and Game Code for the alteration of a streambed. In addition, standard conditions of the Corps permits require Section 401 water quality certification by the Regional Water Quality Control Board (RWQCB). In order to obtain these authorizations, the City shall develop a mitigation plan subject to review and approval by the appropriate resource agencies (Corps, CDFG, and RWQCB) to compensate for the loss of the riparian habitat. (See Mitigation Measure 4.5.4.)
- 4.5.4** Prior to the issuance of certificates of occupancy, the City shall develop on-site mitigation for wetlands at a 2:1 mitigation ratio for cattail marsh in the channel and a 1:1 mitigation ratio for open water. The proposed on-site mitigation shall be made part of the Section 404 Permit required in Mitigation Measure 4.5.3. On-site mitigation shall be constructed and maintained by the City of Long Beach, subject to verification by the Director of Planning and Building, in accordance with the mitigation plan approved by the appropriate resource agencies (Corps, CDFG, and RWQCB).
- 4.5.5** Prior to issuance of grading permits, project plans subject to the approval of the City of Long Beach Director of Planning and Building shall specify that the on-site stilling basin will be planted with California native wetland species. The stilling basin will be subject to routine maintenance and cleaning. The planting of native wetland species in the stilling basin is provided in addition to the on-site mitigation area.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.5.3 through 4.5.5 will reduce project impacts to riparian habitat to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Federally protected wetlands.** Wetlands are of limited distribution and are often of high value to ecosystems. The total length of the drainage course associated with the retention basin within the project site is approximately 250 feet. The vegetation within the sediment deposits in this concrete-lined channel is cattail marsh. The vegetation within the drainage area meets the federal criteria for wetlands and the CDFG's criteria for jurisdictional waters of the State. In addition, the retention basin associated with this drainage, would be considered jurisdictional by both the federal

and State agencies. Mitigation Measures 4.5.3 through 4.5.5 will mitigate for jurisdictional impacts as well as for the proposed project's contribution to cumulative impacts resulting from the loss of the pond on the western side of the project area, even though it is not jurisdictional. With implementation of the Mitigation Measures 4.5.3 through 4.5.5, impacts to federally protected wetlands are reduced to a less than significant level.

**Finding:** City hereby finds that implementation of Mitigation Measures 4.5.3 through 4.5.5 will reduce project impacts to federally protected wetlands to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Wildlife Movement and Nursery Sites.** This area is expected to continue to serve a relatively minor function as a stopover in the "Pacific Flyway" used by birds during migration. Urban parks, residential backyards, and street trees all serve to support birds during migration. Therefore, given the extent of urban landscaping in Long Beach, the existence of larger parks with substantial water bodies, and the fact that the area will be redeveloped into a park-like facility, the loss of this habitat with respect to use by migratory birds is considered less than significant. Nesting birds are protected during nesting by State law and/or by the federal Migratory Bird Treaty Act. While loss of trees on the site is not considered a significant biological impact, destruction of active nests for most avian species is legally prohibited. These impacts are less than significant but nevertheless require mitigation to ensure compliance with State and federal regulations pertaining to loss of potential habitat on site.

**4.5.1** Prior to issuance of any demolition or grading permits, a City of Long Beach Building Official shall verify that tree and shrub removal on the project site is restricted to the period between August 1 to December 31, which is outside the normal nesting season for most raptors and other birds protected by the Migratory Bird Treaty Act. If it is necessary to conduct tree and shrub removal between December 31 and August 1, a qualified biologist must be retained by the City of Long Beach to survey the area for active nests prior to removal and to monitor the area during the removal process. In the event of discovery of active nests in an area to be cleared, protective measures shall be taken to avoid any impacts to the nests until the nesting activity is completed.

**Finding:** The City hereby finds that potential impacts related to wildlife movement and wildlife nursery sites are less than significant and implementation of Mitigation Measure 4.5.1 will ensure compliance with State and federal regulations pertaining to loss of potential habitat on site. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Cumulative Biological Impacts (Riparian/Wetland Habitat).** The project's small incremental contribution to the loss of riparian/wetland habitat in the region is offset by the Mitigation Measures 4.5.3 through 4.5.5 above.

The project's impacts to disturbed ruderal and ornamental vegetation are not cumulatively considerable because these habitats are common, are not regionally sensitive, and do not support sensitive species. The impacts to the nesting loggerhead shrikes observed within the project area will result in a contribution to a cumulative impact on this species. Cumulative impacts to the loggerhead shrikes are discussed in Section 4 of this document.

**Finding:** The City hereby finds that cumulative project impacts related to the loss of riparian/wetland habitat are less than significant with implementation of Mitigation Measures 4.5.3 and 4.5.5. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### **Cultural and Paleontological Resources**

**Impact: Archaeological Resources.** Based on an archaeological survey in the 1970s and a project site survey conducted in 1999, it is concluded that there are no known prehistoric resources on the site. However, highly disturbed and scattered marine shell is present within the project area. The shell is not considered a prehistoric archaeological resource, but more likely the result of the import of fill soil. Nevertheless, it is possible that unknown buried prehistoric archaeological resources will be encountered during ground-disturbing activities. Mitigation Measure 4.6.5 shall be conducted in compliance with the City of Long Beach, CEQA, and SVP Guidelines. Mitigation Measure 4.6.5 reduces potential impacts to unknown archaeological resources to a less than significant level.

**4.6.5** In conjunction with the submittal of applications for rough grading permits, the Director, Department of Planning and Building, shall verify that a Los Angeles County certified archaeologist has been retained, shall be present at the pregrading conference, and shall establish procedures for temporarily halting or redirecting work if unrecorded archaeological resources are discovered during grading to permit the sampling, identification, and evaluation of archaeological materials as appropriate. The cultural resource management program will include resource monitoring during project grading of archaeologically sensitive sediments to ensure that unidentified cultural resources are not affected by the proposed undertaking. If archaeological materials are identified during construction, standard professional archaeological practices shall be initiated to characterize the resources and mitigate any impacts to those resources. Included within this program will be the development of a curation agreement for the permanent care of materials collected from the project. This agreement would be negotiated with a suitable repository.

**Finding:** The City hereby finds that project impacts to unknown archeological resources are reduced to a less than significant level with implementation of Mitigation Measures 4.6.5. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Paleontological Resources.** There are no known paleontological localities within the project area; however, Pleistocene fossils are known to occur based on research and construction-related excavations in the Los Angeles Basin in deposits similar to those that occur within the project. Therefore, the potential exists to encounter similar fossils during ground-disturbing activities whenever these sediments are encountered. Mitigation Measure 4.6.4 shall be conducted in compliance with the City of Long Beach, CEQA, and SVP Guidelines. Mitigation Measure 4.6.4 reduces potential impacts to unknown paleontological resources to a less than significant level.

**4.6.4** In conjunction with the submittal of applications for rough grading permits for the proposed project, the Director of Planning and Building shall verify that a paleontologist who is listed on the County of Los Angeles list of certified paleontologists has been retained and will be on site during all rough grading and other significant ground-disturbing activities in paleontologically sensitive sediments. The sensitive sediments that have been identified within the project include the Lower to Middle Pleistocene San Pedro Formation and the Middle to Upper Pleistocene undifferentiated terrace deposits. A paleontologist will not be required on site for excavation in Quaternary colluvial/alluvial sediments unless it is determined that these sediments do in fact contain paleontological resources. A paleontologist will not be required on site if excavation is only occurring in artificial fill.

The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) consistent with the Guidelines of the Society of Vertebrate Paleontology (SVP 1995). This program should include, but not be limited to, the following:

- A preconstruction field assessment to locate fossils at surface exposures prior to the commencement of grading. Salvage of any fossils located during this assessment, including processing standard samples of matrix for the recovery of small vertebrate fossils.
- Attendance at the pregrade conference.
- Monitoring of excavation by a qualified paleontological monitor in areas identified as likely to contain paleontological resources. The monitor should be equipped to salvage fossils as they are unearthed in order to avoid construction delays and to remove samples of sediments that have been determined likely to contain remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment in order to allow removal of abundant or large specimens. If major paleontological resources that require long-term halting or redirecting of grading are discovered, the paleontologist shall report such findings to the Director of Planning and Building.
- Because the underlying marine sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix, it is recommended that these sediments occasionally be spot-screened through one-eighth to one-twentieth mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples, up to 6,000 pounds, shall be collected and processed through one-twentieth mesh screens to recover additional fossils.
- Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils.



- Identification and curation of specimens into a museum repository with permanent retrievable storage.

Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the Department of Planning and Building, would signify completion of the program to mitigate impacts to paleontological resources.

**Finding:** The City hereby finds that project impacts to unknown paleontological resources are reduced to a less than significant level with implementation of Mitigation Measures 4.6.4. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Disturb Human Remains Outside Formal Cemeteries.** There are no facts or evidence to support the idea that either Native American or people of European descent have been buried on the project site. However, should human remains be discovered, standard procedures for the respectful handling of human remains during the earthmoving activities would be adhered to as described in the mitigation measures below. Mitigation Measure 4.6.6 shall be conducted in compliance with the City of Long Beach, CEQA, and SVP Guidelines. Mitigation Measure 4.6.6 reduces potential impacts related to the disturbance of unknown buried human remains to a less than significant level.

**4.6.6** In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the descendant may inspect the site of the discovery. The descendant shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

**Findings:** The City hereby finds that implementation of Mitigation Measure 4.6.6 reduces potential impacts related to the disturbance of unknown buried human remains to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Cumulative Impacts to Cultural and Paleontological Resources.** The loss of the existing Compressor Building on the site will contribute to the cumulative loss of historical resources in the region, particularly resources associated with the oil industry. Mitigation Measures 4.6.1 and 4.6.2 will reduce the contribution to project and cumulative effects by documenting the structure and incorporating information and/or machinery into interpretive programs. The proposed project, in

conjunction with other past, present, or reasonably foreseeable future projects, has the potential to result in a cumulative impact due to the loss of undiscovered archaeological and paleontological resources during grading and construction activities. Mitigation Measure 4.6.4 and 4.6.5 reduces potential cumulative impacts to unknown cultural and paleontological resources to a less than significant level.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.6.1, 4.6.2, 4.6.4 and 4.6.5 reduces potential cumulative impacts related to cultural and paleontological resources to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## Public Services and Utilities

### Impact: Generate Demand for Services

- **Police Protection.** The nature of the proposed project will lead to an increase in the number of visitors or patrons on site who may generate additional calls for police services. In particular, police resources needed for large events may require officers from neighboring beats or stations to maintain adequate and appropriate response capabilities. Close supervision by park employees will help ensure that conduct and behavior stays within park safety rules. On-site security for the Sports Park will be provided by regular staff or by a professional security firm, if warranted. The City of Long Beach Police Department (LBPD) recommended that Crime Prevention Through Environmental Design (CPTED) guidelines be applied during final site plan refinement to further reduce potential increases in demand for police services to the extent feasible (March 31, 2004). Mitigation Measure 4.7.1 requires the City of Long Beach to incorporate CPTED design guidelines and public safety measures to further reduce possible impacts to LBPD services and personnel.
- **Fire Protection.** The proposed project will not require 10 or more additional personnel to maintain acceptable service ratios, response times, or other performance objectives. The project will comply with all Long Beach Fire Department and CFC requirements, including access requirements, the placement of fire hydrants, and the use of sprinkler and standpipe systems. Regardless of the type and nature of activities, the City of Long Beach Fire Department will be able to service the proposed project at the same levels provided to the remainder of the City, and no significant impacts to fire protection services are expected as a result of project implementation (March 2, 2004).
- **Schools.** Analysis of potential impacts to school facilities focuses on impacts associated with demand for new or expanded public education facilities resulting from the construction of new housing units. The proposed project does not contain a residential element or involve the construction of residential units. As such, the proposed project will not increase demand or negatively impact capacity in the LBUSD. Moreover, the project site is not located in an area with an identified future growth need. The closest schools to the proposed project are several miles away and will not be impacted by the proposed project.
- **Libraries.** The proposed project is not a residential development, and no increase in population is expected to occur as a result of project implementation. The proposed project is not expected to

have a significant impact on library services in the City of Long Beach or to create a need for the expansion of library facilities or staffing levels. No mitigation is necessary to reduce project impacts to below a level of significance.

- 4.7.1** The City of Long Beach, in cooperation with the LBPD, shall develop and implement a security plan prior to commercial operation of the proposed project. The applicant shall incorporate CPTED principles and other crime prevention features that may include, but are not limited to, strategically placed lighting, the use of vines or planted coverings on walls to discourage graffiti, and video surveillance. The safety plan may also include clearly defined rules of play and conduct to be enforced by park employees. The Director of Planning and Building shall verify inclusion of physical public safety measures at the time of Plan Check. Operational conditions will be specified in the lease agreement.

**Finding:** The City hereby finds that implementation of Mitigation Measure 4.7.1 requiring incorporation of CPTED design guidelines and public safety measures reduces possible impacts to LBPD services and personnel to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Compliance With Federal, State, and Local Statutes and Regulations Related to Solid Waste.** California State Assembly Bill (AB) 939 requires that every city and county in California implement programs to recycle, reduce refuse at the source, and compost waste to achieve a 50 percent reduction in solid waste being taken to landfills. In order to assist in meeting this goal, the proposed development will be required to incorporate the storage and collection of recyclable materials into the project design and to include provisions for collection of recyclables in refuse collection contracts. Mitigation Measures 4.7.2 and 4.7.3 will assist the City in its effort to meet its waste reduction goals by facilitating recycling on site.

- 4.7.2** A solid waste management plan for the proposed project shall be developed and submitted to the City of Long Beach Director of Public Works for review and approval prior to issuance of grading permits. The plan shall identify methods to promote recycling and reuse of construction materials as well as safe disposal consistent with the policies and programs outlined by the City of Long Beach. The plan shall identify methods of incorporating source reduction and recycling techniques into project construction and operation in compliance with State and local requirements such as those described in Chapter 14 of the California Code of Regulations and AB939.
- 4.7.3** Prior to issuance of building permits, the Director of Planning and Building shall verify that adequate storage space for the collection and loading of recyclable materials has been included in the design of buildings and waste collection points throughout the project site to encourage recycling.

**Finding:** The City hereby finds that Mitigation Measures 4.7.2 and 4.7.3 will assist the City in its effort to meet its waste reduction goals by facilitating recycling on site. Project impacts related to

compliance with federal, State, and local statutes and regulations for solid waste are less than significant. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### Traffic and Circulation

**Impact: Safety Hazards from Design Features or Incompatible Uses.** Sight distances at the project driveways appear to be adequate as California Avenue, Spring Street, and Orange Avenue are relatively straight (i.e., nominal horizontal curves). However, due to the vertical grades, a detailed sight distance analysis will be prepared for the project driveways, especially those along Orange Avenue, as part of the project's grading, landscape, and street improvement plans to ensure that safe access and egress is provided.

- 4.9.9** Prior to issuance of grading permits, the City of Long Beach shall, under the direction of the Director of Public Works, complete a detailed sight distance analysis for the proposed project driveways along Orange Avenue. The sight distance analysis shall be prepared according to the City of Long Beach Zoning Code and the Caltrans Highway Design Manual standards and guidelines, and indicate limited use areas (i.e., low height landscaping), and on-street parking restrictions (i.e., red curb), if necessary. The findings of the sight distance analysis shall be included in a report subject to review and approval by the Directors of Planning and Building and Public Works, or designees.

**Finding:** The City hereby finds that Mitigation Measures 4.9.9 reduced potential project impacts related to safety hazards from design features or incompatible uses to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### Noise

**Impact: Ambient Noise Levels.** Implementation of the proposed project would result in short-term construction noise and a less than significant increase in long-term traffic noise. Although the revised project would result in an increase in the quantity of on-site grading, it is anticipated that the grading period will be extended by two weeks (to 8–10 weeks); therefore, there will not be a change in the amount of construction equipment or number of hours per day for grading. Once the project has been completed the noise generated by on-site activities may impact neighboring sensitive uses. The closest sensitive land uses to the project site are the cemeteries immediately to the south and the Long Beach Memorial Medical Center located approximately one-half mile to the west. Noise impacts generated by traffic associated with the proposed project do not exceed the level of significance because vehicular traffic trips associated with the project would add less than 3 dBA to existing noise levels. For that reason, the proposed project would not result in significant traffic noise impacts on off-site sensitive uses, and no traffic noise mitigation measures are proposed. Mitigation is required to reduce the effects of short-term construction impacts.

- 4.11.1 Construction will be limited to the hours of 7:00 a.m. to 10:00 p.m. Monday through Friday in accordance with the City of Long Beach's standards. No construction activities are permitted outside of these hours or on weekends and federal holidays.
- 4.11.2 The following measures are included to further reduce potential construction noise impacts on nearby sensitive receptors:
- a. During all site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - b. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.11.1 and 4.11.2 reduce short-term noise impacts associated with construction to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Conflicts with adopted environmental plans and goals.** The Noise Element of the General Plan contains noise standards for mobile noise sources. These standards address the impacts of noise from adjacent roadways and airports. The City specifies outdoor and indoor noise limits for residential uses, places of worship, educational facilities, hospitals, hotels/motels, and commercial and other land uses. The noise standard for exterior living areas is 65 dBA CNEL. The indoor noise standard is 45 dBA CNEL, which is consistent with the standard in the California Noise Insulation Standard.

The City of Long Beach has adopted a quantitative Noise Control Ordinance, No. C-5371 Long Beach 1978 (Municipal Code, Chapter 8.80). The ordinance establishes maximum permissible hourly noise levels ( $L_{50}$ ) for different districts throughout the City. The City's Noise Control Ordinance also governs the time of day that construction work can be performed. The Noise Ordinance prohibits construction, drilling, repair, alteration, or demolition work between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or at any time on weekends or federal holidays if the noise would create a disturbance across a residential or commercial property line or violate the quantitative provisions of the ordinance.

Mitigation Measure 4.11.1 (above) will insure compliance with applicable environmental plans and goals related to noise control in the City of Long Beach.

**Findings:** The City hereby finds that implementation of Mitigation Measures 4.11.1 and 4.11.2 will ensure compliance with applicable environmental plans and goals and will reduce project impacts related to noise to a less than significant level. Therefore, in consideration of all of the above, the

changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## Aesthetics

**Impact: New Source of Substantial Light or Glare.** Proposed lighting will generate new spill light, and glare and sky glow may occur periodically under certain weather conditions. However, project lighting will not exceed thresholds of significance. The lighting plans for the sports facilities are designed to minimize off-site light and glare. Precautionary mitigation measures are recommended to further minimize light and glare effects. Mitigation Measures 4.12.1 through 4.12.3 are designed to further reduce possible project impacts related to new sources of light and glare.

- 4.12.1** The preliminary lighting plan shall be finalized as part of subsequent refinements in site master planning prior to City authorization to construct. The plan shall be designed to prevent light spillage in excess of that which has been referenced and analyzed in this EIR. Prior to issuance of building permits, the lighting plan shall be reviewed and approved by a City of Long Beach Director of Planning and Building, demonstrating that project lighting has no more effect on off-site properties than what is described in this EIR.
- 4.12.2** Prior to issuance of certificates of occupancy, a qualified lighting engineer/consultant to the City of Long Beach Department of Planning and Building shall verify that energy-efficient luminaries that control light energy are used and that exterior lighting is directed downward and away from adjacent streets and adjoining land uses in a manner designed to minimize off-site spillage. The lighting engineer/consultant shall further verify that more than 60 percent of the total light output is below the maximum candle power (center of the beam) which is directed at the field to be illuminated so that spill light and glare are minimized.
- 4.12.3** Prior to issuance of certificates of occupancy, a Building Official shall verify that the lighting plan restricts operational hours as follows: 100 percent illumination from dusk to close of sports activities; 50 percent illumination from the close of sports activities until one hour after all patrons have departed the site; and only security level lighting from one hour after closure until dawn.

**Finding:** The City hereby finds that aesthetic impacts related to light and glare will be reduced to a less than significant level with implementation of Mitigation Measures 4.12.1 through 4.12.3. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## Hazards and Hazardous Materials

**Impact: Health risk related to the use, production, or disposal of hazardous materials.** The results of the Human Health Risk Assessment (HRA) indicate that the site does not pose an adverse impact to human health in its existing condition. There is a potential risk associated with a potential oil well spill from active oil wells or pipeline leakage; however, crude oil is considered a designated

waste, not a hazardous waste, under current California regulations. Cleaning oil well spills are now and will continue to be the responsibility of SHPI in accordance with standard regulatory procedures.

Numerous subsurface pipelines that traverse the site have been documented, including crude oil pipelines and sanitary sewer, water, and gas utility pipelines. These lines are generally either shallowly buried or exposed at the surface. There is also an approximately 25-foot-wide pipeline corridor along and parallel to the southern boundary of the site that contains water, gas, gasoline, crude, and natural gas pipelines. Although there are no known areas on site where leaks have occurred, it is not uncommon to encounter petroleum hydrocarbon releases from some of the oil product pipes as a result of deteriorating piping due to age and faulty connections. Therefore, there is the potential for the transportation of a hazardous material through the pipeline corridor (for example, gasoline is flammable and contains benzene, a known carcinogen). All of the pipelines and easements in the pipeline corridor currently exist and are not proposed to be disturbed by the proposed project. The proposed project will, however, result in greater numbers of people on the project site in proximity to the corridor. Therefore, as a result of the potential transport of hazardous materials and the additional people on site, there is a potentially significant impact from pipeline leakage. Implementation of Mitigation Measures 4.13.9 and 4.13.10 will reduce potential impacts related to the operation of pipelines on the project site to a less than significant level.

**4.13.9** Prior to issuance of building permits, the project applicant shall provide plans and specifications to the Building Official and the City of Long Beach Fire Chief demonstrating the following: all active wells shall be provided with safety shutdown devices. All active wells and associated equipment within the project site shall be enclosed by a minimum six-foot-high fence, to be configured to allow necessary servicing. Suitable gates, capable of allowing passage of large workover equipment, shall be provided in the enclosures. Each enclosure shall be graded to ensure containment of potential spills within the enclosure. To restrict access, the use of climbable landscaping around the perimeters of the enclosures shall be avoided. The project proponent shall demonstrate to the satisfaction of the Fire Chief (or his/her representative) that suitable safety and fire protection measures (i.e., setbacks) have been incorporated into the project design (see Mitigation Measure 4.13.11).

**4.13.10** Subject to verification by the Building Official, the City shall require that all new or relocated pipelines on or adjacent to the project site be equipped with check valves in a manner that reduces the risk of pipeline leaks on site, prior to the issuance of building permits for the proposed project.

**Findings:** The City hereby finds that implementation of Mitigation Measures 4.13.9 and 4.13.10 will reduce potentially significant impacts related to the operation of pipelines on the project site to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Exposure to Chemicals of Concern due to a Hazardous Material Release.** The results of the Human Health Risk Assessment (HRA) indicate two potentially significant impacts to public health due to exposure to the residual detected concentrations of the metals beryllium, cadmium, and

nickel at 1 foot and the metals arsenic, beryllium, and cadmium at 10 feet bgs. These estimated risk values are within USEPA's "safe and protective of public health" risk range; however, they exceed accepted regulatory criterion used to define risk in relation to human health impacts (health risk greater than  $1 \times 10^{-6}$ ).

Without implementation of mitigation measures, the possibility of potential short-term health risks to construction workers and the adjacent community occurring during demolition of the existing on-site structures also could not be ruled out. It is conceivable that some of the existing structures on site may contain asbestos containing building materials (ACMs), lead-based paint (LBP), and/or PCBs, which will require air monitoring and control to prevent potential short-term health risks to construction workers and the adjacent community during demolition of these structures. In addition, former uses on portions of the site may have involved hazardous materials that possibly resulted in soil contamination, although this is considered unlikely at this time based on extensive soil sampling. It is also conceivable that if contamination is subsequently found on portions of the site, it may require remediation and control to prevent potential short-term health risks to construction workers and the adjacent community. Mitigation measures are required to reduce or eliminate the identified potential short-term impacts resulting from possible existing contamination during demolition of existing structures and project grading.

**4.13.1** Pre-Demolition surveys: Prior to issuance of any demolition, grading, or street work permits for the project, pre-demolition surveys for ACMs and LBPs (including sampling and analysis of all suspected building materials) and inspections for PCB-containing electrical fixtures will be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (e.g., ASTM E 1527-00, and 40 CFR, Subchapter R, Toxic Substances Control Act [TSCA], Part 716). All identified ACMs, LBPs, and PCB-containing electrical fixtures shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, 763). Air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations and to provide safety to workers and the adjacent community (e.g., SCAQMD). The City of Long Beach Public Works Department shall provide documentation (including all required waste manifests, sampling and air monitoring analytical results, etc.) to the Department of Human and Health Services that abatement of any ACMs, LBPs, or PCB containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, 795).

**4.13.2** Health and Safety Plan: Prior to issuance of any demolition, grading, or street work permits for the project, a Health and Safety Plan shall be prepared by the City of Long Beach or its contractor in coordination with the LARWQCB for all workers in accordance with federal, State, and local regulations for use during construction. The Health and Safety Plan shall include:

- A summary of all potential risks to construction workers, monitoring programs, maximum exposure limits for all site chemicals, and emergency procedures
- The identification of a site health and safety officer



- Methods of contact, phone number, office location, and responsibilities of the site health and safety officer
- Specification that the site health and safety officer be contacted immediately by the contractor should any potentially toxic chemical be detected above the exposure limits, or if evidence of soil contamination is encountered during site preparation and construction
- Specification that the City of Long Beach Fire Department is to be notified if evidence of soil contamination is encountered
- Specification that an on-site monitor will be present to perform monitoring and/or soil and air sampling during grading, trenching, or cut or fill operations

The Health and Safety Plan is to be approved by the LARWQCB and provided to all contractors on the project site. The Health and Safety Plan is required to be amended as needed if different site conditions are encountered by the site health and safety officer.

- 4.13.3** SWPPP: Prior to issuance of a grading permit, the construction contractor shall submit a SWPPP to the City that shall include the BMP types listed in the *California Stormwater BMP Handbook—Construction Activity*. The SWPPP shall be prepared by a civil or environmental engineer and will be reviewed and approved by the Director of Public Works in accordance with Mitigation Measure 4.4.1
- 4.13.4** Soil Management Plan: Prior to issuance of any demolition, grading, or street work permits for the project, the procedures to be followed in the event discolored and/or odiferous soil is discovered will be provided in a site-specific Soil Management Plan. The Soil Management Plan is to be approved by the LARWQCB and provided to all contractors on the project site.
- 4.13.6** Methane testing is required to reduce or eliminate the identified potential impacts resulting from the possible presence of methane on the site in the postgrading condition: Prior to issuance of any building permits for the project, but not before 30 days after rough grading, methane testing will be performed when the project site is at final rough grade. Soil gas probes shall extend approximately five feet below the cut/interface at each fill testing location, and in areas of cut, the depth of the probes shall be 20 feet bgs. Prior to issuance of any building permit or authorization to construct hardscape, the Building Official shall review and approve a report by a registered geologist reporting methane testing results and recommendations. Based on the results of this additional methane testing, mitigation, if warranted to keep the risk of explosion to within acceptable risk parameters (more than likely consisting of a passive venting system), will be required to be implemented prior to construction of each structure and areas of hardscape.
- 4.13.8** The City of Long Beach is required to perform soil and air sampling during grading, trenching, and cut or fill operations and to provide an on-site, third-party monitor of these efforts. The third-party monitor shall be allowed to inspect the monitoring and testing activities on-site as well as the records and test results. The purpose of the monitoring and testing activities is to ensure that surface soil conditions, conditions of exposed soils, and air conditions are safe and acceptable for on-site workers, as well as residents and workers of properties adjacent to the site. The third-party monitor is also responsible for monitoring compliance with mitigation related to dust control as included in Section 4.8, Air Quality.

The third-party monitor will be responsible for preparing and submitting weekly activity reports and testing results to the City of Long Beach Building Official.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.13.1 through 4.13.4, 4.13.6, and 4.13.8 reduces potential short term project impacts resulting from possible existing contamination during demolition of existing structures and project grading to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Creation of a Public Hazard through the Release of Airborne Emissions or Substantial Risk of Upset.** There are potential hazards associated with oil wells, including fire and explosion. Potential fire hazards include pool fires resulting from a release of crude oil products, spray fires resulting from the release of crude oil products under pressure, and jet flames resulting from a release of gaseous products. The Long Beach oil wells under consideration are not considered volatile and have very low crude-water mixtures and operational pressures, making the possibility of any one of these events remote. Nevertheless, a potentially significant impact has been identified related to the potential for oil well or pipeline failure and leakage, leading to a fire.

- 4.13.5** Emergency Action Plan: Prior to issuance of any demolition, grading, or street work permits for the project, an Emergency Action Plan will be prepared by the City addressing responsible actions required in the event of damage to the operating oil wells during site grading activities. This plan is required to be approved by the City of Long Beach Fire Chief prior to initiating grading activities. The Emergency Action Plan is to be provided to all contractors on the project site.
- 4.13.7** Prior to issuance of grading permits, the project proponent shall demonstrate to the satisfaction of the Building Official and the City of Long Beach Fire Chief that adequate clearance and access to idle and active wells on the project site will be maintained for mobile rigs and well workover equipment, or alternatively that the well operations have been shut down temporarily and in accordance with applicable DOGGR and City regulations in order to allow for safe grading operations.
- 4.13.11** Fire Safety Study: Prior to issuance of grading permits, the City or its contractor will prepare a fire safety study of all of the operating oil wells, proposed building setbacks, and site design to the satisfaction of the Fire Chief and Building Official. The purpose of the study is to determine the base level of protection that the CFC provides and recommend alternative safety measures. The alternative safety measures will provide the nonconforming distance requirements with an equal or greater level of safety as prescribed by the Code. The safety measures may include:
- Install an in-ground concrete cellar box around oil wells in conjunction with the installation and maintenance of one-inch-thick steel plate covers on top of the cellar box with a maximum nine-square-foot opening to permit penetration of the wellhead. The

installation of a float-controlled automatic shut-off switch for the well pump is also recommended.

- Use exterior, well-facing walls of rated construction and limited or protected openings to protect the buildings and occupants.
- Openings and/or exterior walls may be protected by an open-head (deluge) water curtain installed in accordance with the requirements of the City of Long Beach (City). Please note that the deluge water curtain system should be installed at the exterior of the building directly beneath the eaves. The sprinkler system should comply with applicable standards and other requirements of the City, and is intended to cool the wall of the structure to provide protection from an adjacent fire exposure. Sprinklers for this application should be of an open-head (deluge) pendant or sidewall type. The sprinklers should be wax coated to minimize corrosion and should be installed in accordance with the manufacturer's listing, but not to exceed a 6-foot spacing. In addition, the sprinklers should be connected to an approved alarm bell to provide occupant notification. Heat detectors (135° or similar) are required to be installed at the eaves in accordance with manufacturer's requirements to activate the deluge water curtain system. This will require separate submittal(s) to the Long Beach Fire Department by a licensed installing contractor.
- Maintain daily operator surveillance of oil well sites to assist the operator to detect potential problems with the active wells.
- Code complying clearances of weeds and debris must be maintained for fire prevention, as well as for well maintenance.
- Shield oil wells with a non-combustible barrier at least six feet in height between the respective oil wells and the structures, if necessary. The barrier may consist of any noncombustible materials including but not limited to concrete masonry unit (CMU) walls, metal panels, or other approved assemblies.
- Maintenance of an area 25 feet from wells that is free of source of ignition, including but not limited to dry weeds, grass, rubbish, or other combustible material.
- All nonactive wells will be abandoned, or reabandoned if necessary, in accordance with DOGGR standards.

The study will quantify the equivalent level of safety offered by the current applicable code (2001 CFC) in order to establish appropriate benchmarks. These benchmarks will be used when determining appropriate mitigation measures for the non-conforming building separation distances. Specifically, it is the intent to provide an equivalent or greater level of safety to that intended by the code for actual hazards associated with the location of the structures.

**Finding:** The City hereby finds that implementation of Mitigation Measures 4.13.5, 4.13.7, 4.13.9, and 4.13.11 reduce public health and safety hazards related to oil well fires to a less than significant level. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## SECTION 4: SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

As previously stated, the Final EIR identified certain potentially significant effects that could result from the proposed project. The City finds for each of the significant or potentially significant impacts identified in this section, Section 4, based upon substantial evidence in the record, that changes or alterations have been required or incorporated into the proposed project that substantially lessen the significant effects as identified in the Final EIR,<sup>1</sup> however, even with adoption of the mitigation measures set forth below, project impacts are not reduced below a level of significant.

### Biological Resources

**Impact: Cumulative Biological Impacts (Loggerhead Shrike).** A nesting pair of loggerhead shrike and a pair of red-tailed hawk were observed on the site. The loggerhead shrike is a California Department of Fish and Game species of special concern. While the decline in population in this region reflects the population decline for this species in much of the United States, the problem is more acute in coastal Los Angeles County, where few breeding pairs of loggerhead shrikes are known to exist.

As described in Section 3, Mitigation Measure 4.5.2 requires the planting of a native vegetation area adjacent to the southern boundary of the project site in order to create open habitat with isolated patches of dense shrubs suitable for nesting by the loggerhead shrike. Although project impacts are mitigated to below a level of significance, the impacts to the nesting loggerhead shrikes within the project area will result in a contribution to a cumulative impact on this species. While the planting of native habitat on the southwestern portion of the site will provide some habitat for the loggerhead shrike in association with potential foraging habitat in the cemetery, continued breeding by this species may not occur. Therefore, the loss of breeding territory for the loggerhead shrike may not be fully mitigated and would result in a contribution to significant cumulative impacts.

**Finding:** The City hereby finds that the loss of breeding territory for the loggerhead shrike may not be fully mitigated and would result in a contribution to significant cumulative impacts.

The City finds that cumulative biological impacts related to the loggerhead shrike that will result from implementation of the proposed project are acceptable based on the City's inclusion of mitigation for project impacts, the overall inability to mitigate the cumulative impacts despite inclusion of mitigation, benefits of the site improvements associated with the project; recreational, educational, and employment benefits to the community, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

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<sup>1</sup> CEQA Guidelines, Section 15091.

## Cultural Resources

**Impact: Historic Resources.** There is one historic building on site (1923 Compressor Building) and one adjacent off site (Lomita Gasoline Company Office Building). Both have been previously identified as eligible for listing on the National Register. There is also a historic landmark cemetery adjacent to the project site. The proposed project will result in direct impacts to the Compressor Building. In order to accommodate the necessary site grading and the proposed recreation facilities, the building will be demolished. The historic Lomita Gasoline Company Office Building (“the Building”) is located adjacent to the proposed project on an “out-parcel” created to allow preservation of the historic resource. Short-term impacts from construction activities, including vibration and visual and noise impacts, will not materially impair the eligibility of the Building. Long-term, permanent impacts will be from alteration of the visual setting of the Building through demolition of the Compressor Building and construction of the perimeter wall and an increased/altered noise profile (although the perimeter wall will attenuate the auditory impacts). Implementation of Mitigation Measures 4.6.1 through 4.6.3 will reduce project impacts on the Compressor Building and the Lomita Gasoline Company Office Building to the extent feasible; however, significant unavoidable adverse impacts will remain.

- 4.6.1** The Compressor Building and ancillary facilities shall be thoroughly documented through HABS/HAER-like (Historic American Building Survey/Historical American Engineering Record) Level 1 prior to the beginning of any demolition activity at this site. The documentation shall be submitted to the City’s Historic Preservation Officer for review and approval prior to issuance of demolition permits.
- 4.6.2** Prior to issuance of demolition permits, detailed plans/programs shall be submitted for review and approval by the City’s Historic Preservation Officer, addressing the following:
- The salvage of significant machinery and engineering components associated with the Compressor House, and the donation and curation of those items at a designated museum facility, shall be considered.
  - Development of an interpretive program for schools in the Long Beach area shall be considered. This program could discuss the petroleum industry, associated technology, and the role the petroleum industry played in the historic development of the City of Long Beach.
  - Utilizing new technologies, consideration shall be given to developing a virtual tour of the facility prior to its alteration.
  - The history of Lomita-Petrolane and/or its interpretation shall be integrated into the design of the proposed Long Beach Sports Park.
- 4.6.3** Prior to issuance of building permits, detailed plans addressing the visual impact of the proposed development on the Lomita Gasoline Company Office Building shall be submitted for review and approval by the City’s Historic Preservation Officer. Visual impacts to the office building shall be minimized through the use of decorative landscaping, choice of appropriate construction materials, and design of surrounding improvements.

**Finding:** Implementation of Mitigation Measures 4.6.1 and 4.6.3 will reduce project impacts on the Compressor Building and the Lomita Gasoline Company Office Building to the extent feasible; however, significant unavoidable adverse impacts will remain.

The City finds that cumulative impacts related to the Compressor Building and the Lomita Gasoline Company Office Building that will result from implementation of the proposed project are acceptable based on the City's inclusion of mitigation for project impacts, the overall inability to mitigate the impacts despite inclusion of mitigation, benefits of the site improvements associated with the project; recreational, educational, and employment benefits to the community, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### **Public Services and Utilities**

**Impact: Cumulative Impact related to the provision of solid waste disposal capacity at Class III landfills in Los Angeles County.** There is insufficient permitted capacity within the existing system serving Los Angeles County to provide for long-term nonhazardous solid waste disposal needs. Although the project's contribution is not the sole cause of the shortfall, when coupled with solid waste generated by future projects, the impact to solid waste disposal capacity is significant. As previously stated, Mitigation Measures 4.7.2 and 4.7.3 will reduce project impacts to regional waste disposal capacity to the extent feasible; however, even with recycling, additional regional long-term disposal capacity is needed to accommodate new developments. No additional mitigation is available that would reduce the project's cumulative impact on solid waste disposal capacity in Los Angeles County. Due to the existing deficiency in long-term waste disposal capacity, cumulative project impacts will remain significant.

**Finding:** The City hereby finds that the proposed project will result in a cumulatively significant unavoidable adverse impact related to the provision of solid waste disposal capacity at Class III landfills in Los Angeles County. Additional capacity is potentially available within Los Angeles County through the expansion of local landfills and outside of Los Angeles County through the use of waste by rail disposal at Eagle Mountain Landfill in Riverside County and the Mesquite Regional Landfill in Imperial County. While it is known that additional capacity is needed, the necessary permits and approvals have not yet been issued to access and/or use these facilities. Once these permits and approvals are issued, the cumulative impact of the proposed project will be mitigated to below a level of significance.

The City finds that cumulative impacts related to the provision of solid waste disposal capacity are acceptable based on the City's inclusion of mitigation for project impacts, the overall inability to mitigate the impacts despite inclusion of mitigation; benefits of the site improvements associated with the project; recreational, educational, and employment benefits to the community; and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## Air Quality

**Impact: Construction Emissions.** Air quality impacts would occur during construction of the proposed project from soil disturbance and equipment exhaust. Major sources of emissions during demolition, grading, and site preparation include exhaust emissions from construction vehicles and equipment and fugitive dust generated by construction vehicles and equipment traveling over exposed surfaces and demolition activities, as well as by soil disturbances from grading and backfilling. Construction impacts related to air quality include the following:

- Construction equipment/vehicle emissions during demolition and grading periods would exceed the South Coast Air Quality Management District (SCAQMD) established daily and quarterly thresholds for nitrogen oxides (NO<sub>x</sub>).
- Fugitive dust emissions during the grading periods would exceed the SCAQMD threshold of 150 pounds per day during construction even with mitigation. Prior to grading activity, the City must obtain a Rule 1166 Permit related to release of airborne contaminants.
- During peak grading days, daily total construction emissions of NO<sub>x</sub> and particulate matter with a diameter of 10 microns or less (PM<sub>10</sub>) would exceed the daily thresholds established by the SCAQMD. Emissions of other criteria pollutants would be below the thresholds.
- Architectural coatings contain volatile organic compounds (VOC) that are similar to reactive organic compounds (ROC) and are part of the ozone (O<sub>3</sub>) precursors. Although no detailed architectural coatings information is available for the project, compliance with the SCAQMD Rules and Regulations on the use of architectural coatings is required.

Although the revised project would result in an increase in the quantity of on-site grading, it is anticipated that the grading period will be extended by two weeks (to 8–10 weeks); therefore, there will not be a change in the amount of construction equipment or number of hours per day for grading, and thus, no change in the peak daily construction emissions.

**4.8.1** The City of Long Beach shall ensure that the project complies with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. The construction contractor shall be responsible for compliance with applicable regional rules. Following are the applicable Rule 403 measures:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).

- Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.)
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).
- Pave construction access roads at least 100 feet onto the site from main road.
- Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.

**4.8.2** The City of Long Beach shall require use of dust suppression measures in the SCAQMD CEQA Air Quality Handbook. The construction contractor shall be responsible for implementation of dust suppression measures.

- Revegetate disturbed areas as quickly as possible.
- All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph.
- All streets shall be swept once per day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site each trip.
- All on-site roads shall be paved as soon as feasible, watered periodically, or chemically stabilized.
- The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.

**4.8.3** The construction contractor shall select the construction equipment used on site based on low-emission factors and high energy efficiency. Prior to issuance of grading permits, the City of Long Beach Director of Planning and Building shall verify that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.

**4.8.4** The construction contractor shall utilize electric or diesel-powered equipment in lieu of gasoline-powered engines where feasible.

**4.8.5** Prior to issuance of grading permits, the City of Long Beach Director of Planning and Building shall verify that construction grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the overall length of the construction period will be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.

**4.8.6** The construction contractor shall time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.



- 4.8.7 The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
- 4.8.8 The City of Long Beach shall ensure that the project complies with the SCAQMD rules and regulations on the use of architectural coatings, which include use of pre-coated/natural-colored building materials, using water-based or low-VOC coating, and using coating transfer or spray equipment with high transfer efficiency. The construction contractor shall be responsible for compliance with applicable SCAQMD Rules and Regulations.

**Finding:** The City hereby finds that the proposed project would have significant unavoidable short-term construction air quality impacts after implementation of all feasible mitigation measures. Implementation of Mitigation Measures 4.8.1 through 4.8.8 will minimize construction emissions generated during project site preparation, grading, and construction; however, even with implementation of the mitigation measures, construction equipment/vehicle emissions during demolition and grading periods would exceed the SCAQMD established daily and quarterly thresholds for NO<sub>x</sub>, and on peak grading days, total construction emissions of NO<sub>x</sub> and PM<sub>10</sub> would exceed the daily thresholds established by the SCAQMD. With the implementation of standard conditions, such as frequent watering (e.g., a minimum of twice per day), fugitive dust emissions from construction activities are expected to be reduced by 50 percent or more; however, they would still exceed the SCAQMD threshold. Therefore, short-term construction impacts related to NO<sub>x</sub> and PM<sub>10</sub> emissions will be a significant unavoidable adverse impact. The City finds that this impact is acceptable based on the inclusion of mitigation, the overall inability to mitigate the cumulative impacts despite inclusion of mitigation, the grading and construction requirements of the proposed project, benefits of the site improvements associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Long-Term Operational Air Quality Impacts.** Long-term regional air emission impacts are those associated with stationary sources and mobile sources related to any change related to the proposed project. The proposed sports complex and commercial use would result in both stationary and mobile sources. Stationary source emissions come from the consumption of natural gas. Long-term operational emissions associated with the proposed project result from additional automobile trips generated by the project. Emissions from the project related to mobile sources would not exceed any criteria pollutant threshold during weekdays; however, project-related emissions would exceed the operational thresholds for Carbon Monoxide (CO) and NO<sub>x</sub> on Saturdays based on emission factors for 2004. The revised project would result in the generation of fewer vehicular trips than the master plan evaluated in the certified 2005 Recirculated EIR. Because most of the project's air quality impacts are generated by vehicle emissions, mitigation (Mitigation Measure 4.8.9) and design features required by compliance with Title 24 do not substantially reduce any long-term air quality impacts of the project.

- 4.8.9** The project is expected to create total (vehicular and stationary) daily emissions exceeding the daily emissions thresholds established by the SCAQMD.

The City of Long Beach shall ensure that the project complies with Title 24 of the California Code of Regulations established by the Energy Commission regarding energy conservation standards. During Plan Check, the City of Long Beach Building Official shall verify that the following measures are incorporated into project building plans:

- Solar or low-emission water heaters shall be used with combined space/water heater units.
- Double-paned glass or window treatment for energy conservation shall be used in all exterior windows.

**Findings:** The City hereby find that project emissions related to long-term regional air emissions remain significant unavoidable adverse. Mitigation Measure 4.8.9 reduces project impacts but not below a level of significance, since most of the project's long-term air quality impacts are generated by vehicle emissions. The City finds that this impact is acceptable based on the inclusion of mitigation, the overall inability to mitigate the long term impacts despite inclusion of mitigation, benefits of the site improvements associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### Traffic and Circulation

**Impact: Undesirable Peak-Hour Level of Service.** The revised project would generate approximately 344 fewer weekday daily project trips and 362 fewer weekend (Saturday) daily project trips than the master plan evaluated in the certified 2005 Recirculated EIR; however, the proposed project cumulatively impacts the intersections of Atlantic Avenue at Spring Street, Orange Avenue at Spring Street, and 32nd Street at Orange Avenue, causing these three intersections' adverse service levels to further deteriorate. The three intersections operate at acceptable levels of service with implementation of the required mitigation. The addition of project traffic at Orange Avenue and the I-405 SB ramps cumulatively impacts this unsignalized intersection, causing the LOS F condition of the minor street (I-405 SB off-ramp) to further deteriorate. Implementation of required mitigation will reduce project traffic impacts at this intersection to a less than significant level.

All five project driveways are forecast to operate at LOS A in the 2006 background condition with project traffic during the weekday p.m. peak hour and the weekend day midday peak hour. However, the minor approach of Project Driveway No. 3 is projected to operate at LOS E during the weekday p.m. peak hour and weekend day midday peak hour, with delays of 35.7 seconds per vehicle and 41.1 seconds per vehicle, respectively. By restricting access at Driveway Nos. 3 and 5 to "right-turns only" and re-routing left-turn project traffic at this location to Driveway No. 4 (Orange Avenue at 28th

Street), as stipulated in Mitigation Measure 4.9.6, acceptable service levels are maintained on all approaches to this project access point. To minimize delays for vehicles exiting the project site at Project Driveway # 4 (Orange Avenue at 28th Street), a five-phase traffic signal with protected northbound and southbound left-turns along Orange Avenue is required at this location and has been included in the project description and as Mitigation Measure 4.9.7. Implementation of this traffic signal will minimize vehicular delays for vehicles entering and exiting the project site and improve safety conditions at this project driveway.

The construction impacts that will result from the activities of equipment transport and construction and construction equipment operators will include a temporary increase in traffic activities during the construction phase of the project. Construction impacts are temporary during the period of construction, and the number of construction workers will vary depending on the specific construction activities over time. To reduce the impact of construction traffic, implementation of a construction management plan will be required to minimize traffic impacts upon the local circulation system in the area (Mitigation Measure 4.9.7). Based on the location of the site, and the proximity of the I-405 Freeway, it is anticipated that a majority of the construction-related traffic will utilize the freeway to gain regional access to the site. Traffic impacts to the adjacent roadway network will be minimal and not long-term.

In conjunction with the Long Beach Sports Park development, roadway improvements to Spring Street, Orange Avenue, and California Avenue will be completed. To ensure that implementation of these improvements takes place in a timely manner, they are shown on project plans and are also included as Mitigation Measures 4.9.10 and 4.9.11.

- 4.9.1** Prior to issuance of the first grading permit, the City of Long Beach, under the direction of the Director of Public Works, shall execute an agreement with the City of Signal Hill to contribute a fair share portion of the total costs for street improvements identified in Mitigation Measures 4.9.2 through 4.9.5. These fees shall be paid incrementally per lot or development site, prior to issuance of certificates of occupancy for such structures. Fees shall be provided by the City of Long Beach Director of Public Works.
- 4.9.2 Atlantic Avenue at Spring Street:** Prior to issuance of any certificates of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall widen Atlantic Avenue to provide a separate northbound right-turn lane to proceed eastbound on Spring Street. Alternatively, in the event that needed right-of-way cannot be acquired, it is recommended that the traffic signal be modified to provide protected/permissive southbound left-turn phasing on Atlantic Avenue. Projected year 2006 p.m. peak-hour traffic volumes warrant the installation of separate left-turn phasing on Atlantic Avenue. The project's fair-share responsibility to implement this improvement totals 12.5 percent.
- 4.9.3 Orange Avenue at Spring Street:** Prior to issuance of any certificates of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall convert the existing southbound right-turn lane to provide a second through lane on Orange Avenue, and restripe Orange Avenue south of Spring Street to provide two southbound departure lanes. Prior to issuance of any certificates of occupancy, the City of Long Beach shall also provide a separate eastbound right-turn lane on Spring Street to proceed northbound on Orange Avenue and modify the traffic signal per City of Signal Hill requirements. The project's fair-share

responsibility to implement this improvement totals 39.1 percent. Implementation of this improvement is subject to approval of the City of Signal Hill.

- 4.9.4 I-405 SB ramps at Orange Avenue:** Prior to issuance of any certificates of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall install a three-phase traffic signal at the I-405 southbound ramps and Orange Avenue intersection. The project's fair-share responsibility to implement this improvement totals 42.2 percent. Implementation of this improvement is subject to the approval of Caltrans.
- 4.9.5 32nd Street at Orange Avenue:** Prior to issuance of any certificates of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall upgrade the existing signal from a pretimed (fixed time) signal to an actuated signal. The project's fair-share responsibility to implement this improvement totals 28.0 percent. Implementation of this improvement is subject to the approval of the City of Signal Hill.
- 4.9.6 Project Driveway Nos. 3 and 5:** Prior to issuance of certificates of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall install street improvements and signage restricting access to "right in/right out" at Project Driveway Nos. 3 and 5. The City of Long Beach may also install a "pork chop" in the Project Driveways to restrict the turning movements of vehicles exiting the project site as determined by the City of Long Beach Traffic Engineer. Implementation of these improvements is subject to the approval of the City of Signal Hill.
- 4.9.7 Orange Avenue at 28th Street/Project Driveway No. 4:** Prior to the issuance of any certificate of occupancy, the City of Long Beach, under the direction of the Director of Public Works, shall install a traffic signal at the intersection of Orange Avenue and 28th Street per the City of Signal Hill requirements. Implementation of this improvement is subject to the approval of the City of Signal Hill.
- 4.9.8** Prior to the issuance of a grading permit, the City of Long Beach shall, under the direction of the City of Long Beach Traffic Engineer, design and implement a construction area traffic management plan. The plan shall be designed by a registered Traffic Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes. The plan shall identify the routes that construction vehicles will use to access the site, the hours of construction traffic, traffic controls and detours, off-site vehicle staging areas, and parking areas for the project. The plan shall also require the City to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt.
- 4.9.10 Orange Avenue:** In conjunction with the development of the Long Beach Sports Park, the City of Long Beach, under the direction of the Director of Public Works, shall widen and improve Orange Avenue bordering the project site in accordance with the City of Signal Hill Secondary Highway street standards and the streetscape concepts included in this EIR (Section 4.12, Aesthetics). South of Spring Street, Orange Avenue is designated as a Secondary Highway in the City of Signal Hill Circulation Element with an 80-foot-wide right-of-way section. Improvements will be completed prior to issuance of any certificates of occupancy for the project site. Implementation of this improvement is subject to the approval of the City of Signal Hill.

**4.9.11 California Avenue:** In conjunction with the development of the Long Beach Sports Park, the City of Long Beach, under the direction of the Director of Public Works, shall widen and improve California Avenue along project frontage in accordance with the City of Signal Hill Secondary Modified Highway street standards and the streetscape concepts included in this EIR (Section 4.12, Aesthetics). South of Spring Street, California Avenue is designated as a Secondary Modified Highway in the City of Signal Hill Circulation Element with a 70-foot right-of way section. Improvements will be completed prior to issuance of any certificates of occupancy for the project site. Implementation of this improvement is subject to the approval of the City of Signal Hill.

**Finding:** The significant traffic impacts of the proposed project can be mitigated to below a level of significance with implementation of the mitigation measures identified above. However, implementation of Mitigation Measures 4.9.3, 4.9.4, 4.9.5, 4.9.6, and 4.9.7 requires approval by one or more public agencies other than the City of Long Beach. Since implementation of these measures is completely or partially within the control of other jurisdictional agencies (i.e., Caltrans, City of Signal Hill), implementation cannot be ensured by the City of Long Beach. Should the City of Signal Hill and/or Caltrans choose not to approve the implementation of these measures, the project-related impacts may remain significant and adverse.

Therefore, the City hereby finds that project impacts to the following intersections will remain significant and adverse until the appropriate Responsible Agency approves and implements Mitigation Measures 4.9.3, 4.9.4, 4.9.5, and 4.9.7 and these Mitigation Measures are implemented by the City of Long Beach or other willing agency:

- Orange Avenue at Spring Street (Mitigation Measure 4.9.3)
- I-405 SB Ramps at Orange Avenue (Mitigation Measure 4.9.4)
- 32nd Street at Orange Avenue (Mitigation Measure 4.9.5)
- Orange Avenue at 28th Street/Project Driveway No. 4 (Mitigation Measure 4.9.7).

Approval from the City of Signal Hill is also required to install street improvements and signage restricting access to “right in/right out” at Project Driveway Nos. 3 and 5 per Mitigation Measure 4.9.6. Until the appropriate Responsible Agency approves Mitigation Measure 4.9.6, and this Mitigation Measure is implemented by the City of Long Beach or other willing agency, project impacts to the minor street approach (28th and Project Driveway No. 3) of the intersection of Orange and 28th Street will remain significant and adverse.

While operating within the limits of the interjurisdictional decision-making processes, the City of Long Beach is committed to working with Caltrans and the City of Signal Hill to implement these mitigation measures to the best of its ability.

The City finds that these impacts are acceptable based on the inclusion of mitigation, the overall inability to mitigate project impacts despite inclusion of mitigation, benefits of the site improvements associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

**Impact: Cumulative Traffic and Circulation Impacts.** An analysis of future (2006) background traffic conditions indicates that the addition of ambient traffic growth and cumulative project traffic will adversely impact 9 of the 18 key study intersections during the weekday p.m. peak commute hour. An analysis of future (2006) background traffic conditions indicates that the addition of ambient traffic growth and cumulative project traffic will adversely impact 1 of the 18 key study intersections during the weekend day midday peak hour. The results of the weekday p.m. peak hour traffic analysis indicated that the project will have cumulative traffic impacts at five study intersections. The results of the weekend day midday peak hour traffic analysis indicated that the project will have a cumulative project impact at 2 of the 18 key study intersections.

**Finding:** The significant cumulative traffic impacts of the proposed project can be mitigated to below a level of significance with implementation of the mitigation measures identified above. However, implementation of Mitigation Measures 4.9.3, 4.9.4, 4.9.5, 4.9.6, and 4.9.7 requires approval by one or more public agencies other than the City of Long Beach.

Therefore, the City hereby finds that cumulative project impacts to the following intersections will remain significant and adverse until the appropriate Responsible Agency approves and implements Mitigation Measures 4.9.3, 4.9.4, 4.9.5, and 4.9.7 and these Mitigation Measures are implemented by the City of Long Beach or other willing agency:

- Orange Avenue at Spring Street (Mitigation Measure 4.9.3)
- I-405 SB Ramps at Orange Avenue (Mitigation Measure 4.9.4)
- 32nd Street at Orange Avenue (Mitigation Measure 4.9.5)
- Orange Avenue at 28th Street/Project Driveway No. 4 (Mitigation Measure 4.9.7).

Approval from the City of Signal Hill is also required to install street improvements and signage restricting access to “right in/right out” at Project Driveway Nos. 3 and 5 per Mitigation Measure 4.9.6. Until the appropriate Responsible Agency approves Mitigation Measure 4.9.6, and this Mitigation Measure is implemented by the City of Long Beach or other willing agency, project impacts to the minor street approach (28th and Project Driveway No. 3) of the intersection of Orange and 28th Street will remain significant and adverse.

The City finds that these impacts are acceptable based on the inclusion of mitigation, the overall inability to mitigate project impacts despite inclusion of mitigation, benefits of the site improvements associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

## **SECTION 5: EFFECTS DETERMINED TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT**

The analysis in the Final EIR determined that the following effects of the proposed project are not significant and changes or alterations to the proposed project are not required. Therefore, in consideration of all of the above, the changes to the master plan do not require any major changes to the certified 2005 Recirculated EIR and will not result in any new significant environmental impacts.

### **Land Use**

**Physically Divide an Established Community.** The project site is presently used for oil extraction activities. Since circulation of the Notice of Preparation, most of the industrial and commercial tenant businesses that were along the site periphery have vacated the site. The project site is surrounded by an existing system of streets and urban development. Implementation of the revised project will redevelop the site for community use as a Sports Park and passive open space with a view park and a wetlands restoration area. The project will not divide an established community or disrupt the existing physical arrangement of the surrounding area.

**Conflict with any Applicable Habitat Conservation Plan or Natural Community Conservation Plan.** There are no adopted habitat conservation plans or natural community conservation plans applicable to the project site.

### **Population and Housing**

**Induce Substantial Population Growth.** Direct population growth caused by the project is not expected. Construction and operation of the proposed project may employ people who choose to move to the City; however, any increases in population associated with the proposed project would be limited and within City and regional projections.

**Alters the location, distribution, density, or growth rate of the human population beyond projections.** The new jobs associated with the project at build out represent approximately 0.47 percent of the anticipated job growth in the City of Long Beach through the year 2010. Construction and operation of the proposed project may employ people who choose to move to the City; however, any increases in population associated with the proposed project would be limited and within regional projections for both housing and employment.

**Results in a substantial increase in demand for additional housing.** The employment growth associated with the project site may result in an indirect increase in the need for housing in the region.

However, this indirect housing increase is accommodated given projected housing increases for the region.

**Reduces the ability of the City to meet housing objectives.** The proposed project is a recreation and commercial/office development and does not include a residential component. Redevelopment of the project site will not affect existing housing, nor will displacement of housing occur within the City because of the project. The project site is not currently designated for residential development in the General Plan. The project site is not zoned for residential use nor identified in the City's Housing Element as part of the inventory of vacant sites that could potentially be developed with residential uses in order to meet the demand for future housing supply. Therefore, the development of the project site with nonresidential uses is not considered a significant adverse impact of the proposed project.

**Cumulative Housing and Population Impacts.** The Sports Park project is an infill development in an industrial area that is expected to serve the future recreational demands of the community. The proposed project is consistent with growth projections identified by SCAG and the City's Housing Element and would not create cumulative impacts to population, housing, or employment.

## Geology and Soils

**Septic Tanks or Alternative Wastewater Disposal Systems.** An existing trunk sewer crosses the central portion of the project site. As a part of the proposed project, the existing trunk sewer will be relocated on or in close proximity to the project site. The proposed project will utilize the existing sewer system, and no on-site sewage disposal systems are planned. There is no impact with regard to utilization of on-site sewage disposal systems.

**Cumulative Geology and Soils Impacts.** The analysis indicated that there would be no significant cumulative impact of the proposed project related to geology and soils. This conclusion is based on the following:

- There are no rare or special geological features or soil types on the project site that would be affected by project activities.
- There are no other known activities or projects with activities that affect the geology and soils of this site.

## Hydrology and Water Quality

**Groundwater.** The project site is not located in an area that is used for groundwater production. Due to the oil resources and active operations at the site, the site has not been utilized for groundwater recharge, and there are no groundwater production wells in the vicinity of the project site. The Long Beach Water Department has determined that the increased demand for potable water will not result in a significant impact (Section 4.7, Public Services and Utilities). Therefore, impacts to groundwater supply are not considered significant.



**Place within a 100-year flood hazard area structures that would impede or redirect flood flows.** The project site is not located within a 100-year flood hazard area, and no impacts will occur.

**Result in substantial erosion, siltation, or flooding on or off site.** The drainage pattern in the developed condition will be similar to the existing condition. Runoff from the site will be collected in a series of catch basins and will be eventually discharged in to the 54-inch RCP along with the off-site runoff. The site will be landscaped and hardscaped to prevent soil erosion and siltation, and no stream or river course will be altered

**Cumulative Hydrology and Water Quality Impacts.** Cumulative development in the project area is a continuation of the existing urban pattern of development that has already resulted in extensive modifications to watercourses in the area. The proposed project entails a conversion of land use from mostly industrial to recreational uses. The increase in impervious area with development of the project is 5 percent; 65 percent of the project site will remain pervious area. In addition, the project will incorporate Treatment Control BMPs not currently being conducted for impervious areas of the site. Therefore, the project's contribution to cumulative hydrology and water quality impacts is not considered significant.

### **Biological Resources**

**Conflict with City policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.** Removal of trees from City-owned property, including the project site and adjacent parkway areas, will require a ministerial permit. The tree species found on site are primarily ornamental escapees from adjacent landscaping that grow on site without artificial irrigation. Project site landscaping will result in a net increase of approximately 700 trees on the project site and, therefore, the proposed project will not create a significant adverse impact to the number of trees.

**Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State habitat conservation plan.** There is no adopted HCP, NCCP, or other habitat conservation plan in the City of Long Beach; therefore, the project will not conflict with any such plans. The City of Long Beach has an adopted Local Coastal Program; however, the project site is not located in the Coastal Zone.

### **Public Services and Utilities**

**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities.**

- **Police Protection.** The nature of the proposed project will lead to an increase in the number of visitors or patrons on site who may generate additional calls for police services. In particular, police resources needed for large events may require officers from neighboring beats or stations

to maintain adequate and appropriate response capabilities. Close supervision by park employees will help ensure that conduct and behavior stays within park safety rules. On-site security for the Sports Park will be provided by regular staff or by a professional security firm, if warranted. Therefore, the increased demand for police protection services will not require new or expanded police facilities.

- **Fire Protection.** Although the proposed project will increase the number of on-site visitors and employees that may result in an increase in calls for emergency fire and medical services, it will not significantly impact emergency response times. Although preliminary planning has begun to address the need to refurbish or construct new fire facilities, including the stations that serve the proposed site, the proposed project itself does not create a substantial need to increase personnel levels or expand or construct new facilities. Project compliance with requirements set forth in the City of Long Beach Building and Safety Code, the California Fire Code (CFC), and current ISO Guidelines will provide fire protection for people and structures, as well as the provision of medical services on site.
- **Schools.** The proposed project does not contain a residential element or involve the construction of residential units. As such, the proposed project will not increase demand or negatively impact capacity in the Long Beach Unified School District (LBUSD). Moreover, the project site is not located in an area with an identified future growth need. The closest schools to the proposed project are several miles away and will not be impacted by the proposed project.
- **Libraries.** The proposed project is not a residential development, and no increase in population is expected to occur as a result of project implementation. The proposed project is not expected to have a significant impact on library services in the City of Long Beach or to create a need for the expansion of library facilities or staffing levels. No mitigation is necessary to reduce project impacts to below a level of significance.

**Generate demand for natural gas, electricity, telephone service, or cable service that exceeds existing capacity.**

- **Natural Gas.** Development of the proposed project will generate a demand for approximately 132,400 cubic feet of natural gas per month. This will account for approximately 0.09 percent of LBE's total daily delivery capacity. Sufficient gas supplies and infrastructure capacity are available, or have already been planned, to serve the project and future development. Further, all future projects will be subject to Title 24 requirements and will be evaluated on a case-by-case basis to determine the need for specific distribution infrastructure improvements. Project demand for natural gas will not result in a significant impact associated with the provision of natural gas and natural gas delivery capacity.
- **Electricity.** The project demand for electricity is estimated to be approximately 2,390 MWh annually. This is an increase of approximately 2,102 MWh annually compared to existing conditions. Based on CEC projections for SCE's service area in 2012, the maximum project-related annual consumption will represent less than 0.01 percent of forecasted growth. Based on these estimates, it can be concluded that sufficient transmission and distribution capacity exists, off-site improvements will not be necessary, and on-site improvements will occur in a logical, efficient manner utilizing the most up-to-date design, construction, and operational methods available. Impacts associated with the provision of electricity will be less than significant.

- **Telephone.** Existing telephone utility lines located on California Avenue can serve the proposed project. Service demand is based on the needs of particular buildings and users. There may be a need to upsize existing cables depending on service requirements. However, telephone service currently exists on the project site, and Verizon has indicated that it can provide service to accommodate the proposed project. Therefore, the impact is considered less than significant.
- **Cable.** Charter Communications will extend cable television service to the project site on an as-needed basis. Services can be extended to the site from existing facilities in Orange and California Avenues with no adverse impacts.
- **Water.** The proposed project is an urban in-fill project in an area presently served by all public services. Public services are in place and do not need to be extended in order to serve the project, with the exception of the extension of a reclaimed water line to the site. A reclaimed water line will be extended to the project site from north of I-405 on Walnut Avenue. Potential impacts associated with construction of the reclaimed water line are addressed in Sections 4.1, Land Use, and 4.9, Traffic and Circulation. Impacts associated with extension of the reclaimed water line will be short-term. The LBWD has also determined that it has sufficient supplies to provide the necessary potable and reclaimed water for the project site.
- **Sewer.** Wastewater flow originating from the proposed project will continue to discharge to a local sewer line, which is not maintained by the Sanitation Districts but rather by the Long Beach Water Department (LBWD), for conveyance to the Sanitation Districts' Joint Outfall "C" Unit 3E Trunk Sewer, located in Long Beach Boulevard south of Columbia Street. As previously mentioned, the Trunk Sewer is not used to its full capacity and will be able to accommodate the additional sewer flows from the project site. Project-generated wastewater will not exceed the existing capacity of the sewer delivery system.

**Cause significant disruption of service(s) that creates a significant physical impact or threat to human health.**

- **Natural Gas.** The Southern California Gas Company is in the process of increasing the availability of natural gas through transmission expansion projects and withdrawals from several of its storage fields. Consequently, the supply and distribution of natural gas within the area surrounding the project site will not be reduced or inhibited as a result of project implementation, and levels of service to off-site users will not be adversely affected.
- **Electricity.** The proposed project includes the construction and installation of a new on-site electricity distribution system that will connect to existing facilities. These facilities have adequate capacity to handle the electricity demand of the proposed project because the proposed project uses are considered incidental to overall system demand. The supply and distribution of electricity to the project site will not disrupt power to the surrounding area or adversely affect service levels.
- **Water.** The proposed project is an urban in-fill project in an area presently served by all public services. Public services are in place and do not need to be extended in order to serve the project, with the exception of the extension of a reclaimed water line to the site. The proposed project includes the replacement of existing on-site infrastructure and provides connections to existing water mains under Spring Street and Orange Avenue. Existing on-site lines will be abandoned and removed, and new water lines will be constructed in coordination with the LBWD. The

supply and distribution of water and reclaimed water to the project site will not result in disruption of service to the surrounding area or adversely affect service levels.

- **Sewer.** The project site will be regraded to accommodate the proposed project and a new sewer system installed on site. The proposed system will be designed in accordance with the LBWD standards for all sewer pipelines located within the City. The project will be required to comply with all LBWD and LACSD requirements for design and construction of new sewer infrastructure and will not result in disruption of service to the surrounding area or adversely affect service levels.

**Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.** The project will generate an additional 12,910 gpd of wastewater when compared to existing conditions. It is likely that wastewater from the project site will continue to be treated at the Joint Water Pollution Control Plant (JWPCP) located in the City of Carson, which has a design capacity of 385 mgd and currently processes an average flow of 322.7 mgd. Therefore, the proposed project will not require or result in the construction of new wastewater treatment facilities or the expansion of existing facilities.

**Require new or expanded water entitlements to have sufficient water supplies available to serve the project.** The total average daily potable water demand for the proposed project will be approximately 22,935 gpd, representing an increase of approximately 18,174 gpd when compared with existing conditions. Demand for reclaimed water is factored separately; the demand for reclaimed water will be approximately 109 acre-feet per year. The project will not necessitate new or expanded water entitlements. Sufficient water supplies are available to serve the project, and the LBWD will be able to accommodate the increased demand for potable water. The LBWD has also determined that it has sufficient supplies to provide the necessary reclaimed water for the project site because it currently utilizes only approximately one-quarter of the total amount of reclaimed water produced. Project impacts related to the provision of potable and reclaimed water are considered less than significant.

**Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve projected demand in addition to the provider's existing commitments.** The project will generate an additional 12,910 gpd of wastewater when compared to existing conditions. It is likely that wastewater from the project site will continue to be treated at the JWPCP located in the City of Carson, which has a design capacity of 385 mgd and currently processes an average flow of 322.7 mgd. According to the Los Angeles County Sanitation Districts (LACSD) (February 4, 2004), project-generated wastewater will not exceed the existing capacity of the sewer delivery system or the existing capacity of the JWPCP. Project impacts related to the provision of wastewater treatment services are considered less than significant.

**Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.** Project operation will result in approximately 334 tons of solid waste per year. When compared to existing conditions, the proposed project will result in a net increase of approximately 283 annual tons of solid waste to be committed to Class III landfills or other waste

disposal facilities. This increase represents a 0.05 percent increase in the total solid waste disposed of within the City of Long Beach (2002). Given the percentage increase of solid waste disposal as a result of project implementation, the regional landfills and SERRF have sufficient short-term capacity to accommodate the additional demand for solid waste disposal facilities.

### **Cumulative Public Services and Utilities.**

- **Police Protection.** Any future projects will likely include specific features designed to reduce impacts on police protection services and may be assessed additional mitigation measures specific to the given project's impacts. The need for additional police protection services associated with cumulative growth will be addressed through the annual budgeting process when budget adjustments may be made to meet changes in service demand. Therefore, the combined cumulative impact associated with the project's incremental effect and the effects of other projects in the area is considered less than significant.
- **Fire Protection.** The Long Beach Fire Department confirmed that the project could be accommodated with adequate fire protection and emergency medical services. The Fire Department anticipates cumulative demand in order to plan for overall service. Therefore, the Fire Department's determination that adequate service can be provided includes consideration of area demand in light of cumulative planned or anticipated projects. The proposed project will not generate a significant cumulative increase in demand for fire protection and emergency medical services.
- **Schools.** The project does not contribute to an adverse direct or cumulative impact to schools and therefore does not require additional mitigation. Although the proposed project is not expected to have a significant adverse impact on the school system, it will be required to pay the statutory school impact fee of \$0.34 per square foot of accessible space, which would generate approximately \$18,931.20 in revenue for the LBUSD (June 2002).
- **Libraries.** The proposed project is not expected to have a significant impact on the provision of library services in the City of Long Beach or the area surrounding the project site. Any increase that does result from implementation of the proposed project would be incidental and not cumulatively considerable because library services would not be adversely impacted by the in-fill growth represented by the proposed project.
- **Natural Gas.** Sufficient gas supplies and infrastructure capacity are available, or have already been planned, to serve the project and future development. Further, all future projects will be subject to Title 24 requirements and will be evaluated on a case-by-case basis to determine the need for specific distribution infrastructure improvements. The proposed project does not contribute to a significant cumulative impact associated with the provision of natural gas and natural gas delivery capacity.
- **Electricity.** SCE, the electricity provider for the proposed project site, has confirmed that the project could be accommodated with adequate service to meet the projected service demand of the project site. Estimated project electricity demand accounts for less than 0.01 percent of SCE service area's forecasted growth. Therefore, the proposed project, in relation to the cumulative study area, would not contribute to a significant cumulative impact related to the provision of electricity.

- **Water.** Although the proposed project and future planned development projects may increase demand for potable and reclaimed water, the LBWD has sufficient supplies to accommodate the growth and may also exercise its right to supplement current supplies with additional water from the Metropolitan Water District (MWD). Therefore, no significant cumulative impacts on potable or reclaimed water services are expected to occur as a result of project implementation.
- **Sewer.** Because the LACSD projects that its existing and programmed wastewater treatment capacity will be sufficient to accommodate the growth forecasted by SCAG within its service area, development that is generally consistent with this forecast can be adequately served by LACSD facilities. The proposed project falls within the forecasted employment growth for the City of Long Beach and the County of Los Angeles. Therefore, the proposed project will not contribute to a significant cumulative impact to wastewater services.
- **Telephone.** Verizon, the telephone service provider for the proposed project site, has confirmed that the project could be accommodated with adequate service to meet the projected service demand of the project site. If there is a need to upsize existing cables, the City of Long Beach will be responsible for a fair-share portion of the improvements. Such improvements will not prevent service extensions to future developments or disrupt existing services for an extended period of time. Therefore, in relation to the cumulative study area, the proposed project would not generate a significant cumulative increase in demand for telephone services.
- **Cable.** Charter Communications, the cable television service provider for the proposed project site, has confirmed that the project could be accommodated with adequate service to meet the projected service demand of the project site. If there is a need to install cables, the City of Long Beach will be responsible for a fair-share portion of the improvements. Such improvements will not prevent service extensions to future developments or disrupt existing services for an extended period of time. Therefore, the proposed project, in relation to the cumulative study area, would not generate a significant cumulative increase in demand for cable television services.

## Air Quality

**Local Microscale Concentration Standards.** Vehicular trips associated with the proposed project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality effects would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile source pollutant of local concern is CO, which is a direct function of vehicle idling time and, thus, traffic flow conditions. The proposed project would contribute to increased CO concentrations at intersections in the project vicinity. However, all 10 intersections analyzed would continue to have one-hour and eight-hour CO concentrations below the federal and State standards. Furthermore, it is anticipated that emissions in the future years, including CO, will decrease with technology advancements in vehicular engine technology. The increase in traffic volumes would not outweigh the reduction in emission factors. The proposed project would not have a significant impact on local air quality for CO, and no mitigation measures would be required.

**Cumulative Air Quality Impacts.** The project site is planned for development (industrial) in the adopted City of Long Beach General Plan and is zoned for industrial and institutional uses. Emissions projections used to establish SCAQMD attainment objectives reflect adopted regional and local land

use plans. The proposed project uses are generally less intense than the current site designation. Therefore, the emissions associated with occupation and use of the project are expected to be fewer than those already accounted for in the South Coast Air Quality Management Plan and are not expected to violate any SCAQMD standards or contribute to air quality deterioration beyond current SCAQMD projections.

### Traffic and Circulation

**Change in Air Traffic Patterns.** The proposed project site is not within the commercial aircraft flight path for Long Beach Airport, and it is not located within the Airport Safety Zone or the Airport's current adopted noise contours. The proposed project should have no effect on airspace uses; however, users of the park may be subject to occasional aircraft overflights at altitudes below 1,000 feet. Although some users of the Sports Park may find the aircraft noise annoying, noise levels will be well below State and federal standards for aircraft noise.

**Results in Inadequate Emergency Access.** Access to the project site will be provided by a total of five full access driveways along California Avenue, Spring Street, and Orange Avenue. Curb return radii have been confirmed and are adequate for small service/delivery (Fedex, UPS) trucks and trash trucks. Vehicle-turning templates (ASSHTO P<sub>M</sub> and SU-30) have been used to ensure that passenger cars and trucks can properly access and circulate through the site. In addition, all internal drive aisle widths, project driveway widths, and parking stall widths satisfy the City's minimum requirements.

**Results in Inadequate Parking Capacity.** The Long Beach Sports Park project as revised, including passive recreation is forecast to require a total of 623 parking spaces to accommodate its peak parking demand. With a proposed parking supply of 612 spaces, the 734-space demand estimate corresponds to a parking deficit of 11 spaces or a parking deficit of two percent of the total parking supply. The parking operations for the project will be administered by the City Department of Parks, Recreation and Marine, who will ensure that activities are programmed in a manner that is consistent with the on-site parking supply.

**Conflicts with adopted policies, plans, or programs supporting alternative transportation.** No significant transportation impacts are expected to occur on the Los Angeles County Congestion Management Program roadway network or transit system due to the development and full occupancy of the proposed Long Beach Sports Park.

### Recreation

**Increased Demand for Parks and Recreation Facilities and Services.** The proposed project will provide additional public recreation facilities. The proposed project will reduce demand on existing facilities by increasing the available supply of ball fields and recreation facilities. The proposed project will not increase demand on the City of Long Beach Department of Parks, Recreation and Marine's existing services and facilities beyond their capacity, nor would the project result in an increase in population, which is the determining factor in supplying adequate parks and open space

areas to residents. Therefore, no significant adverse impacts associated with existing recreation facilities would occur as a result of project implementation.

**Construction or Expansion of Recreational Facilities.** The proposed project as revised includes the construction and operation of a variety of recreation facilities, including ball fields, playgrounds, and a skate park, along with passive recreation uses. Operation of the proposed project, including the recreation facilities, is expected to result in significant impacts as outlined in this EIR.

No mitigation is required for impacts related to the provision of recreation resources. See the discussion of other possible project impacts for additional mitigation related to the construction of the proposed project.

**Cumulative Recreation Impacts.** The project significantly improves public access to the site and will result in a net increase in the amount of land dedicated to parks and open space in the City and the region. The expansion of recreational opportunities may have a secondary benefit of freeing up other ball fields and soccer fields in the area, allowing more frequent use by local neighborhoods. Therefore, no cumulative impacts related to recreation would result from the proposed project when it is combined with other foreseeable projects that are planned or expected to occur in the City or the region.

## Noise

**Cumulative Noise Impacts.** Construction and on-site operations are point sources of noise and would not contribute to off-site cumulative noise impacts from other planned and future projects. Project-related traffic would contribute to cumulative traffic noise impacts in the vicinity of the project site, but sound levels will not increase by more than 3 dBA from their corresponding existing levels. This would be considered a less than significant impact.

## Aesthetics

**Adverse effect on a viewshed from a public viewing area (such as a park, scenic highway, roadway, or other scenic vista).** The proposed project will substantially alter the visual character of the site by providing for the removal of dilapidated buildings and other signs of deterioration and blight. Therefore, the effect of the project on any scenic vistas that may exist from distant off-site areas is not considered adverse. Project design sensitive to surrounding uses and topography will alleviate any potential impacts to scenic vistas, and no mitigation measures are considered necessary.

**Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.** There are no City or other agency designated scenic resources or unique physical features such as rock outcroppings or designated historic structures on site, and no scenic highways are located in the project vicinity. The high point on site, Exxon Hill, is not a designated scenic resource. Although views of surrounding areas and downtown Long Beach are available from this portion of the site, they are not publicly accessible or designated



as a public viewpoint. Therefore, project impacts related to alteration of Exxon Hill are considered less than significant.

One historic building is located on site: the Lomita-Petrolane Compressor Building. The historic Lomita-Petrolane Office Building (also a historic building) is located on an outparcel adjacent to the project site, and a historic landmark cemetery is also located adjacent to the project site. The proposed project will change the overall visual setting of the area from one characterized by oil extraction activities to one of active recreation and office uses. However, these changes will not be adverse nor will they result in substantial damage to a designated scenic resource. Changes to the views from the Office Building will be substantial but not adverse, because the overall improvement of the site from the current blighted condition to a recreational facility has a beneficial effect. As a result, there is no significant impact, and mitigation measures are not necessary.

**Substantial degradation of the existing visual character or quality of the site and its surroundings.** Implementation of the proposed project would remove the deteriorated conditions that presently exist on-site as a result of past and present land uses. The proposed project would incorporate landscape measures that would minimize any potentially adverse effects on the visual character and quality of the project site. Although the proposed project would alter the existing topography and intensity of development on most of the site and would substantially change the visual character of the site, these changes are not considered adverse relative to the existing conditions on site.

**Cumulative Aesthetic Impacts.** The proposed project will not have a significant cumulative impact on the visual environment, as the project site has long been occupied by urban uses and planned for development. The proposed project will not generate significant adverse effects on adjacent land uses, with the exception of the Lomita-Petrolane Office Building and the existing Compressor Building, which were evaluated above for visual impacts and also evaluated as historic resources in Chapter 4.6, Cultural Resources. The proposed improvements are compatible in character with the surrounding area. There are no known visual incompatibilities between the proposed project and planned future projects located in the surrounding area. Therefore, the contribution of the proposed project to potential cumulative visual/aesthetic impacts in the study area is considered less than significant.

## **Public Health and Safety**

**Contamination of a public water supply.** The risk to ground water as result of a surface spill or leakage is small, as the ground water is approximately 50 to 80 feet below sea level at the project site and any release of crude oil usually occurs in near surface soils. Oil well spills are now and will continue to be cleaned by SHPI in accordance with standard regulatory procedures. Likewise, any leakage of an underground pipeline would likely be detected as a loss of product, and subsequently the affected soil would be cleaned and the pipeline repaired by the leaseholder.

**Cumulative Public Health and Safety Impacts.** With mitigation, the project site does not currently pose a health risk as a result of soil contamination or any other health and safety hazards. Other

properties within the City with known hazardous waste contamination are required to remediate their contamination in accordance with federal and State regulations. Since the proposed project does not include uses that would generate or use substantial amounts of hazardous waste, and since construction activities or site operation will not cause additional short-term or long-term health risks (after implementation of the measures identified in this section), the project does not contribute to potential cumulative public health and safety impacts. Cumulative health and safety hazards impacts are less than significant.

### **Agricultural Resources**

The project site is located in an urbanized area and is not used for agricultural purposes. The project is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Since agricultural uses are not present, the proposed project does not conflict with existing zoning for agricultural uses or any use protected by a Williamson Act contract. The proposed project would not convert farmland to a nonagricultural use. Likewise, the proposed project site would not contribute to environmental changes that could result in the conversion of farmland to nonagricultural use.

## **SECTION 6: FEASIBILITY OF PROJECT ALTERNATIVES**

### **Project Alternatives**

CEQA requires that an EIR describe a reasonable range of alternatives to the proposed project or to its location that could feasibly attain most of the basic project objectives, but would avoid or substantially lessen any of the significant effects, and that it evaluate the comparative merits of each of the alternatives. Section 15126.6(b) of the State CEQA Guidelines states that the “. . . discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” The following section discusses the project alternatives that were considered and analyzed in the EIR and summarizes the consistency of these alternatives with the objectives of the proposed project.

**Alternative 1: No Project/No Build Alternative.** Consistent with Section 15126.6 of the CEQA Guidelines, the No Project/No Development Alternative is the existing condition of the project site at the time the Notice of Preparation (NOP) was published. The setting of the site at the time of the NOP is described throughout Chapter 4.0 of this EIR with respect to individual environmental issues and forms the baseline of the impact assessment of the proposed project. This alternative summarizes environmental conditions that would exist if no development of any kind were to occur on the project site.

**Consistency with Project Objectives.** The No Project/No Development Alternative would not implement any of the City’s basic objectives for the proposed project and the project site. The recreation objectives contained in the City’s Open Space and Recreation Element, the Department of Park, Recreation, and Marine’s Departmental Strategic Plan, and Long Beach Strategic Plan 2010 would not be furthered. This alternative would not result in the redevelopment of a site generally characterized as blighted.

**Feasibility/Finding.** This alternative would not result in any new physical environmental effects and would avoid significant project-related impacts to historical structures, to regional air quality, and to biological resources in the area on a cumulative basis.

Regardless of the approval and implementation of the proposed project, the project site is likely to be developed in the future. The General Plan and Zoning Code designate the site for development. The site is an infill site, with adequate infrastructure and community services to support future development. The project analysis for this EIR has indicated that development constraints with regard to soil contamination and subsurface soil conditions are less than previously thought. While the continued operation of oil wells and the presence of the Cherry Hill Fault are constraints to future development, the increasing desirability of infill properties and the successful development of other oil properties in Long Beach and Signal Hill indicate that the project site likely will be developed with urban uses sometime in the future. The No Project/No Development Alternative is considered only an interim use of the site. The City finds that although this alternative may be feasible in the short-term, it is unlikely that the site will not be developed for some future use. This alternative was therefore rejected.

**Alternative 2: No Project/ Existing General Plan.** Section 15126.6 of the CEQA Guidelines states that the No Project Alternative analysis must evaluate environmental impacts that could reasonably be expected to occur should the project not be approved and the property were to be developed under existing land use regulations. This alternative assumes that development consistent with the current land use designation will eventually occur on the project site. The City of Long Beach General Plan land use designation (LUD) for the project site is currently 9G-Industrial. This land use designation allows for the development of a diverse range of uses characterized in the General Plan as “traditionally heavy industrial and manufacturing uses” that have a high employment component. Most commercial and office uses are discouraged from LUD 9G, except in association with allowed industrial uses. IG, General Industry, is the zoning classification corresponding to the LUD 9G land use designation.

Because of the physical constraints present on the project site, achievement of the maximum development intensity theoretically permitted under the IG zone is considered unrealistic. It would also be out of character with the pattern and intensity of land uses currently surrounding the subject site. Consequently, development standards established for the IM zone were applied to the project site to account for site limitations (except the required detention basin) in order to formulate the build out scenario for this alternative. It was assumed that the area necessary to satisfy parking requirements is inherently incorporated into the City’s specification of maximum site coverage and that no additional allowance needs to be made.

The following specific assumptions, factors, and calculations were utilized to estimate the development scenario for the No Project/Existing General Plan Alternative:

Gross Project Area: 55.5 acres

Required Detention Basin: 12.4 acres

Remaining Gross Site Area: 43.1 acres

Estimated Net Development Area: 36.6 acres (*applying a general 15 percent conversion factor for gross to net acres to account for infrastructure, streets, and other improvements, based upon examples of similar industrial developments researched by LSA*)

Site Coverage: 60 percent (*as in the IM Zone*)

Structure Height: assumed all single story

Accessory Office Use: 25 percent of gross floor area

**Total Net Development Scenario:** 717,430 square feet of General Industrial uses  
239,145 square feet of Accessory Office use  
956, 575 total square feet of development

Net FAR: 0.51

**Consistency with Project Objectives.** The No Project/Existing General Plan Alternative does not meet the project objectives associated with developing a sports park, including the creation of recreational open space and providing community sports and recreational facilities on a site centrally located in the City. The recreation objectives contained in the City's Open Space and Recreation Element, the Department of Park, Recreation, and Marine's Departmental Strategic Plan, and the Long Beach Strategic Plan 2010 would not be furthered. The objectives of redevelopment of the site and removal of blight would be implemented.

The No Project/Existing General Plan Alternative would be consistent with the project objective of redeveloping the site in a manner that is consistent with the continued operation of oil extraction activities.

**Feasibility/Finding.** The No Project/Existing General Plan Alternative would result in the same significant impacts associated with the proposed project with regard to construction-related air quality impacts and the loss of the historic context of the site relative to the SHPI/Lomita Gasoline Company office building. It would be feasible, however, to develop this alternative without demolishing the historic compressor building, thereby avoiding a significant impact of the proposed project. This alternative would result in increased impacts for traffic, operational air quality, and noise compared with the proposed project.

The No Project/Existing General Plan Alternative does not meet the project objectives associated with increasing recreation opportunities in the City by developing a sports park. The recreation objectives contained in the City's Open Space and Recreation Element, the Department of Park, Recreation, and Marine's Departmental Strategic Plan, and the Long Beach Strategic Plan 2010 would not be furthered. This alternative is therefore rejected.

**Alternative 3: Retail/Industrial/Office.** This alternative evaluates the impacts of a mixed-use development featuring a large-scale commercial development such as a discount chain retail store or home improvement store ("big box" retail), with the remainder of the project area assumed to be developed with a light industrial park complex, based upon the development standards established in

the Light Industrial (IL) zone. Development assumptions utilized for the portion of the site area assumed to be developed for commercial purposes are based upon characteristics of the recently constructed WalMart in the Towne Center development located at Carson and I-605 Freeway in the City of Long Beach.

This alternative assumes the development of 160,000 gross square feet of retail space on roughly 16 net acres in the southeast section of the project site. The commercial development is assumed to incorporate approximately 110,000 in a “big box” retail store, with 20,000 gross square feet of related garden center and 30,000 gross square feet of compatible ancillary retail uses such as specialty shops and food establishments. Approximately 640 parking spaces would be required for the retail uses. The remainder of the net developable site area (approximately 19.6 acres of the total estimated 36.6-acre net developable area) is assumed to be developed in light industrial uses consistent with the IL zone.

**Consistency with Project Objectives.** The Retail/Industrial/Office Alternative does not meet the project objectives associated with developing a sports park, including the creation of recreational open space and providing community sports and recreational facilities on a site centrally located in the City. The recreation objectives contained in the City’s Open Space and Recreation Element, the Department of Park, Recreation, and Marine’s Departmental Strategic Plan, and the Long Beach Strategic Plan 2010 would not be furthered. The objectives of redevelopment of the site and removal of blight would be implemented.

Alternative 3 would be consistent with the project objective of redeveloping the site in a manner that is consistent with the continued operation of oil extraction activities.

**Feasibility/Finding.** It would be feasible to implement this alternative without demolishing the historic compressor building. Therefore, Alternative 3 would not result in the significant impact associated with the proposed project with regard to the demolition of the compressor building, although there is no mechanism in place to ensure long-term preservation of the building under any development scenario. The significant project impacts related to construction air quality and the loss of the historic context of the site relative to the SHPI/Lomita Gasoline Company office building would not be avoided under this alternative. This alternative would result in increased impacts for traffic, operational air quality, and noise, compared with the proposed project.

In addition, this Alternative does not meet the project objectives associated with increasing recreation opportunities in the City by developing a sports park. The recreation objectives contained in the City’s Open Space and Recreation Element, the Department of Park, Recreation, and Marine’s Departmental Strategic Plan, and the Long Beach Strategic Plan 2010 would not be furthered. This alternative is therefore rejected.

**Alternative 4: Off-Site Alternatives.** Section 15126(f)(2)(A) of the CEQA Guidelines describes the “key questions and first step in analysis” as “whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location.” Further, only locations “that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” The significant effects of the proposed project include air

quality impacts, cumulative effects to solid waste disposal, and impacts to historic and biological resources. Significant traffic impacts can be mitigated to below a level of significance; however, not all of the mitigation measures are within the control and jurisdiction of the City of Long Beach.

The principal component of this project is an operationally self-sufficient Sports Park, which is also the most distinctive aspect of the proposed project; therefore, its requirements with regard to site size, location, and physical characteristics were used to guide consideration of alternative site locations. The minimum site size for the Sports Park is 35 acres. The commercial/office use included in the proposed project could be located on any appropriately zoned site of approximately 2.5 acres or more within the City of Long Beach.

The City of Long Beach is nearly built out, with little vacant land available for development. The General Plan and aerial photographs were used in order to identify potential alternative sites for the proposed project within the City limits. The City of Long Beach "Disposition of Vacant Land" map (Summer 2001) was also reviewed (Figure 5.6). This map identifies 11 sites, one of which is the project site (labeled the "California Bowl"). Plans are currently underway for development entitlements and marketing for several of the identified sites, including the Alamitos Ridge proposed residential development (labeled "The Boneyard" on the map), the Pike/Tidelands property in downtown Long Beach, and the City Place mall redevelopment site in downtown. Other identified sites were not appropriately located to serve as a sports park, including the Terminal Island site, which is located in the heart of the Port of Long Beach and inconvenient for sports park patrons. Some sites were too small, including the "Dominguez Gap" site at 16 acres, the "Memorial Heights" site at nearly 19 acres, and the "Westside Industrial" site at almost 13 acres.

In conclusion, 11 vacant sites were screened as potential alternative sites for the proposed Sports Park. Nine were eliminated based on inadequate size, inappropriate location, or development plans already underway. At the direction of the City Planning staff, two potential alternative sites were examined more closely: the Hughes Industrial site and the Los Cerritos Wetlands site. In addition, participants in the scoping meeting for the proposed project suggested that the PacifiCenter/Douglas Park<sup>1</sup> site be considered as an alternative site.

**Hughes Industrial Center.** The Hughes Industrial Center is planned and zoned for industrial use. As with the proposed project, a General Plan Amendment and Planned Development (PD) Amendment would be required in order to allow a commercial sports park within the industrial park. The industrial park is a comprehensively managed research and development/employment/light industrial center, and the owner, manager, and current business tenants may not chose to have a pay-for-play recreation use within its boundaries. The Sports Park use would also likely require a change to the deed restrictions. The Hughes Industrial location does not meet the project objectives of developing a centrally located site within the City of Long Beach to provide for soccer. This location is not within the City's ownership or control, and does not meet the objective of minimizing costs to the City by developing the commercial Sports Park on a site that does not result in property condemnation and excessive site acquisition costs to the City. Therefore, this alternative was considered by rejected.

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<sup>1</sup> The proposed PacifiCenter project has been renamed "Douglas Park" (May 2004).

**Los Cerritos Wetlands.** The primary constraint to development of the Los Cerritos Wetlands site with a sports park use is regulatory. The entire project site is located in the Coastal Zone and is subject to the provisions of the California Coastal Act (Coastal Act). The California Coastal Commission has jurisdiction over the project area in the absence of a certified Local Coastal Program (LCP); therefore, the Coastal Commission has exclusive jurisdiction to issue a Coastal Development Permit (CDP) for the project.

The Coastal Act includes specific restrictions for development of coastal wetlands. Wetlands are defined as land where the water table is at, near, or above the land surface long enough to: (1) promote the formation of hydric soils, (2) support the growth of hydrophytes, or (3) where surface water or saturated substrate is present. The Los Cerritos Wetlands site, on both sides of Westminster Avenue, includes a patchwork quilt of areas characterized by hydrophitic vegetation and is therefore designated as wetlands by the Coastal Commission.

A sports park facility is not an allowable use of wetlands by the Coastal Act, and the use of wetlands that would be necessary to assemble an area within the Los Cerritos Wetlands site suitable in size for a sports park would not be permitted. Therefore, this alternative site has been considered but rejected.

**Boeing Douglas Park.** The Boeing Douglas Park site is the former location of Boeing C-1 aircraft production facilities that are currently undergoing phased closure. The primary constraint to developing the Boeing Douglas Park site with a sports park use is the current planning effort and private ownership of the property, which has high value as a potential development site. A sports park may be permitted within the 29-acre area at Paramount Boulevard or the 83-acre area along Lakewood Boulevard that are proposed for commercial uses. Development constraints include the Runway Protection Zone for Runway 12-30, which overlaps and restricts development of the Paramount Boulevard site. Also, the Paramount Boulevard site is not within the City of Long Beach. Development of any portion of the Boeing Douglas Park site is not within the City's direct control, since the property is privately owned. While the City has the responsibility of discretionary approval to allow the proposed mixed-use development of the Boeing Douglas Park site, it does not control the development of the site and cannot require that a sports park be constructed. Also, the Boeing Douglas Park site will be developed over a 20-year period. The need for a commercial sports park facility in the City has been documented for more than ten years, and it is the City's intent and desire to implement a sports park in the near-term future. Therefore, while it is possible that a commercial sports facility could be developed on the Boeing Douglas Park site, such development cannot be assured in either the short or long term. Therefore, this alternative site has been considered but rejected.

**Consistency with Project Objectives.** Each of the alternative sites considered would meet some, but not all, of the project objectives. For example, development of the Hughes Industrial site with a sports park use would have some of the same recreation benefits as the proposed project location, although the site is not centrally located in the City of Long Beach and there is insufficient area to provide for soccer. None of the potential alternative sites meet the key project objective of minimizing costs to the City by developing the commercial Sports Park on a site that does not require excessive site acquisition costs. There are no vacant or underdeveloped sites in

the City of Long Beach that are City-owned or under City negotiation and acquisition, with the exception of the proposed project site.

**Feasibility/Finding.** As previously stated, the City of Long Beach is nearly built out, with little vacant land available for development. Of 11 identified vacant sites, three were considered suitable for further evaluation and each has considerable constraints to development of the proposed project. The Hughes location is not within the City's ownership or control, and does not meet the objective of minimizing costs to the City by developing the commercial Sports Park on a site that does not result in property condemnation and excessive site acquisition costs to the City. The Los Cerritos Wetlands are within the Coastal Commission's jurisdiction and a sports park facility is not an allowable use of wetlands by the Coastal Act. The use of wetlands that would be necessary to assemble an area within the Los Cerritos Wetlands site suitable in size for a sports park would not be permitted. Finally, while it is possible that a commercial sports facility could be developed on the Boeing Douglas Park site, such development cannot be assured in either the short or long term. In addition, the extent of the environmental impacts of constructing a Sports Park on an alternative site would likely be comparable to impacts on the current project site. Selecting an alternative site upon which to develop a Sports Park that would meet the project objectives is considered both physically and economical infeasible and is therefore rejected from further consideration.

### Findings Regarding Alternatives

**Environmentally Superior Alternative.** The No Project/No Development Alternative would be environmentally superior to the proposed project on the basis of the physical impacts that would occur with the No Project/No Development Alternative. If there were no changes to the existing conditions on the site, there would be no increase in traffic, noise, or construction or operational air emissions. The existing historic compressor building would remain, as would the existing wetlands and shrike habitat.

The CEQA Guidelines require that if the environmentally superior alternative is the No Project Alternative, "the EIR also identify an environmentally superior alternative among the other alternatives" (CEQA Guidelines Section 15126.6(e)(2)). The Environmentally Superior Alternative, in terms of direct physical effects on the environment, is the No Project/Existing Zoning Alternative industrial development.

Development under the existing zoning would preclude the need for discretionary permits such as a General Plan Amendment, rezoning, or tentative parcel map. The historic compressor could either remain or be demolished under this alternative. Other impacts associated with the proposed project would not be reduced with industrial development of the site. For example, impacts to existing wetlands and shrike habitat would be the same as the proposed project. Industrial development is more likely to result in adverse peak hour traffic impacts to nearby streets and intersections when compared to the proposed project. Construction air emissions would be similar to those under the proposed project, and operational air emissions would be greater than the proposed project.



**Findings Regarding Rejection of the Environmentally Superior Alternative.** The City finds that the No Project/Existing General Plan Alternative would not achieve most of the project objectives. The No Project/Existing General Plan Alternative does not meet the project objectives associated with increasing recreation opportunities in the City by developing a sports park. The recreation objectives contained in the City's Open Space and Recreation Element, the Department of Park, Recreation, and Marine's Departmental Strategic Plan, and the Long Beach Strategic Plan 2010 would not be furthered. In addition, the No Project/Existing General Plan Alternative would result in the same significant impacts associated with the proposed project with regard to construction-related air quality impacts and the loss of the historic context of the site relative to the SHPI/Lomita Gasoline Company office building. This alternative would also result in increased impacts for traffic, operational air quality, and noise compared with the proposed project. It would be feasible, however, to develop this alternative without demolishing the historic compressor building, thereby avoiding a significant impact of the proposed project.

The City has considered all of the mitigation measures recommended in the Final EIR and EIR Addendum for the proposed project and the EIR's conclusion that the No Project/No Build and the No Project/Existing General Plan Alternative are environmentally superior to the proposed project. However, for the reasons set forth in the Statement of Overriding Considerations, the City finds that the benefits of the proposed project outweigh the adverse effects of the proposed project and that these benefits justify the adoption of the proposed project as revised even though there are significant unavoidable adverse impacts associated with its implementation. The overriding benefits that justify approval of the proposed project in light of anticipated significant environmental effects are discussed in the Statement of Overriding Considerations.

## SECTION 7: GENERAL FINDINGS

1. The plans for the project have been prepared and analyzed so as to provide for public involvement in the planning and CEQA processes.
2. Comments regarding the Draft EIR received during the public review period have been adequately responded to in written Responses to Comments attached to the Final EIR.
3. To the degree that any impacts described in the Final EIR and Addendum to the Final EIR are perceived to have a less than significant effect on the environment or that such impacts appear ambiguous as to their effect on the environment as discussed in the Draft EIR, the City has responded to key environmental issues and has incorporated mitigation measures to reduce or minimize potential environmental effects of the proposed project to the maximum extent feasible.
4. None of the conditions set forth in Public Resource Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR have been met, and an Addendum is the appropriate document to address the environmental effects of the revised project.