RESOLUTION NO. RES-15-0138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RIVERWALK RESIDENTIAL DEVELOPMENT PROJECT (STATE CLEARINGHOUSE NO. 2014091011) HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO

WHEREAS, the The Long Beach Project, LLC and DEM Investment Company, LLC, by and through Ed Galigher for Integral Communities, has proposed the Riverwalk Residential Development Project ("Project"), a development located on an approximately 10.56 acre site in north-central Long Beach just north of the Virginia Country Club between Long Beach Blvd. and Interstate 710 (Long Beach Freeway). The Project location is further described as 4747 Daisy Avenue, Long Beach, Los Angeles County Assessor ID Number 7133-016-005. The proposed Project would involve subdividing the 10.56 acre project site and developing it into a gated residential community containing 131 detached single family homes. The residential lots would contain a minimum of 2,400 square feet. The development would also include landscaping, a small pocket park, a recreation center with a pool, spa, and clubhouse, 262 garage parking spaces (a two-car garage for each home), and 40 on-street guest parking spaces. The homes would be a mixture of two and three-story homes with a maximum height of thirty-five feet, six inches (35'6"). The Project would include 157,941 square feet of landscaped and open space area. The open space would include a small

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

pocket park, a recreation center with a pool, spa, and clubhouse, and private access to the pedestrian/bicycle path along the Los Angeles River. The Project would also include a 6,238 square foot drainage basin at the northeastern corner of the site.

Said Project is more fully described in the Riverwalk Residential Development Project Draft Environmental Impact Report (SCH #2014031011) (DEIR), a copy of which DEIR, including the complete proposed Project description, is incorporated herein by this reference as though set forth in full, word for word.

WHEREAS, Project implementation will require certification of the Final Environmental Impact Report (FEIR) and approval of the requests for a General Plan Amendment, zone change, vesting tentative tract map, site plan, and Development Agreement.

WHEREAS, the City began an evaluation of the proposed project by issuing a Notice of Preparation (NOP) that was circulated from September 4, 2014 to October 3, 2014. A Notice of Completion was prepared and filed with the State Office of Planning and Research on May 5, 2015. The DEIR was completed on May 5, 2015, and circulated between May 5, 2015 and June 18, 2015.

WHEREAS, on October 15, 2015, the Planning Commission conducted a duly noticed public hearing on the DEIR and FEIR and the Project. At said time, the Planning Commission determined that the DEIR and FEIR were fully compliant with CEQA and the CEQA Guidelines and recommended that the City Council certify the DEIR and FEIR as being fully compliant with CEQA and that the City Council approve all applied for project entitlements as previously described in this resolution and in the DEIR.

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

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

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

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

WHEREAS, the City Council has reviewed and considered the information in, and the comments to, the DEIR and the responses thereto, and the FEIR at a duly noticed City Council meeting held on November 10, 2015, at which time evidence, both written and oral, was presented to and considered by the City Council;

WHEREAS, the City Council has read and considered all environmental documentation comprising the FEIR, including the DEIR, comments and the responses to comments, and errata (if any) included in the FEIR, and has determined that the FEIR considers all potentially significant environmental impacts of the Project and is complete and adequate and fully complies with all requirements of CEQA;

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

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

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

Section 2. The City Council finds that the FEIR is adequate and has been completed in compliance with CEQA and the State CEQA Guidelines.

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

Section 4. Pursuant to Public Resources Code Section 21081 and State CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the CEQA Findings and Facts in Support of Findings for the Riverwalk Project as shown on the attached Exhibit "A", which document is incorporated herein by reference as though set forth in full, word for word.

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

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

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

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

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

//

//

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of November 10, 2015, by the following vote:

Ayes: Councilmembers: Gonzalez, Lowenthal, Price, Supernaw, Mungo, Uranga, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Andrews.

Maria dela L. Ramirez
City Clerk

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

MJM:kjm A15-02195 10/30/15
L:\Apps\CtyLaw32\WPDocs\D018\P026\00563488.doc

CITY OF LONG BEACH RESOLUTION NO. _____

EXHIBIT "A"

FACTS AND FINDINGS REGARDING THE ENVIRONMENTAL EFFECTS OF THE RIVERWALK RESIDENTIAL DEVELOPMENT PROJECT

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

October 2015

TABLE OF CONTENTS

I Introduction 1

II Description of Proposal 3

III Effects Determined To Be Less Than Significant in the Riverwalk Residential Development Project Initial Study 6

IV Effects Determined To Be Less Than Significant in the Riverwalk Residential Development Project Final EIR 9

V Effects Determined To Be Less Than Significant With Mitigation in the Riverwalk Residential Development Project Final EIR, and Findings 14

STATEMENT OF FACTS AND FINDINGS

I INTRODUCTION

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

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable, significant, adverse environmental effects, the Lead Agency may still approve the project if the Lead Agency determines that the project's benefits outweigh its adverse effects. In order to do so, the Lead Agency must adopt a Statement of Overriding Considerations, in which it sets forth specific reasoning by which the benefits of the project outweigh its adverse environmental effects. A Statement of Overriding Considerations is not required for the Riverwalk Residential Development Project because it has no unavoidable, significant, adverse environmental effects.

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

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

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

> *(1) Changes or alterations have been required in, or incorporated into, the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.*
>
> *(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
>
> *(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers,*

make infeasible the mitigation measures or project alternatives identified in the final EIR.

These findings relevant to the Riverwalk Residential Development Project are presented in Sections III through V.

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

Based upon its review of the Final EIR, the Lead Agency finds that the Final EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project and represents the independent judgment of the Lead Agency. The remainder of this document is organized as follows:

II. Description of project proposed for approval

III. Effects Determined to be Less Than Significant in the Initial Study

IV. Effects Determined To Be Less Than Significant in the Final EIR

V. Effects Determined To Be Less Than Significant With Mitigation in the Final EIR, and Findings

II DESCRIPTION OF PROPOSAL

The proposed Riverwalk Residential Development Project (project) is located on a 10.56-acre parcel at 4747 Daisy Avenue in the City of Long Beach, with a Los Angeles County Assessor's ID Number of 7133-016-005. The proposed project would involve subdividing the project site and developing it into a gated residential community containing 131 detached single family homes on lots with a minimum square footage of 2,400 square feet. The proposed homes would be a mixture of 2 and 3-story homes with a maximum height of 35'6". The proposed subdivision would be served by internal, privately maintained streets connected to the existing neighborhood by Daisy Avenue. A connection to Oregon Avenue would be available in case of emergencies, but would otherwise remain blocked off under normal circumstances. The proposed subdivision would include 262 private garage parking spaces (a two-car garage for each home) and 40 on-street guest parking spaces located along the development's internal streets.

The project would include 157,941 square feet (34%) of landscaped and open space area. This open space would include a small pocket park; a recreation center with a pool, spa, and clubhouse; and private access to the pedestrian/bicycle path along the Los Angeles River. It would also include a 6,238 square foot drainage basin at the northeastern corner of the site. The applicant is proposing to cater to new families, second time homebuyers, move-down buyers, and "empty nesters."

There would be two vehicular access points both located on the northern boundary of the site: one from Daisy Avenue and an emergency-only access from Oregon Avenue. Both of the access points would be gated. Internal access would be provided by private roads. The site would be surrounded by an eight-foot tall block wall on its western and southern boundaries. A six-foot six-inch tall block wall and landscape buffer would line the northern and eastern boundaries of the project site.

The private roadways, open space, and community amenities would be managed and maintained by a Homeowner's Association (HOA). Additionally, the City and applicant have entered into a Development Agreement requiring the applicant to implement a number of offsite improvements that would benefit the community, one of which is the construction of a park located at the southwest corner of Oregon Avenue and Del Amo Boulevard. The applicant would carry out the final design, engineering and construction of the park (under the working name Oregon Park). This park would serve an area that is in need of additional recreational facilities. Oregon Park would include a soccer field with sports field lighting, tot lot, picnic area, restrooms, bench seating, bike racks, and fitness equipment.

The Development Agreement mandates the timing of the construction of both Oregon Park and the project in such a manner that Oregon Park's infrastructure improvements shall be completed upon or before the completion of the project's infrastructure improvements. The Development Agreement further dictates that the applicant shall complete construction of Oregon Park prior to the issuance of the 33rd certificate of occupancy for the project and establishes a date certain by which Oregon Park must be completed. The Park must be accepted for maintenance by the City prior to the issuance of the 67th certificate of occupancy for the Project.

The Development Agreement specifies a number of additional offsite improvements that would benefit the community, including but not limited to, roadway improvements along or near Daisy Avenue, Oregon Avenue, and 48th Street, as well as a new traffic signal at the intersection of Del Amo Boulevard and Oregon Avenue.

Site preparation for the proposed project would include removal of all remaining vegetation, trees, and structures on the site, including an amphitheater, deck, five buildings, two tool sheds, an old mobile home, and parking lots, after which 30,000-40,000 cubic yards of imported fill would be placed on the site. Other site preparation activities would include utility and infrastructure improvements, paving, and landscaping.

Implementation of the proposed project would require the following discretionary approvals from the City of Long Beach:

- **Site Plan Review and Approval** – Review and approval of the Site Plan for the proposed project
- **Tentative Tract Map** – Approval of a Tentative Tract Map for subdivision of the project site
- **General Plan Amendment** – Approval of a change to the project site's land use designation from Open Space and Parks (LUD No. 11) to Townhomes (LUD 3A)
- **Zoning Ordinance Amendment and Zone Change** - A change in the site's zoning from Institutional (I) to a new residential use zoning district to be created or amended as part of this entitlement
- **Certification of Final EIR**

III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE RIVERWALK RESIDENTIAL DEVELOPMENT PROJECT INITIAL STUDY

The Initial Study prepared for the Riverwalk Residential Development Project, which was circulated with a Notice of Preparation (NOP) of a Draft EIR, found that the project would have a less than significant impact with respect to a number of environmental topics, as summarized below. Discussion of these effects is not included in the primary analysis sections of the Final EIR, but instead is included in the Initial Study, which is Appendix A to the Final EIR.

AESTHETICS

Light and glare. The project would include sources of light and glare on the project site, such as structural lighting, street lighting, and reflective surfaces on parked cars and building exteriors. The project would, however, be required to comply with all development and design standards, including provisions for materials, of Division II of Chapter 21.31 of the Long Beach Municipal Code (LBMC). Additionally, lighting would be reviewed through the City's Site Plan Review process, as described in Division V of Chapter 21.25—*Site Plan Review* of the LBMC.

AGRICULTURE RESOURCES

Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is fully developed, within an urbanized area, and is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. It is also not within or near forest land. No agricultural, forestry, or other related activities occur within or adjacent to the project site.

Agricultural zoning or use, Williamson Act contract, and forest land or timber land zoning or use. No agricultural or forestry zoning is present on the project site or in the surrounding area and neither the project site nor any nearby lands are enrolled under the Williamson Act.

Farmland conversion from other changes in the existing environment. The project site is in a fully urbanized area, with no agricultural uses on the project site or in its vicinity, and no portion of the project site or nearby uses are zoned for agriculture. No agricultural, forestry, or other related activities occur in the area. The project would not involve changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

AIR QUALITY

Odors. Because the project would be residential, it would not create or emit objectionable odors affecting a substantial number of people. Additionally, Zoning district standards, development standards, and design standards contained in Title 21 of the LBMC would reduce the potential for odor impacts by ensuring that incompatible uses are not located in proximity to each other or that compatibility issues are addressed through site design.

BIOLOGICAL RESOURCES

Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans. No adopted habitat conservation plans or natural community conservation plans apply in the City of Long Beach.

GEOLOGY AND SEISMICITY

Landslides. The project site is in an area with minimal natural topographic relief and, according to Plate 9 of the Seismic Safety Element of the General Plan, it is not located in area susceptible to landslides.

On-site septic systems. The project is located in a fully developed part of Long Beach, with access to existing sewer connections. It would not require the use of septic tanks.

HAZARDS AND HAZARDOUS MATERIALS

Soil contamination. The project site is not listed on any of the online databases of sites containing soil contamination compiled pursuant to Government Code Section 65962.5. Other nearby sites containing or previously containing contaminated soils have either been remediated or groundwater at these sites flows away from the project site.

Airport safety hazards. The project site is located approximately 2.25 miles northwest of the closest airport, Long Beach Municipal Airport. It is not within an area covered by an airport land use plan, nor is it located in the vicinity of a private air strip.

Emergency plans. The project involves demolition of existing structures and the construction of a residential development, and would not conflict with an adopted emergency response plan or emergency evacuation plan.

Wildland fire hazard. The project site is located in an urbanized area of Long Beach far from any wildfire hazard areas, and the project would thus not expose persons or structures to wildfire hazard risks.

HYDROLOGY AND WATER QUALITY

100-year flood zone/flooding. The project site is located outside of the 100-year flood zone.

Dam or levee failure. There are no dams or levees located within the vicinity of the project site, and the site is not within a dam inundation area.

Seiches, tsunamis, and mudflows. The project site is not located within a tsunami hazard zone. Additionally, because the project site is not close to a large body of water, seiches are not a significant concern. The project site is not located within an area subject to potentially high landslide or debris and mud flows.

LAND USE AND PLANNING

Division of an established community. The project is infill development, and does not include any components that would physically divide an established community.

Habitat conservation plans or natural community conservation plans. No such plans apply to the project site.

MINERAL RESOURCES

Availability of known mineral resources. The project site and surrounding properties are part of an urbanized area in northeast Long Beach that is not located in a mineral extraction operations area. The project does not involve a mineral resource recovery site and no mineral resource activities would be altered or displaced by the project.

NOISE AND VIBRATION

Aircraft noise. The project site is located approximately 2.25 miles northwest of the closest airport, Long Beach Municipal Airport. Due to this separation, it would not be subject to excessive aircraft noise. The project site is not located in the vicinity of a private airstrip.

POPULATION AND HOUSING

Displacement of people or housing. The project would result in the removal of one housing unit: the existing caretaker's residence on the project site. This would not constitute a substantial displacement of housing or people.

TRANSPORTATION/TRAFFIC

Air traffic patterns. Given the fact that the project site is located approximately 2.25 miles northwest of the closest airport, Long Beach Municipal Airport, the project would not present any impediments to air traffic.

Alternative transportation. The project would not directly result in changes to the public transportation system that would conflict with adopted policies plans or programs. Access to City of Long Beach bus lines is currently available near the project site at bus stops along Long Beach Boulevard (Lines 51 and 52) and Del Amo Boulevard (Lines 191 and 192) within one half mile of the project site. Access to the Los Angeles Metro light rail Blue Line is available at Del Amo Station, located on West Del Amo Boulevard approximately one mile from the project site, with connections to bus lines running along Del Amo Boulevard. Compared to overall existing demand on alternative transportation facilities, the additional residents added to the area by the project would not be expected to decrease performance of these facilities.

IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE RIVERWALK RESIDENTIAL DEVELOPMENT PROJECT FINAL EIR

The Final EIR for the Riverwalk Residential Development Project found that the project would have a less than significant impact with respect to a number of environmental topics without the need for mitigation, as summarized below. A less than significant environmental impact determination was made for these topic areas.

AESTHETICS

Scenic vistas. The only area from which scenic vistas have the potential to be blocked by construction of the project is from the west, where views of the San Gabriel Mountains are available from the trails and paths along the Los Angeles River and Dominguez Gap Wetlands. Project-related buildings would be visible from these areas, but they would not significantly obstruct views of the mountains.

Scenic resources. The project site and its immediate surroundings do not contain any officially-designated scenic resources. Other potentially scenic but not officially designated resources, such as the Dominguez Gap wetlands, the Los Angeles River, and on- and off-site trees, exist on and around the project site, but their scenic nature would not be significantly impacted by the project. For example, while the project site does contain on-site trees that would be removed as part of site preparation for the project, the project would also involve planting 352 new trees throughout the project site that would replace existing on-site trees. The Development Agreement for the project also requires that the developer replace any trees that are lost off the project site due to project construction.

Visual character and quality. The project site is currently vacant and relatively unmaintained. While the project would change the visual character and quality of the project site and, to a lesser degree, its surroundings, it would generally have a high level of visual character and quality, and would not conflict with adopted policies of the City of Long Beach related to visual character and quality.

AIR QUALITY

Operational air pollutant emissions. Operation of the project would generate long-term operational air pollutant emissions from stationary sources such as additional natural gas consumption for onsite building and electrical demand, and mobile sources such as project-related vehicle trips. However, emissions would not exceed SCAQMD operational significance threshold for any criteria pollutants.

BIOLOGICAL RESOURCES

Local policies or ordinances protecting biological resources. With enforcement of consultation requirements contained in the project's Development Agreement, and permitting requirements contained in the City's Municipal Code, the project would not conflict with any adopted policy of the City of Long Beach protecting biological resources, including the City's regulations and policies designed to protect, maintain and replace (if necessary) City trees, including street trees.

Riparian habitat, federally protected wetlands, or other sensitive natural communities or migratory corridors. The project site does not contain any riparian habitat, jurisdictional drainages/wetlands, suitable habitat for special-status plant species, or migratory corridors as identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The Dominguez Gap Wetlands are located immediately west of the project site, but are separated from it by a berm/levee. While surface flows from the project site eventually drain to the wetlands and the Los Angeles River, the proposed hydrological plans for the site include implementing a system of stormwater management techniques to minimize runoff from the project site.

CULTURAL RESOURCES

Historical Resources. Generally, a resource is considered to be "historically significant" under CEQA if the resource meets the criteria for listing on the California Register of Historical Resources (California Register). The only potentially historical resources on the project site are structures associated with its former use as a Boy Scout Camp. These resources have been determined to be not eligible for listing in the California Register.

GEOLOGY AND SOILS

Surface rupture or seismically-induced ground failure or ground shaking. The project site is located near the Newport-Inglewood Fault Zone, but the fault does not cross the project site, and the potential for ground rupture during an earthquake is therefore considered low. Seismically-induced shaking from an earthquake on this or other faults could, however, cause ground failure or ground shaking and damage structures on the project site, potentially resulting in loss of property and risk to human health. However, the level of risk is not unusual compared to that of the region as a whole, and compliance with applicable standards including the International Building Code (IBC) and California Building Code (CBC), as ensured through the engineering and building plan review requirements of the Long Beach Municipal Code, would reduce risks to acceptable levels.

Soil erosion or the loss of topsoil. Compliance with the City of Long Beach Best Management Practices for erosion and sediment control (Special Practices) would reduce the amount of erosion or topsoil loss to acceptable levels.

GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

Generation of greenhouse gas emissions. Development of the project would generate additional greenhouse gas (GHG) emissions beyond existing conditions. However, GHG emissions would not exceed proposed significance thresholds of the Southern California Air Quality Management District (SCAQMD).

Plans, policies or regulations for to reduce greenhouse gas emissions. The project would be consistent with the State Climate Action Team (CAT) GHG reduction strategies and the Southern California Association of Government's (SCAG's) Sustainable Communities Strategy (SCS).

HAZARDS AND HAZARDOUS MATERIALS

Storage, transport, use, disposal, emission, or accidental release of hazardous materials. Development of the project would not involve the routine storage, transport, use or disposal of hazardous materials. It would require the demolition of existing structures that could contain asbestos or lead based paints, the release of which has the potential to adversely affect human health and safety. The project site is also located within ¼ mile of a school. However, the project would be subject to existing regulations, including South Coast Air Quality Management District (SCAQMD) Rule 1403 (Asbestos Demolition and Renovation Activities), designed to avoid potentially significant effects from such hazards.

HYDROLOGY AND WATER QUALITY

Erosion, sedimentation, or discharge of pollutants. During project grading, construction, and long-term operation, the soil surface of the project site would be subject to erosion, and the downstream watershed could be subject to temporary sedimentation and discharges of various pollutants. However, features have been incorporated into the project to minimize these effects, and the project would be required to comply with the NPDES General Construction Permit.

Alteration of drainage patterns leading to substantial on- or off-site flooding. The project would alter the existing drainage pattern of the project site. However, runoff from the project site would not exceed the capacity of the off-site storm drain system due to the required on-site retention basin limiting stormwater runoff to pre-development levels.

Interference with groundwater recharge. The project would increase impervious surfaces on the site, thus potentially interfering with groundwater recharge. However, the project site includes a retention basin with a capacity of 0.48 acre feet that would retain runoff, and any runoff exceeding the capacity of this retention basin would be diverted into the Project 130 storm channel, which then empties into the adjacent Dominguez Gap Basin and Wetlands, which were designed to absorb runoff and recharge groundwater supplies.

NOISE AND VIBRATION

Construction noise and vibration. Project-related construction activities would intermittently generate high noise levels and groundborne vibration on and adjacent to the project site. Construction noise levels could exceed the City's exterior noise standard of 50 dBA, but the construction causing this noise would be subject to the City of Long Beach Noise Ordinance, which prohibits construction outside daytime hours. While vibration from project construction may be felt at some properties in the immediate vicinity of the project site, it would not reach the threshold at which it would cause damage to buildings. Noise and vibration from project construction would not tend to interfere with sleep because construction would not occur during nighttime hours.

Onsite operational noise and vibration. Noise levels would increase as a result of ongoing activities associated with the project such as ventilation and air conditioning (HVAC) units, deliveries, and trash hauling activities. Much of this noise would be intermittent in nature and typical of residential neighborhoods. Therefore, exceedances

of City standards normally would not be anticipated. Any periodic violations of City Noise Ordinance standards would be subject to Code enforcement actions. Outdoor noise sources from the project would mainly consist of rooftop HVAC equipment and vehicular noise from operational traffic. Compliance with Code requirements would ensure that HVAC equipment does not exceed City exterior noise level standards at the nearest noise-sensitive residential receptors. No significant sources of onsite operational vibration are expected to occur.

Traffic-related noise. Traffic generated by the project would result in noise level increases along roadways in the project vicinity, but traffic-related increases in noise would not exceed the City's thresholds at sensitive receptors along the affected roadway segments.

Exterior noise and vibration from the Union Pacific railroad and traffic on Interstate 710. Noise from automotive traffic on Interstate 710 (I-710) and noise from train traffic on the Union Pacific (UP) railroad would not exceed "normally acceptable" levels as defined by the California Department of Health Services. Vibration from train traffic on the UP railroad would not exceed the threshold for residential uses set by the Federal Transit Administration (FTA).

POPULATION AND HOUSING

Population growth inducement. Development of the project may directly increase the City's population. However, this population growth would fall within and be consistent with population forecasts from the City of Long Beach General Plan and the Southern California Association of Government's (SCAG's) Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS). The project would therefore not in itself induce substantial population growth beyond that already planned for by the City or SCAG.

PUBLIC SERVICES AND RECREATION

Fire protection facilities. The project would place increased demands on fire protection services, but the project site is within the existing service area of the Long Beach Fire Department (LBFD), and the LBFD's current response time to the vicinity of the project site is within the LBFD's four-minute response time goal.

Police facilities. The project would place increased demands on police services, but the additional population created by the project would not significantly affect the sworn officer to population ratio of the Long Beach Police Department (LBPD), and the LBPD's response time to the project site is within the LBPD's response time goal of less than five minutes.

Public library facilities. The project would place increased demands on public library services, but the additional population created by the project would create a minimal (0.08%) potential increase in the demand for library services City-wide. The project's potential increased demand for library services would also be minimal at the nearest library branches, Dana Neighborhood Library (0.9%) and North Neighborhood Library (0.4%).

Public school facilities. The project would place increased demands on public schools, but the estimated number of student's generated by the project would not exceed the capacity of area schools based on the approximate 2014 enrollment levels and current capacities of these schools. Additionally, the project would be required to pay School Facility Fees to the Long Beach Unified School District (LBUSD).

Increased use of existing, or need for additional, parks or other recreational facilities. The project would increase demand for park and other recreational facilities, but the additional population created by the project would not significantly affect the City's parkland to population ratio, and the project would add approximately 0.64 acres of on-site recreational space for future residents and a 3.3-acre off-site public park, for a total of 3.94 acres of additional recreational space, which would accommodate the project's demand for such facilities.

TRANSPORTATION AND TRAFFIC

Construction traffic impacts. Vehicle trips resulting from construction of the project would increase traffic on the surrounding street network, but would not cause any intersection to exceed the City's LOS standard.

Operational traffic impacts. Vehicle trips resulting from the project after its construction (operational traffic) would increase traffic on the surrounding street network, but would not cause any intersection or road segment to exceed City standards, nor would it conflict with the Los Angeles County Congestion Management Program (CMP).

Hazardous design features or inadequate emergency access. The project does not include any hazardous design features. It would not result in inadequate emergency access because adequate access for emergency vehicles is available to the project site and project-generated traffic would not cause any intersection or road segment to exceed City or CMP standards and thus impede emergency access.

UTILITIES AND SERVICE SYSTEMS

Water supply. Based on the City's 2010 Urban Water Management Plan, adequate water supplies are available to serve the project's estimated water demand of 39 acre feet per year.

Landfill capacity. Based on standard waste generation rates and the potential population increase associated with the project, the project's estimated solid waste generation would be within the capacity of local landfills.

Storm water conveyance facilities. The project would include an on-site storm drainage system that would be designed to capture the storm water runoff from the hardscape areas, landscape areas, and building roof drains via multiple storm drain systems, and direct the "first flush" to a proposed infiltration Best Management Practice (BMP). This system would reduce off-site discharge so it would not exceed existing conditions, and the project would therefore not require or result in the construction of new storm water drainage facilities or expansion of existing facilities.

Electricity and natural gas consumption. The project site is in an urbanized area served by electricity and natural gas distribution facilities. Although the project would increase electricity and natural gas consumption within the City, estimated project-related use would be minimal compared to overall supply and demand, equaling 0.001% of existing electricity demand for the service area of Southern California Edison (SCE) and 0.06% of the estimated available withdrawal capacity of the Long Beach Gas and Oil Department (LBGOD) in 2030. Consequently, the supply and distribution of electricity and natural gas to the project site or other areas would not be reduced or inhibited as a result of the project.

V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION IN THE RIVERWALK RESIDENTIAL DEVELOPMENT PROJECT FINAL EIR, AND FINDINGS

The City of Long Beach, having reviewed and considered the information contained in the Riverwalk Residential Development Project Final EIR, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1), that changes or alterations have been required in, or incorporated into, the Riverwalk Residential Development Project to avoid or substantially lessen to below a level of significance potentially significant environmental effects related to air quality, biological resources, cultural resources, geology and soils, land use and planning, noise and vibration, and utilities and service systems.

AIR QUALITY

Construction air pollutant emissions. Onsite construction activity would generate temporary emissions. These construction emissions would be within SCAQMD thresholds for all criteria pollutants except NOx and within all Localized Significance Thresholds (LSTs) for all criteria pollutants except PM_{10} and $PM_{2.5}$. Mitigation is required to lower construction emissions below these thresholds.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant construction emission environmental effect as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential construction-related air quality impacts have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measures identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measures:

AQ-1(a) **Construction Equipment Restrictions.** During demolition, the contractor shall limit the use of excavators to one. During grading, the contractor shall limit use of excavators to two operating no more than seven hours per day. During any phase of construction, the contractor shall limit the operation of scrapers to two operating seven hours per day, and shall not allow the operation of cranes on-site.

AQ-1(b) **Additional Construction Mitigation Measures.**

- All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet the Tier 4 emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- Alternatively, the Lead Agency could rely on the Green Construction Policy used by LA County Metro or the ports of Los Angeles/Long Beach. These policies include provisions to 'step down' from Tier 4 equipment to Tier 3 or Tier 2 if specified criteria are met.
- The Lead Agency shall require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require use of trucks that meet EPA 2007 model year NOx emissions requirements.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

BIOLOGICAL RESOURCES

Special status species. The project has the potential to affect special-status species, including bats, nesting raptors and migratory birds. Mitigation is required to reduce potential impacts to these species to a less than significant level, and to ensure compliance with the Migratory Bird Treaty Act (MBTA) and the California Fish and Game (CFG) Code.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts to special status species as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts to special status species have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measures identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measures:

BIO-1(a) **Preconstruction Bat Surveys.** Prior to any building demolition, brush clearing, tree clearing, or grading activities associated with the project, a qualified biologist shall complete a preconstruction survey to determine the presence or absence of any maternity roosting of special-status bats. If special-status bats are present, demolition and/or clearing within 100 feet of an active maternity roost shall be delayed until after the roosting season (April 15 through August 31).

BIO-1(b) **Raptor and Nesting Bird Protection.** To avoid disturbance of nesting and special status birds including raptorial species protected by the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (January 1 through September 1).

If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands outside the project site. The survey shall be conducted by a biologist familiar with the identification of raptors and special status species known to occur in Los Angeles County using typical methods.

If nests are found, a buffer ranging in size from 25 to 500 feet (25 feet for urban-adapted species such as Anna's hummingbird and California towhee and up to 500 feet for certain raptors) depending upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site, shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest.

CULTURAL RESOURCES

Archaeological Resources. Construction of the project would involve ground-disturbing activities such as grading, surface excavation, and placement of imported fill, which have the potential to unearth or adversely impact previously unidentified archaeological resources. Mitigation is required to reduce this potential impact to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts to archaeological resources as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts to archaeological resources have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measures identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measures:

CR-1(a) **Archaeological Resource Construction Monitoring.** At the commencement of any ground-disturbing construction activities, including grading, surface excavation, and placement of imported fill, within the project site, an orientation meeting shall be conducted by an archaeologist for construction workers associated with ground-disturbing procedures. The orientation meeting shall describe the possibility of exposing unexpected archaeological

resources and directions as to what steps are to be taken if such a find is encountered.

A qualified archaeologist shall be present during and monitor all earth moving activities within native soil. In the event that unearthed prehistoric or archaeological cultural resources, historic artifacts, or human remains are encountered during project construction, all work in the vicinity of the find shall be halted until such time as the find is evaluated by a qualified archaeologist and appropriate mitigation (e.g., curation, preservation in place, etc.) in accordance with Public Resources Code 21083.2, if necessary, is implemented. Additionally, if such cultural resource remains are encountered, Mitigation Measure CR-1(b) shall take effect.

CR-1(b) **Unanticipated Discovery of Cultural Remains.** If cultural resource remains are encountered during construction or land modification activities, work shall stop and the City shall be notified at once to assess the nature, extent, and potential significance of any cultural remains. The applicant shall implement a subsurface testing program (known as a Phase II site evaluation according to Cultural Resource Management best use practices) to determine the resource boundaries, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts. If the Phase II site evaluation concludes the site is significant, a Phase III data recovery excavation program may be implemented to exhaust the data potential of the site, if the site cannot be avoided.

If the site is determined to be significant, the applicant may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.

Paleontological Resources. Construction of the project would involve ground-disturbing activities such as grading, surface excavation, and placement of imported fill. Although unlikely, these activities have the potential to unearth and/or impact paleontological resources. Mitigation is required to reduce this potential impact to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts to paleontological resources as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts to paleontological resources have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measures identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measures:

CR-2(a) **Paleontological Resource Construction Monitoring.** Ground-disturbing activity in areas of low paleontological sensitivity (Holocene alluvial sediments) that does not exceed three feet in depth shall not require paleontological monitoring. Monitoring of excavations exceeding three feet in depth shall be monitored by a qualified paleontologist to determine if potentially fossil bearing units are present at ground disturbing depths. If no fossils are observed during the first 50 percent of excavations exceeding three feet in depth, or if the qualified paleontologist can determine that excavations are not disturbing Pleistocene or Pliocene aged sediments, then paleontological monitoring shall be reduced to weekly spot-checking under the discretion of the qualified paleontologist.

CR-2(b) **Fossil Salvage.** If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover all fossils. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.

GEOLOGY AND SOILS

Soil liquefaction or settlement. The project site is located in an area with the potential for soil liquefaction or settlement. Although the level of risk to buildings that would be constructed on the project site is reduced due to a layer on non-liquefying soils, mitigation is still required to reduce this risk to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts related to soil liquefaction or settlement as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts related to soil liquefaction or settlement have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measures identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measures:

GEO-2(a) **Placement of Compacted Fill.** The existing fill and near surface alluvial soils in all the proposed structural areas shall be over excavated to a depth of four feet below the existing grade or two feet below the bottoms of the proposed structural footings, whichever is deeper, and shall be replaced with properly compacted fill.

GEO-2(b) **Building Foundations.** All building foundation systems shall be properly designed and constructed using either a post-tensioned or strengthened conventional concrete foundation, as determined by the City of Long Beach Building Official.

LAND USE AND PLANNING

Policy consistency. With implementation of the mitigation measures identified throughout the Final EIR and in these Facts and Findings, the project would be potentially consistent with applicable policies of the City's adopted General Plan, Strategic Plan, and Sustainable City Plan.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts related to consistency with applicable City policies as identified in the Riverwalk Residential Development Project Final EIR and in these Facts and Findings.*

Facts in Support of Finding

The project's potential impacts related to consistency with applicable City policies have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Riverwalk Residential Development Project Final EIR and in these Facts and Findings.

Mitigation Measures:

As described in Table 4.9-1 in Section 4.9, *Land Use and Planning* of the Final EIR, the project's consistency with applicable City policies would be ensured through implementation of mitigation measures to reduce other environmental impacts as identified throughout the Final EIR and in these Facts and Findings (see mitigation measures AQ-1(a), AQ-1(b), BIO-1(a), BIO-1(b), and N-5).

NOISE AND VIBRATION

Interior noise in residences facing the railroad and Interstate 710. Without mitigation, interior noise in proposed residences facing the railroad and Interstate-710 would potentially exceed the City's interior noise standards for residences. Mitigation is required to reduce this impact to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts related to interior noise in proposed residences facing the railroad and Interstate 710 as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts related to interior noise in proposed residences facing the railroad and Interstate 710 have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measure identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measure:

N-5 **Windows and Sliding Glass Doors.** All first floor and second floor windows and sliding glass doors facing Interstate 710 shall utilize a minimum STC rating of 28. All first floor and second floor windows and sliding glass doors facing the adjacent railroad track shall utilize a minimum STC rating of 30. All other windows and sliding glass doors on the project site shall utilize a minimum STC rating of 25.

UTILITIES AND SERVICE SYSTEMS

Local sewer mains. The project would generate a net increase of approximately 33,800 gallons of wastewater per day. Projected future wastewater generation would remain within the capacity of local wastewater treatment facilities. However, the sewer mains adjacent to the project site may be over-capacity and not able to receive increased wastewater flows from the project site. Mitigation is required to reduce this impact to a less than significant level.

Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the project's potentially significant impacts related to local sewer mains as identified in the Riverwalk Residential Development Project Final EIR.*

Facts in Support of Finding

The project's potential impacts related to local sewer mains have been eliminated or substantially lessened to a less than significant level by virtue of the following mitigation measure identified in the Riverwalk Residential Development Project Final EIR.

Mitigation Measure:

U-2 **Wastewater Infrastructure.** Prior to issuance of grading or building permits, the applicant shall submit a sewer study performed by an experienced civil engineer, including a hydraulic analysis, for review and approval by the LBWD. If the study determines that the existing sewer mains are over capacity and would be unable to accommodate the additional wastewater

generated by the proposed project, then the project applicant shall pay to upgrade the existing sewer mains to sufficient design and capacity to accommodate the proposed project, prior to the issuance of building or grading permits. Replacement sewer lines shall be installed in the same locations as existing sewer lines in order to ensure that only temporary disturbance of existing rights-of-way would occur and that installation of these replacement sewer lines would not result in new areas of disturbance unless otherwise approved by LBWD. The sewer upgrades must be designed and implemented consistent with the information and conclusions in the approved sewer study.

MITIGATION MONITORING AND REPORTING PROGRAM

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Long Beach Riverwalk Residential Development Project, proposed in the City of Long Beach, County of Los Angeles. CEQA requires adoption of a monitoring and reporting program for the mitigation measures necessary to mitigate or avoid a project's significant effects on the environment. The MMRP is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Initial Study (IS) or EIR that applies to the proposed project, specifications are made herein that identify the action required and the monitoring that must occur. In addition, the party for verifying compliance with individual mitigation measures is identified.

The following table summarizes the mitigation measures for each issue area identified in the IS or EIR for the Long Beach Riverwalk Residential Development project. The proposed project would involve subdividing the 10.56-acre project site and developing it into a gated residential community containing 131 detached single family homes. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. Where an impact was determined to be less than significant, no mitigation measures were required.

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
Air Quality							
Mitigation Measure AQ-1(a): Construction Equipment Restrictions. During demolition, the contractor shall limit the use of excavators to one. During grading, the contractor shall limit use of excavators to two operating no more than seven hours per day. During any phase of construction, the contractor shall limit the operation of scrapers to two operating seven hours per day, and shall not allow the operation of cranes on-site.	Ensure that construction contractors limit use of excavators and scrapers, and do not use cranes.	During any project-related demolition, grading or construction activities.	Periodically throughout project-related demolition, grading, or construction activities.	LBDS Planning Bureau.			
Mitigation Measure AQ-1(b): Additional Construction Mitigation Measures. • All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet the Tier 4 emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the California Air Resources Board (CARB). Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. • Alternatively, the Lead Agency could rely on the Green Construction Policy used by LA County Metro or the ports of Los Angeles/Long Beach. These policies include provisions to 'step down' from Tier 4 equipment to Tier 3 or Tier 2 if specified criteria are met. • The Lead Agency shall require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require use of trucks that meet EPA 2007 model year NOx emissions requirements. • A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.	Ensure that construction contractors use off-road diesel-powered construction equipment and diesel haul trucks meeting the requirements of this mitigation measure. Verify that each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit is provided at the time of mobilization of each applicable unit of equipment.	Before any project-related demolition, grading or construction activities.	Once before any project-related demolition, grading or construction activities.	LBDS Planning Bureau.			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
Biology							
Mitigation Measure BIO-1(a): Preconstruction Bat Surveys. Prior to any building demolition, brush clearing, tree clearing, or grading activities associated with the project, a qualified biologist shall complete a preconstruction survey to determine the presence or absence of any maternity roosting of special-status bats. If special-status bats are present, demolition and/or clearing within 100 feet of an active maternity roost shall be delayed until after the roosting season (April 15 through August 31).	Ensure that the developer has a qualified biologist complete the specified preconstruction survey and, if special-status bats are present, delays demolition and/or clearing within 100 feet of an active maternity roost until after roosting season.	Prior to any building demolition, brush clearing, tree clearing, or grading.	One time activity prior to any building demolition, brush clearing, tree clearing, or grading.	LBDS Planning Bureau.			
Mitigation Measure BIO-1(b): Raptor and Nesting Bird Protection. To avoid disturbance of nesting and special status birds including raptorial species protected by the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (January 1 through September 1). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands outside the project site. The survey shall be conducted by a biologist familiar with the identification of raptors and special status species known to occur in Los Angeles County using typical methods. If nests are found, a buffer ranging in size from 25 to 500 feet (25 feet for urban-adapted species such as Anna's hummingbird and California towhee and up to 500 feet for certain raptors) depending upon the species, the proposed	Ensure that construction contractors conduct activities related to the project (such as vegetation removal, ground disturbance, construction and demolition) outside of the bird breeding season. If construction must begin within the bird breeding season, then ensure that construction contractors conduct the specified pre-construction nesting bird survey. If nests are found,	Three days prior to initiation of ground disturbance and vegetation removal.	Prior to and during ground disturbance and vegetation removal.	LBDS Planning Bureau.			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
work activity, and existing disturbances associated with land uses outside of the site, shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest.	ensure that the construction contractors demarcate and properly avoid the specified buffer area according to the requirements of this mitigation measure.						
Cultural Resources							
Mitigation Measure CR-1(a): Archaeological Resource Construction Monitoring. At the commencement of any ground-disturbing construction activities, including grading, surface excavation, and placement of imported fill, within the project site, an orientation meeting shall be conducted by an archaeologist for construction workers associated with ground-disturbing procedures. The orientation meeting shall describe the possibility of exposing unexpected archaeological resources and directions as to what steps are to be taken if such a find is encountered. A qualified archaeologist shall be present during and monitor all earth moving activities within native soil. In the event that unearthed prehistoric or archaeological cultural resources, historic artifacts, or human remains are encountered during project construction, all work in the vicinity of the find shall be halted until such time as the find is evaluated by a qualified archaeologist and appropriate mitigation (e.g., curation, preservation in place, etc.) in accordance with Public Resources Code 21083.2, if necessary, is implemented. Additionally, if such cultural resource remains are encountered, Mitigation Measure CR-1(b) shall take effect.	Ensure that the construction contractor has a qualified archaeologist conduct an orientation meeting at the commence-ment of any ground-disturbing construction activities; monitors all earth moving activities within native soil; and evaluates any prehistoric or archaeological cultural resources, historic artifacts, or human remains discovered during construction.	During any ground-disturbing activities at the project site.	At the commencement of, and periodically throughout, any ground-disturbing activities at the project site.	LBDS Planning Bureau.			
Mitigation Measure CR-1(b): Unanticipated Discovery of Cultural Remains. If cultural resource remains are encountered during construction or land modification activities, work shall stop and the City shall be notified at once to assess the nature, extent, and potential significance of any cultural remains. The applicant shall implement a subsurface testing	Ensure that, if cultural resource remains are found, the applicant implements a subsurface testing	During any project-related construction or land modification activities at the	Periodically throughout project-related construction or land modification activities at the	LBDS Planning Bureau.			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
program (known as a Phase II site evaluation according to Cultural Resource Management best use practices) to determine the resource boundaries, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts. If the Phase II site evaluation concludes the site is significant, a Phase III data recovery excavation program may be implemented to exhaust the data potential of the site, if the site cannot be avoided. If the site is determined to be significant, the applicant may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.	program to determine the resource boundaries, assesses the integrity of the resource, evaluates the site's significance through a study of its features and artifacts, and follows the other requirements of this mitigation measure if the site is determined to be significant.	project site.	project site				
Mitigation Measure CR-2(a): Paleontological Resource Construction Monitoring. Ground-disturbing activity in areas of low paleontological sensitivity (Holocene alluvial sediments) that does not exceed three feet in depth shall not require paleontological monitoring. Monitoring of excavations exceeding three feet in depth shall be monitored by a qualified paleontologist to determine if potentially fossil bearing units are present at ground disturbing depths. If no fossils are observed during the first 50 percent of excavations exceeding three feet in depth, or if the qualified paleontologist can determine that excavations are not disturbing Pleistocene or Pliocene aged sediments, then paleontological monitoring shall be reduced to weekly spot-checking under the discretion of the qualified paleontologist.	Ensure that the construction contractor monitors excavations exceeding three feet in depth to determine if potentially fossil bearing units are present at ground disturbing depths.	During any ground-disturbing activities at the project site.	Periodically throughout ground-disturbing activities at the project site.	LBDS Planning Bureau.			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure CR-2(b): Fossil Salvage. If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover all fossils. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.	Ensure that the construction contractor has a qualified paleontologist or monitor recover all fossils that are discovered, and temporarily directs, diverts or halts construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.	During any ground-disturbing activities at the project site.	Periodically throughout ground-disturbing activities at the project site.	LBDS Planning Bureau.			
Geology & Soils							
Mitigation Measure GEO-2(a): Placement of Compacted Fill. The existing fill and near surface alluvial soils in all the proposed structural areas shall be over excavated to a depth of four feet below the existing grade or two feet below the bottoms of the proposed structural footings, whichever is deeper, and shall be replaced with properly compacted fill.	Confirm, through inspection of grading plans and actual grading, that existing fill and near surface alluvial soils in all proposed structural areas are properly over excavated and replaced with properly compacted fill.	Prior to and during excavation and fill.	Before approval of grading plans, and during excavation and placement fill .	LBDS Bureau of Building and Safety			
Mitigation Measure GEO-2(b): Building Foundations. All building foundation systems shall be properly designed and constructed using either a post-tensioned or strengthened conventional concrete foundation, as determined by the City of Long Beach Building Official.	Ensure that all building foundation systems are properly designed using either a post-tensioned or strengthened conventional concrete foundation, and that all building	Prior to approval of the project's engineering plans, and during normal inspections of building foundations.	Once prior to approval of the project's engineering plans, and periodically during normal inspections of building foundations.	LBDS Bureau of Building and Safety			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
	foundation systems are built in conformance with these plans.						
Land Use							
See Mitigation Measures AQ-1(a), AQ-1(b), BIO-1(a), BIO-1(b), and N-5							
Noise and Vibration							
Mitigation Measure N-5: Windows and Sliding Glass Doors. All first floor and second floor windows and sliding glass doors facing Interstate 710 shall utilize a minimum STC rating of 28. All first floor and second floor windows and sliding glass doors facing the adjacent railroad track shall utilize a minimum STC rating of 30. All other windows and sliding glass doors on the project site shall utilize a minimum STC rating of 25.	Ensure that construction contractors utilize a minimum STC rating of 28 on first floor and second floor windows and sliding glass doors facing interstate 710; a minimum STC rating of 30 on first floor and second floor windows and sliding glass doors facing the adjacent railroad track; and a minimum STC rating of 25 on all other windows and sliding glass doors.	Prior to approval of the project's building plans, and during normal construction inspections.	Once prior to approval of building plans, and periodically during normal construction inspections.	LBDS Bureau of Building and Safety			
Utility & Service Systems							
Mitigation Measure U-2: Wastewater Infrastructure. Prior to issuance of grading or building permits, the applicant shall submit a sewer study performed by an experienced civil engineer, including a hydraulic analysis, for review and approval by the LBWD. If the study determines that the existing sewer mains are over capacity and would be unable to accommodate the additional wastewater generated by the proposed project, then the project applicant shall pay to upgrade the existing sewer mains to sufficient design and	Ensure that the applicant submits a sewer study performed by an experienced civil engineer, including a hydraulic analysis and, if necessary, pays to upgrade the	Prior to issuance of grading or building permits.	One time activity prior to issuance of grading or building permits.	LBWD			

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
capacity to accommodate the proposed project, prior to the issuance of building or grading permits. Replacement sewer lines shall be installed in the same locations as existing sewer lines in order to ensure that only temporary disturbance of existing rights-of-way would occur and that installation of these replacement sewer lines would not result in new areas of disturbance unless otherwise approved by LBWD. The sewer upgrades must be designed and implemented consistent with the information and conclusions in the approved sewer study.	existing sewer mains to sufficient design and capacity to accommodate the proposed project.						

Key: **LBDS – City of Long Beach Development Services Department**
LBWD – City of Long Beach Water Department