

# **New Long Beach Courthouse Final Initial Study**

August 6, 2009

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## **ABBREVIATIONS**

Agency	Redevelopment Agency of the City of Long Beach
Air District	South Coast Air Quality Management District
ADOC	Administrative Director of the Courts
AOC	Administrative Office of the Courts
BGSF	Building gross square feet
BMP	Best management practice
CEQA	California Environmental Quality Act
City	City of Long Beach
County	County of Los Angeles
LEED	Leadership in Engineering and Environmental Design
LOS	Level of Service
NPDES	National Pollutant Discharge Elimination System
Superior Court	Superior Court of California, County of Los Angeles
SWPPP	Storm Water Pollution Prevention Plan

1 **1.0 INTRODUCTION**

2 The Administrative Office of the Courts (AOC) is the staff agency of the Judicial Council of  
3 California. The AOC is responsible for implementation of the Trial Court Facilities Act of 2002,  
4 landmark legislation that shifts governance of California courthouses from California counties to  
5 the State of California.

6  
7 The AOC proposes to construct a new courthouse facility with 31 courtrooms and approximately  
8 545,000 building gross square feet (BGSF) of space in the City of Long Beach (City) for the  
9 Superior Court of California, County of Los Angeles (Superior Court). The site is approximately  
10 1,000 feet north of the Superior Court’s current courthouse. The City’s Redevelopment Agency  
11 (Agency) owns the proposed courthouse site.

12  
13 The proposed project will provide 31 courtrooms to the Superior Court’s available facilities, and  
14 the new courthouse will provide increased space for public, staff, and secured in-custody  
15 detainees. The facility will also provide space for County staffpersons that routinely interact with  
16 the Superior Court, commercial office space for tenants, retail space, and parking facilities for  
17 the commercial office space and retail tenants. This document analyses construction of the  
18 proposed courthouse as well as operational effects of the proposed courthouse.

19  
20 The AOC will act as the California Environmental Quality Act (CEQA) Lead Agency for this  
21 project. Therefore, the AOC is responsible for CEQA compliance for this project including  
22 preparation of the Draft Initial Study and Mitigated Negative Declaration and adoption of a Final  
23 Initial Study and Mitigated Negative Declaration.

24  
25 ***1.1 STATUTORY AUTHORITY AND REQUIREMENTS***

26  
27 In accordance with Government Code Section 70391 and CEQA (Public Resources Code Section  
28 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations,  
29 the Judicial Council typically acts as the CEQA Lead Agency for courthouse projects. The  
30 Judicial Council has delegated its project approval authority to the Administrative Director of the  
31 Courts (ADOC). The ADOC considers a project’s potential environmental impacts in his  
32 evaluation of the proposal project. If the ADOC finds that there is no evidence that the project  
33 (either as proposed or modified to include mitigation measures) may cause a significant effect on  
34 the environment, then the ADOC will adopt a Negative Declaration for the project. Alternatively,  
35 if the ADOC finds evidence that the proposed project may cause a significant environmental  
36 effect (after the addition of mitigation measures); the ADOC will determine that an  
37 environmental impact report is necessary to analyze project-related and cumulative  
38 environmental impacts.

39  
40 The AOC’s headquarters is located at 455 Golden Gate Avenue in San Francisco, CA 94102-  
41 4272

42  
43 The AOC is the project sponsor through a private/public funding partnership that includes a  
44 private firm (the Project Company). The Judicial Council will own the facility, and the Project

1 Company will design, build, finance, operate, and maintain the facility. The Project Company  
2 will determine the actual amount of commercial office and retail spaces available to third parties;  
3 the configuration of spaces; vehicle and pedestrian entrances; building height, mass, and bulk;  
4 and architectural expression.  
5

## 6 ***1.2 PURPOSE OF THIS INITIAL STUDY***

7 The purposes of this Initial Study are to:

- 8
- 9 1. Facilitate environmental assessment of the project,
- 10 2. Enable the AOC to modify the proposed project to mitigate significant environmental  
11 impacts,
- 12 3. Provide the AOC with information to use as the basis for deciding whether to prepare  
13 an EIR or Negative Declaration, and
- 14 4. Provide factual documentation for a Negative Declaration finding that the proposed  
15 project will not have a significant environmental effect.  
16

17 Section 15063 of the CEQA Guidelines identifies the following specific disclosure requirements  
18 for inclusion in an Initial Study:

- 19 1. A description of the project, including the location of the project;
- 20 2. An identification of the environmental setting;
- 21 3. An identification of environmental effects by use of a checklist, matrix, or other  
22 method provided that entries on a checklist or other form are briefly explained to  
23 indicate that there is some evidence to support the entries;
- 24 4. A discussion of ways to mitigate any significant effects identified in the Initial Study;
- 25 5. An examination of whether the project is compatible with existing zoning, plans, and  
26 other applicable land-use controls; and
- 27 6. The name of the person or persons who prepared or participated in preparation of the  
28 Initial Study.  
29  
30

1 **2.0 PROJECT DESCRIPTION**

2  
3 The AOC proposes to acquire a courthouse site in the City; construct a new courthouse facility,  
4 and operate the facility to serve the Superior Court, County offices that routinely interact with  
5 the Superior Court, and miscellaneous commercial and retail tenants. To provide additional  
6 parking for the proposed new facility, the project also includes improvements to the parking  
7 garage that currently serves the existing courthouse. The project may also close a portion of  
8 Daisy Avenue and make minor modifications to surrounding streets, pedestrian crossings, and  
9 on-street parking spaces. As part of the real estate acquisition arrangements, the AOC will  
10 transfer its ownership of the existing Long Beach Courthouse to the Agency in exchange for the  
11 Agency’s property that will be the site for the new court facility. The Agency has indicated that  
12 the Agency does not intend to utilize the existing courthouse building for local government  
13 operations, and the Agency will clarify its plans for the building in a future CEQA document.  
14

15 **2.1 PROJECT TITLE**

16 New Long Beach Courthouse

17 **2.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT**

18  
19 The purpose of the proposed project is to provide a new trial court facility that meets the needs of  
20 the Superior Court for the Superior Court’s Southern District of Los Angeles County area.  
21

22 The AOC’s New Long Beach Courthouse project objectives are:  
23

- 24 • Provide the Superior Court with at least 380,000 BGSF for 31 courtrooms and improved  
25 facilities to enhance security, improve public access, and provide space for the Superior  
26 Court’s staff;
- 27 • Provide adequate space and facilities for use by County justice-related agencies that  
28 routinely interact with the Superior Court; and
- 29 • Provide adequate space and facilities for private commercial and retail uses that seek to  
30 operate near the Superior Court.  
31

32 **2.3 PROJECT LOCATION**

33 The New Long Beach Courthouse (proposed project) site is an approximately 5.9-acre site  
34 consisting of 52 parcels located in Long Beach, California (Figure 1). The Agency currently  
35 owns the proposed courthouse site (see Figure 2 and Figure 3), and the State owns the current  
36 courthouse and the nearby parking structure.  
37

1 The proposed project site is located within the U.S. Geological Survey (U.S. Geological Survey)  
2 7.5-minute Long Beach topographic quadrangle (Figure 4, Topographic Map).<sup>1</sup> The 405 San  
3 Diego Freeway is roughly 3.6 miles north of the proposed project site, and the 710 Long Beach  
4 Freeway is located approximately 0.18 miles southwest and 0.36 miles west of the proposed  
5 project site. West Broadway provides access to the proposed project site from Interstate 710  
6 (Long Beach Freeway), which intersects the Proposed New Long Beach Courthouse Area and  
7 Parking Garage (described below). Interstate 710 also exits at Ocean Boulevard south of the  
8 proposed project site and connects to the site at Magnolia Avenue. The proposed project site is  
9 approximately 0.5 mile north of the Pacific Ocean.

10  
11 The Courthouse project’s areas include:

- 12  
13 • Proposed New Long Beach Courthouse Area—The proposed courthouse facility’s site is  
14 a two-block parcel bounded by 3rd Street to the north, Magnolia Avenue to the east, West  
15 Broadway to the south, and Maine Avenue to the west (See Figure 3, Local Vicinity  
16 Map). This area is flat and is currently predominantly vacant, with the exception of  
17 parking spaces operated by a private firm immediately north of West Broadway between  
18 Maine Avenue and Daisy Avenue. Daisy Avenue extends through the site from 3<sup>rd</sup> Street  
19 to West Broadway. Mixed-use commercial and residential buildings formerly occupied  
20 the site. After completing the West Gateway Environmental Impact Report in 2005, the  
21 Agency removed the structures. The Agency has removed all structures from the site;
- 22 • Long Beach Courthouse—The State acquired the courthouse from the County in 2007  
23 under the provisions of Senate Bill 1732. The building’s address is 415 West Ocean  
24 Boulevard, and its Assessors Identification Number is 7280-025-900. The courthouse has  
25 approximately 320,000 square feet of space, is ten stories tall, and occupies an  
26 approximately 3.8-acre parcel. The Superior Court occupies approximately 122,000  
27 square feet of space, and County offices currently occupy the remainder of the facility.  
28 The facility has an underground parking area with approximately 35 secured parking  
29 spaces and a surface parking lot for approximately 205 vehicles. The County and  
30 Superior Court utilize the underground parking area. The County and Superior Court also  
31 use the surface parking lot, but the City leases most of the surface lot’s spaces;
- 32 • Parking Garage—The State is in the process of acquiring the courthouse-related parking  
33 structure from the County. The structure’s address is 101 Magnolia Avenue, and its  
34 Assessors Identification Number is 7278-015-944. The structure’s parcel covers  
35 approximately 2.7 acres. The Superior Court and County share use of the parking  
36 structure.

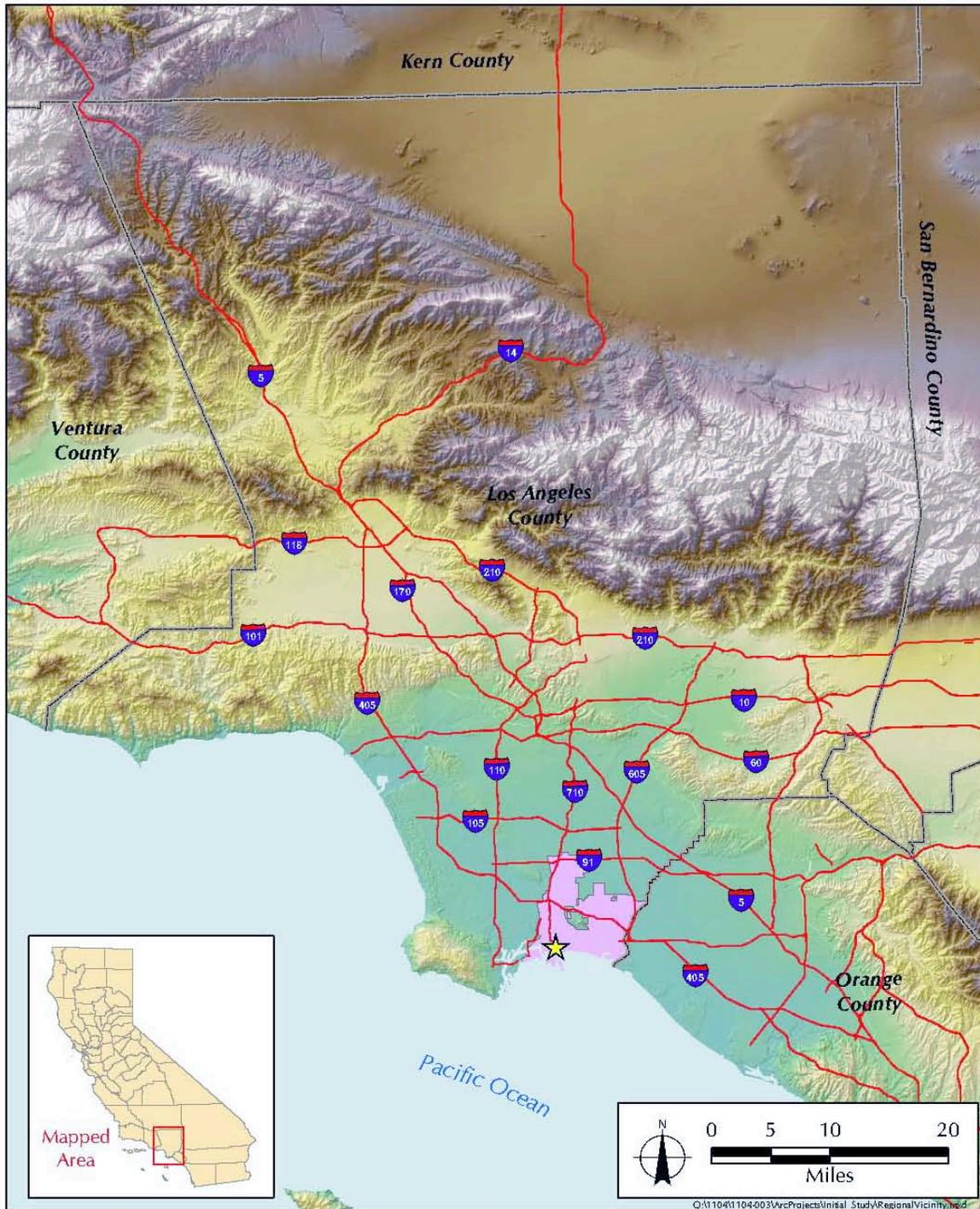
37  
38  

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<sup>1</sup> U.S. Geological Survey. [1964] Photorevised 1981. 7.5-Minute Series, Long Beach, California, Topographic  
Quadrangle. Reston, VA.

1  
2

Figure 1. Regional Vicinity Map

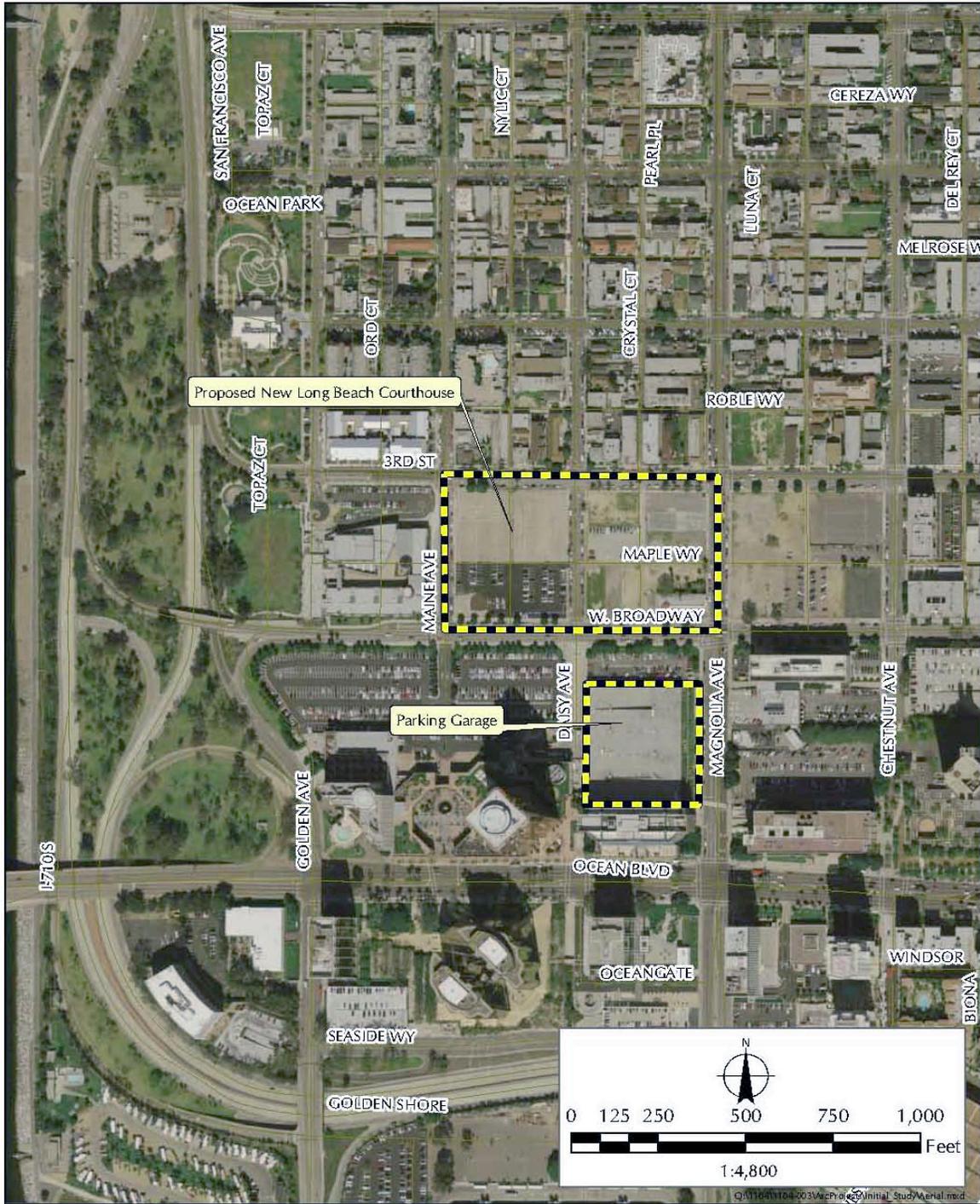


	<p>★ Proposed Project Location</p> <p>■ City of Long Beach</p>
---	--

3

1  
2

Figure 2. Aerial Map



	 Proposed Property Boundary	<b>FIGURE 2</b> Aerial Map
--	--	-------------------------------

3

1  
2

Figure 3. Local Vicinity Map

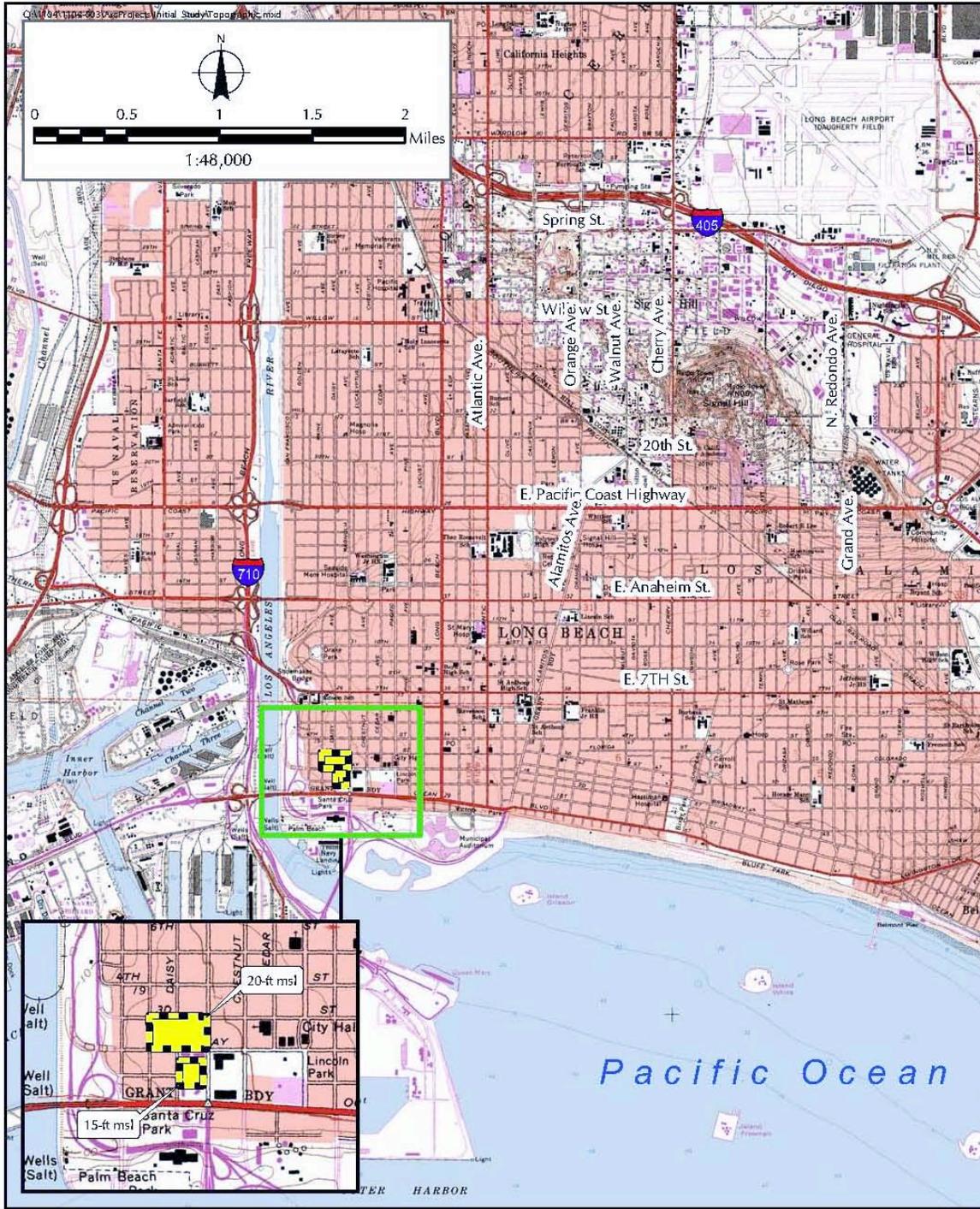


FIGURE 3  
Local Vicinity Map

3

1  
2

Figure 4. Topographic Map



  Proposed Property Boundary

**FIGURE 1.5-4**  
Topographic Map

3

1

## 2 **2.4 PROJECT DESCRIPTION**

3

4 The proposed project will include an approximately 7-story building with a basement. The  
5 proposed facility will serve the Superior Court, the County, commercial office tenants, and other  
6 retail tenants.

7

8 Since the AOC is the project's lead agency and is acting for the State of California on behalf of  
9 the Judicial Council of California, local governments' land use planning and zoning regulations  
10 do not apply to the proposed courthouse project. The AOC's proposed courthouse design will  
11 conform to the requirements of the California Trial Court Facilities Standards.<sup>2</sup> The AOC  
12 adapted these principles from the Guiding Principles for Federal Architecture by Daniel Patrick  
13 Moynihan, Hon. AIA and on the Excellence in Public Buildings Initiative, by Stephan  
14 Castellanos, FAIA, and former State Architect of California. These principles include:

15

- 16 • Court buildings shall represent the dignity of the law, the importance of the activities  
17 within the courthouse, and the stability of the judicial system;
- 18 • Court buildings shall represent an individual expression that is responsive to local  
19 context, geography, climate, culture, and history and shall improve and enrich the sites  
20 and communities in which they are located;
- 21 • Court buildings shall represent the best in architectural planning, design, and  
22 contemporary thought and shall have requisite and adequate spaces that are planned and  
23 designed to be adaptable to changes in judicial practice;
- 24 • Court buildings shall be economical to build, operate, and maintain;
- 25 • Court buildings shall provide a healthy, safe, and accessible environment for all  
26 occupants; and
- 27 • Court buildings shall be designed and constructed using proven best practices and  
28 technology with careful use of natural resources.

29

30 The AOC will apply the following codes and standards: California Building Code<sup>3</sup> (edition in  
31 effect as of the commencement of schematic design phase of the proposed project); California  
32 Code of Regulations, Title 24; California Energy Code, Americans with Disabilities Act;  
33 American Disability Act Accessibility Guidelines (Section 11); and Division of the State  
34 Architect's Access Checklist. The proposed project will implement sustainable elements  
35 throughout its design, operation, and maintenance. The AOC's design will incorporate features  
36 that conform to standards of a Leadership in Energy and Environmental Design (LEED) silver-  
37 certified building, and the building's design will include features to reduce energy consumption  
38 by at least 15% from the levels of the California Building Code. The LEED Rating System for  
39 New Construction includes criteria for features (see Appendix A) related to sustainability, water  
40 efficiency, energy and atmosphere, materials and resources, indoor environmental quality, and  
41 innovation and design processes.

---

<sup>2</sup> Judicial Council of California. 2006. California Trial Court Facilities Standards. 226 p. Available at:  
[http://www.courtinfo.ca.gov/programs/occm/documents/06\\_April\\_Facilities\\_Standards-Final-Online.pdf](http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf).

<sup>3</sup> California Building Code. 2008. Building Standards Commission. Available at: <http://www.bsc.ca.gov/default.htm>.

1 The AOC’s preparations for implementation of the project presume that all parties responsible  
2 for constructing and operating the project comply with standard conditions and requirements for  
3 local, state, or federal regulations or laws that are independent of CEQA compliance. The  
4 standard conditions and requirements serve to prevent specific impacts. Typical standard  
5 conditions and requirements include compliance with the provisions of the California State  
6 Building Code, National Pollutant Discharge Elimination System (NPDES) permit system, and  
7 South Coast Unified Air Pollution Control District’s Rules and permitting requirements.  
8

9 The AOC’s plans for the project also include project design features—specific design elements  
10 that the AOC has incorporated into the project’s construction and operation to prevent the  
11 occurrence of potential environmental effects or reduce the significance of potential  
12 environmental effects. The project design features are actions that conform to the California Trial  
13 Court Facilities Standards’ design requirements. For example, the AOC presumes that the  
14 parties implementing the proposed project will use best management practices (BMPs) and  
15 technologies aimed to limit the use of natural resources as well as the project’s operating cost  
16 over the life of the building. Because the AOC is incorporating the project design features into  
17 the project, they do not constitute mitigation measures as defined by CEQA.  
18

19 Prior to the start of construction, the AOC will include preparation of a geotechnical report and  
20 utilization of the report’s recommendations to prepare design criteria that will ensure that the  
21 project’s design meets requirements of the California Building Code for geological and soil  
22 issues.  
23

#### 24 **2.4.1 Real Estate-Related Actions**

25 The AOC and the Agency propose an exchange of properties. The AOC will acquire the parcels  
26 bounded by West Broadway, Maine Avenue, West 3<sup>rd</sup> Street, and Magnolia Avenue from the  
27 Agency, and the AOC will use the acquired parcels as the site for the courthouse facility. The  
28 Agency will acquire the existing courthouse and its parcel located at 415 West Ocean Boulevard  
29 from the AOC. The building is uniquely suited for courtroom and related uses and is not readily  
30 adaptable for other types of uses. The building’s elevators, other building mechanical facilities,  
31 and utilities are outdated and worn. For these reasons, the building will require substantial  
32 renovations to make it acceptable for future non-courthouse uses. The Agency has informed the  
33 AOC that the City has no intent to occupy and use the existing courthouse after the AOC  
34 completes the new courthouse and the Superior Court and the County move from the existing  
35 courthouse to the new courthouse. In addition, the Agency has no plans at present to use building  
36 and will disclose future plans for the property in a separate CEQA document and other  
37 documents. Therefore, the AOC’s analysis of the proposed project’s impacts assumes that the  
38 existing building will remain vacant after the Superior Court and County move to the proposed  
39 new courthouse.  
40

41 The proposed courthouse parcel is within the Agency’s Central Redevelopment Project area. The  
42 general plan land use designation for the proposed project site is Land Use District No. 7 (LUD  
43 No. 7), which is a mixed-use district. The City is in the process of developing a new Community  
44 plan for the district, and the plan will recognize the judicial operations and other uses proposed  
45 by the AOC for the site of the new court facility.

1  
2 The proposed project may include closure of Daisy Avenue between West Broadway and 3rd  
3 Street. The State may remove utility mains from the proposed project site's Daisy Avenue area  
4 and relocate the mains to 3rd Street, Maine Avenue, and Magnolia Avenue and possibly to  
5 portions along West Broadway. The proposed project will include widening the east side of  
6 Magnolia Avenue by 17 feet between 3rd Street and West Broadway.

#### 7 **2.4.2 Proposed Courthouse Facility**

8  
9 The proposed project will consist of a courthouse building with as many as 7 stories and a  
10 basement. The AOC has not yet developed a conceptual site plan for the project. The building  
11 will be up to approximately 150 feet tall with as much as approximately 545,000 building gross  
12 square feet. It will extend along West Broadway, and its tallest portions will be approximately  
13 150 feet east of Maine Avenue, 150 feet south of West 3rd Street, and 100 feet west of Magnolia  
14 Avenue. Figure 5 shows potential zones where the AOC may locate the project within the  
15 proposed site. Figure 5 presents a "worst-case" scenario for the evaluation of environmental  
16 impacts, and this Initial Study evaluates the maximum level of impacts that are anticipated from  
17 the proposed project footprint zones. Project components constructed within 150 feet of Maine  
18 Avenue will be no greater than approximately 50 feet in height. Portions of the commercial and  
19 retail components may have entrances facing West Broadway, Magnolia or Maine Avenues. The  
20 courthouse's main public entrance will be along West Broadway and near the intersection of  
21 West Broadway and Magnolia Avenue.

22  
23 The new courthouse will include 31 courtrooms with associated judicial chambers and  
24 operational areas. The new courthouse will primarily support felony, misdemeanor, civil,  
25 probate, and family law functions. To maximize functional flexibility of the courtrooms, all of  
26 the courtrooms will have holding capability for in-custody detainees. The building will also  
27 provide space for administrative and staff offices, juror assembly area, public lobby, security  
28 screening operations for the building's entrances, and building support space. To promote  
29 security inside the new courthouse, the building will provide separate corridors and elevators for  
30 movement of in-custody detainees, judicial staff, and visitors.

31  
32 The proposed project site will also provide commercial office and retail space within the facility.  
33 The roughly 545,000 BGSF court facility will provide approximately 380,000 BGSF for the  
34 Superior Court; approximately 70,000 BGSF for the County; and as much as approximately  
35 85,000 BGSF of commercial office space for private tenants, and as much as approximately  
36 10,000 BGSF of private retail space. The private commercial and retail tenants will also have on-  
37 site parking spaces in the lower floors or basement of the non-Superior Court portion of the  
38 building.

39  
40 The building's basement will include a sallyport (a secured building entrance that connects to a  
41 secured building area) and in-custody detainee holding facilities. The sallyport area will have  
42 sufficient space to unload in-custody detainees from buses while simultaneously securely  
43 holding additional buses for unloading. The basement will also provide approximately 40  
44 secured parking spaces for judicial officers and judicial executives. There will also be building  
45 support space in the basement for operational needs.

1  
2 The Superior Court will generally maintain current patterns of use for 27 courtrooms and use the  
3 new courthouse's additional four courtrooms for criminal judicial proceedings. The Superior  
4 Court will relocate its staff and operations from the existing courthouse to the proposed new  
5 courthouse. County staff in the existing courthouse who interact with the Superior Court will  
6 also move from the existing courthouse to the new courthouse. The Superior Court will increase  
7 staffing from the current approximately 265 staff to approximately 305 staff members, and the  
8 County may increase staffing by 15 percent from the current approximately 260 staff to  
9 approximately 300 staff members. The Superior Court will increase juror population by  
10 approximately 100 persons per day and visitor population by approximately 15 percent per day.<sup>4</sup>  
11

12 West Broadway or West 3rd Street will provide ingress to the proposed building's sallyport, and  
13 the sally port's egress will be on 3rd Street. The proposed courthouse building may have separate  
14 driveways for Sheriff's Department bus traffic, service traffic, and judicial officers. The Sheriff's  
15 Department requires sufficient secured space to unload two buses simultaneously while a third  
16 bus waits in the secured area; the buses will use Broadway and 3rd Street for access. Judicial  
17 officers and service vehicles may use West Broadway or Magnolia Street or 3rd Street for  
18 access.  
19

20 The project will also make several improvements in the area surrounding the proposed project.  
21 The project may add a traffic signal at the intersection of West 3<sup>rd</sup> Street and Daisy Avenue if a  
22 signal assists Sheriff's buses' exits from the new courthouse. To improve pedestrian safety at the  
23 intersections of West Broadway and 3rd Street with Magnolia Avenue, the AOC will add  
24 pedestrian corner crossing enhancements.  
25

26 The proposed project may require a street closure of Daisy Avenue between West Broadway and  
27 3rd Street. In addition, the AOC presumes that the City will remove the existing Magnolia  
28 Avenue crosswalk that extends from the Magnolia Avenue parking facility to the existing  
29 courthouse. The State may remove utility mains from the proposed project site's Daisy Avenue  
30 area and relocate the mains to 3rd Street, Main Avenue, and Magnolia Avenue and possibly to  
31 portions of West Broadway.  
32

### 33 **2.4.3 Parking**

34 The Superior Court's judges and some County officials currently park in secured parking in the  
35 existing courthouse, and the Superior Court's managers park on the site's surface parking area.  
36 Other staff, jurors, County staff persons, and some visitors currently park in the Magnolia  
37 Avenue parking garage. Other visitors to the courthouse park in the City's Broadway Garage at  
38 300 West Broadway, in on-street parking spaces, in surface lots, or in other parking garages.  
39  
40  
41  
42  
43

---

<sup>4</sup> The total of 31 courtrooms equals a 15-percent increase from the existing 27 courtrooms.

1 **Figure 5. Potential Building Height Zones for the Proposed Project**



2  
3  
4  
5 The Magnolia Avenue garage currently has structural problems that limit its capacity. The  
6 project will add improvements to correct the garage’s structural problems and reopen  
7 approximately 225 parking spaces to restore the structure’s capacity of approximately 960  
8 vehicles. After completion of the new courthouse and the parking garage improvements, the  
9 Superior Court’s judges and some executives will park in the new courthouse’s secured parking  
10 area. The Superior Court’s remaining staff, jurors, and some visitors and the County’s staff  
11 working in the new courthouse will park in the improved Magnolia Avenue parking garage.  
12

13 The proposed project will have some on-site public parking spaces for commercial and retail  
14 tenants. For professional offices, Long Beach Municipal Code<sup>5</sup> Section 21.41.216’s Table 41-1C

<sup>5</sup> Available at <http://www.municode.com/Resources/gateway.asp?pid=16115&sid=5>. Accessed on May 11, 2009.

1 (Required Number of Parking Spaces for Commercial, Industrial/Manufacturing and All Other  
2 Uses) requires 4 parking spaces per 1,000 gross floor area (GFA<sup>6</sup>) up to 20,000 GFA and 2  
3 parking spaces per 1,000 GFA for offices more than 20,000 GFA. The AOC's design will  
4 generally conform to the City's Municipal Code requirements.  
5

6 Following the completion of construction, the project will eliminate public on-street parking on  
7 the west side of Magnolia Street between West 3rd Street and West Broadway, the south side of  
8 West 3<sup>rd</sup> Street between Magnolia Avenue and Maine Avenue, and on the north side of West  
9 Broadway between Magnolia Avenue and Maine Avenue on weekdays from approximately 8:00  
10 a.m. to 5 p.m. Official vehicles may park in these locations during Court business hours.

#### 11 **2.4.4 Construction Scenario**

12

13 In response to comments submitted on the Initial Study and draft Mitigated Negative  
14 Declaration, the AOC has expanded and added more detail to the discussion of the construction  
15 scenario and the best management practices that the AOC will implement as part of the project.  
16 The proposed project will include the construction of the proposed courthouse building,  
17 renovation of the Magnolia Avenue parking structure, and the development of site  
18 improvements. There will be no off-site staging areas, but construction personnel will park in  
19 nearby off-site areas. The AOC anticipates that construction workers will access the site  
20 primarily off West Broadway. When possible, workers will carpool to the site and will report to a  
21 designated on-site staging area. The construction contractor will install fencing around the  
22 perimeter of the project site.  
23

24 The site currently has no buildings. A construction staging area currently occupies approximately  
25 35 percent of the site in the northeast, the northwest portion of the site has an aggregate-covered  
26 parking lot that covers approximately 25 percent of the site, an asphalt-covered parking lot  
27 covers approximately 25 percent of the site in the southwest portion of the site, and the  
28 remainder of the site is vacant and unused.  
29

30 Construction of the New Long Beach Courthouse will require approximately 24 months to  
31 complete from mid 2010 to 2012. Table 1 provides the AOC's estimate of the duration of  
32 expected individual construction activities, but some of these individual construction activities  
33 may overlap.  
34  
35  
36

37 The project's construction operations will implement BMPs and other measures throughout the  
38 construction phase to avoid or minimize potential impacts. These BMPs and other measures will  
39 include:  
40

- 41 • General measures
  - 42 ○ Designate a project contact person to communicate with the Long Beach community  
43 and interested stakeholders regarding construction activities;

---

<sup>6</sup> GFA excludes utility and elevator cores, stairwells and restrooms.

- 1           ○ Inform the Long Beach community and interested stakeholders through the use of a
- 2           monthly newsletter that identifies the construction schedule and upcoming
- 3           construction activities;
- 4           ● Storm water, water quality, and soil erosion management measures
- 5           ○ Prior to the start of construction activities, the AOC will ensure that the construction
- 6           contractor prepares a Storm Water Pollution Prevention Plan and secures the
- 7           Regional Water Quality Control Board’s approval of the plan;
- 8           ○ The construction contractor will incorporate BMPs consistent with the guidelines
- 9           provided in the California Storm Water Best Management Practice Handbooks:
- 10          Construction;<sup>7</sup>
- 11          ○ For the construction during the rainy season, the construction contractor will
- 12          implement erosion measures that may include mulching, geotextiles and mats, earth
- 13          dikes and drainage swales, temporary drains, silt fence, straw bale barriers, sandbag
- 14          barriers, brush or rock filters, sediment traps, velocity dissipation devices, or other
- 15          measures;
- 16          ○ Wherever possible, the construction contractor will perform grading activities outside
- 17          the normal rainy season to minimize the potential for increased surface runoff and the
- 18          associated potential for soil erosion;
- 19          ● Air quality management measures
- 20          ○ Apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least
- 21          two times a day to prevent generation of dust plumes,
- 22          ○ Moisten or cover excavated soil piles to avoid fugitive dust emissions,
- 23          ○ Discontinue construction activities that that generate substantial blowing dust on
- 24          unpaved surfaces during windy conditions,
- 25          ○ Install and use a wheel-washing system to remove bulk material from tires and
- 26          vehicle undercarriages before vehicles exit the project site,
- 27          ○ Cover dump trucks hauling soil, sand, and other loose materials with tarps or other
- 28          enclosures that would reduce fugitive dust emissions,
- 29          ○ Ensure that all construction and grading equipment is properly maintained,;
- 30          ○ Ensure that construction personnel will turn off equipment when equipment is not in
- 31          use;
- 32          ○ Ensure that all vehicles and compressors will utilize exhaust mufflers and engine
- 33          enclosure covers (as designed by the manufacturer) at all times;
- 34          ○ When feasible, construction operations will use electric construction power instead of
- 35          diesel powered generators to provide adequate power for man/material hoisting,
- 36          crane, and general construction operations;
- 37          ○ Suspend heavy-equipment operations during first-stage and second-stage smog alerts;
- 38          ● Noise and vibration measures
- 39          ○ Equip construction equipment with the best available noise attenuation device such as
- 40          mufflers or noise attenuation shields
- 41          ○ Install sound barriers (such as plywood barriers or noise attenuation blankets) around
- 42          the perimeter of the project site along Maine Avenue and W. 3rd Street,

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<sup>7</sup> California Stormwater Quality Association. 2003. *California Storm Water Best Management Practice Handbooks: Construction*. Menlo Park, CA. Also Available at:  
[http://www.cabmphandbooks.com/Documents/Construction/Section\\_3.pdf](http://www.cabmphandbooks.com/Documents/Construction/Section_3.pdf)

- A “noise coordinator” for the project would be designated to meet with interested stakeholders and respond to complaints concerning construction noise; and
- When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

Construction activities will include excavation, grading, framing, paving, and coating. The AOC expects that excavation and grading operations will require approximately two months.

**Table 1. Projected Construction Activities**

Construction Phase	Construction Activity	Project Duration (Months)	Notes
Mobilization	Preparations for construction	0.25	AOC assumes staging area will cover approximately 20% of site
Demolition	Removal of pavement, utilities, and debris	0.5	Since a large portion of the site is already clear, demolition phase activities will affect only approximately 10% of site
Mass grading & excavation	Excavate basement	1	The mass grading and excavation area will cover approximately 1.75 acres
	Construct foundation	1	Activity includes backhoe-excavated footings for shorter portions of facility. To construct supports for “tower” portion of facility, construction operations will not use pile drivers and will drill holes and cast piles in place or use other methods
Trenching	Relocate utilities	2	
Building construction	Assemble frame and floors	4	
	Install exterior and roof	4	
	Finish interior	10	
Coatings	Exterior coating	1	Spray paint and apply water sealants with brushes
	Interior coating	2	Spray paint and coatings
Paving	Install drives, sidewalks, plazas, and other structures	1	Includes concrete installation but no asphalt use
Fine grading	Grade and contour site	1	AOC estimates grading area will cover approximately 4.25 acres
Finish	Inspections, testing, clean-up, and other activities	1	

1  
2 Although the AOC does not yet have design information for the project, the AOC estimates that  
3 proposed project will excavate approximately 60,000 cubic yards of soil materials. All grading  
4 will be completed on-site, and the construction contractor will reuse and keep on-site the  
5 maximum amount of materials. Excavation operations at the site will export roughly 30,000  
6 cubic yards of material to an off-site location and re-place and compact the remaining material  
7 on-site. Building excavation operations will be approximately 8 to 12 feet deep (with an  
8 additional approximately 10 feet for the building’s footings and foundations) at the proposed  
9 area of the New Long Beach Courthouse, a roughly 60,000-square-foot area. Excavation might  
10 go as deep as approximately 15 feet at a roughly 70,000-square-foot area for commercial and  
11 retail use portions of the project.

12  
13 Construction will commence no earlier than 7:00 a.m. and typically cease no later than 4:00 p.m.  
14 on weekdays, although it is possible that some construction activities may occur on weekdays  
15 until 7:00 p.m. Construction work might occur on Saturdays between 9:00 a.m. and 6:00 p.m.  
16  
17

#### 18 **2.4.5 Project Schedule**

19  
20 The AOC plans to complete acquisition of the site in 2009, begin construction in 2010, and  
21 complete construction in 2012. The Superior Court and the County will begin operations in the  
22 new building in late 2012.

### 23 **2.5 GENERAL PLAN LAND USE DESIGNATION**

24 The State of California is not subject to local governments’ land use planning and zoning  
25 authorities. Government Code Section 70391 gives the Judicial Council of California full  
26 responsibility, jurisdiction, control, and authority over trial court facilities including acquisition,  
27 planning, and construction. The California Trial Court Facilities Standards, which the Judicial  
28 Council of California published in April 2006, provide direction for development of trial court  
29 facilities. However, the State is coordinating closely with the City and RDA to ensure that the  
30 proposed project is compatible with local land use plans and policies to the extent feasible. The  
31 AOC has provided the City’s General Plan land use designation to disclose the compatibility of  
32 the proposed project with the local land use designation. As noted previously, the general plan  
33 land use designation for the proposed project site is Land Use District No. 7, which is a mixed-  
34 use district. Areas designated LUD No. 7 are intended for use in large, vital activity centers. The  
35 proposed project will be consistent with the current designation for the existing site.

### 36 **2.6 ZONING**

37  
38 The existing zoning for the proposed project site is a planning district for Downtown Long  
39 Beach (PD-30). The City’s municipal codes identifies “planning districts” as areas that are  
40 established to allow “flexible development plans to be prepared for areas of the city which may  
41 benefit from the formal recognition of unique or special land use and the definition of special  
42 design policies and standards not otherwise possible under conventional zoning district

1 regulations.”<sup>8</sup> The PD district allows for compatible mixed development uses, including planned  
2 commercial areas and business parks, and encourages a variety of residential styles and densities.

3  
4 Within the PD-30 Zoning District, there are several sub-districts. The area proposed for the site  
5 of the new courthouse is Downtown Mixed Use and has a maximum height limit of six stories or  
6 80 feet for buildings. The area of the project where the existing parking lot and courthouse are  
7 located is Institutional, which has no maximum-height requirement. Although the State of  
8 California is not subject to local governments’ land use planning and zoning authorities, the  
9 AOC is coordinating closely with the City and Agency to promote the project’s compatibility  
10 with local land use plans and policies.

11  
12 The City released a draft Downtown Community Plan and Notice of Preparation of a Draft  
13 Environmental Impact Report in July 2009.<sup>9</sup> The draft plan, which has not yet been finalized,  
14 proposes zoning, development standards, and design guideline changes to guide development  
15 that will be consistent with the community vision for the Downtown.  
16

## 17 **2.7 EXISTING CONDITIONS**

### 18 **2.7.1 Tax Assessor Information**

19 The proposed project site is composed of roughly 52 parcels (See Table 2). The Assessor ID  
20 Numbers for these parcels are as follows: 7278-019-900 to 7278-019-939, 7278-015-944, and  
21 7278-019-940 to 7278-019-951.<sup>10</sup>  
22

23 **Table 2. Assessor ID Numbers For Proposed Courthouse Site**

24

	7278019055	7278019910	7278019921	7278019932
7278019020	7278019900	7278019911	7278019922	7278019933
7278019021	7278019901	7278019912	7278019923	7278019934
7278019029	7278019902	7278019913	7278019924	7278019935
7278019030	7278019903	7278019914	7278019925	7278019936
7278019031	7278019904	7278019915	7278019926	7278019937
7278019048	7278019905	7278019916	7278019927	7278019938
7278019049	7278019906	7278019917	7278019928	7278019939
7278019052	7278019907	7278019918	7278019929	7278015944
7278019053	7278019908	7278019919	7278019930	
7278019054	7278019909	7278019920	7278019931	

25  
26 Section 2.3 provides Assessor ID Numbers for the existing courthouse and the associated parking  
27 structure.

<sup>8</sup> The City of Long Beach. 1988. City of Long Beach Municipal Code 21.37. Long Beach, CA.

<sup>9</sup> Available at [http://www.lbds.info/planning/advance\\_planning/downtown\\_community\\_plan/](http://www.lbds.info/planning/advance_planning/downtown_community_plan/). Accessed on July 27, 2009.

<sup>10</sup> The AINs from 7278-019-940 to 7278-019-951 reflect the new AINs that were updated for the noted parcels effective 2007.

1 **2.7.2 Land Uses**

2  
3 The area surrounding the proposed project site is an urbanized mix of planned development,  
4 commercial, and office spaces. Neighboring land uses also contain residential uses and the Cesar  
5 Chavez Elementary School. The Agency owns the immediate Proposed New Long Beach  
6 Courthouse Area. As previously mentioned, the proposed New Long Beach Courthouse Area is  
7 predominantly vacant, with the exception of the privately operated parking lot on the Agency's  
8 parcels between Broadway, Daisy Avenue, W. 3rd Street, and Maine Avenue. The vacant land at  
9 the proposed project site was previously developed and is now bare ground. To comply with the  
10 Trial Court Facilities Act of 2002 (SB 1732, Escutia), as amended, the State expects to complete  
11 acquisition during early August 2009 of the existing parking garage on Magnolia Street from the  
12 County. The AOC completed a notice of exemption (SCH 2008088243) for the acquisition in  
13 2008.  
14

15 **2.7.3 Superior Court of California**

16  
17 The Superior Court is currently located in the existing courthouse at 415 West Ocean Boulevard.  
18 The Long Beach courthouse is in the Superior Court's Southern District. The Superior Court  
19 currently operates 27 courtrooms with associated judicial chambers and operational areas. The  
20 courthouse supports felony, misdemeanor, civil, probate, and family law functions. The Superior  
21 Court currently has a staff of approximately 275 at the Long Beach Courthouse.  
22

23 The existing courthouse has serious deficiencies that reduce the Superior Court's efficiency,  
24 threaten public safety, and limit the public's access to justice. The courthouse is seismically  
25 deficient and has inadequate American Disabilities Act-related facilities. The building has  
26 inadequate security facilities for holding in-custody detainees, ensuring secure movement of  
27 Superior Court staff and in-custody detainees within the building, and security scanning of  
28 visitors. The building has inadequate space for the Superior Court's staff offices and juror  
29 assembly.  
30  
31

32 ***2.8 WEST GATEWAY ENVIRONMENTAL IMPACT REPORT***

33  
34 The Agency prepared the West Gateway Environmental Impact Report in 2005 for the proposed  
35 redevelopment of nine downtown sites on six blocks known as the West Gateway area. The  
36 proposed project was a joint venture between the City and several private developers for the  
37 acquisition of parcels and construction of multi-story mixed use buildings with apartment and  
38 condominium units, commercial retail space, and on-site subterranean parking.  
39

40 The Agency concluded that the project's aesthetic, biological, cultural, hazards, hydrology and  
41 water quality, noise, and transportation impacts were less than significant. However, the Agency  
42 concluded that the project's air quality impacts for reactive organic gases and nitrogen oxide  
43 were significant and unavoidable. After completion of the EIR, the Agency proceeded with

1 removal of structures from most of the project site (primarily the area bounded by Chestnut  
2 Avenue, 3<sup>rd</sup> Street, Maine Avenue, and West Broadway) and approval of a development project  
3 on the “Lyon” block bounded by Chestnut Avenue, 3<sup>rd</sup> Street, Magnolia Avenue, and West  
4 Broadway.  
5

6 **2.9 PROJECT APPROVALS**

7 The AOC is the lead agency for the project, and the ADOC is responsible for approving this  
8 project.  
9

10 Since the Agency must also approve the real estate agreement with the AOC and the City must  
11 approve the AOC’s proposed vacation of a portion of Daisy Street, vacation of alleys, and other  
12 project-related actions, the Agency and the City are responsible agencies. The AOC presumes  
13 that the Agency and the City will rely on the AOC’s Initial Study for their approvals.  
14

15 **2.10 CONTACT PERSON**

16

17 Mr. Jerome Ripperda  
18 Administrative Office of the Courts)  
19 2860 Gateway Oaks, Suite 400  
20 Sacramento, CA 95833  
21

21

22 Phone: (916) 263-8865; fax: (916) 263-8140

23 E-mail: Jerry.Ripperda@jud.ca.gov[THIS PAGE IS INTENTIONALLY BLANK]  
24

24

25

1 **3.0 ENVIRONMENTAL CHECKLIST**

2 **Table 3. Environmental Resource Checklist**

3

4

Environmental Resource	Potential Impacts			
	Poten- tially Signif- icant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Signif- icant Impact	No Im- pact
3.1. AESTHETICS Will the proposed project:				
3.1.1 Substantially degrade the existing visual character or quality of the site and its surroundings? ( <a href="#">Section 4.1.1</a> )				X
3.1.2 Have a substantial adverse effect on a scenic vista? ( <a href="#">Section 4.1.2</a> )				X
3.1.3 Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area? ( <a href="#">Section 4.1.3</a> )		X		
3.1.4 Create a new source of substantial shade that will adversely affect the area? ( <a href="#">Section 4.1.4</a> )			X	
3.1.5 Substantially damage scenic resources? ( <a href="#">Section 4.1.5</a> )				X
3.2. AGRICULTURE RESOURCES Will the proposed project:				
3.2.1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? ( <a href="#">Section 4.2.1</a> )				X
3.2.2 Conflict with existing zoning for agricultural use or a Williamson Act contract? ( <a href="#">Section 4.2.2</a> )				X
3.2.3 Involve other changes in the existing environment, which might convert Farmland, to non-agricultural use? ( <a href="#">Section 4.2.3</a> )				X
3.3. AIR QUALITY Will the proposed project:				
3.3.1 Obstruct or conflict with or obstruct implementation of the applicable air quality plan? ( <a href="#">Section 4.3.1</a> )			X	
3.3.2 Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ( <a href="#">Section 4.3.2</a> )			X	
3.3.3 Produce a cumulatively considerable net increase of any criteria pollutant for which the proposed project region is non-attainment under an applicable federal or state ambient air quality standard? ( <a href="#">Section 4.3.3</a> )			X	
3.3.4 Expose sensitive receptors to substantial pollutant concentrations? ( <a href="#">Section 4.3.4</a> )			X	
3.3.5 Create objectionable odors affecting a substantial number of people? ( <a href="#">Section 4.3.5</a> )			X	
3.3.6 Substantially conflict with the State’s goal of reducing greenhouse gas emissions in California to 1990 levels by 2020 as established in Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006? ( <a href="#">Section 4.3.6</a> )			X	

Environmental Resource	Potential Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3.4. BIOLOGICAL RESOURCES</b> Will the proposed project:				
3.4.1 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ( <a href="#">Section 4.4.1</a> )				X
3.4.2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? ( <a href="#">Section 4.4.2</a> )				X
3.4.3 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ( <a href="#">Section 4.4.3</a> )				X
3.4.4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ( <a href="#">Section 4.4.4</a> )				X
3.4.5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ( <a href="#">Section 4.4.5</a> )				X
3.4.6 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ( <a href="#">Section 4.4.6</a> )				X
<b>3.5. CULTURAL RESOURCES</b> Will the proposed project:				
3.5.1 Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? ( <a href="#">Section 4.5.1</a> )			X	
3.5.2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? ( <a href="#">Section 4.5.2</a> )		X		
3.5.3 Disturb any human remains, including those interred outside of formal cemeteries? ( <a href="#">Section 4.5.3</a> )			X	
<b>3.6. GEOLOGY AND SOILS</b> Will the proposed project:				
3.6.1 Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault? ( <a href="#">Section 4.6.1</a> )			X	
3.6.2 Expose people or structures to potential substantial adverse effects involving strong seismic-related ground shaking? ( <a href="#">Section 4.6.2</a> )			X	

Environmental Resource	Potential Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3.6.3 Expose people or structures to potential substantial adverse effects involving seismic-related ground failure (including liquefaction and lateral spreading)? ( <a href="#">Section 4.6.3</a> )				X
3.6.4 Expose people or structures to potential substantial adverse effects involving landslides or mudflows? ( <a href="#">Section 4.6.4</a> )				X
3.6.5 Produce substantial soil erosion or the loss of topsoil? ( <a href="#">Section 4.6.5</a> )			X	
3.6.6 Be located on a geologic unit or soil that is unstable, or that will become unstable due to subsidence? ( <a href="#">Section 4.6.6</a> )				X
3.6.7 Expose people or structures to potential substantial adverse effects involving expansive soil? ( <a href="#">Section 4.6.7</a> )				X
3.6.8 Destroy a unique paleontological resource? ( <a href="#">Section 4.6.8</a> )		X		
3.6.9 Destroy a unique geologic feature? ( <a href="#">Section 4.6.9</a> )				X
<b>3.7. HAZARDS AND HAZARDOUS MATERIALS</b> Will the proposed project:				
3.7.1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, substance or waste? ( <a href="#">Section 4.7.1</a> )			X	
3.7.2 Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and create a significant hazard to the public or the environment? ( <a href="#">Section 4.7.2</a> )			X	
3.7.3 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ( <a href="#">Section 4.7.3</a> )			X	
3.7.4 Impair implementation of an adopted emergency response plan or emergency evacuation plan? ( <a href="#">Section 4.7.4</a> )				X
3.7.5 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ( <a href="#">Section 4.7.5</a> )				X
3.7.6 For a proposed project located within an airport land use plan or, within 2 miles of a public airport, or a private airstrip, will the project result in a safety hazard for people residing or working in the proposed project area? ( <a href="#">Section 4.7.6</a> )				X
<b>3.8. HYDROLOGY AND WATER QUALITY</b> Will the proposed project:				
3.8.1 Violate any water quality standards or waste discharge requirements or substantially degrade water quality? ( <a href="#">Section 4.8.1</a> )			X	
3.8.2 Substantially alter the existing drainage pattern of the site or area in a manner, which will result in substantial erosion or siltation on- or off-site? ( <a href="#">Section 4.8.2</a> )				X
3.8.3 Create or contribute runoff water which will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X

Environmental Resource	Potential Impacts			
	Poten- tially Signif- icant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Signif- icant Impact	No Im- pact
( <a href="#">Section 4.8.3</a> )				
3.8.4 Require the construction of new storm water facilities or expansion of existing facilities? ( <a href="#">Section 4.8.4</a> )				X
3.8.5 Substantially deplete groundwater supplies or interfere substantially with groundwater? ( <a href="#">Section 4.8.5</a> )				X
3.8.6 Expose people or structures to a significant risk of loss, injury or death involving flooding? ( <a href="#">Section 4.8.6</a> )				X
3.8.7 Substantially promote flooding due to alterations of the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner that will result in flooding? ( <a href="#">Section 4.8.7</a> )				X
3.8.8 Expose people or structures to significant risk of loss, injury, or death involving tsunami inundation? ( <a href="#">Section 4.8.8</a> )			X	
3.8.9 Place housing within a 100- year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ( <a href="#">Section 4.8.9</a> )				X
3.8.10 Will the project impede or redirect flood flows? ( <a href="#">Section 4.8.10</a> )				X
3.8.11 Otherwise substantially degrade water quality? ( <a href="#">Section 4.8.11</a> )			X	
<b>3.9. LAND USE AND PLANNING</b> Will the proposed project:				
3.9.1 Physically divide an established community? ( <a href="#">Section 4.9.1</a> )			X	
3.9.2 Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect? ( <a href="#">Section 4.9.2</a> )				X
<b>3.10. MINERAL RESOURCES</b> Will the proposed project:				
3.10.1 Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? ( <a href="#">Section 4.10.1</a> )				X
3.10.2 Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ( <a href="#">Section 4.10.2</a> )				X
<b>3.11. NOISE</b> Will the proposed project expose people residing or working in the project area to:				
3.11.1 Noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ( <a href="#">Section 4.11.1</a> )			X	
3.11.2 Excessive ground-borne vibration or ground-borne noise levels? ( <a href="#">Section 4.11.2</a> )			X	
3.11.3 A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ( <a href="#">Section 4.11.3</a> )			X	
3.11.4 A substantial temporary or periodic increase in			X	

Environmental Resource	Potential Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ambient noise levels in the project vicinity above levels existing without the project? ( <a href="#">Section 4.11.4</a> )				
3.11.5 Excessive noise levels for a proposed project located within an airport land use plan or, within two miles of a public airport or private airstrip? ( <a href="#">Section 4.11.5</a> )				X
<b>3.12. POPULATION AND HOUSING</b> Will the proposed project:				
3.12.1 Induce substantial population growth in an area? ( <a href="#">Section 4.12.1</a> )				X
3.12.2 Displace substantial numbers of people? ( <a href="#">Section 4.12.2</a> )				X
3.12.3 Displace substantial numbers of existing housing? ( <a href="#">Section 4.12.3</a> )				X
<b>3.13. PUBLIC SERVICES</b> Will the proposed project:				
3.13.1 Require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection? ( <a href="#">Section 4.13.1</a> )			X	
3.13.2 Require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for police protection? ( <a href="#">Section 4.13.2</a> )			X	
3.13.3 Require new facilities in order to maintain acceptable service ratios or other performance objectives for schools? ( <a href="#">Section 4.13.3</a> )				X
3.13.4 Cause substantial physical deterioration of existing recreational facilities or require the construction of new recreational facilities? ( <a href="#">Section 4.13.4</a> )				X
3.13.5 Require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities? ( <a href="#">Section 4.13.5</a> )				X
<b>3.14. TRANSPORTATION AND TRAFFIC</b> Will the proposed project:				
3.14.1 Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system? ( <a href="#">Section 4.14.1</a> )			X	
3.14.2 Exceed a level of service standard established by the County congestion management agency for designated roads or highways? ( <a href="#">Section 4.14.2</a> )			X	
3.14.3 Cause substantial safety risks due to project-related changes in a change in air traffic? ( <a href="#">Section 4.14.3</a> )				X
3.14.4 Substantially increase hazards due to a design feature? ( <a href="#">Section 4.14.4</a> )				X
3.14.5 Have inadequate emergency access? ( <a href="#">Section 4.14.5</a> )				X
3.14.6 Have inadequate parking capacity ( <a href="#">Section 4.14.6</a> )			X	
3.14.7 Conflict with alternative transportation programs? ( <a href="#">Section 4.14.7</a> )				X
<b>3.15. UTILITIES AND SERVICE SYSTEMS</b> Will the proposed project:				
3.15.1 Have sufficient water supplies available to serve the project? ( <a href="#">Section 4.15.1</a> )			X	

Environmental Resource	Potential Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3.15.2 Require the construction of new water supply facilities? ( <a href="#">Section 4.15.2</a> )			X	
3.15.3 Have service from a wastewater treatment provider that has adequate capacity to serve the project's projected demand? ( <a href="#">Section 4.15.3</a> )				X
3.15.4 Require the construction of new water or wastewater treatment facilities? ( <a href="#">Section 4.15.4</a> )			X	
3.15.5 Have service from a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ( <a href="#">Section 4.15.5</a> )			X	
3.15.6 Comply with federal, state, and local statutes and regulations related to solid waste? ( <a href="#">Section 4.15.6</a> )			X	
3.15.7 Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ( <a href="#">Section 4.15.7</a> )			X	
3.15.8 Require the construction of new storm water drainage facilities? ( <a href="#">Section 4.15.8</a> )			X	
<b>3.16. MANDATORY FINDINGS OF SIGNIFICANCE</b> Does the proposed project:				
3.16.1 Have the potential to substantially, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal? ( <a href="#">Section 4.16.1</a> )				X
3.16.2 Have the potential to degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory? ( <a href="#">Section 4.16.2</a> )		X		
3.16.3 Have impacts that are individually limited but cumulatively considerable. ( <a href="#">Section 4.16.3</a> )			X	
3.16.4 Have environmental effects that will cause substantial adverse effects on human being, either directly or indirectly? ( <a href="#">Section 4.16.4</a> )			X	

1  
2

1 **4.0 ENVIRONMENTAL ANALYSIS**

2  
3 The environmental analysis provided in this section describes the information that was  
4 considered in evaluating the questions in Section 3.0, Environmental Checklist. The information  
5 used in this evaluation is based on a review of relevant literature and technical reports (see  
6 Section 5.0, References, for a list of reference material consulted) and field reconnaissance  
7 undertaken in September 2008.

8 **4.1 AESTHETICS**

9  
10 Aesthetic analysts’ evaluations for the proposed project site considered the California Trial Court  
11 Facilities Standards; California Department of Transportation’s Scenic Highway System<sup>11</sup>  
12 designations; City’s Land Use element of the City’s General Plan;<sup>12</sup> County of Los Angeles  
13 General Plan;<sup>13</sup> Sketchup 6.x software; previously published and collected data regarding the  
14 visual character of the proposed project site including light and glare, site reconnaissance  
15 observations, photographs, and a review of conceptual elevations and site plans.

16  
17 The proposed site for the New Long Beach Courthouse is predominantly vacant, with the  
18 exception of the privately operated parking lot on Agency-owned parcels between Broadway,  
19 Daisy Avenue, W. 3rd Street, and Maine Avenue. The vacant land at the proposed project site  
20 was previously developed and now consists largely of bare soil, pavement, and old concrete. In  
21 addition, the proposed project site has no vegetation, rock outcroppings, and historical buildings.

22  
23 The area surrounding the proposed project site is a mix of urban, commercial, and office spaces  
24 characteristic of a downtown urban center. Neighboring land uses also include residential use,  
25 which provides moderate to high density housing opportunities for persons working in the  
26 Downtown area. Cesar E. Chavez Park is along Maine Avenue on the western side of the project  
27 site. Building heights in the districts around the proposed project site range between  
28 approximately 30 feet to 280 feet tall.

29  
30 In the Northern Hemisphere, the sun always arcs across the southern portion of the sky, but the  
31 angle of the sun and the character of shadows vary depending on the time of year and the time of  
32 day. The direction of shadows and length of shadows are determined by relative location of the  
33 sun on the horizon (azimuth), the height of the sun in the sky (altitude), and the height of the  
34 object creating the shadow. Azimuth and altitude change depend on the physical location on the  
35 earth as well as on the time of year and time of day. Shadows are created in the opposite  
36 direction from the sun. In addition, the lower the sun is in the sky, the longer the shadow. This  
37 means in the northern hemisphere, shadows in the winter are the longest. As the sun travels from

---

<sup>11</sup> California Department of Transportation. September 17, 2008. *The California Scenic Highway System: A List of Eligible (E) and Officially Designated (OD) Routes (by Route)*. Available at: <http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>

<sup>12</sup> City of Long Beach Department of Planning and Building. July 1991. City of Long Beach General Plan, Land Use Element. Long Beach, CA.

<sup>13</sup> County of Los Angeles Department of Regional Planning. September 1993. County of Los Angeles Streamlined General Plan. Los Angeles, CA.

1 east to west in winter, it stays lower in the southern sky, casting longer shadows compared to  
2 other times of year. At midday in winter, the position of the sun is directly south; shadows  
3 extend to the north and are at their shortest.

4  
5 The pattern of shadow is similar in summer, but because the arc of the sun starts and ends farther  
6 north and is higher in the sky in summer, shadows do not extend as far as winter shadows. In  
7 most cases, a single source does not generate sufficient shadows to shade an area for a  
8 substantial portion of the day. As the sun moves across the sky, shadows generated by various  
9 structures move from west to east and do not remain on any particular area for an extended  
10 period. Therefore, only a facility that surrounds an area on two or more sides can shade an area  
11 for a substantial portion of the day.

12 **4.1.1 Will the project substantially degrade the existing visual character or aesthetic**  
13 **quality of the site and its surroundings?**

14  
15 **No impact**—As noted above, the project site is a vacant lot. There is a parking lot operation on  
16 the western portion of the site. The area surrounding the proposed project site is an urbanized  
17 mix of planned development, commercial and office spaces characteristic of a downtown urban  
18 center. The Cesar Chavez Elementary School is immediately west of the project site along Maine  
19 Avenue. The surrounding buildings include a wide variety of styles and materials.

20  
21 The courthouse’s design will be consistent with courthouse design standards, and the AOC  
22 expects the courthouse’s features to be generally consistent with the surrounding developments.  
23 Table 4 lists other nearby tall buildings along West Broadway and near the proposed courthouse  
24 site. The proposed construction of the 150 foot high courthouse will be substantially less than the  
25 nearby World Trade Center Long Beach building, which is 30 stories and 397-foot high and  
26 dominates the skyline of the project area. Since the proposed approximately 7-story building will  
27 not be unusual for the downtown setting and the visual character and aesthetic quality of the  
28 proposed courthouse will be consistent with the visual character and aesthetic quality of the  
29 downtown area, the AOC concludes that the physical appearance of the building will not  
30 substantially degrade the existing visual character or aesthetic quality of the site’s surroundings.  
31 The proposed scale of the project is compatible and consistent with surrounding existing and  
32 approved structures because the project site is located in an area characterized by urban uses  
33 including high-rise towers. Therefore, there will be no impacts.

34  
35 **Mitigation Measures:** no mitigation required.

36  
37 **Table 4. Tall Buildings Near The Proposed Courthouse Site**  
38

<b>Building</b>	<b>Building Height (stories)</b>	<b>Approximate Distance From Proposed Courthouse Site (feet)</b>
Lyons Building	5	300
Police Department	8	350
Magnolia Street Parking Garage	4	250
Long Beach Courthouse	6	650
Federal Building	15	600
World Trade Center Long Beach	30	625

1 **4.1.2 Will the project have a substantial adverse effect on a scenic vista?**

2  
3 **No impact**— The proposed project is in an urbanized area. The area’s topography is flat, and  
4 buildings and trees in the vicinity of the project restrict viewsheds, and there are no scenic vistas  
5 in the project’s vicinity. Although the City’s ocean-front area is an attractive scenic vista, the  
6 ocean is over 0.5 miles from the project site, and buildings along West Ocean Boulevard and  
7 West Seaside Way block southward views of the ocean from the project site and surrounding  
8 area. Cesar E. Chavez Park is approximately 600 feet west of the western edge of the project site  
9 in the downtown area between the Los Angeles River and the West End Residential District.

10  
11 The area surrounding the proposed project site is a mix of urban development, commercial  
12 buildings, and office spaces characteristic of a downtown urban center. Maximum building  
13 heights in the districts encompassing the proposed project site and its surrounding area range  
14 from approximately 30-feet to 280-feet tall. From viewpoints throughout the Downtown area,  
15 buildings and trees within the downtown area block westward public scenic views of Cesar E.  
16 Chavez Park and southward views of the ocean.

17  
18 Within a quarter mile radius of the proposed project site, there are no scenic vistas, and the  
19 proposed project will not obstruct any public scenic vistas. Although the proposed project is  
20 anticipated to include an approximately 7-story tall building, the building will be compatible  
21 with surrounding developments such as the thirty-story World Trade Center building  
22 immediately south of the project site. While the proposed project will obstruct the southward  
23 viewshed of residential developments north of the project site, existing buildings along Ocean  
24 Boulevard already block southward views from the residential developments. Southward views  
25 from the residential areas have no scenic vistas such as open space or significant landforms.  
26 Therefore, the proposed project will not obstruct scenic vistas, and the AOC concludes that the  
27 project will have no impacts on scenic vistas.

28  
29 **Mitigation Measures:** no mitigation required.

30 **4.1.3 Will the project create a new source of substantial light or glare which will**  
31 **adversely affect day or nighttime views in the area?**

32  
33 **Potentially significant**—The proposed project site is located within a highly urbanized area of  
34 the City; therefore, there are various existing sources of light and glare in the vicinity of the  
35 proposed project site. These light sources include both interior and exterior light sources  
36 associated with residential, office, commercial, transportation, and retail uses. During the hours  
37 of the day when the sun is not present, the ambient lighting from the neighboring commercial  
38 buildings and street lamps currently creates light effects visible to the south facing facade of the  
39 residential buildings that lie along the West 3rd Street project boundary.

40  
41  
42 Implementation of the proposed project may intensify existing night-lighting effects on  
43 residential areas surrounding the proposed project site with the interior and exterior lights’  
44 activation during non-daytime hours. Development of the proposed project site with the  
45 proposed courthouse might introduce new sources of glare through the introduction of glass and

1 other building materials such as reflective metal surfaces and architectural design features. The  
2 added light and glare may affect residences along West 3<sup>rd</sup> Street between Maine Avenue and  
3 Magnolia Avenue. Therefore, impacts to aesthetics related to the creation of a new source of  
4 substantial light or glare that will adversely affect daytime or nighttime views in the proposed  
5 project area may be potentially significant.  
6  
7  
8

#### 9 **Mitigation Measures:**

10  
11 **AESTHETICS 1**—The AOC will implement a lighting plan that complies with LEED  
12 requirements. These lighting requirements (U.S. Green Building Council 2003) include:

- 13 • Meet or provide lower light levels and uniformity ratios than those recommended by the  
14 Illuminating Engineering Society of North America Lighting for Exterior Environments:  
15 An IESNA Recommended Practice (IESNA 1999),
- 16 • Design exterior lighting such that all exterior luminaries with more than 1,000 initial  
17 lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens  
18 meet the Full Cutoff IESNA Classification,
- 19 • The maximum candela value of all interior lighting shall fall within the building (not out  
20 through windows) and the maximum candela value of all exterior lighting shall fall  
21 within the property, and
- 22 • Any luminary within a distance of 2.5 times its mounting height from the property  
23 boundary shall have shielding such that no light from that luminary crosses the property  
24 boundary; and

25 **AESTHETICS 2**—The AOC will utilize exterior building materials that reduce glare.  
26

27 Implementation of mitigation measure ASTHETICS 1 and ASTHETICS 2 will reduce potential  
28 lighting intensity that escapes to adjacent parcels and glare-related light intensity on adjacent  
29 parcels. Therefore, the mitigation measures reduce impacts to a level that is less than significant.  
30

#### 31 **4.1.4 Will the project create a new source of substantial shade which will adversely** 32 **affect the area?**

33  
34 **Less than significant**— For this potential impact, analysts based the evaluation upon the  
35 guidelines of the California Trial Court Facilities Standards and the City’s General Plan’s Land  
36 Use Element. To evaluate the shade and shadow effects of the proposed courthouse on  
37 surrounding development, particularly residential units north of the proposed project, analysts  
38 observed the impact of shadows created by the proposed new courthouse on sensitive use  
39 receptors at the Cesar E. Chavez Elementary School and Cesar Chavez Park west of the project  
40 site and on the residential area along the north boundary of the project site on West 3rd Street.  
41

42 Analysts evaluated the project’s shading of nearby areas for the Winter Solstice, Summer  
43 Solstice, and Autumnal and Vernal Equinoxes. For the Final Initial Study and Mitigated  
44 Negative Declaration, analysts prepared revised shade analyses of the proposed project’s  
45 potential tower. Figures 6 through 11 display the potential Winter Solstice shading impacts to the

1 West 3<sup>rd</sup> Street area including Cesar Chavez Elementary School, Cesar Chavez Park, and the  
2 residential area north of West 3<sup>rd</sup> Street. The analysts' simulation evaluated the hours between 8  
3 a.m. and 4 p.m. Within the potential 50-foot tall commercial building zone, a building near the  
4 corner of West Broadway/Maine Avenue may shade the school between 8 a.m. and 9 a.m. on the  
5 Winter Solstice, but the tower portion of project will not shade the school. The project will not  
6 shade Cesar Chavez Park on the Winter Solstice, and the project will not shade the school or  
7 park on the equinoxes or Summer Solstice.

8  
9 The project will have a shadow effect of two hours to eight hours on the south-facing sides of the  
10 residences directly along West 3rd Street between Maine Avenue and Magnolia Avenue during  
11 the Winter Solstice. The longest shading will occur in the area between Daisy Court and Crystal  
12 Court. The project's tower will shade the residences along West 3rd for approximately one to  
13 two hours in the early morning and late evening on the Spring and Fall Equinoxes.

14  
15 The State's threshold of significance for shading impacts is creation of extended periods of  
16 shading of public facilities. Since the project will shade the Cesar Chavez School for at most  
17 approximately one hour on the Winter Solstice and have no shading impacts on the Spring and  
18 Fall Equinoxes or Summer Solstice, the AOC concludes that the shading impacts on the school  
19 are less than significant. Since the project will not shade the park, the impacts on the park are  
20 less than significant.

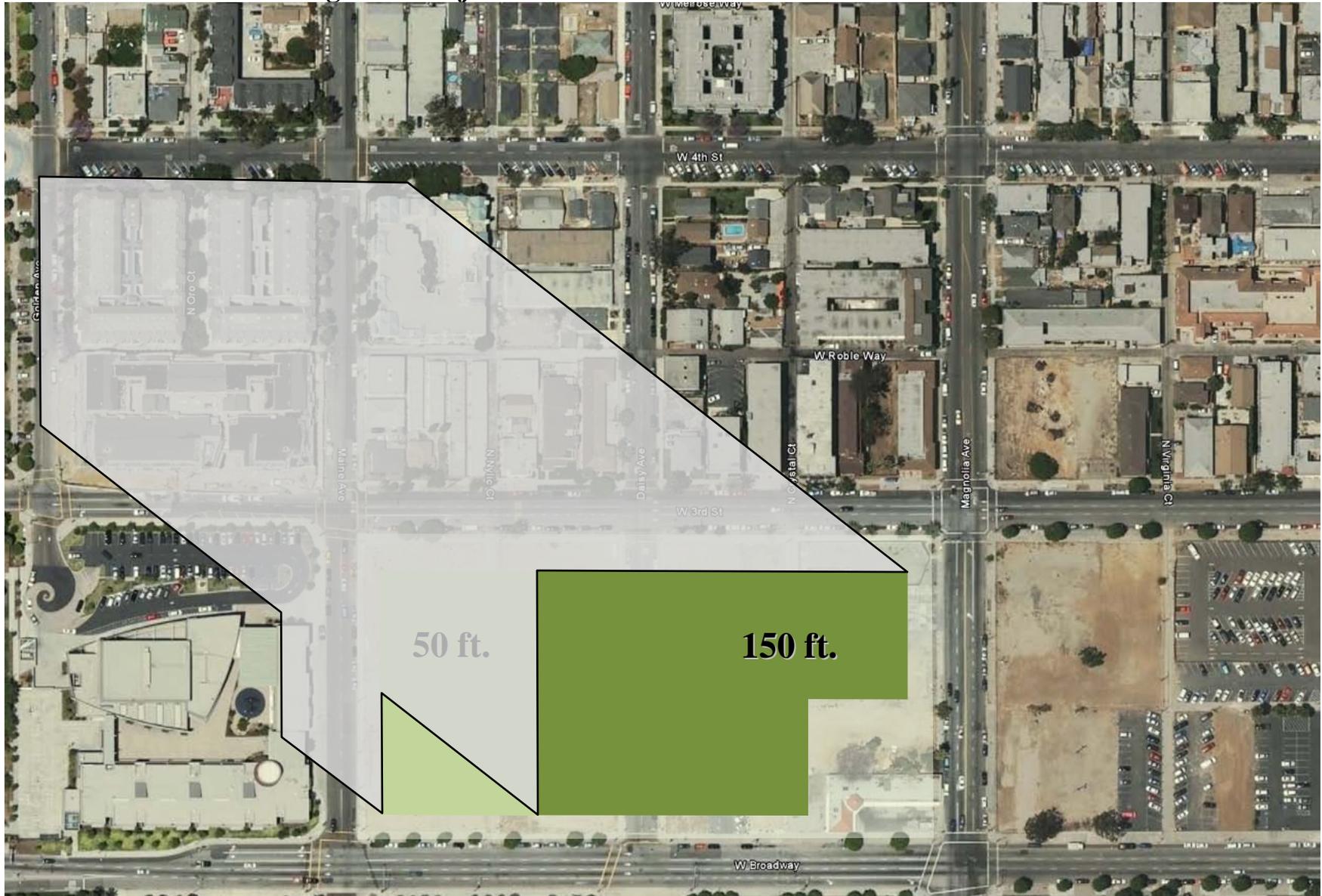
21  
22 The State is not subject to local governments' land use plans, policies, regulations, and codes.  
23 The project will shade residential areas for extended periods during the Winter Solstice, but the  
24 project will not shade the residential areas for extended periods at other times of the year. Since  
25 there are no public facilities in this area of project-related extended shade, the AOC concludes  
26 that the impacts are less than significant.

#### 27 28 **4.1.5 Will the project substantially damage scenic resources?**

29  
30 **No impact**— As noted above, the project site is flat and vacant. A parking lot operates on the  
31 western portion of the site. There are no scenic buildings, geological formations, landscape  
32 plantings, or other scenic resources on the site. Therefore, the project will have no impact on  
33 scenic resources.

34  
35 **Mitigation Measures:** no mitigation required.

1 **Figure 6. Project's Potential Winter Solstice Shadows: 8:00**



2  
3

1 **Figure 7. Project's Potential Winter Solstice Shadows: 9:00**



2  
3  
4

1

**Figure 8. Project's Potential Winter Solstice Shadows: 10:00**



2  
3  
4

1

**Figure 9. Project's Potential Winter Solstice Shadows: 12:00 P.M.**



2  
3  
4

1 **Figure 10. Project's Potential Winter Solstice Shadows: 2 P.M.**



2  
3  
4

1

**Figure 11. Project's Potential Winter Solstice Shadows: 4 P.M.**



2  
3

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## **4.2 AGRICULTURAL RESOURCES**

To evaluate agriculture resources at the proposed project site, this analysis utilized the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP),<sup>14</sup> City's General Plan,<sup>15,16</sup> and County's General Plan.<sup>17</sup>

### **4.2.1 Will the project convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?**

**No impact**—The approximately 5.9-acre proposed project area is located in the City. Residential and commercial developments formerly occupied the site. There is no agricultural land on the project site, and the proposed project does not include the development of agricultural land. Therefore, there are no impacts to agriculture resources related to the conversion of Farmland.

**Mitigation Measures:** no mitigation required.

### **4.2.2 Will the project conflict with existing zoning for agricultural use or a Williamson Act contract?**

**No impact**—Based on an analysis of the City's General Plan and the County's General Plan, Land Use element and Open Space and Recreation element, there is no agricultural land use zoned within the City's jurisdiction. There will be no expected impacts to agriculture resources related to a conflict with existing zoning for agricultural use or a Williamson Act contract.

**Mitigation Measures:** no mitigation required.

### **4.2.3 Involve other changes in the existing environment that might convert Farmland to non-agricultural use?**

**No impact**—The proposed project will not alter the suitability of any designated farmland for development because there are no designated farmlands within the proposed project area. Therefore, there will be no expected impacts to agriculture resources related

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<sup>14</sup> California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2004. Important Farmland in California, 2002. Sacramento, CA.

<sup>15</sup> City of Long Beach, Department of Planning and Building. July 1991. City of Long Beach General Plan, Land Use Element. Long Beach, CA.

<sup>16</sup> City of Long Beach, Department of Planning and Building. October 2002. *City of Long Beach General Plan*, Open Space and Recreation Element. Long Beach, CA.

<sup>17</sup> County of Los Angeles Regional Planning. November 1980. *County of Los Angeles General Plan*. Los Angeles, CA.

to changes in the existing environment that might convert Farmland to non-agricultural use.

**Mitigation Measures:** no mitigation required.

### ***4.3 AIR QUALITY***

The proposed project site is located in the South Coast Air Basin. The climate of the proposed project area has warm summers, mild winters, infrequent rainfalls, light winds, and moderate humidity. Extremely hot summers, winter storms, or Santa Ana winds frequently interrupt the mild climatological pattern. The Basin is a coastal plain with the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. During the dry season, the Eastern Pacific High-Pressure Area (a semi-permanent feature of the general hemispheric circulation pattern) dominates the weather over much of Southern California and produces a mild climate tempered by cool sea breezes with light average wind speed. High mountains surround the rest of the Basin's perimeter, contributing to the variation of rainfall, temperature, and winds in the Basin.

The South Coast Air Basin frequently experiences temperature inversions, a condition characterized by an increase in temperature with an increase in altitude. In a normal atmosphere, temperature decreases with altitude. In a temperature inversion condition, as pollution rises, it reaches an area where the ambient temperature exceeds the temperature of the pollution, thereby limiting vertical dispersion of air pollutants and causing the pollution to sink back to the surface, trapping it close to the ground. During the summer, the interaction between the ocean surface and the low layer of the atmosphere creates a marine layer. With an upper layer of warm air mass over the cool marine layer, air pollutants are prevented from dispersing upward. Additional air quality problems in the Basin can be attributed to the bright sunshine, which causes a reaction between hydrocarbons and nitrogen oxides to form ozone. Peak ozone concentrations in the Basin over the past two decades have occurred at the base of the mountains around Azusa and Glendora in the County of Los Angeles and at the crest line in the mountain area above the City of San Bernardino. Both the peak ozone concentrations and the number of days the standards were exceeded decreased everywhere in the Basin throughout the 1990s. During the fall and winter, the greatest pollution problems are carbon monoxide and nitrogen oxide emissions, which are trapped and concentrated by the inversion layer. Carbon monoxide concentrations are generally worse in the morning and late evening (around 10:00 p.m.). Since carbon monoxide is produced almost entirely by automobiles, the highest carbon monoxide concentrations in the Basin are associated with heavy traffic. In the morning, carbon monoxide levels are relatively high due to cold temperatures and the large number of traveling automobiles. High carbon monoxide levels during the late evenings are due to stagnant atmospheric conditions trapping carbon monoxide in the area. However, carbon monoxide concentrations have dropped significantly throughout the Basin as a result of strict new emission controls and reformulated gasoline sold in winter months.

The California Environmental Protection Agency, the California Air Resources Board, and the South Coast Air Quality Management District (Air District) monitor existing air quality in the Air Basin. To evaluate air quality issues at the proposed project site, analysts evaluated the City's General Plan,<sup>18</sup> the National Ambient Air Quality Standards,<sup>19</sup> the California Ambient Air Quality Standards,<sup>20</sup> and the Clean Air Act.<sup>21</sup>

The conclusions follow guidelines established by the Air District's CEQA Air Quality Handbook.<sup>22</sup>

In 2006, the State Legislature signed Assembly Bill 32 that charged the California Air Resources Board to develop regulations on how the State will address global climate change. The Board's Draft Scoping Plan (California Air Resources Board 2008b) proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve California's environment, reduce dependence on oil, diversify California's energy sources, save energy, and enhance public health while creating new jobs and enhancing the growth in California's economy. For State of California agencies, the Draft Scoping Plan emphasized the State's role of setting an example to meet improved energy standards for new State buildings. The Board concluded that the State of California should set an example by requiring all new State buildings to exceed existing energy standards and meet nationally recognized building sustainability standards such as LEED Silver Certified ratings. In response, the California Building Standards Commission on July 17, 2008 adopted green building standards that amended the 2007 California Green Building Standards Code, CCR, Title 24, Part 11.

The Board updated the set of actions with a Proposed Scoping Plan (California Air Resources Board 2008c) The Proposed Scoping Plan repeated the Board's emphasis that, as an owner-operator of key infrastructure facilities, the State of California has the ability to ensure that the most advanced, cost-effective environmental performance requirements are used in the design, construction, and operation of State facilities. The Plan continues the Board's emphasis on a green building strategy to achieve significant reductions in greenhouse gas emissions through the design and construction of new green buildings as well as the sustainable operation, retrofitting, and renovation of existing buildings.

Significant greenhouse gas emission reductions can be achieved through the design and construction of new green buildings (Green Building Initiative, Executive Order S-20-04)

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<sup>18</sup> City of Long Beach Department of Planning and Building. December 1996. City of Long Beach General Plan, Air Quality Element. Long Beach, CA.

<sup>19</sup> U.S. Environmental Protection Agency. 2008. National Ambient Air Quality Standards (NAAQS). Available at:  
<http://www.epa.gov/air/criteria.html>.

<sup>20</sup> California Air Resources Board. 2008. California Ambient Air Quality Standards (CAAQS). Available at:  
<http://www.arb.ca.gov/research/aaqs/caaqs/caaqs.htm>.

<sup>21</sup> U.S. Environmental Protection Agency. 2008. Federal Clean Air Act, "Title I - Air Pollution Prevention and Control." Available at: <http://www.epa.gov/air/caa/>.

<sup>22</sup> South Coast Air Quality Management District. 1993. CEQA Air Quality Handbook. Diamond Bar, CA.

as well as the sustainable operation and renovation of existing buildings. Green buildings provide an opportunity to consolidate a variety of greenhouse gas reduction strategies; these opportunities include:

- Green buildings are constructed, renovated, operated, and maintained using an integrated design process that creates and ensures a healthy and comfortable environment while maximizing energy and resource efficiency;
- Employing a whole-building design approach can create tremendous synergies that result in multiple benefits at little or no cost, allowing for efficiencies that will never be possible on an incremental basis;
- Green buildings exceed minimum energy efficiency standards, decrease consumption of potable water, reduce solid waste during construction and operation, and incorporate sustainable and low-emitting materials that contribute to healthy indoor air quality, which protects human health and minimizes impacts to the environment; and
- Situating buildings close to public transportation and services, and providing amenities that encourage walking and cycling, offer further potential to reduce transportation related greenhouse gas emissions.

#### **4.3.1 Will the project obstruct or conflict with implementation of the applicable air quality plan?**

The proposed project area is located in the City, which is located within the Air District's portion of the South Coast Air Basin. Ozone is the pollutant of greatest concern throughout the South Coast Air Basin. No single source is responsible for most of the emissions of ozone precursors, nitrogen oxides and volatile organic compounds; many sources are spread throughout the basin. The South Coast Air Basin is a federal-level non-attainment area for the ozone and particulate matter with a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>) air quality standards, but the basin has recently improved from non-attainment to attainment with the National Ambient Air Quality Standards for both nitrogen dioxide and carbon monoxide.<sup>23</sup> The South Coast Air Basin is a state non-attainment area for the ozone and PM<sub>2.5</sub> air quality standards, and the County of Los Angeles is a state-level non-attainment area for the ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> air quality standards for the California Ambient Air Quality Standards. 1 month

The most recent update to the Air District's Air Quality Management Plan was prepared to meet both state and federal Clean Air Act planning requirements for all areas within the Air Quality Management Plan's jurisdiction. The California Air Resources Board adopted this update for inclusion in the State Implementation Plan on September 27, 2007. The Air Quality Management Plan sets strategies for attaining the federal PM<sub>10</sub> and PM<sub>2.5</sub> air quality standards and the federal 8-hour ozone air quality standard as well

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<sup>23</sup> South Coast Air Quality Management District. June 2007. Final 2007 Air Quality Management Plan. Diamond Bar, CA.

as meeting state standards at the earliest practicable date. With the incorporation of new scientific data, emission inventories, ambient measurements, control strategies, and air quality modeling, this 2007 Air Quality Management Plan focuses on ozone and PM2.5 attainments.

Existing air quality within the City vicinity consists of a mix of local emission sources that include stationary activities such as space and water heating, landscape maintenance, and consumer products and mobile sources, which are primarily automobile and truck traffic. Motor vehicles are the primary source of pollutants within the proposed project vicinity because they have the potential to generate elevated localized levels of carbon monoxide, which are termed as carbon monoxide “hotspots.” Section 9.4 of the Air District’s CEQA Air Quality Handbook identifies carbon monoxide as a localized problem requiring additional analysis when a proposed project is likely to expose sensitive receptors to carbon monoxide hotspots.

The Air District evaluates the project in terms of air pollution thresholds (See Table 5).<sup>24</sup> The proposed project will be considered significant if implementation of the proposed project will result in daily operation, daily construction, or operation-related emissions that cause or exceed the Air District’s thresholds of significance. As described in Chapter 2.0, Project Description, the proposed project will require construction and use of new facilities totaling approximately 545,000 building gross square feet and covering 5.9 acres. In addition, construction of the proposed project, as currently conceived, will occur daily for a period of approximately 24 months.

The proposed project proposes an approximately 545,000 BGSF building with up to seven-stories. Implementation of the proposed project will create new activity that will contribute to air quality impacts in the surrounding area. In addition, during operation of the proposed project, emissions generated daily from space and water heating and vehicle trips generated by new employees, additional jurors, and visitors to and from the proposed project area might produce operational air quality impacts beyond the Air District’s thresholds of significance.

The air quality analysts used methodology that is consistent with the methods described in the 1993 CEQA Air Quality Handbook. Analysts used Urban Emission Model (URBEMIS) 2007 version 9.2.4 to estimate the emissions from the construction and operation of the roughly 5.9 acre proposed project and the proposed project’s operational emissions from additional vehicle trips traveling to and from the proposed project site by additional employees, visitors, and jurors. Because the proposed project site does not contain an industrial component that is considered a lead emission source, analysts did not evaluate lead emissions for the proposed project.

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<sup>24</sup> South Coast Air Quality Management District. 1993. “Developing Baseline Air Quality Information.” In Air Quality Guidance Handbook. Diamond Bar, CA.

To perform the air quality technical analysis, analysts made the following assumptions:

1. URBEMIS's commercial land use category for the air quality analysis;
2. The proposed project consists of a 545,000 square foot facility with 450,000 square foot for the courthouse, 75,000 for commercial office space, and 20,000 square foot for retail use.
3. According to the traffic impact analysis prepared for the proposed project,<sup>25</sup> the proposed project will generate 1,911 trips per day in comparison to the existing environmental baseline. This was simulated in the URBEMIS model by using a trip generation factor of 1.00 trip per 1,000 square feet for the courthouse, 11.01 trips per 1,000 square feet for the office building, and 31.76 trips per 1,000 square feet for the retail space;
4. The total proposed project construction was assumed to take 24 months from June 1, 2010 to July 30, 2012;
5. The project includes nine construction phases—mobilization, demolition, mass site grading, trenching, construction, architectural coatings, paving, fine site grading, and finalization. Demolition, mass site grading, fine site grading, and paving will each take 1 month or less, building construction will take approximately 24 months, and coating will take 3 months;
6. Approximately 5.9 acres will be scheduled for construction, with a maximum of 1.75 acre to be disturbed daily during mass site grading and a maximum of 4.25 acres to be disturbed daily during fine site grading;
7. Construction operations will coat a maximum of 150,000 square feet, and workers will generally apply exterior coatings with a brush;
8. Default parameters such as the horsepower and the operational duration (8 hours/day) were used for all construction equipment;
9. Area air emission sources of natural gas fuel combustion, hearth fuel combustion, landscape fuel combustion, consumer products, and architectural coatings were selected to represent area sources in the vicinity of the proposed project;
10. Default values (i.e. vehicular fleet, trip characteristics, temperature data, and variable starts) were used to calculate air emissions generated by vehicular trips to and from the proposed project site; and
11. The build-out year for the proposed project will be 2012, which was inputted to represent the vehicular fleet mix in 2012 upon completion of the proposed project's construction.

Sections 4.3.1.1 and 4.3.1.2 separately evaluate the project's construction-related impacts and operational impacts.

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<sup>25</sup> Linscott, Law, and Greenspan, Engineers. December 2008. New Long Beach Courthouse Traffic Impact Analysis. Costa Mesa, CA.

### 4.3.1.1 Construction Impacts

**Less than significant**—In response to comments received on the Draft Initial Study and Mitigated Negative Declaration, the AOC added additional project construction information and performed a revised analysis of air emissions from project construction. Construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. Demolition and site preparation activities will create fugitive dust emissions. Construction equipment will produce nitrogen oxide emissions. Paving operations and the application of architectural coatings and other building materials will release volatile organic compound emissions. The assessment of construction air quality impacts considers each of these potential sources during each constructional phase. However, construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and the prevailing weather conditions.

**Table 5. Air District's Emission Thresholds Of Significance**

<b>Critical Air Pollutant</b>	<b>Project Construction (lbs/day)</b>	<b>Project Operations (lbs/day)</b>
Carbon monoxide	550	550
Volatile organic compounds	75	55
Nitrogen oxides	100	55
Sulfur oxides	150	150
Particulate matter (PM2.5)	55	55
Particulate matter (PM10)	150	150

Analysts prepared a projected list of the type and quantity of equipment and vehicles, number of trips to and from the proposed project site during construction, and approximate duration of on-site activities (See Table 6) and used this information in the assessment of the potential construction impacts upon air quality. As stated in Section 2.4.4, the proposed project will implement BMPs during the construction of the proposed project to reduce or avoid potential impacts. For air quality issues, the AOC will include the following BMPs:

- Designate a project contact person to communicate with the Long Beach community and interested stakeholders regarding construction activities;
- Inform the Long Beach community and interested stakeholders through the use of a monthly newsletter that identifies the construction schedule and upcoming construction activities;
- Apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least two times a day to prevent generation of dust plumes;
- Moisten or cover excavated soil piles to avoid fugitive dust emissions;
- Discontinue construction activities that generate substantial blowing dust on unpaved surfaces during windy conditions;

- Install and use a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site;
- Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions;
- Ensure that all construction and grading equipment is properly maintained;
- Ensure that construction personnel turn off equipment when equipment is not in use;
- Ensure that all vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times;
- When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations; and
- Suspend heavy-equipment operations during first-stage and second-stage smog alerts.

**Table 6. Anticipated Construction Equipment**

<b>Construction Phase</b>	<b>Construction Activity</b>	<b>Type of Equipment/ Vehicle</b>	<b>Approximate Duration of Activity(weeks)</b>
Mobilization	Construction preparations	Tractor/loader, truck	1
Demolition	Removal of pavement, utilities, and debris	Tractor/loader, concrete/ industrial saw, rubber-tired dozer, grader, water truck	1
Mass site grading	Excavate basement and construct foundation	5 tractors/loaders, rubber tired dozer, grader, 2 excavators, water truck	6-8
Trenching	Relocate utilities	Tractor/loader, Rubber-tired dozer, water truck	8
Building construction	Assemble frame and floors, Install exterior and roof, finish interior	3 welders, 2 forklifts, crane, generator set, tractor/loader, off-highway truck, water truck	72
Coating	Exterior and interior Coating	Relevant coating equipment N/A to AQ analysis	12
Paving	Install drives, sidewalks, plazas, and other structures	4 cement and mortar mixers, paver, paving equipment, roller, tractor/loader, water truck	4
Fine site grading	Grade and contour site	Tractor/loader, rubber-tired dozer, grader, water truck	4
Finalization	Inspections, testing, cleanup, and other activities	Tractor/loader and off-highway truck	4

Analysts based the emission forecasts on assumptions that incorporated the anticipated construction activities listed above, the construction schedule for the project, the BMPs described in [Section 2.4.4](#) and listed above, and compliance with the Air District’s

rules.<sup>26</sup> In addition, estimates included in this analysis include the highest number of potential worker commute trips.

The delivery and hauling of construction materials and equipment, the use of heavy-duty construction equipment, and the construction workers' commute trips from and to the proposed project site will be initiated in support of site construction activities. The construction air quality technical impact analysis takes into account of each of these potential emission sources.

Table 7 lists analysts' estimates of the project's maximum daily construction emissions (See Appendix B for URBEMIS 2007 Version 9.2.4 Output). The daily construction emissions associated with the project's construction activities will not exceed the Air District's daily construction emission thresholds of significance for carbon monoxide, sulfur oxides, nitrogen oxides, volatile organic compounds, PM10, and PM2.5. Therefore, the daily construction emissions will be less than significant.

**Mitigation Measures:** no mitigation required.

**Table 7. Estimated Daily Construction Emissions**

Construction Phase	Construction Emissions (Pounds/Day)					
	Volatile organic compounds	Nitrogen oxides	Carbon monoxide	Sulfur oxides	PM10*	PM2.5*
Mobilization	1.89	16.00	6.57	0.00	0.73	0.67
Demolition	1.72	12.99	7.39	0	0.78	0.71
Mass Site Grading & Excavation	8.91	79.72	41.61	0.04	39.47	11.33
Trenching	2.4	19.72	10.34	0.00	35.95	8.18
Fine Site Grading	2.72	22.00	12.42	0	86.08	18.74
Paving	3.13	19.51	12.57	0	1.44	1.32
Building Construction	7.29	43.08	58.30	0.06	2.46	2.12
Architectural Coating	53.57	0.12	2.06	0	0.02	0.01
Maximum Regional Total	54	80	58	0.06	86	19
Air District's Daily Significance Threshold	75	100	550	150	150	55
Significant Impacts?	No	No	No	No	No	No

\*Estimated emissions do not include any reduction for implementation of Rule 403—Fugitive Dust

<sup>26</sup> Section 2.4.4 describes air quality-related BMPs, and Section 4.3.1.2 notes the description. The URBEMIS software describes these BMPs as "mitigation measures." The AOC believes the BMPs describe current construction industry practices. Therefore, the AOC includes the BMPs as part of the project description rather than mitigation measures.

### 4.3.1.2 Operational Impacts

The proposed project will operate as a courthouse with office, retail, and commercial applications. Since the proposed project includes the development of increased parking availability and will cause additional traveling due to an increased number of visitors, jurors, and employees, the project will generate additional daily vehicle trips and associated long-term operation-related mobile source air emissions.

Table 8 lists projected daily operational emissions of carbon monoxide, sulfur oxides, nitrogen oxides, volatile organic compounds, PM10, and PM2.5. Projected emissions do not exceed the Air District’s thresholds of significance. Thus, the proposed project will have less than significant level of impacts to air quality during operation and will require no mitigation measures.

As stated previously, the project does not include any residential development, and it will have a very minor effect on local employment. Therefore, the proposed project is consistent with the Southern California Association of Governments’ regional growth forecasts for attaining the ambient air quality standards and its cumulative air quality impacts will be below the level of significance.

Carbon monoxide is a localized problem under Section 9.4 of the Air District’s CEQA Air Quality Handbook. Localized levels of carbon monoxide concentrations from vehicles termed as carbon monoxide hotspots were analyzed for the proposed project as additional number of vehicle trips that would be added to the intersections under the existing congested condition without the proposed project. As indicated above, the proposed project would result in approximately 1,900 vehicle trips a day. The regional roadway network will adequately absorb the number of daily peak-hour vehicle trips (See Appendix F). Therefore, the AOC expects no significant increase in carbon monoxide concentrations at sensitive receptor locations, and localized operational carbon monoxide emissions will be below the level of significance.

**Mitigation Measures:** no mitigation required.

**Table 8. Estimated Daily Operational Emissions**

Air Pollutants	Operational Emissions		
	Emissions (Pounds/Day)	Air District’s Daily Significance Threshold (Pounds/Day)	Significant?
Carbon monoxide	172.79	550	No
Sulfur oxides	0.19	150	No
Nitrogen oxides	19.32	55	No
Volatile organic gases	16.52	55	No
Particulate matter (PM10)	31.57	150	No
Fine particulate matter (PM2.5)	6.15	55	No

#### **4.3.2 Will the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Less than significant**—The proposed project is located in the Air District’s South Los Angeles County Air Monitoring Sub-region No. 4, which is served by the Long Beach Monitoring Station network. The Long Beach Monitoring Station network consists of two monitoring stations: the North Long Beach Monitoring Station, approximately 3.7 miles north of the proposed project site at 3648 North Long Beach Boulevard, Long Beach, California, and the South Long Beach Monitoring Station, approximately 2 miles northeast of the proposed project site at 1305 East Pacific Coast Highway, Long Beach, California. Both monitoring stations measure particulate matter (PM2.5 and PM10) and lead. In addition, the North Long Beach Monitoring Station monitors carbon monoxide, ozone, nitrogen dioxide, and sulfur dioxide.<sup>27</sup>

As stated in Sections 4.3.1.1 and 4.3.1.2, projected construction and operational emissions are less than the Air District’s daily thresholds. Therefore, the project will not violate any air quality standard.

Also, the project does not include any residential development, and it will have a very minor effect on local employment. Therefore, the proposed project is consistent with the Southern California Association of Governments’ regional growth forecasts for attaining the ambient air quality standards and its cumulative air quality impacts will be below the level of significance.

**Mitigation Measures:** no mitigation required.

#### **4.3.3 Will the project produce a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

**Less than significant**—The proposed project site is located within the South Coast Air Basin, which is designated as a non-attainment area according to the state and federal ozone and PM2.5 air quality standards. During the construction phase, primary emissions will include ozone precursor emissions and particulate matter. Ozone precursor emissions from vehicles coming to and from the proposed project site will be the primary source of impact to air quality associated with operation of the proposed project.

As stated in Sections 4.3.1.1 and 4.3.1.2, projected construction and operational emissions are less than the Air District’s daily thresholds and the project will not lead to a violation of an air quality standard.

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<sup>27</sup> South Coast Air Quality Management District. July 2008. Draft South Coast Air Quality Management District Annual Air Quality Monitoring Network Plan. Diamond Bar, CA.

The proposed project replaces the Superior Court's and County's existing Long Beach facility. Also, the project does not include any residential development, and it will have a very minor effect on local employment. Therefore, the proposed project is consistent with the Southern California Association of Governments' regional growth forecasts for attaining the ambient air quality standards and its cumulative air quality impacts will be below the level of significance.

**Mitigation Measures:** no mitigation required.

#### **4.3.4 Will the project expose sensitive receptors to substantial pollutant concentrations?**

**Less than significant**— Land uses identified to be sensitive receptors by the Air District include residences, schools, playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. People with compromised immune systems may be exposed to emissions released from the construction and operation of the proposed project. The greatest potential for exposure of sensitive receptors to air contaminants will occur during the temporary construction phase when construction operations will disturb soils and when equipment will be used for site grading, materials delivery, and facility construction.

Sensitive receptors near the proposed project include:

- Edison Elementary School at 625 Maine Avenue, which is approximately 0.2 mile north of the proposed project site,
- The Breakers senior living community at 210 E. Ocean Boulevard, which is approximately 0.5 mile southeast of the proposed project,
- Childtime Learning Center at 1 World Trade Center #199, which is approximately 0.1 mile south of the proposed project, and
- Cesar Chavez Elementary School at 730 W 3rd Street, which is approximately 0.04 mile west of the project area.

Additional single-family and multiple-family residences are located in the surrounding community with 0.25 mile of the proposed project site.

Exposure to potential emissions will vary substantially from day to day, depending on the amount of work being conducted, the weather conditions, the location of receptors, and the length of time that receptors will be exposed to air emissions. The construction phase emissions estimated in this analysis are based on conservative estimates and worst-case conditions, with maximum levels of construction activity occurring simultaneously within a short period of time.

The Air District recommends that project proponents conduct a health risk assessment for substantial sources of diesel particulate emissions such as emissions from truck stops and warehouse distribution facilities. The operation of the proposed courthouse project will not require substantial heavy-duty equipment operations or generate substantial daily

truck trips. Trucks used for maintenance and delivery purposes during the project's operation will be the only potential source contributing to the toxic air contaminant level at the proposed project site. However, the number and frequency of heavy-duty trucks and Sheriff's busses accessing the proposed project site on a daily basis will be minimal, and the trips will be approximately equal to the trips that are currently needed for serving the existing courthouse. Typical sources of acute and chronically hazardous toxic air contaminants include certain commercial developments that handle carcinogens and toxic non-carcinogens, manufacturing industries, and automobile repair facilities. Since the proposed project does not match any of those categories, the project will not emit additional amounts of toxic air contaminants. Therefore, project operation-related toxic air contaminant emissions will be below the level of significance and have a less than significant air toxic impact on human health.

As discussed in Section 4.3.1.1, projected emissions are below Air District thresholds. Since projected emissions are below significance thresholds, the short-term nature of the proposed project's construction activities, and the temporary nature of potential exposures to project construction-related air emissions, the AOC concludes that the project's impacts are less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.3.5 Will the project create objectionable odors affecting a substantial number of people?**

**Less than significant**—Construction of the proposed project will require the use of diesel-powered equipment. Some people may consider diesel equipment emissions' to be unpleasant. Because approximately 545,000 square feet of buildings will be under construction and the use of diesel-powered equipment will be anticipated to occur daily during its construction phase, construction of the proposed project will be expected to result in impacts in relation to creating objectionable odors. However, these construction-related air quality impacts will be below the level of significance because the use of diesel-powered equipment will only occur in the short-term during the construction period. Additionally, the proposed project will implement BMPs during the construction of the proposed project that will further reduce this potential impact. Therefore, with a potential to create objectionable odors during its construction, the proposed project will be expected to result in impacts that will be below the level of significance.

The proposed project will operate as a courthouse, and the operational function of the proposed project will not be likely to result in the creation of objectionable odors. Therefore, impacts to air quality standards in relation to creating objectionable odors for the proposed project will be below the level of significance.

**Mitigation Measures:** no mitigation required.

### **4.3.6 Will the project substantially conflict with the State’s goal of reducing greenhouse gas emissions in California to 1990 levels by 2020 as established in Assembly Bill 32, California Global Warming Solutions Act of 2006?**

**Less than significant**—There are currently no published thresholds for measuring the significance of a project’s cumulative contribution to global climate change. Greenhouse gas emissions contributed by construction and operation of the proposed project have the potential to contribute to statewide greenhouse gas emissions.

The proposed project’s incremental impact on greenhouse gas emission will be significant if the size, the nature, and the duration of the construction phase will generate a substantial amount of greenhouse gas emissions. The construction phase of the proposed project will take approximately 24 months to complete, and will cover an area less than six acres in size. During construction, normal construction equipment will be operated. The short-term nature of the construction duration and the typical nature of the construction activities will not substantially increase global greenhouse gas emissions.

The AOC’s design effort includes the objective of achieving a LEED Silver certification, which complies with the California Air Resources Board’s Draft Scoping Plan for AB 32 compliance (California Air Resources Board 2008b), the Proposed Scoping Plan (California Air Resources Board 2008c), the adopted Scoping Plan (California Air Resources Board 2008d) and the California Building Standards Commission’s green building standards in the 2007 California Green Building Standards Code, CCR, Title 24, Part 11. The building’s design will include features to reduce energy consumption by at least 15% from the levels of the California Building Code.

In addition, the proposed courthouse site is in downtown Long Beach near the City’s transit system. Since the proposed project complies with the recommendations of the Proposed Scoping Plan and is located near the City’s transit facilities, the AOC concludes that the project’s impacts on the State’s goal of reducing greenhouse gas emissions are less than significant.

**Mitigation Measures:** no mitigation required.

## ***4.4 BIOLOGICAL RESOURCES***

This analysis is undertaken to determine if the New Long Beach Courthouse (proposed project) may have a significant impact on biological resources, thus requiring the consideration of mitigation measures or alternatives, in accordance with Section 15063 of the State California Environmental Quality Act Guidelines (State CEQA Guidelines). Biological resources at the proposed project site were evaluated with regard to the Conservation element of the City’s General Plan,<sup>28</sup> a query of the California Natural

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<sup>28</sup> City of Long Beach. 1973. General Plan Program: Conservation Element. Long Beach, CA.

Diversity Database<sup>29</sup> for the U.S. Geological Survey 7.5-Minute Series, Long Beach, Topographic Quadrangle where the proposed project is located; and all surrounding U.S. Geological Survey 7.5-Minute Series Topographic Quadrangles including: Inglewood,<sup>30</sup> South Gate,<sup>31</sup> Whittier,<sup>32</sup> Torrance,<sup>33</sup> Los Alamitos,<sup>34</sup> San Pedro,<sup>35</sup> and Seal Beach;<sup>36</sup> and a review of published and unpublished literature germane to the proposed project.

**4.4.1 Will the project have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?**

**No impact**— Appendix C lists special status species that might potentially occur in the region of the proposed courthouse. However, the proposed project site is in an urbanized development area with commercial spaces, office spaces, and residential uses. The site is primarily a vacant lot paved with cement and asphalt. Sapphos Environmental, Inc. staff performed a site reconnaissance to evaluate environmental issue areas conducted on September 30, 2008, reviewed an aerial photograph for the proposed project property and surrounding areas, and reviewed the habitat requirements for the special status species. Analysts determined that the proposed project site does not contain habitat suitable to support the special status plant species. Therefore, the project will have no impacts.

**Mitigation Measures:** no mitigation required.

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

**No impact**—The proposed project is not expected to result in impacts to biological resources in relation to riparian habitat or other sensitive natural communities. The

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<sup>29</sup> California Department of Fish and Game. 2002. Rarefind 2: A Database Application for the Use of the California Department of Fish and Game Natural Diversity Database. Sacramento, CA.

<sup>30</sup> U.S. Geological Survey. [1964] Photo revised 1981. 7.5-Minute Series, Inglewood, California, Topographic Quadrangle. Reston, VA.

<sup>31</sup> U.S. Geological Survey. [1964] Photo revised 1981. 7.5-Minute Series, South Gate, California, Topographic Quadrangle. Reston, VA.

<sup>32</sup> U.S. Geological Survey. [1965] Photo revised 1981. 7.5-Minute Series, Whittier, California, Topographic Quadrangle. Reston, VA.

<sup>33</sup> U.S. Geological Survey. [1964] Photo revised 1981. 7.5-Minute Series, Torrance, California, Topographic Quadrangle. Reston, VA.

<sup>34</sup> U.S. Geological Survey. [1964] Photo revised 1981. 7.5-Minute Series, Los Alamitos, California, Topographic Quadrangle. Reston, VA.

<sup>35</sup> U.S. Geological Survey. [1965] Photo revised 1981. 7.5-Minute Series, San Pedro, California, Topographic Quadrangle. Reston, VA.

<sup>36</sup> U.S. Geological Survey. [1965] Photo revised 1981. 7.5-Minute Series, Seal Beach, California, Topographic Quadrangle. Reston, VA.

proposed project site is located in an urbanized mix of planned development, commercial and office spaces within the City. The site is characterized by primarily vacant ground paved with cement and asphalt. As a result of a habitat assessment and a review of the U.S. Geological Survey 7.5-Minute Series, Long Beach, Topographic Quadrangle<sup>37,38,39,40,41,42,43</sup> Quadrangle of the proposed project location and the National Wetland Inventory Map,<sup>44</sup> it was determined that no blue-line drainages or wetlands are present within the proposed project that will support riparian habitat or sensitive natural communities. Therefore, there are no expected impacts to biological resources related to riparian habitat or other sensitive natural communities. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.4.3 Will the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water?**

**No impact**—The proposed project is not expected to result in impacts to biological resources in relation to federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. A review of the National Wetland Inventory Map<sup>45</sup> indicated that no federally protected wetlands exist in the proposed project area. In addition, as a result of the review of historical U.S. Geological Survey topographic maps, there are no blue-line drainages on the proposed project site. Therefore, there are no expected impacts to biological resources related to federally protected wetlands as defined by Section 404 of the Clean Water Act. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.4.4 Will the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

##### **4.4.4.1 Wildlife Movement/Corridors**

**No impact**—The proposed project is not expected to result in impacts to biological resources in relation to movement of any native resident or migratory fish or wildlife species or with an established wildlife corridor. The proposed project site includes a 5.9-

<sup>37</sup> U.S. Geological Survey. 1901. 7.5-Minute Series, Southern California, Sheet 1, Topographic Quadrangle. Reston, VA.

<sup>38</sup> U.S. Geological Survey. 1902. 7.5-Minute Series, Downey, California, Topographic Quadrangle. Reston, VA.

<sup>39</sup> U.S. Geological Survey. 1925. 7.5-Minute Series, Long Beach, California, Topographic Quadrangle. Reston, VA.

<sup>40</sup> U.S. Geological Survey. 1947. 7.5-Minute Series, Downey, California, Topographic Quadrangle. Reston, VA.

<sup>41</sup> U.S. Geological Survey. 1951. 7.5-Minute Series, Long Beach Vicinity 20F3, California, Topographic Quadrangle. Reston, VA.

<sup>42</sup> U.S. Geological Survey. 1964. 7.5-Minute Series, Long Beach, California, Topographic Quadrangle. Reston, VA.

<sup>43</sup> U.S. Geological Survey. [1964] Photo revised 1972. 7.5-Minute Series, Long Beach, California, Topographic Quadrangle. Reston, VA.

<sup>44</sup> U.S. Fish & Wildlife Service, Division of Habitat and Resource Conservation. Accessed 6 November 2007. Web site. "Wetlands Geodatabase." Available at: <http://wetlandsfws.er.usgs.gov/NWI/index.html>

<sup>45</sup> U.S. Fish & Wildlife Service, Division of Habitat and Resource Conservation. Accessed 6 November 2007. Web site. "Wetlands Geodatabase." Available at: <http://wetlandsfws.er.usgs.gov/NWI/index.html>

acre parcel that is primarily vacant and contains a parking lot. The proposed project site is located in the City, a developed urban area that does not provide habitat suitable to support a wildlife corridor. As a result of the habitat assessment conducted by Sapphos Environmental, Inc. on [insert date], the proposed project site does not support an established wildlife movement corridor. Therefore, the implementation of the proposed project will not be expected to result in impacts to biological resources in relation to movement of any native resident or migratory fish or wildlife species or with an established wildlife corridor. Implementation of the proposed project will also not interfere with the movement of any migratory fish because there are no water sources on the proposed site. Therefore, there no expected impacts to biological resources related to movement of any native resident or migratory fish or wildlife species or with an established wildlife corridor. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.4.4.2 Nursery Sites**

**No impact**—The proposed project is not expected to result in impacts to biological resources in relation to the use of nursery sites by any migratory fish or wildlife species. The proposed project site includes 5.9 acres, which contains a vacant lot paved by concrete and asphalt and a portion is used as a parking lot. No migratory fish or wildlife species are anticipated to use the proposed project site as a nursery site due to the lack of suitable habitat. Therefore there are no expected impacts to biological resources related to impeding the use of native wildlife nursery sites and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.4.5 Will the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No impact**—The proposed project will not be expected to result in impacts to biological resources in relation to conflicts with any local policies or ordinances protecting biological resources. Based on a combination of field investigations and a review of the conservation element of the Long Beach General Plan Program, the proposed project does not conflict with any local policies or ordinances protecting biological resources. Therefore, there are no expected impacts to biological resources related to conflicts with any local policies or ordinances protecting biological resources. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.4.6 Will the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No impact**—The proposed project will not be expected to result in impacts to biological resources in relation to conflicts with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. Based on review of existing and potential Habitat Conservation Plan and Natural Community Conservation Plan boundaries pursuant to USFWS and CDFG, respectively,<sup>46,47</sup> it was determined that the proposed project site is not within the boundaries of any Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, there will be no expected impacts to biological resources related to conflicts with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

### ***4.5 CULTURAL RESOURCES***

As stated previously, the proposed project site is a set of vacant parcels in downtown Long Beach. Commercial and residential buildings previously occupied the site, but the Agency cleared the site during 2005 through 2009.

Analysts evaluated cultural resources at the proposed project site, located on the U.S. Geological Survey (U.S. Geological Survey) 7.5-minute Long Beach topographic quadrangle, with a query of the South Central Coastal Information Center<sup>48</sup> located at California State University, Fullerton, for any known prehistoric and historic archaeological resources located within one-half mile radius of the proposed project site. This search included a review of all known relevant cultural resource surveys and excavation reports and the 2008 edition of the California Historical Resources Inventory,<sup>49</sup> which includes listings in the National Register of Historic Places, the California Register of Historical Resources,<sup>50</sup> qualifying designations of California Historic Landmarks,<sup>51</sup> and California Points of Historical Interest.<sup>52</sup> In addition, City records of landmark and historic district designations were examined. Cultural resources at the proposed project site were also evaluated with regard to a query to the Natural

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<sup>46</sup> California Department of Fish and Game. Accessed 28 June 2007. Web site. "Natural Community Conservation Planning." Sacramento, CA. Available at: <http://www.dfg.ca.gov/nccp/>

<sup>47</sup> United States Fish and Wildlife Service, Carlsbad Fish and Wildlife Office. Accessed 12 December 2007. Web site. "Habitat Conservation Plans." Carlsbad, CA. Available at: <http://www.fws.gov/carlsbad/HCPs.htm>

<sup>48</sup> Carias, Laura Gallegos. 18 August 2008. Archaeological and historic resources records search at the South Central Coastal Information Center, California State University, Fullerton, Fullerton, CA.

<sup>49</sup> California Office of Historic Preservation. 2008. California Historical Resources Inventory, 2004. Fullerton, CA: California State University, Department of Anthropology, South Central Coastal Information Center.

<sup>50</sup> California Office of Historic Preservation. 2008. National Register of Historic Places. Fullerton, CA: California State University, Department of Anthropology, South Central Coastal Information Center.

<sup>51</sup> California Office of Historic Preservation. 2008. California Historic Landmarks. Fullerton, CA: California State University, Department of Anthropology, South Central Coastal Information Center.

<sup>52</sup> California Office of Historic Preservation. 2008. California Points of Historical Interest. Fullerton, CA: California State University, Department of Anthropology, South Central Coastal Information Center.

History Museum of Los Angeles County<sup>53</sup> for any known paleontological resource localities; and the Native American Heritage Commission<sup>54,55</sup> for known sacred lands and sites. Published and unpublished literature was reviewed. In addition, Sapphos performed a reconnaissance level survey of the proposed project site to identify any buildings, structures, objects, or districts that meet the CEQA definition of a historical resource. Appendix D provides additional information on the analyses.

**Mitigation Measures:** no mitigation required.

#### **4.5.1 Will the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines?**

**Less than significant**—Analysts conducted a records search for the proposed project at the South Central Coastal Information Center and with the City, and they performed a reconnaissance level survey to determine the presence of historical resources within the site, adjacent to the site, or facing the proposed project site. The record search indicated that no resources within the site, adjacent to the site, or facing the proposed project site are listed in the National Register of Historic Places or California Register of Historical Resources or designated as landmarks or contributors to a local historic district.

Sanborn maps indicate that during the historic period the proposed project site was densely built up.<sup>56</sup> By 1902, 24 of the approximately 36 parcels on the site contained improvements, which were primarily one-story, wood-framed residential buildings. Construction had intensified by 1914 with the erection of a number of multi-family residential buildings; only a handful of lots remained vacant. Density had increased by 1949, and a few commercial buildings had been introduced.

Sapphos' 2008 reconnaissance survey revealed that there were two buildings located within the proposed project site: the Magnolia Avenue parking garage (101 Magnolia Avenue) and the Julian Ship Building (505 West Broadway). The Agency removed the Julian Ship Supplies building in early 2009. The parking garage is a four-story, utilitarian concrete structure built in 1975. It is less than 45 years old and does not appear eligible for inclusion in the California Register of Historical Resources. It has no known exceptional significance, associations with historical events or persons, or outstanding architectural qualities. Therefore, it is not a historical resource as defined by CEQA.

The existing courthouse at 415 West Ocean Boulevard is not located on the proposed new courthouse site. The Agency will take possession of the building after completion of the

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<sup>53</sup> McLeod, Samuel A. 23 September 2008. "Vertebrate Paleontology Section, Natural History Museum of Los Angeles County, Los Angeles, California." Letter response to Natasha Tabares, Sapphos Environmental, Inc., Pasadena, CA.

<sup>54</sup> Singleton, Dave, Program analyst, Native American Heritage Commission, Sacramento, CA. 25 November 2008. Letter response to Natasha Tabares, Sapphos Environmental, Inc., Pasadena, CA.

<sup>55</sup> Rosas John Tommy, Tribal Administrator, Tribal Litigator, Tongva Ancestral Territorial Tribal Nation, 03 October 2008, Email to Natasha Tabares, Sapphos Environmental, Inc., in response to follow up letter sent to individuals as recommended by the NAHC, Sapphos Environmental Inc., Pasadena, CA.

<sup>56</sup> Sanborn Map Company, "Long Beach, California." September 1902. Sheet 4; 1914, Sheets 19 and 20; 1914-February 1949, Sheets 19 and 20. Available at: [www.lapl.org](http://www.lapl.org)

new courthouse. The Agency has no plans at present to use building and will disclose future plans for the property in a separate CEQA document and other documents. The AOC concludes that there are no expected impacts to cultural resources related to a substantial adverse change in the significance of a historical resource, and therefore the project's impacts are less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.5.2 Will the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5?**

**Potentially significant**—Analysts conducted an archaeological record search at the South Central Coastal Information Center for the U.S. Geological Survey 7.5-minute Long Beach topographic quadrangle and coordinated with the Native American Heritage Commission to identify any previously recorded prehistoric archaeological resources or sacred lands that may be within the proposed project site. The record searches indicated that the proposed project site has not been previously surveyed for archaeological resources and that other parties have conducted seven cultural resources surveys and records searches within one-half mile of the proposed project site. The record search determined that there are no recorded prehistoric archaeological resources or Native American sacred lands or sites within the proposed project site or within one half mile of the proposed project site.

Archaeological evidence suggests that several Gabrielino communities may have been present in the Long Beach area prior to Spanish contact, and that each community may have controlled an area up to 10 square miles in size. Because of the level of disturbance at the site from past developments, the previously disturbed soils are not expected to contain significant prehistoric archeological resources. Although there are no known prehistoric resources within the proposed project area, archaeological evidence of multiple Gabrielino communities in the Long Beach area prior to Spanish contact makes it possible that archaeological material may be encountered if excavations reach native soils. The proposed project may have potentially significant impacts to cultural resources related to the destruction of an archaeological resource.

**Mitigation Measures:**

**CULTURAL RESOURCES 1**—The AOC will require its developer to retain a qualified archaeologist who shall inform all construction personnel prior to any construction or earth-disturbing activities in areas that may contain native soils of the potential to encounter archaeological resources and provide instruction to recognize archaeological artifacts, features, or deposits. Personnel working on the project will not collect archaeological resources.

**CULTURAL RESOURCES 2**—The construction contractor will retain a qualified archaeologist. If construction personnel encounter archaeological resources during construction excavation activities, construction personnel will halt all ground-

disturbing activity within 100 feet of the resource and notify the retained archaeologist and the AOC. The archaeologist will evaluate the discovery, determine its significance, and provide proper management recommendations. Management actions may include scientific analysis and professional museum curation. The qualified archaeologist shall summarize the resources in a report prepared to current professional standards.

Adoption and implementation of mitigation measures CULTURAL RESOURCES 1 and CULTURAL RESOURCES 2 will reduce the project's impacts to a level that is less than significant.

#### **4.5.3 Will the project disturb any human remains, including those interred outside of formal cemeteries?**

**Less than significant**—Analysts conducted an archaeological record search at the South Central Coastal Information Center a visual search for small and large cemetery icons in the U.S. Geological Survey 7.5- minute Long Beach topographic quadrangle review of historic maps,<sup>57</sup> and the Native American Heritage Commission Sacred Lands File search. Results indicate that no historic period or Native American burial grounds are located within or in proximity to the proposed project site. The AOC has no information that indicates discovery of human remains during ground-disturbing activities is likely to occur. If the AOC's construction contractor encounters potential human remains during construction, the construction contractor will contact the County Coroner to comply with the procedures for the unanticipated discovery of human remains delineated in Public Resources Code 5097. Therefore, the AOC concludes that the proposed project will not cause significant impacts related the disturbance of human remains.

**Mitigation Measures:** no mitigation required.

### ***4.6 GEOLOGY AND SOILS***

Analysts evaluate geology and soils at the proposed project site with regard to the City's Land Use element of the Long Beach General Plan, the City's General Plan Seismic Safety element,<sup>58</sup> the U.S. Geological 7.5- Minute Series Topographic Quadrangle,<sup>59</sup> and the Fault Rupture Hazard Zones in Alquist-Priolo Earthquake Fault Zoning Maps.<sup>60</sup>

#### **4.6.1 Will the project expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault delineated on**

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<sup>57</sup> Environmental Data Resources, Inc. 2007. Historical Topographic Map Report for Kroc Community Center, Long Beach, CA 90806. Inquiry Number 2015389.1. Milford, CT

<sup>58</sup> City of Long Beach Department of Planning and Building. October 1988. City of Long Beach General Plan, Seismic Safety Element. Long Beach, CA.

<sup>59</sup> California Division of Conservation, Division of Mines and Geology (CDMG). 1966. Minerals of California Volume (1866-1966). Bulletin 189. Los Angeles, CA.

<sup>60</sup> Department of Conservation. 2007. Fault-Rupture Hazard Zones in California, Special Publication No. 42. Sacramento, CA.

**the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault?**

**Less than significant**—According to Fault-Rupture Hazard Zones in California, the proposed project site is not located within an Alquist-Priolo Special Studies Zone. However, the Newport- Inglewood fault zone is a significant fault system with fault segments located approximately 2.6 miles to the northeast. These faults have the potential for surface rupture, and therefore the proposed project may result in potential adverse effects involving rupture of a known earthquake fault.<sup>61</sup> Another fault, the Thums-Huntington Beach fault, splays southeastward from the Palos Verdes fault zone (4.3 miles west) and passes approximately 2.6 miles to the southwest of the proposed project site. However, this fault is a blind thrust fault that does not have the potential for surface rupture.<sup>62</sup> Additional faults exist in and around the city, and seismic events can affect the proposed project site due to ground shaking and/or vibration.

The California Building Code establishes standards for investigation and mitigation of site conditions related to fault movement, ground rupture, ground shaking, as well as other seismically inducted activities. As part of its design effort, the AOC prepares a geotechnical report to evaluate site conditions including seismic issues, and the report's geologist and engineer provide structural recommendations. The AOC's design will incorporate seismic recommendations from the geotechnical report into the project's design to ensure that the building's structural elements ensure the safety of the building and occupants and meet requirements of the California Building Code. Therefore, the project's impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

**4.6.2 Will the project expose people or structures to potential substantial adverse effects involving strong seismic ground shaking?**

**Less than significant**—As noted above in Section 4.6.1, the close proximity of the Newport-Inglewood Fault, the Palos Verdes Fault and the Thums-Huntington Beach Fault, and other significant faults in the region might create substantial ground shaking at the proposed site if a large seismic event occurred.

The California Building Code establishes standards for investigation and mitigation of site conditions related to fault movement, ground rupture, ground shaking, and other seismically inducted activities. As part of its design effort, the AOC prepares a geotechnical report to evaluate site conditions including seismic issues, and the report's geologist and engineer provide structural recommendations. The AOC's design will incorporate seismic recommendations from the geotechnical report into the project's design to ensure that the building's structural elements ensure the safety of the building

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<sup>61</sup> Department of Conservation. 2007. Web site. "Seismic Hazards Zonation Program." Available at: <http://gmw.consrv.ca.gov/shmp/index.htm>

<sup>62</sup> Fisher, M.A., W.R. Normark, V.E. Langeheim, A.J. Calvert, and R. Sliter. 2004. "The Offshore Palos Verdes Fault Zone near San Pedro, Southern California." *Bulletin of the Seismological Society of America*, 94 (2): 506–530.

and occupants and meet requirements of the California Building Code. Therefore, the project's impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.6.3 Will the project expose people or structures to potential substantial adverse effects involving seismic-related ground failure (including liquefaction and lateral spreading)?**

**No impact**—According to Plate 7 of the City's Seismic Safety element, the proposed project is located in a part of the city where the potential for liquefaction to occur is minimal. In addition, the proposed project site is not located within a Seismic Hazard Zone for Liquefaction according to the California Department of Conservation.<sup>63</sup>

As part of its design effort, the AOC prepares a geotechnical report to evaluate site conditions. The AOC's design will incorporate soils recommendations from the geotechnical report into the project's design to ensure that the building's structural elements ensure the safety of the building and occupants and meet requirements of the California Building Code, which establishes standards for investigation and mitigation of site conditions related to fault movement, ground rupture, ground shaking, and other seismically induced activities. Therefore, the project will have no impacts.

**Mitigation Measures:** no mitigation required.

#### **4.6.4 Will the project expose people or structures to potential substantial adverse effects involving landslides or mudflows?**

**No impact**—As noted previously, the proposed project site is flat, and there are no slopes or ridges nearby. The Seismic Safety element notes that the proposed project site is not located in an area where landslides or mudflows are anticipated to occur. Therefore, there will be no expected impacts from exposing people or structures to potential substantial adverse effects involving landslides or mudflows.

**Mitigation Measures:** no mitigation required.

#### **4.6.5 Will the project produce substantial soil erosion or the loss of topsoil?**

**Less than significant**—The proposed project site will clear an approximately 5.9-acre site in the City's urban environment. The site is flat. As noted in Section 4.3.1.1, the project will implement BMPs such as watering of exposed soil, covering of exposed soil piles and truck soil loads, and re-vegetation of exposed soil during the construction of the proposed project for dust control. The AOC's contractor will also prepare and implement a SWPPP to control erosion. Therefore, the AOC believes that the proposed project will

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<sup>63</sup> California Department of Conservation, 1999. State of California Seismic Hazard Zones: Long Beach Quadrangle. Map Available at: [http://gmw.consrv.ca.gov/shmp/download/pdf/ozn\\_longb.pdf](http://gmw.consrv.ca.gov/shmp/download/pdf/ozn_longb.pdf)

not produce substantial soil erosion or the loss of topsoil. Therefore, the AOC finds that impacts to geology and soils related to soil erosion or the loss of topsoil will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.6.6 Will the project be located on a geologic unit or soil that is unstable or that will become unstable due to subsidence?**

**No impact**—According to the Seismic Safety element of the Long Beach Central Plan, the proposed project site will be located on soil made up of predominantly granular, non-marine terrace deposits overlying Pleistocene granular, marine sediments at shallow depths. There is nothing in the Seismic Safety element to indicate that this type of soil will become unstable as a result of the proposed project.

As part of its design effort, the AOC prepares a geotechnical report to evaluate site conditions. The AOC's design will incorporate soils recommendations from the geotechnical report into the project's design to ensure that the building's structural elements ensure the safety of the building and occupants and meet requirements of the California Building Code. Therefore, there will be no expected impacts to soil instability.

**Mitigation Measures:** no mitigation required.

#### **4.6.7 Will the project expose people or structures to potential substantial adverse effects involving expansive soil?**

**No impact**— As part of its design effort, the AOC prepares a geotechnical report to evaluate site conditions. The AOC's design will incorporate soils recommendations from the geotechnical report into the project's design to ensure that the building's structural elements ensure the safety of the building and occupants and meet requirements of the California Building Code. Therefore, the project will have no impacts.

**Mitigation Measures:** no mitigation required.

#### **4.6.8 Will the project destroy a unique paleontological resource or site?**

**Potentially significant**— The proposed project site is underlain by older Quaternary Alluvium, derived as fluvial deposits from the Los Angeles River that flows immediately to the west. These deposits are represented as Quaternary non-marine terrace deposits in the Geologic Map of California, Long Beach Sheet. These terrace deposits have high sensitivity for paleontological resources in the area and, therefore, have the potential to reveal significant vertebrate fossils. Sapphos' paleontological records search conducted at the Natural History Museum of Los Angeles County indicated that no vertebrate fossil localities have been recorded within the proposed project site. However, a significant vertebrate fossil was recovered from a nearby area near the intersection of Magnolia

Avenue and Ocean Boulevard. The specimen consists of a fossil humerus from a whale, (*Cetacea*) (LACM 6896). The fossil was recovered at a depth of less than 100 feet. Other fossil localities in the area include LACM 1144 and 3550, north to northeast of the proposed project site. Fossil locality LACM 1144 was recorded near the intersection of Loma Vista Drive with Crystal Court, and fossil locality LACM 3550 was recorded near the intersection of 12<sup>th</sup> street and Pine Avenue. These localities produced fossil specimens of sea lion (*Zalophus*), camel (*Camelops*), and bison, (*Bison*), from the same type of deposits (older Quaternary Alluvium) present at the proposed project site at depths of less than 48 feet. In addition in the same type of deposits the fossil of a ground sloth (*Nothrotheriops*), and a mammoth (*Mammuthus columbi*) were found at locality LACM 1005 located east-southeast from the proposed project site at Bixby Park along Ocean Boulevard east of Cherry Avenue. Similar Quaternary deposits west-northwest from the proposed project site yielded fossil specimens of bison, (*Bison*) (LACM 1163), at a depth of five feet near the intersection of Anaheim Street and Henry Ford Avenue.

If the proposed project's construction activities excavates into these older Quaternary terrace deposits, the proposed project has the potential to cause significant impacts to paleontological resources through the destruction of a unique paleontological resource. Therefore, the AOC concludes that the project may have potentially significant impacts to paleontological resources.

#### **Mitigation Measures:**

GEOLOGY 1—The AOC will require its developer to retain a qualified paleontologist who shall inform all construction personnel prior to any construction or earth-disturbing activities of the potential to encounter paleontological resources and provide instruction to recognize paleontological artifacts, features, or deposits. Personnel working on the project will not collect paleontological resources.

GEOLOGY 2—The construction contractor will retain a qualified paleontologist. If construction personnel encounter paleontological resources during construction excavation activities, construction personnel will halt all ground-disturbing activity within 100 feet of the resource and notify the retained paleontologist and the AOC. The paleontologist will evaluate the discovery, determine its significance, and provide proper management recommendations. Management actions may include scientific analysis and professional museum curation. The qualified paleontologist shall summarize the resources in a report prepared to current professional standards.

Adoption and implementation of mitigation measures GEOLOGY 1 and GEOLOGY 2 will reduce the project's impacts to a level that is less than significant.

#### **4.6.9 Will the project destroy a unique geologic feature?**

**No impact**—The site is flat, generally paved, and vacant. The site has no unique geological features. Therefore, the project will have no impact on unique geological features.

**Mitigation Measures:** no mitigation required.

### ***4.7 HAZARDS AND HAZARDOUS MATERIALS***

Hazardous wastes are byproducts of society that can pose a substantial or potential hazard to human health or the environment when improperly managed. Hazardous wastes possess at least one of four characteristics—ignitability, corrosivity, reactivity, or toxicity—or appear on special EPA lists.<sup>64</sup> To evaluate hazards and hazardous materials issues at the proposed project site, analysts evaluated expert opinion supported by facts, review of an environmental database,<sup>65</sup> and the City’s General Plan.

#### **4.7.1 Will the project create a significant hazard to the public or the environment through the routine transport, use, emission, or disposal of hazardous materials, or waste?**

**Less than significant**—The project will include some transportation of commonly used hazardous materials during construction. These materials will include fuels and lubricants, and the construction contractor will implement BMPs incorporated into the proposed project design. Therefore, impacts from hazards and hazardous materials in relation to creating a significant hazard to the public or the environment through the routine transport, use, emission, or disposal of hazardous materials, or waste will be less than significant. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.7.2 Will the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to the Government Code Section 65962.5 and create a significant hazard to the public or the environment?**

**Less than significant**—Analysts conducted a Phase I environmental site assessment of the proposed new courthouse site, the existing courthouse, and the existing parking structure. The Phase I analyses identified the following recognized environmental concerns:

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<sup>64</sup> Title 40, Code of Federal Regulations (CFR), Chapter 1, Part 261.

<sup>65</sup> Environmental Data Resources (EDR), 2008. Radius Map with GeoCheck®

- The site of the existing Superior Los Angeles County Courthouse at 415 Ocean Boulevard is included on the Cortese and leaking underground storage tank lists due to a leaking underground storage tank beneath the existing courthouse building. A remediation project removed contaminated soil from this hazardous waste site, and the site now has a case-closed status.<sup>66</sup> The project includes the Agency's acquisition of the building from the AOC, but the project does not include any physical changes to the existing courthouse building or its parcel. As noted previously, the Agency has no plans at present to use building and will disclose future plans for the property in a separate CEQA document and other documents;
- Another portion of the proposed project site was formerly Artists' Studios located at 635-643 West Broadway. SCS Engineers (SCS) conducted a Phase I Environmental Site Assessment of the property in 2003. The Environmental Site Assessment indicated that the property was utilized as an auto repair facility from prior to 1926 until at least 1949, but no evidence indicated that aboveground or underground storage tanks were used at the property. However, SCS recommended that should demolition of the property take place, the contractor be made aware of the site history and cease demolition activities if underground storage tanks, sumps, or soil staining are observed.<sup>67</sup> The Agency has removed the building. The AOC completed a Phase II assessment of the site in 2009,<sup>68</sup> and the assessment's analysts concluded that total petroleum hydrocarbons and volatile organic compounds were below detectable limits and that no further assessment was necessary;
- The former Julian Ship Supplies, formerly located at 505 West Broadway, is also the site of a leaking underground storage tank. Tank removal records indicated that a release of gasoline had occurred,<sup>69</sup> and government records indicated that the leak is being confirmed. Underground storage tank closure records from 1991 had reported significant gasoline concentrations.<sup>70</sup> However, in 2006, SCS conducted a Phase II Investigation of the property and measured low levels of heavy range total petroleum hydrocarbons in soils at concentrations below regulatory guidelines. SCS did not detect volatile organic compounds and heavy range total petroleum hydrocarbons as gasoline and diesel in any soil samples. The Agency has removed the building. As noted above, The AOC completed a Phase II assessment of the site in 2009, and the assessment's analysts concluded

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<sup>66</sup> Environmental Data Resources (EDR), 2008. Radius Map with GeoCheck® Long Beach Courthouse. Inquiry

No.2324774.1s. Milford, CT 06461.

<sup>67</sup> SCS Engineers, 2003. Phase I Environmental Assessment West Gateway Redevelopment Project—Artists' Studios 635-643 West Broadway Long Beach, CA. Prepared for Long Beach Redevelopment Agency, c/o Overland, Pacific & Cutler, Inc. File No. 01203156.00

<sup>68</sup> EarthTech AECOM. 2009. Phase II Investigation; Proposed long Beach Courthouse Property; City Blocks Bounded By Magnolia, Mine, Broadway and 3rd Streets; Long Beach, CA. Prepared for the Administrative Office of the Courts. 51p.

<sup>69</sup> SCS Engineers, 2004. Phase I Environmental Assessment Reports for Site 10 and Lee's Automotive Service (210 Magnolia Avenue) of the West Gateway Redevelopment Project, Long Beach, CA. Prepared for Long Beach Redevelopment Agency, c/o Overland, Pacific & Cutler, Inc. File No. 01203156.00

<sup>70</sup> SCS Engineers, 2006. Phase II Investigation Report Julian Ship Supplies 505 West Broadway Long Beach, CA. Prepared for Long Beach Redevelopment Agency, c/o Overland, Pacific & Cutler, Inc. File No. 01203156.01

- that total petroleum hydrocarbons and volatile organic compounds were below detectable limits and that no further assessment was necessary; and
- Lees' Auto Service, formerly located at 210 Magnolia Avenue, is adjacent to the proposed project site and is on a list of registered underground storage tanks. SCS's Phase I environmental site assessment for Lee's Auto Service revealed that one or more underground storage tanks had been removed from the property in 1969. A Phase II Investigation<sup>71</sup> determined trace levels of volatile organic compounds in soil gas at concentrations well below the California Human Health Screening Levels and low levels of diesel and heavy range hydrocarbons were detected in soil samples at 10 feet below ground surface at concentrations below the soil screening levels. The report concluded that no further investigation was necessary.

Additional adjacent sites with registered underground storage tanks are at Fire Station 1 at 100 Magnolia Avenue, unidentified sites at 122 Magnolia Avenue and 445 Ocean Boulevard, and the World Trade Center at 501 Ocean Boulevard.

Information from the AOC's Phase II report for the former Julian Ship Supplies located at 505 West Broadway, Lees' Auto Service located at 210 Magnolia Avenue, and the Artists' Studios located at 635-643 West Broadway indicates that involved parties have resolved problems at these sites. Therefore, the AOC concludes that the project's impacts are less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.7.3 Will the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material?**

**Less than significant**—Hazardous materials such as fuels and lubricants may be used in limited quantities during the construction phase of the proposed project. Impacts related to using these materials will be implemented through BMPs to the greatest extent practicable. The implementation of BMPs during construction, operation and maintenance of the proposed project will significantly reduce the potential of any foreseeable upset or accident involving these hazardous materials. Therefore, impacts from hazards and hazardous materials in relation to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material will be below the level of significance, and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

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<sup>71</sup> SCS Engineers, 2006. Phase II Investigation Report Lee's Automotive Service 210-212 Magnolia Avenue Long Beach, CA. Prepared for Long Beach Redevelopment Agency, c/o Overland, Pacific & Cutler, Inc. File No. 01203156.02

#### **4.7.4 Will the project impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**No impact**—The proposed project will not impair implementation of an adopted emergency response plan or emergency evacuation plan. The proposed project site is not in a location that is part of the city’s emergency response plan. The location of proposed project in a mixed-use area and the neighboring land uses have adequate street widths and separated buildings, which will aid emergency response and evacuation.<sup>72</sup> Therefore, there are no expected impacts on the implementation of an adopted emergency response plan or emergency evacuation plan.

**Mitigation Measures:** no mitigation required.

#### **4.7.5 Will the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste?**

**No impact**—Limited quantities of hazardous materials may be transported during the demolition and construction phases of the proposed project and will include the implementation of BMPs and LEED elements as components of the proposed project. The BMPs and LEED elements will ensure that the potential impacts are mitigated or reduced to the maximum extent practicable. Therefore, impacts from hazardous emissions or hazardous or acutely hazardous materials, substances, or waste will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.7.6 For a project located within an airport land use plan or, within 2 miles of a public airport, or private airstrip, will the project create a safety hazard for people residing or working in the project area?**

**No impact**—The airport nearest to the proposed project is the Long Beach Municipal Airport, located approximately 3.7 miles northeast. The project is not located within 2 miles of a public airport, private airstrip, or airport land use plan. Therefore, there are no expected safety hazard impacts for people residing or working in the project area.

**Mitigation Measures:** no mitigation required.

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<sup>72</sup> City of Long Beach Department of Planning and Building. May 1975 (Reprint 2004). City of Long Beach General Plan, Safety Element. Long Beach, CA.

## **4.8 HYDROLOGY AND WATER QUALITY**

Analysts evaluated hydrology and water quality at the proposed project site with regard to the City's General Plan, State of California Regional Water Quality Control Board Basin Plan for the Los Angeles Region,<sup>73</sup> National Flood Insurance Program Flood Insurance Rate Maps for Los Angeles County,<sup>74</sup> and the U.S. Geological Survey 7.5-minute series, Long Beach, California, Topographic Quadrangle.

### **4.8.1 Will the project violate any water quality standards or waste discharge requirements or substantially degrade water quality?**

**Less than significant**—The proposed project will comply with regulations established under federal and state policies including the Clean Water Act. The primary objectives of the 1987 amendments to the Clean Water Act established a framework for regulating storm water discharges from municipal, industrial, and construction (activities under the National Pollutant Discharge Elimination System (NPDES)).<sup>75</sup> These objectives include effectively prohibiting non-storm water discharges and reducing the discharge of pollutants from storm water conveyance systems to the maximum extent practicable.

As part of the Los Angeles Regional Water Quality Control Board's discharge elimination system (NPDES) permit to the 85 incorporated cities and the county within Los Angeles County, the Board required the County to submit Standard Urban Storm Water Mitigation Plans. The plans designate BMPs that must be used in specified categories of development projects. Standard Urban Stormwater Mitigation Plan sediment removal and management plans, landscape design features, and engineered drainage devices will be required to obtain a NPDES permit and conform to the Standard Urban Stormwater Mitigation Plan (See Section 4.8 A, National Pollutant Discharge Elimination System). The proposed project will be required to incorporate mitigation measures to conform to the Standard Urban Stormwater Mitigation Plan. Sustainable elements will be incorporated into the proposed project in order to reduce or eliminate construction or operational nonconformance.

During construction, the proposed project will conform to the requirements of NPDES and Standard Urban Stormwater Mitigation Plan programs through the incorporation of BMPs and LEED elements, which will ensure compliance with water quality standards or waste discharge requirements and will significantly reduce or limit the potential degradation of water quality. The AOC's construction contractor will prepare and implement a SWPPP and the consideration of BMPs and LEED elements to reduce impacts to water quality and waste discharge requirements. Therefore, construction and

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<sup>73</sup> Los Angeles Regional Water Quality Control Board. Basin Plan. 1995. Available at: [http://www.swrcb.ca.gov/rwqcb4/water\\_issues/programs/basin\\_plan/basin\\_plan\\_documentation.shtml](http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/basin_plan/basin_plan_documentation.shtml)

<sup>74</sup> Federal Emergency Management Agency. December 1980. Flood Insurance Rate Maps for the County of Los Angeles. DFIRM Panel #06037C1970F. Washington, DC.

<sup>75</sup> U.S. Environmental Protection Agency. 2007. Air and Radiation: National Ambient Air Quality Standards (NAAQS). Available at: <http://www.epa.gov/air/criteria.html>

operation of the proposed project will not be expected to result in significant impacts to water quality standards or waste discharge requirements or substantially degrade water quality. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.8.2 Will the project substantially alter the existing drainage pattern of the site or area in a manner that will result in substantial erosion or siltation on or off site?**

**No impact**—The proposed project site is flat and is located in a developed area in which there are no streams, rivers, or existing drainages. Construction and operation of the proposed project are not expected to result in alteration of the drainage pattern. The proposed project will be required to incorporate BMPs during construction and operation. BMPs are consistent with guidelines provided in the California Storm Water Best Management Practices Handbook for Construction Activities and in the Los Angeles County Storm Water Management Program for substantiated erosion or siltation.

Therefore, there are no expected impacts to hydrology and water quality related to alteration of existing drainage patterns in a manner that will result in substantial erosion or siltation on or off site.

**Mitigation Measures:** no mitigation required.

#### **4.8.3 Will the project create or contribute runoff water that will exceed the capacity of storm water drainage systems or provide substantial additional sources of polluted runoff?**

**No impact**—Analysts consulted the City’s General Plan, the U.S. Geological Survey 7.5-minute series, Long Beach, California, Topographic Quadrangle, and National Flood Insurance Program Flood Insurance Rate Maps for Los Angeles County<sup>76</sup> to determine whether the existing capacity of the drain system and pump stations serving the proposed project will be exceeded.

Long Beach has a complex storm drainage system, which is composed of streets and gutters, catch basins and underground pipes, ditches, streams and creeks, pump stations and channels/rivers. This system is utilized to carry storm waters away from homes and businesses to designated drainage areas, such as the Los Angeles and San Gabriel Rivers. Maintenance of this drainage system is very important so that a high flood flow capacity may be realized. To aid in this, the City performs maintenance work on the system at least two times a year. Work is also performed on an emergency basis as needed. The proposed project is located 0.32-miles east of The Los Angeles River, and thus is served by this regional drain. The Los Angeles River is located in the western portion of Long

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<sup>76</sup> Federal Emergency Management Agency (FEMA). 2007. Los Angeles County Flood Maps. Available at: <http://msc.fema.gov>

Beach and is the largest regional drain flowing through the City. The river enters Long Beach at the far northern boundary and flows south to the Harbor. The river has a natural bottom with riprap side slopes south of 25th Street and a concrete lining north of 25th Street. There are fifteen pump stations that outfall into this regional drain. With the presence of 15 pump stations, it is anticipated that the proposed project will not over exceed this capacity. Moreover, most of the larger capacity stations outfall to the L. A. River. Table 9 lists the largest pump stations.

**Table 9. Storm Drain Pump Stations Near The Project Site**

<b>Station</b>	<b>Capacity (cubic feet per second)</b>
El Dorado	535
North Boundary	590
Willow City	466
Hill Street	400
Belmon	380

The proposed project site is located in a developed area in which there are no streams, rivers, or existing drainage patterns that will be impacted during or after construction, and therefore not over-exceed the existing capacity of the stormwater drainage system servicing the proposed project site. In addition, the proposed project design avoids impacts to storm water drainage by requiring the incorporation of BMPs pertaining to construction, source control, and treatment control, in pursuant to recommendation by the City of Los Angeles, Stormwater Management Division.<sup>77</sup> Therefore, there is no potential for impacts to hydrology and water quality in relation to exceeding the capacity of existing or planned stormwater drainage systems or providing substantial additional sources of polluted runoff.

**Mitigation Measures:** no mitigation required.

**4.8.4 Will the project require the construction of new stormwater facilities or expansion of existing facilities?**

**No impact**—The Long Beach drainage system is an extensive network of storm drains which function to collect runoff and storm water and discharges the water into flood control channels. The western half of the project site is paved, and parts of the eastern have of the site have remnant concrete or asphalt. The proposed may add slightly more impervious materials such as asphalt than currently exist at the proposed project site, but the proposed project will include landscaping and will implement BMPs, and LEED elements into the proposed project design which will significantly reduce the amount of polluted runoff that will leave the site.<sup>78</sup> Therefore, the proposed project is not expected

<sup>77</sup> City of Los Angeles, Stormwater Management Division. 2000 July. Reference Guide for Stormwater Best Management Practices. Available at: [http://www.lastormwater.org/Siteorg/download/pdfs/publications/bmp\\_refguide.pdf](http://www.lastormwater.org/Siteorg/download/pdfs/publications/bmp_refguide.pdf)

<sup>78</sup> Los Angeles Regional Water Quality Control Board. Basin Plan. 1995. Available at:

to result in significant impacts to hydrology and water quality related to exceeding the capacity of existing or planned storm water drainage systems or providing substantial additional sources of polluted runoff, and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.8.5 Will the project substantially deplete groundwater supplies or interfere substantially with groundwater?**

**No impact**—The City currently receives its potable drinking water from groundwater wells within the City and from rain and snow melt in the San Gabriel Mountains that travels through underground aquifers and is retrieved by high-powered pumps in one of the 26 groundwater wells in the City.<sup>79</sup> The proposed project location is in the developed urban area of downtown Long Beach where groundwater supplies have been previously allocated to provide adequate service for existing land use. Since the project is not adding residential units or contributing to substantial population growth, the proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The production rate of the 26 pre-existing nearby wells is not expected drop to a level that will not support existing land uses or planned uses for which permits have been granted. Therefore, the proposed project will have no impacts to groundwater.

**Mitigation Measures:** no mitigation required.

#### **4.8.6 Will the project expose people or structures to a significant risk of loss, injury, or death involving flooding?**

**No impact**—According to the U.S. Geological Survey 7.5-minute series, Long Beach,<sup>80</sup> California, Topographic Quadrangle and National Flood Insurance Program Flood Insurance Rate Maps for Los Angeles County were consulted, there are no existing levees, dams or flood control basins that could fail resulting in the exposure of people or structures to a significant risk of loss, injury or death involving flooding. Therefore, there are no expected impacts to hydrology and water quality related to exposing people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

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[http://www.swrcb.ca.gov/rwqcb4/water\\_issues/programs/basin\\_plan/basin\\_plan\\_documentation.shtml](http://www.swrcb.ca.gov/rwqcb4/water_issues/programs/basin_plan/basin_plan_documentation.shtml)

<sup>79</sup> Long Beach Water. October 2008. Available at: [http://www.lbwater.org/drinking\\_water/source.html](http://www.lbwater.org/drinking_water/source.html)

<sup>80</sup> U.S. Geological Survey. [1964] Photo revised 1981. 7.5-Minute Series, Long Beach, California, Topographic Quadrangle. Reston, VA.

**4.8.7 Will the project substantially promote flooding due to alterations of the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner that will result in flooding?**

**No impact**—As noted in Section 4.8.2, the proposed project site is flat and is located in a developed area in which there are no streams, rivers, or existing drainages. Construction and operation of the proposed project are not expected to result in alteration of the drainage pattern. Therefore, there are no significant impacts to hydrology and water quality related to alteration of existing drainage patterns in a manner that will result in flooding on site or off site, and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

**4.8.8 Will the project expose people or structures to a significant risk of loss, injury, or death involving tsunami inundation?**

**Less than significant**—Tsunamis are tidal waves generated in large bodies of water in response to ground shaking or other catastrophic events. Based on the distance of the site from the Pacific Ocean (less than two miles), tsunamis have the potential to pose a threat to the proposed project area, however, based upon the history of the proposed project area, which reveals a lack of tsunami activity in the proposed project area,<sup>81</sup> inundation of the proposed project will have less than significant impacts to hydrology and water quality. It is also assumed that the building design and emergency operation planning and procedures as required by all State courthouses, will further reduce this threat. Therefore, the proposed project is expected to result in less than significant impacts to hydrology and water quality related to the inundation by tsunami.

**Mitigation Measures:** no mitigation required.

**4.8.9 Will the project Place housing within a 100-year flood hazard or other flood hazard delineation map?**

**No impact**—The proposed project does not include the development of housing but instead a facility with the intended use as a courthouse. Therefore, there are no expected impacts to hydrology and water quality related to placement of housing within a 100-year flood hazard area, and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

**4.8.10 Will the project impede or redirect flood flows within a 100-year flood hazard area?**

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<sup>81</sup> California Seismic Safety Commission. 2007. Tsunami Information. Available at: <http://www.seismic.ca.gov/tsunami.html>

**No impact**—As noted in Section 4.8.2, the proposed project site is flat and is located in a developed area in which there are no streams, rivers, or existing drainages. Construction and operation of the proposed project are not expected to result in alteration of the drainage pattern or re-direct flood flows. Therefore, there are no expected impacts to hydrology and water quality related to placement of structures (other than housing) within a 100- year flood hazard area.

**Mitigation Measures:** no mitigation required.

#### **4.8.11 Will the project otherwise substantially degrade water quality?**

**Less than significant**—The proposed project will be expected to result in less than significant impacts to hydrology and water quality related to substantial degradation of water quality. Potential water quality impacts related to the construction, development, and operation of the proposed project will be expected to be reduced as the proposed project will include sustainable LEED elements and will implement BMPs which will ensure that the proposed project is consistent with the relevant Standard Urban Stormwater Mitigation Plan requirements of the applicable NPDES permit. These provisions will ensure that no substantial amount of polluted runoff will be generated during construction, and that no project related activities substantially reduce the water quality in the proposed project area. Therefore, impacts to hydrology and water quality in relation to substantial degradation of water quality will be below the level of significance. No further analysis is required.

**Mitigation Measures:** no mitigation required.

### **4.9 LAND USE AND PLANNING**

To evaluate land use and planning at the proposed project site, analysts consulted the City's Land Use Map, the City's General Plan,<sup>82</sup> the 's Zoning Regulation,<sup>83</sup> the California Trial Court Facilities Standards, the County's General Plan,<sup>84</sup> the Long Beach Strategic Plan 2010,<sup>85</sup> and the City's General Plan.

#### **4.9.1 Will the project physically divide an established community?**

**Less than significant**—The proposed project site is in a mixed-use area with commercial facilities and adjacent residential properties. The proposed project site is predominantly vacant. The proposed project will require the closure of Daisy Avenue between West Broadway and 3rd Street. While this will result in a minor alteration to traffic flow in the

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<sup>82</sup> City of Long Beach Department of Planning and Building. July 1991. City of Long Beach General Plan, Land Use Element. Long Beach, CA.

<sup>83</sup> The City of Long Beach. 1988. City of Long Beach Municipal Code Title 21. Long Beach, CA.

<sup>84</sup> County of Los Angeles Department of Regional Planning. 1993. Streamlined County of Los Angeles General Plan. Los Angeles, CA.

<sup>85</sup> City of Long Beach. 20 June 2000. Long Beach Strategic Plan 2010. Long Beach, CA. Available at: <http://www.longbeach.gov/civica/filebank/blobload.asp?BlobID=3191>

vicinity of the proposed project, the closure of one block of Daisy Avenue is not a physical division of an established community since vehicular traffic will still be able to travel north and south on the adjacent Maine and Magnolia Avenues. Furthermore, the proposed project will incorporate pedestrian walkways on the proposed project site for pedestrian access. The proposed project may add a traffic signal and pedestrian crosswalk at the West 3rd Street–Daisy Avenue intersection to facilitate pedestrian access to the site. The proposed project is located in a manner that is compatible with the existing community and does not include the development of facilities and site uses that do not currently exist within the surrounding neighborhood. The proposed project will not cause a significant physical division within the established community. Therefore, the proposed project will not produce significant impacts to land use and planning related to physically dividing an established community.

**Mitigation Measures:** no mitigation required.

#### **4.9.2 Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or project site?**

**No impact**—As noted previously, the State of California is not subject to local governments’ land use planning and zoning authorities. As noted in Section 2.4, the proposed project will conform to the State’s Trial Court Facilities Standards.

The project is consistent with the City’s General Plan. The General Plan land use designation for the proposed project area is Land Use District No. 7, which is a mixed-use district. According to the City’s General Plan, Land Use Element, land uses in Land Use District No. 7 are regulated by an area-wide planned development plan and ordinance. Areas designated Land Use District No. 7 are intended for use in large, vital activity centers. The proposed project will be compatible with Land Use District No. 7.

Therefore, there are no expected impacts to land use and planning related to a conflict with adopted or proposed land use plans, policies, or regulations.

**Mitigation Measures:** no mitigation required.

### ***4.10 MINERAL RESOURCES***

To evaluate mineral resources at the proposed project site, analysts consulted California Division of Mines and Geology publications<sup>86</sup> and the adopted City’s General Plan for the proposed project site.

**Mitigation Measures:** no mitigation required.

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<sup>86</sup> California Division of Conservation, Division of Mines and Geology (CDMG). 1990. Mines and Mineral Producers Active in California (1988–89). Special Publication 103. Prepared by: CDMG, Los Angeles, CA.

#### **4.10.1 Will the project substantially reduce the availability of a known mineral resource that is of value to the region and the residents of the state?**

**No impacts**—The proposed project is located in the southeastern portion of the Los Angeles Basin in a region known as the Long Beach Plain in the City. This area has deposits of sand, gravel, silt, and clay. The proposed project site is part of the Gasper Aquifer characterized by subsurface water flow that moves through deposited sand and gravel approximately 400 feet deep. There are no mining districts located in or around the vicinity of the proposed project site. Based on a review of California Division of Mines and Geology publications, there are no known mineral resources of statewide or regional importance located within the proposed project site. Therefore, there will be no expected impacts to mineral resources related to the loss of availability of a known mineral resource.

**Mitigation Measures:** no mitigation required.

#### **4.10.2 Will the project substantially reduce the availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No impacts**—Based on a review of the Conservation element of the Long Beach General Plan Program, there are no known mineral resource recovery sites of local importance located within the proposed project site. Oil deposits are abundant in the Long Beach area and have been exploited since 1936. Due to the Subsidence Act of California, local oil extraction has been curtailed. Since the proposed project site is part of a developed area, the loss of availability of oil resources is not expected. Therefore, there are no expected impacts to mineral resources related to the loss of availability of a known locally important mineral resource recovery site.

**Mitigation Measures:** no mitigation required.

### **4.11 NOISE**

To evaluate noise at the proposed project site, analysts consulted the City's General Plan Noise element,<sup>87</sup> the City's Noise Ordinance,<sup>88</sup> and the site-specific noise and vibration technical analysis<sup>89</sup> that was prepared for the proposed project. Appendix E provides additional information on noise analyses.

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<sup>87</sup> City of Long Beach, Department of Planning and Building. 25 March 1975. City of Long Beach General Plan, Noise Element. Long Beach, CA.

<sup>88</sup> City of Los Angeles, 1977. Noise Ordinance of the City of Long Beach. Municipal Code, Title 8 Health and Safety, Chapter 8.80 Noise. Available at: <http://municipalcodes.lexisnexis.com/codes/longbeach/>

<sup>89</sup> Sapphos Environmental, Inc. November 2008. *Noise Technical Impact Report*. Pasadena, CA.

**4.11.1 Will the project expose people in the project area to noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?**

**Less than significant**—The City’s General Plan and the City’s Noise Ordinance have established standards governing noise within the City. The City’s General Plan contains a Noise Element: which offers guidelines for noise levels and construction within the City. Regarding construction, the Noise Element of the City’s General Plan (Noise Element) suggests that that average maximum noise levels outside the nearest building at the window of the occupied room closest to the construction site boundary, should not exceed:

- 70 dBA in areas away from main roads and sources of industrial noise.
- 75 dBA in areas near main roads and heavy industries.

The Noise Element also includes recommended criteria for maximum acceptable noise levels (See Table 10). The City’s Noise Ordinance (Noise Ordinance) establishes exterior noise levels for designated land use districts (Table 11). The proposed project site is located within District 1.

**Table 10. Recommended Criteria For Maximum Acceptable Noise Levels<sup>a</sup>**

Major Land Use Type	Outdoor		Indoor	
	Maximum Single Hourly Peak (dBA)	L10 <sup>b</sup> (dBA)	L50 <sup>c</sup> (dBA)	Ldn <sup>d</sup> (dBA)
Residential <sup>e</sup> 7 a.m.–10 p.m.	70	70	55	45
Residential 10 p.m. –7 a.m	60	60	45	35
Commercial (anytime)	75	75	65	Unfeasible <sup>f</sup>
Industrial (anytime)	85	85	70	Unfeasible

**NOTES:**  
<sup>a</sup> Based on existing ambient level ranges in Long Beach and recommended U.S. Environmental Protection Agency ratios and standards for interference and annoyance.  
<sup>b</sup> Noise levels exceeded 10 percent of the time.  
<sup>c</sup> Noise levels exceeded 50 percent of the time.  
<sup>d</sup> Day-night average sound level. The 24-hour a-weighted-equivalent sound level with a 10 decibel penalty applied to nighttime levels.  
<sup>e</sup> Includes all residential categories and all noise sensitive land uses such as hospitals, schools, and so on.  
<sup>f</sup> Since different types of commercial and industrial activities appear to be associated with different noise levels, identification of a maximum indoor level for activity interference is unfeasible.  
**SOURCE:** City of Long Beach, Department of Planning and Building. 25 March 1975. City of Long Beach General Plan, Noise Element. Long Beach, CA.

Sapphos analysts monitored noise levels along property boundaries of the proposed project in late 2008 (See Appendix E). Table 12 lists noise levels at several sites. The existing noise environment of the project area is typical of urban areas, and vehicular traffic on 3<sup>rd</sup> Street, West Broadway, and surrounding streets and highways dominates the noise environment.

**Table 11. Exterior Noise Limits**

Receiving Land Use District	Time Period	Noise Level (dBA)
District 1: Predominantly residential with other land use types also present	Night (10:00 p.m.–7:00 a.m.)	45
	Day (7:00 a.m.–10 p.m.)	50
District 2: Predominantly commercial with other land use types also present	Night (10:00 p.m.–7:00 a.m.)	55
	Day (7:00 a.m.–10 p.m.)	60
District 3: Predominantly industrial with other land use types also present	Anytime	65
District 4: Predominantly industrial with other land use types also present	Anytime	70
District 5: Airport, freeways, and waterways regulated by other agencies	Regulated by other agencies and laws	Varies
<p><b>NOTES:</b> The ordinance provides that if measured ambient levels exceed the permissible noise level, the allowable noise exposure standard under the ordinance shall be increased in five decibel increments to encompass the ambient noise level.  <b>SOURCE:</b> City of Los Angeles. 1977. Exterior Noise Limits—Sound Levels by Receiving Land Use. Municipal Code, Title 8 Health and Safety, Chapter 8.80 Noise, Section 8.80.150.</p>		

**Table 12. Ambient Noise Levels**

Location	Peak Hour Leq (dBA)	CNEL+ (dBA)
3 <sup>rd</sup> Street and Daisy Avenue	66.6	67.6
Magnolia Avenue	63.0	62.9
West Broadway and Daisy Avenue	68.1	69.1
Maine Avenue	61.9	62.9
North side of Parking Garage	61.3	62.3
East side of Parking Garage along Magnolia Avenue	66.5	67.5
West side of Parking Garage	64.8	65.8
<p>*CNEL represents the average daytime noise level during a 24-hour day adjusted to an equivalent level to account for peoples’ lower tolerance of noise during the evening and nighttime hours.</p>		

The Noise Ordinance also restricts the hours and days of operation for noise-generating construction activities. The restrictions are as follows:

- Weekdays and federal holidays—No person shall operate or permit the operation of any tools or equipment used for construction, alteration, repair, remodeling, drilling, demolition or any other related building activity which produce loud or unusual noise which annoys or disturbs a reasonable person of normal sensitivity between the hours of 7 p.m. and 7 a.m. the following day on weekdays, except for emergency work authorized by the building official. For purposes of this section, a federal holiday shall be considered a weekday;

- Saturdays—No person shall operate or permit the operation of any tools or equipment used for construction, alteration, repair, remodeling, drilling, demolition or any other related building activity which produce loud or unusual noise which annoys or disturbs a reasonable person of normal sensitivity between the hours of 7 p.m. on Friday and 9 a.m. on Saturday and after six 6 p.m. on Saturday, except for emergency work authorized by the building official;
- Sundays—No person shall operate or permit the operation of any tools or equipment used for construction, alteration, repair, remodeling, drilling, demolition or any other related building activity anytime on Sunday, except for emergency work authorized by the building official or except for work authorized by permit issued by the noise control officer; and
- Sunday work permits—Any person who wants to do construction work on a Sunday must apply for a work permit from the noise control officer. The noise control officer may issue a Sunday work permit if there is good cause shown; and in issuing such a permit, consideration will be given to the nature of the work and its proximity to residential areas. The permit may allow work on Sundays, only between 9 a.m. and 6 p.m., and it shall designate the specific dates when it is allowed.

The City’s General Plan Noise element considers residential land uses as the most sensitive to noise and includes schools, hospitals, and libraries within the residential category. Table 13 lists sensitive receptors near the project site.

**Table 13. Noise-Sensitive Receptors Near Project Site**

<b>Sensitive Receptors</b>	<b>Distance &amp; Direction from Perimeter of Proposed Courthouse Project Site</b>	<b>Approximate Distance &amp; Direction from Perimeter of Proposed Courthouse Building</b>
Residential area north of the proposed project site	75 feet north	100 feet north
New residential building east of the proposed project site	75 feet east	150 feet east
Cesar Chavez Elementary School	65 feet west	255 feet west
Childtime Learning Center	50 feet west	300 feet south
One West Ocean Condominiums	980 feet southeast	1,200 feet southeast
The Breakers Hotel	1,150 feet southeast	1,350 feet southeast

**4.11.1.1 Construction Noise**

In response to comments received on the Draft Initial Study and Mitigated Negative Declaration, this section provides an expanded discussion of the noise impacts anticipated from project construction activities.

As noted above, the Noise Element of the City's General Plan (Noise Element) suggests that that average maximum noise levels outside the nearest building at the window of the occupied room closest to a construction site boundary should not exceed 70 dBA in areas away from main roads and sources of industrial noise or 75 dBA in areas near main roads. The project site borders W. Broadway, which is a main road. Table 14 lists typical maximum noise levels of common construction machines and Table 15 lists noise levels for construction operations with more than one piece of construction equipment in operation at a time for various phases of construction.

As explained above in Section 2.5, the State of California is not subject to local governments' planning and zoning requirements or municipal codes and ordinances. In addition, the City has recognized that that noise from construction is temporary, is an inevitable part of construction activities that are necessary for development, will occur in the least noise-sensitive times of the day, and will not result in a permanent increase in ambient noise levels; thus, as reflected in the Agency's 2005 West Gateway EIR as well as in the City's 2004 Long Beach Sports Park EIR, construction-generated noise is not subject to the numeric standards in the City's Municipal Code. The City's noise provisions are nevertheless presented for informational purposes, and it is important to emphasize that the construction activities will occur only during the hours specified in the City's noise ordinance provisions relating to construction.

In addition, the following BMPs will be implemented as part of the construction of the proposed project:

- Designate a project contact person to communicate with the Long Beach community and interested stakeholders regarding construction activities;
- Inform the Long Beach community and interested stakeholders through the use of a monthly newsletter that identifies the construction schedule and upcoming construction activities;
- As part of these public outreach efforts, a "noise coordinator" for the project would be designated to meet with interested stakeholders and respond to complaints concerning construction noise;
- Construction equipment would be equipped with the best available noise attenuation device, such as mufflers or noise attenuation shields;
- Install sound barriers (such as plywood barriers or noise attenuation blankets) around the perimeter of the project site along Maine Avenue and W. 3rd Street; and
- When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

The project's construction operations will include the following noise impacts:

- Excavation of the basement for the court building will require operation of excavators, loaders, and trucks. The operations will occur in an area that is approximately 200 feet to 675 feet east of Cesar Chavez School and approximately 175 feet to 300 feet south of residences along West 3<sup>rd</sup> Street. Due

- to location of the excavation operations, the AOC expects excavation noise to generate approximately 74 dBA at the school and for residences along West 3<sup>rd</sup> Street (see Table 15). Since the excavation operations will lower the topographical elevation of the construction site, the sides of the lowered elevation area will act as a sound barrier to attenuate noise. The project's perimeter sound barrier will also attenuate the noise of excavation operations;
- Trenching operations for utility relocation will occur around the periphery of the proposed courthouse site, and construction personnel will probably utilize jackhammers and backhoes to gain access to existing utilities and prepare alignments for new utilities. As noted in Table 1, the AOC expects utility relocation operations to require approximately two months of work, but excavation operations for the relocation will occur for only a very small amount of this time. Operations will probably occur along West 3<sup>rd</sup> Street between Daisy Court and Magnolia Street, Maine Avenue between 3<sup>rd</sup> Street and West Broadway and along West Broadway between Daisy Court and Magnolia Street. Excavation work for a trench in Maine Avenue across from the Cesar Chavez Elementary School, for example, will require only one or two days of work and during this time, the use of jackhammers and backhoes will be sporadic and last for only several minutes at a time;
  - Foundation operations for the project's tower will occur in the excavated basement area. As stated previously, foundation construction operations will not include use of pile drivers. The distance to sensitive receptors and the depth of the basement's excavation area will attenuate noise from foundation operations. In addition, the distance between the tower's foundation area and Cesar Chavez School and the West 3<sup>rd</sup> Street residential area will attenuate noise;
  - Foundation operations for the project's non-tower areas will require footings, and construction personnel likely will utilize only backhoes for excavation of the footings. The footing excavations will occur for only approximately a week. Due to the lower height of the non-tower areas of the project, foundation operations will not require as much work and will not generate as much noise as the foundation operations for the tower;
  - Assembly of the project's steel frame and installation of its exterior will utilize one or more cranes. Once the construction contractor assembles the building's walls, interior work will generate only minor noise; and
  - Final grading of the site and installation of driveways, sidewalks, other hard surfaces, and landscaping will occur over most of the project site and will require use of backhoe tractors, light tractors equipped with graders, and concrete trucks. However, the AOC expects that these operations will be low intensity and not require high-power operation of the equipment or vehicles. The project's perimeter sound barrier will also reduce noise levels along West 3<sup>rd</sup> Street and at the Cesar Chavez School.

As noted earlier, noise attenuation from the project's perimeter sound barrier and the basement excavation's walls will serve to reduce construction-related noise levels at sensitive receptors. As stated earlier, construction activities will typically occur during the hours from 7:00 a.m. to 4:00 p.m. on weekdays (although it is possible that

construction activities may occur until 7:00 p.m.) and 9:00 a.m. to 6:00 p.m. on Saturdays.

The AOC is not subject to local governments’ codes and regulations. Since project’s BMPs will reduce noise and since construction noise will be temporary and often sporadic and will occur only during the least noise-sensitive hours specified by the City’s Municipal Code, the AOC concludes that the project’s construction noise impacts will be less than significant.

**Table 14. Maximum Noise Levels Of Common Construction Machines**

Noise Source	Noise Level (dBA) /a/*				
	50 Feet	100 Feet	200 Feet	400 Feet	800 Feet
Jackhammer	81-98	75-92	69-86	63-82	57-76
Pneumatic impact equipment	83-88	77-83	71-77	65-71	59-65
Trucks	82-95	76-89	70-83	64-77	58-71
Backhoe	73-95	67-89	61-83	56-77	50-71
Cranes (moveable)	75-88	69-82	63-76	57-70	51-64
Front loader	73-86	67-80	61-74	56-68	50-62
Concrete mixer	75-88	69-82	63-76	57-70	51-64
Impact pile driver**	101	95	89	86	80
Sonic pile driver**	96	90	84	81	75

**Note:** /a/ assumes a 6-dBA decline for noise generated by a “point source” and traveling over hard surfaces.  
**\*Source:** City of Los Angeles. 2003. L.A. CEQA Thresholds Guide. Los Angeles, CA for 50 feet and 100 feet columns. Noise levels for 200 feet, 400 feet, and 800 feet columns calculated from the assumption that dBA decline by 6 dBA with doubling of the distance between noise source and receptor  
**\*\*** The AOC included a pile driver in this table for illustrative purposes, but the project’s construction operations will not use a pile driver

**Table 15. Outdoor Construction Noise Levels**

Construction Phase	Noise Level (dBA)*				
	50 Feet	100 Feet	200 Feet	400 Feet	800 Feet
Grading/excavation	86	80	74	68	62
Foundations	77	71	65	59	53
Structural	83	77	71	65	59
Finishing	86	82	76	70	64

**\*Source:** City of Los Angeles. 2003. L.A. CEQA Thresholds Guide. Los Angeles, CA for 50 feet and 100 feet columns. Noise levels for 100 feet, 200 feet, 400 feet, and 800 feet columns calculated from the assumption that dBA decline by 6 dBA with doubling of the distance between noise source and receptor

**4.11.1.2 Operational Noise**

Operation of the proposed project will generate noise from operation of the proposed project and increased traffic generated by the proposed project. Noise generated by the mechanical systems of buildings is typically between 50 and 60 dBA at 50 feet. Cesar Chavez Elementary School is the nearest sensitive receptor to the New Long Beach

Courthouse (Figure 12, *Sensitive Receptors within a Half-Mile Radius of the Proposed Project*). Assuming a worst case scenario where the mechanical system of the New Long Beach Courthouse will result in a 60 dBA level at 50 feet, the noise level from the mechanical system at the Cesar Chavez Elementary School will be 57.7 dBA, which is 5.2 dBA lower than the ambient noise level in the vicinity of the Elementary School (see Figure 6). A 3-dBA change in the noise level is considered barely perceptible.<sup>90</sup> The mechanical systems of the proposed project will result in an increase of less than 2 dBA to the ambient noise level and will result in impacts that are less than significant.

The implementation of the proposed project is expected to result in 1,920 total new vehicle trips to and from the project site daily, with 156 inbound vehicles and 26 outbound vehicles during the a.m. peak hour, and 167 outbound vehicles and 60 inbound vehicles during the p.m. peak hour.<sup>91</sup> While the increased traffic generated by the proposed project is expected to raise the ambient noise level, the increase in traffic will be very minor compared to the existing traffic on the streets near the proposed courthouse site (See Appendix F). Therefore, the AOC expects that the project's traffic-generated noise will be barely perceptible.

Therefore, the AOC concludes that the proposed project's impacts to noise related to exposure or generation of noise levels in excess of established standards will be less than significant.

**Mitigation Measures:** no mitigation is required.

#### **4.11.2 Will the project expose people residing or working in the project area to excessive ground-borne vibration or ground-borne noise levels?**

**Less than significant**—Analysts' field observations found that vibration levels from surrounding and nearby roadways are not perceptible at the proposed project site.

As shown in Table 16, use of heavy equipment (e.g., a large bulldozer) generates vibration levels of 0.089 inches per second PPV<sup>92</sup> at a distance of 25 feet or 87 vibration decibels. Vibration levels at the nearest sensitive receptor were adjusted according to its distance from the proposed project. As noted above, the project's construction operations will not include pile driving.

The nearest sensitive receptor, Cesar Chavez Elementary School, is 65 feet from the project site perimeter. Most of the construction activity for the project will be located 200 feet or more from the school. Limited, temporary construction activities for construction of the non-tower area of the project will be located approximately 100 feet from the school. Very limited site grading activities, which will not require use of

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<sup>90</sup> James P. Cowan. 1993. *Handbook of Environmental Acoustics*. Wiley-Interscience.

<sup>91</sup> Linscott, Law, and Greenspan, Engineers. December 2008. *New Long Beach Courthouse Traffic Impact Analysis*. Costa Mesa, CA.

<sup>92</sup> PPV=peak particle velocity

bulldozers or other equipment that may generate higher vibration levels, will occur temporarily within approximately 65 feet of the school.

As shown in Table 16, vibration levels at this receptor will be perceptible but will not exceed the potential building damage threshold of 0.3 inches per second PPV, especially since construction operations will not include pile driving. In addition, annoyance vibration levels of the heavy equipment activity located 100 feet or more from the school (which accounts for vast majority of the project construction activities) will be lower than 70 VdB, which is lower than the Federal Transit Administration’s threshold of 75VdB.<sup>93</sup> Construction activities that are closer than 100 feet to the school will be temporary and very limited, and given the distance to the school and the nature of the equipment involved, these activities are not expected to generate vibration levels that exceed 75 VdB.

Based on the discussion above and in light of the temporary nature of project construction operations, the proposed project is not expected to result in significant impacts to noise related to exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

**Mitigation Measures:** no mitigation is required.

**Table 16. Vibration Velocities For Construction Equipment**

Equip- ment	Vibration Level													
	25 Feet		50 Feet		100 Feet		150 Feet		200 Feet		300 Feet		400 Feet	
	PPV*	VdB*	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB
Impact Pile Driving**	0.644	104	0.228	95	0.081	86	0.044	81	0.028	77	0.015	72	0.010	68
Large Bulldozer	0.089	87	0.031	78	0.011	69	0.006	64	0.004	60	0.002	55	0.001	51
Loaded Trucks	0.076	86	0.027	77	0.010	68	0.005	63	0.003	59	0.002	54	0.001	50
Jack- hammer	0.035	79	0.012	70	0.004	61	0.002	56	0.000	52	0.001	47	0.001	43
* PPV =Inches/Second, VdB =Vibration decibels ** The AOC included a pile driver in this table for illustrative purposes, but the project’s construction operations will not use a pile driver <b>SOURCE:</b> Federal Transit Authority. May 2006. <i>Transit Noise and Vibration Impact Assessment</i> .														

<sup>93</sup> Harris Miller Miller & Hanson, Inc. 2006. Transit Noise and Vibration Impact Assessment. Federal Transit Authority.253 p.



 Observed Ambient Noise Levels in Vicinity of Proposed Project

**Figure 12. Observed Ambient Noise Levels in Vicinity of Proposed Project**

**4.11.3 Will the project expose people residing or working in the project area to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Less than significant**—As discussed previously, operation of the proposed project is expected to increase ambient noise levels in the vicinity of the proposed project above levels existing without the project. However, the change is not anticipated to be greater than 3 dBA, the level at which an increase in noise is considered perceptible, and will not be considered substantial. Therefore, the proposed project will not substantially increase noise levels, and the project’s impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

**4.11.4 Will the project expose people residing or working in the project area to a substantial temporary or periodic increase in ambient noise levels above levels existing without the project?**

**Less than significant**—As discussed previously, noise generated by construction equipment during the construction of the proposed project will result in temporary or periodic increases in ambient noise levels in the vicinity of the proposed project. However, construction conducted within the permissible hours is exempt from the noise level standards set forth in the Noise Ordinance. Therefore, the increase in the ambient noise level during the construction of the proposed project will not be considered substantial. Therefore, the AOC concludes that the proposed project’s temporary or periodic increases in ambient noise levels will be less than significant.

**Mitigation Measures:** no mitigation required.

**4.11.5 For a project located within an airport land use plan or within 2 miles of a public airport or public use airport or private air strip, will the project expose people residing or working in the project area to excessive noise levels?**

**No impacts**—The proposed project is not expected to result in impacts to noise in relation to public airports. The nearest public airport or public use airport to the proposed project is the Long Beach Municipal Airport located approximately 3.7 miles to the northeast. The proposed project will not be located within 2 miles of a public airport or private airstrip. Therefore, the proposed project will not result in significant impacts from the exposure of people residing or working in the project area to excessive noise levels caused by a public airport or private airstrip. Therefore, there are no expected impacts to

noise related to public airports or private airstrips, and the project's impacts are less than significant.

**Mitigation Measures:** no mitigation required.

## ***4.12 POPULATION AND HOUSING***

To evaluate population and housing at the proposed project site, analysts evaluated state, regional, and local data and forecasts for population and housing and the proximity of the proposed project to existing and planned utility infrastructure.

### **4.12.1 Will the project induce substantial population growth in the surrounding area?**

**No impact**—The proposed project is not expected to result in impacts to population and housing in relation to inducing substantial direct or indirect population growth. The proposed project includes the construction of a new courthouse to serve the needs of the existing and anticipated population in the City. The proposed project is intended to incorporate the existing functions of the current courthouse. The proposed project does not include a residential component and is located in a developed area of the City, which is fully supported by infrastructure including roads and utilities. Therefore, there are no expected impacts to population and housing related to inducing substantial direct or indirect population growth.

**Mitigation Measures:** no mitigation required.

### **4.12.2 Will the project displace substantial numbers of people?**

**No impact**—The proposed project is not expected to result in impacts to population and housing in relation to the displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere. The current proposed project site consists largely of vacant land and existing parking areas. There are no people currently residing on the proposed project site, and no residential units or homes exist within the proposed project site. The proposed project does not include the construction of any new housing units and will not be expected to alter the location, distribution, density, or growth of the human population of an area substantially beyond that projected in the City's General Plan Housing element.<sup>94</sup> Therefore, there are no expected impacts to population and housing related to the displacement of substantial numbers of people. No further analysis is warranted.

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<sup>94</sup> City of Long Beach Planning Department. 2001. City of Long Beach Housing Element. Long Beach, CA. Available online: <http://www.longbeach.gov/civica/filebank/blobdload.asp?BlobID=3922>

**Mitigation Measures:** no mitigation required.

#### **4.12.3 Will the project displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?**

**No impact**—The proposed project is not expected to result in impacts to population and housing in relation to the displacement of substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere. The current proposed project site is predominantly vacant and portions of the site are utilized as parking. There is no existing housing or residential components currently constructed within the proposed project site. The proposed project will not alter the existing uses of the site in a manner that will displace the existing housing available in the proposed project area. Therefore, there are no expected impacts to population and housing related to the displacement of substantial amounts of existing housing, and no further analysis is warranted.

**Mitigation Measures:** no mitigation required.

### ***4.13 PUBLIC SERVICES***

To evaluate public services at the proposed project site, analysts reviewed the City's General Plan,<sup>95,96</sup> the City's Web site,<sup>97</sup> the City's Fire Department Web site,<sup>98</sup> and the Long Beach Police Department Web site.<sup>99</sup>

#### **4.13.1 Will the project require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection?**

**Less than significant**—The proposed project will not induce population growth and will not include residential development that will be expected to result in a net increase to the local population. There are currently fire protection facilities in place to serve the proposed project site. Fire protection in the proposed project area is provided by the Long Beach Fire Department, which maintains 24 fire stations and 1 fire headquarters throughout the city.

Table 17 lists the primary fire stations closest to the proposed project area. Fire Station No. 1 is located less than 0.1 mile from the proposed project site and will be the site's

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<sup>95</sup> City of Long Beach Department of Planning and Building. October 2002. City of Long Beach General Plan, Open Space and Recreation Element. Long Beach, CA.

<sup>96</sup> City of Long Beach Department of Planning and Building. July 1991. City of Long Beach General Plan, Land Use Element. Long Beach, CA.

<sup>97</sup> City of Long Beach. Web Site. Available at: <http://www.ci.long-beach.ca.us/>

<sup>98</sup> Long Beach Fire Department. 2008. Web site. Available at: <http://www.ci.long-beach.ca.us/fire/>

<sup>99</sup> Long Beach Police Department. 2008. Web site. Available at: <http://www.longbeach.gov/police/>

primary fire emergency responder.<sup>100</sup> However, any Long Beach fire station may respond to the proposed project site according to need and availability; and the proposed project site will draw units from several stations. The Fire Department currently maintains an average emergency response time of less than six minutes for 88 percent of calls received.<sup>101</sup>

The proposed project will not place an additional burden on the existing primary and secondary emergency response units because it will not be expected to induce population growth. The proposed project will not require additional Fire Department personnel or construction of new Fire Department facilities. Therefore, the proposed project will not have significant impacts to public services related to fire protection. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

**Table 17. Fire Stations In The Proposed Project Vicinity**

Station No.	Location	Distance to Site
1	237 Magnolia Avenue	0.1 mile east
3	1222 Daisy Avenue	0.8 mile north
2	1645 East 3rd Street	1.5 miles east
20	1900 Pier D Street	1.1 miles southwest
6	330 Windsor Way	1.4 miles southeast

**4.13.2 Will the project require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for police protection?**

**Less than significant**—Police protection services in the proposed project area are provided by the Long Beach Police Department. Table 18 lists the Police Department’s stations. The Police Department’s Patrol Bureau includes four geographical divisions and one specialized division: North, South, East, West, and Field Support. The exterior of the proposed project site is under the jurisdiction of the South Patrol Division.<sup>102</sup> The interior of the proposed project will be under the jurisdiction of the Los Angeles County Sheriff’s Department. The proposed project construction will include Sheriff Department’s facilities that are expected to be adequate to serve the building’s interior. The Police

<sup>100</sup> Henry, Pam. Long Beach Fire Department, Long Beach, CA. 15 September 2008. Telephone correspondence, with Laura Watson, Sapphos Environmental, Inc., Pasadena, CA.

<sup>101</sup> City of Long Beach. 2008 Q1 Operational Performance. Available at: <http://clblegistar.longbeach.gov/attachments/533fff3b-4553-427b-8d77-0698a617ed58.pdf>

<sup>102</sup> Snider, Anne. City of Long Beach Police Department, Long Beach, CA. 15 September 2008. Telephone correspondence, with Laura Watson, Sapphos Environmental, Inc., Pasadena, CA.

Department currently maintains an average emergency response time of 4.3 minutes for priority-1 emergency calls.<sup>103</sup>

The County’s Sheriff’s Department and contract personnel provide security for the courthouse. The proposed project’s security improvement features will improve efficiency of the courthouse’s security operations. Operation of the proposed project will not be expected to require additional Police Department personnel or construction of new LBPD facilities. Therefore, there will be no expected impacts to public services related to police protection. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

**Table 18. Police Facilities In the Vicinity of the Proposed Project**

Police Department	Location	Distance to Site
Headquarters and South Division	400 West Broadway	0.1 mile east
West Division	1835 Santa Fe Avenue	1.6 miles northwest
East Division	4800 Los Coyotes Diagonal	3.8 miles northeast
North Division	4891 Atlantic Avenue	5.3 miles north

**4.13.3 Will the project require new facilities in order to maintain acceptable service ratios or other performance objectives for schools?**

**No impacts**—The proposed project is not expected to result in impacts to public services in relation to schools. There are six schools located within a 1-mile radius of the proposed project site. Table 19 lists the schools nearest to the proposed project area. The proposed project will not be expected to induce population growth and will not be expected to affect the population of school age children in the City. Therefore, there will be no expected impacts of public services in relation to schools. No further analysis is warranted.

**Table 19. Schools In The Proposed Project Vicinity**

School	Location	Distance to Site
Cesar Chavez Elementary School	730 W 3rd St, Long Beach, CA 90802 west	0.04 mile west
Edison Elementary School	625 Maine Ave, Long Beach, CA 90802	0.2 mile north
Childtime Learning Center	1 World Trade Center #199, Long Beach, CA 90831	0.1 mile south
International Elementary School	700 Locust Avenue, Long Beach, CA 90813	0.5 mile northeast
A Love 4 Learning Academy	306 Elm Ave, Long Beach, CA 90802	0.6 mile east
Renaissance High School for the Arts	235 East 8th Street, Long Beach, CA 90813	0.6 mile northeast

<sup>103</sup> City of Long Beach. Fiscal Year 2008 Third Quarter Operational Performance Report. Available at: <http://clblegistar.longbeach.gov/attachments/a6cac84e-2c35-43ca-bb17-46ab2d6fa9c2.pdf>

**4.13.4 Will the project cause substantial physical deterioration of existing recreational facilities or require the construction of new recreational facilities?**

**No impact**—Parks located within approximately 1 mile of the proposed project site include Cesar E. Chavez Park; Santa Cruz Park; Lincoln Park; Palm Beach Park; Shoreline Aquatic Park; Drake Park; Rainbow Lagoon Park; and Victory Park. Table 20 lists park locations near the project site. The AOC does not expect the proposed project to induce population growth near the proposed project site, and therefore the project will not increase the level of demand on existing park facilities in the City during operation.

**Mitigation Measures:** no mitigation required.

**Table 20. Recreation Facilities In The Proposed Project Vicinity**

<b>Park</b>	<b>Location</b>	<b>Distance to Site</b>
Cesar E Chavez Park	401 Golden Avenue	0.1 mile west
Santa Cruz Park	Golden Ave & West Ocean Boulevard	0.2 mile south
Lincoln Park	West Ocean Blvd & Pacific Avenue	0.2 mile east
Palm Beach Park	101 Golden Shore Street	0.3 mile south
Shoreline Aquatic	100 Aquarium Way	Park 0.4 mile south
Drake Park	951 Maine Avenue	0.5 mile north
Rainbow Lagoon Park	North side of Shoreline Drive	0.6 mile southeast
Victory Park	Ocean Boulevard, between Alamitos Avenue & the 710 Freeway	0.6 mile southeast

**4.13.5 Will the project require new facilities in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?**

**No impact**—The public facilities near the proposed project area include five U.S. Post Offices, five public libraries, and two hospitals. Descriptions of these public facilities are listed in Table 21, Table 22, and Table 23.

The AOC does not expect the proposed project to induce population growth near the proposed project site, and therefore the project will not increase the level of demand on existing park facilities in the City during operation. Therefore, there will be no expected impacts to other public facilities.

**Table 21. U.S. Post Offices In The Proposed Project Vicinity**

<b>Post Office</b>	<b>Location</b>	<b>Distance to Site</b>
Trade Center	1 World Trade Center	0.1 mile south
Long Beach	300 Long Beach Boulevard	0.5 mile east
Pacific	1920 Pacific Avenue	1.5 miles north
Cabrillo	1690 West 23rd Street	2.1 miles northwest
East Long Beach	2727 East Anaheim Street	2.4 miles northeast

**Table 22. Libraries In The Proposed Project Vicinity**

<b>Library</b>	<b>Location</b>	<b>Distance to Site</b>
Main Library	101 Pacific Avenue	0.3 mile southeast
Alamitos Neighborhood Library	1836 East 3rd Street	1.7 miles east
Mark Twain Neighborhood Library	1401 East Anaheim Street	1.6 miles northeast
Burnett Neighborhood Library	560 East Hill Street	2.0 miles northeast
Bret Harte Neighborhood Library	1595 W. Willow Street	2.5 miles northwest

**Table 23. Hospitals In The Proposed Project Vicinity**

<b>Hospital</b>	<b>Location</b>	<b>Distance to Site</b>
St. Mary Medical Center	1050 Linden Avenue, Long Beach, CA 90813	1.0 miles northeast
Long Beach Memorial Medical Center	2801 Atlantic Avenue, Long Beach, CA 90806	2.6 miles northeast

#### **4.14 TRANSPORTATION AND TRAFFIC**

To evaluate transportation and traffic issues at the proposed project site, this analysis utilizes the Transportation element of the City’s General Plan,<sup>104</sup> the Congestion Management Program for the County of Los Angeles,<sup>105</sup> the Traffic Impact Analysis Report Guidelines,<sup>106</sup> and a Traffic Impact Analysis (see Appendix F) that was prepared by Linscott, Law and Greenspan, Engineers (LLG) for the proposed project. As noted

<sup>104</sup> City of Long Beach Department of Planning and Building and the Department of Public Works. December 1991.

General Plan Transportation Element. Long Beach, CA.

<sup>105</sup> County of Los Angeles Metropolitan Transportation Authority. 2004. 2004 Congestion Management Program for Los Angeles County. Los Angeles, CA.

<sup>106</sup> County of Los Angeles Department of Public Works. 1 January 1997. *Traffic Impact Analysis Report Guidelines*. Alhambra, CA.

previously, the Agency has no plans at present to use building and will disclose future plans for the property in a separate CEQA document and other documents. Therefore, the AOC's analysis of the proposed project's impacts assumes that the existing building will remain vacant after the Superior Court and County move to the proposed new courthouse. In addition, the traffic analyses for the Superior Court's and County's judicial-related portion of the proposed project's traffic evaluate only the "net" traffic, which the AOC defines as the difference between the existing courthouse's judicial-related traffic and the proposed courthouse's judicial-related traffic.

Regional access to the Project site is provided by the Long Beach (I-710) Freeway, which is a north-south regional highway located west of the Project site. Interstate-710 (the Long Beach Freeway) begins at Queensway Bay in Long Beach and extends north to Valley Boulevard in Alhambra. Interstate-710 Freeway generally provides four travel lanes in each direction and is under the jurisdiction of California Department of Transportation (CALTRANS). Freeway access to the Project site is provided via on and off-ramps with 3rd Street and Broadway.

Other key roadways in the local area network include Maine Avenue, Daisy Avenue, Magnolia Avenue, Chestnut Avenue, Pacific Avenue, 3rd Street, Broadway Avenue, and Ocean Boulevard. The following discussion provides a brief synopsis of these key area streets:

- 3rd Street is an east-west major arterial between Interstate-710 and Alamitos Avenue in the City of Long Beach Circulation Element. This roadway, which borders the Project site on the north, is a one-way street with three lanes in the westbound direction. Parking is generally permitted on both sides of this roadway within the vicinity of the Project. The posted speed limit on 3rd Street is 30 miles per hour;
- Broadway Avenue is an east-west major arterial between Interstate-710 and Alamitos Avenue in the City of Long Beach Circulation Element. This roadway, which borders the Project site on the south, is a one-way street with three lanes in the eastbound direction. Parking is generally permitted on both sides of this roadway within the vicinity of the project. The posted speed limit on Broadway Avenue is 30 miles per hour;
- Ocean Boulevard is primarily a six-lane divided roadway that extends in the east-west direction. West of Golden Shore, Ocean Boulevard is a four-lane roadway. Parking is generally permitted on both sides of this roadway within the vicinity of the project. East of Golden Shore, the posted speed limit on Ocean Boulevard is 30 miles per hour. West of Golden Shore, the posted speed limit on Ocean Boulevard is 45 miles per hour;
- Maine Avenue is a two-lane undivided roadway that borders the Project site on the west. Parking is permitted on both sides of this roadway within the vicinity of the Project. The intersections of Maine Avenue at 3rd Street and Maine Avenue at Broadway Avenue are both controlled by traffic signals;
- Daisy Avenue is a two-lane undivided roadway that extends in the north-south direction, running through the Project site. Parking is permitted on both sides of

this roadway within the vicinity of the Project. The intersection of Daisy Avenue at 3rd Street is stop-controlled and Daisy Avenue at Broadway Avenue is controlled by a traffic signal;

- Magnolia Avenue is a two-lane divided roadway that extends in the north-south direction and borders the Project site on the east. Parking is permitted on both sides of this roadway within the vicinity of the Project. The posted speed limit on Magnolia Avenue is 25 miles per hour. The intersections of Magnolia Avenue at 3rd Street, Magnolia Avenue at Broadway Avenue, and Magnolia Avenue at Ocean Boulevard are all controlled by traffic signals;
- Pacific Avenue is a four-lane divided roadway that is located east of the Project site. Parking is generally not permitted on either side of this roadway within the vicinity of the Project. The posted speed limit on Pacific Avenue is 30 miles per hour. The intersections of Pacific Avenue at 3rd Street, Pacific Avenue at Broadway Avenue, and Pacific Avenue at Ocean Boulevard are controlled by traffic signals; and
- Chestnut Avenue is a two-lane undivided roadway north of 3rd Street and two-lane divided south of 3rd Street. Parking is permitted on both sides of this roadway within the vicinity of the project. The intersections of Chestnut Avenue at 3rd Street and Chestnut Avenue at Broadway Avenue are both controlled by traffic signals.

#### **4.14.1 Will the project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?**

**Less than significant**—The proposed courthouse site is bounded by 3rd Street to the north, Magnolia Avenue to the east, West Broadway to the south, and Maine Avenue to the west. This area is currently predominantly vacant, with the exception of parking spaces provided by a private firm immediately north of West Broadway between Maine Avenue and Daisy Avenue. The Magnolia Street Parking Garage, which is located south of the proposed project area, is bounded by a small surface parking lot to the north, Magnolia Avenue to the east, commercial development to the south, and Daisy Avenue to the west (Figure 8). Interstate 405 (San Diego Freeway) is roughly 3.6 miles north of the proposed project site, and the Interstate 710 (Long Beach Freeway) is approximately 0.18 mile southwest and 0.36 mile west of the proposed project site. The proposed project site is accessed from the Long Beach Freeway via Broadway, which intersects the proposed project area and the Parking Garage. The Long Beach Freeway also exits Ocean Boulevard south of the proposed project site and feeds into the site at both Daisy Avenue and Magnolia Avenue.

Analysts selected the following 13 intersections for detailed peak-hour level-of-service (LOS) analysis under Existing (Year 2008) Traffic Conditions, Year 2012 Background Traffic Conditions, and Year 2012 Future Background plus Project Traffic Conditions (Figure 8, Surrounding Intersections and Parking):

1. Maine Avenue at 3rd Street
2. Daisy Avenue at 3rd Street
3. Magnolia Avenue at 3rd Street
4. Chestnut Avenue at 3rd Street
5. Pacific Avenue at 3rd Street
6. Main Avenue at Broadway Avenue
7. Daisy Avenue at Broadway Avenue
8. Magnolia Avenue at Broadway Avenue
9. Chestnut Avenue at Broadway Avenue
10. Pacific Avenue at Broadway Avenue
11. Golden Shore Street / Golden Avenue at Ocean Boulevard
12. Magnolia Avenue at Ocean Boulevard
13. Pacific Avenue at Ocean Boulevard

The LOS for traffic describes the operational conditions for the flow of traffic. The LOS system uses the letters A through F to describe traffic flow conditions (See Table 24), with LOS A representing ideal operating conditions and LOS F representing the worst traffic conditions. The City considers an LOS of D to be the minimum acceptable LOS, and where the current LOS is worse than D (i.e., LOS E or F), the current level should be maintained.

**Table 24. Level Of Service Criteria For Signalized Intersections**

Level of Service (LOS)	Intersection Capacity Utilization Value (Volume/Capacity)	Level of Service Description
A	$\leq 0.600$	EXCELLENT—No vehicle waits longer than one red light, and no approach phase is fully used.
B	0.601 – 0.700	VERY GOOD—An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.
C	0.701 – 0.800	GOOD—Occasionally drivers may have to wait through more than one red light; backups may develop behind turning vehicles.
D	0.801 – 0.900	FAIR—Delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.
E	0.901 – 1.000	POOR—Represents the most vehicles intersection approaches can accommodate; may be long lines of waiting vehicles through several signal cycles.
F	$> 1.000$	FAILURE—Backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Potentially very long delays with continuously increasing queue lengths.

Each of the 13 intersections currently operate at acceptable LOS D or better during the AM and PM peak hours (See Table 25).

For the proposed Project, analysts forecast the trip generation potential of the “courthouse” component of the Project based on site-specific data provided by the AOC for the existing Long Beach Courthouse. Analysts considered using the published trip rates for office buildings but concluded that the rates were inappropriate since only a portion of the courthouse is comprised of true “office” uses (e.g. clerical). Courthouses generally have a lower density in terms of employees per square-foot as compared to typical offices. Further yet, the courtroom itself comprises large amounts of square-footage that is only partially utilized (rarely are all courtrooms utilized concurrently). Additionally, courthouses tend to have a relatively large amount of transit usage and a large amount of visitors. Analysts estimated the amount of daily trips generated by the “courthouse” component of the proposed project based on specific values for modal split percentage, daily vehicle trip-ends per person and vehicle occupancy rates supplied by surveys provided by the AOC at the existing courthouse. Table 26 displays mode of transportation assumptions for the courthouse-related trips. Using this information, LLG calculated the daily trip generation of the “courthouse” component of the proposed Project will generate an additional 457 daily trips including 59 trips (53 inbound and 6 outbound) during the AM peak hour of a “typical” weekday and 62 trips (12 inbound and 50 outbound) during the PM peak hour.

For the “commercial” component of the Project, analysts utilized average trips rates for ITE Land Use Code 710: General Office Building and ITE Land Use 820: Shopping Center. Analysts used the peak hour percentages for office buildings since the percentages appeared reasonable and since no other courthouse data was available. LLG projected that the project’s commercial and retail space will generate 1,463 daily “net” trips with 123 “net” trips (103 inbound and 20 outbound) during the AM peak traffic hour on a “typical” day and 165 “net” trips (48 inbound and 117 outbound) during the PM weak hour.

The Traffic Analysis concluded that the proposed project will generate 1,920 daily “net” trips, with 182 “net” trips (156 inbound, 26 outbound) produced in the AM peak hour and 227 “net” trips (60 inbound, 167 outbound) produced in the PM peak hour on a “typical” weekday. Appendix F explains the analysis’s assumptions for trip generation, traffic distribution, traffic assignment, and future traffic conditions. The report’s analysis provided potential traffic impact for the year 2012.

**Table 25. Existing Peak Hour Levels Of Service**

Key Intersection	Time Period	Control Type	ICU*/Delay (sec/vehicle)	LOS
1. Maine Avenue at 3rd Street	AM	2 Ø Traffic Signal	0.457	A
	PM		0.343	A
2. Daisy Avenue at 3rd Street	AM	Two-Way Stop	28.5 s/v	D
	PM		12.4 s/v	B
3. Magnolia Avenue at 3rd Street	AM	3 Ø Traffic Signal	0.630	B
	PM		0.461	A
4. Chestnut Avenue at 3rd Street	AM	2 Ø Traffic Signal	0.456	A
	PM		0.303	A
5. Pacific Avenue at 3rd Street	AM	3 Ø Traffic Signal	0.568	A
	PM		0.367	A
6. Maine Avenue at Broadway Avenue	AM	3 Ø Traffic Signal	0.500	A
	PM		0.443	A
7. Daisy Avenue at Broadway Avenue	AM	2 Ø Traffic Signal	0.405	A
	PM		0.325	A
8. Magnolia Avenue at Broadway Avenue	AM	2 Ø Traffic Signal	0.523	A
	PM		0.480	A
9. Chestnut Avenue at Broadway Avenue	AM	2 Ø Traffic Signal	0.376	A
	PM		0.443	A
10. Pacific Avenue at Broadway Avenue	AM	3 Ø Traffic Signal	0.485	A
	PM		0.654	B
11. Golden Shore Street/Golden Avenue at Ocean Boulevard	AM	3 Ø Traffic Signal	0.616	B
	PM		0.759	C
12. Magnolia Avenue at Ocean Boulevard	AM	2 Ø Traffic Signal	0.640	B
	PM		0.682	B
13. Pacific Avenue at Ocean Boulevard	AM	3 Ø Traffic Signal	0.689	B
	PM		0.632	B
* ICU = Intersection Capacity Utilization Analysis. See Appendix F's Section 3.4.1 for more information.				

**Table 26. Courthouse Assumptions Utilized To Derive Employees' Trip Generation Potential**

User	Mode of Transportation				
	Drive Alone	Transit	Carpool	Bike/Walk	Drop-off
Jurors	85%	1%	1%	3%	9%
Visitor	42%	13%	37%	3%	5%
Employee	70%	10%	20%	--	--

Table 27 lists the peak hour Level of Service results at the key study intersections for the 2012 horizon year. Column 3 of Table 27 presents a summary of existing AM and PM peak hour traffic conditions (which were also presented in Table 25), and column 4 lists future Year 2012 background traffic conditions (existing plus ambient growth traffic plus related projects traffic) based on existing intersection geometry, but without any traffic generated by the proposed Project. Column 5 presents future forecast traffic conditions

with the addition of traffic generated by the proposed project, and column 6 indicates whether the traffic associated with the project will have a significant impact. Column 7 presents the intersection operating conditions based on the total anticipated near-term (Year 2012) traffic volumes and planned and/or recommended intersection improvements (such as the City's potential West 3<sup>rd</sup> Street improvements).

Table 27's data indicate that only the Daisy Avenue at 3rd Street intersection is forecast to operate at LOS E or LOS F during the AM peak hour. The remaining 12 key study intersections are expected to continue to operate at acceptable service levels (LOS D or better) during the weekday AM and PM peak commute hours in the Year 2012.

**Table 27. Year 2012 Peak Hour Intersection Capacity Analysis**

Key Intersection (Column 1)	Time Period (Column 2)	Traffic Condition				
		Existing Traffic LOS (Column 3)	2012 Background Traffic LOS (Column 4)	2012 Plus Project Traffic LOS (Column 5)	Project Significant Impact? (Column 6)	2012 With Improvements (Column 7)
1. Maine Avenue at 3rd Street	AM	A	A	A	No	--
	PM	A	A	A	No	--
2. Daisy Avenue at 3rd Street	AM	D	E	D*	No	--
	PM	B	B	C	No	--
3. Magnolia Avenue at 3rd Street	AM	B	C	C	No	D
	PM	A	A	A	No	B
4. Chestnut Avenue at 3rd Street	AM	A	A	A	No	B
	PM	A	A	A	No	A
5. Pacific Avenue at 3rd Street	AM	A	B	B	No	D
	PM	A	A	A	No	A
6. Maine Avenue at Broadway Avenue	AM	A	A	B	No	--
	PM	A	A	A	No	--
7. Daisy Avenue at Broadway Avenue	AM	A	A	A	No	--
	PM	A	A	A	No	--
8. Magnolia Avenue at Broadway Avenue	AM	A	A	A	No	--
	PM	A	A	A	No	--
9. Chestnut Avenue at Broadway Avenue	AM	A	A	A	No	--
	PM	A	A	A	No	--
10. Pacific Avenue at Broadway Avenue	AM	A	A	A	No	--
	PM	B	C	C	No	--
11. Golden Shore Street/Golden Avenue at Ocean Boulevard	AM	B	C	C	No	--
	PM	C	D	D	No	--
12. Magnolia Avenue at Ocean Boulevard	AM	B	C	C	No	--
	PM	B	C	C	No	--
13. Pacific Avenue at Ocean Boulevard	AM	B	C	C	No	--
	PM	B	B	B	No	--

\*Since the proposed project will eliminate Daisy Avenue between 3<sup>rd</sup> Street and West Broadway, the project reduces traffic at the 3<sup>rd</sup> Street/Daisy Avenue intersection and improves the intersection's 2012 LOS.

Table 27 indicates that traffic associated with the proposed Project will not have a significant (cumulative) traffic impact at any of the 13 study intersections when compared to the LOS standards and the significant traffic impact criteria defined in this report. The project's impacts are not significant despite presumed implementation of the City's potential "3rd Street Protected Bike Lane Plan", which will reduce the number of westbound through lanes on 3rd Street from three lanes to two lanes, the intersection of Magnolia Avenue/3rd Street, Chestnut Avenue/3rd Street and Pacific Avenue/3rd Street will continue to operate at LOS D or better. Therefore, the proposed project is not expected to result in significant impacts to transportation/traffic, and no further analysis related to creating a substantial increase in traffic is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.14.2 Will the project-related traffic exceed a level of service standard established by the County congestion management agency's level of service standard?**

**Less than significant**—As explained in Section 4.14.1, the proposed project will have less than significant impacts to transportation/traffic. Therefore, the proposed project is not expected to result in significant impacts to transportation/traffic, and no further analysis related to exceeding an LOS standard established by the county congestion management agency for designated roads or highways is warranted.

#### **4.14.3 Will the project cause substantial safety risks due to project-related changes in air traffic?**

**No impacts**—The proposed project is not expected to result in impacts to transportation and traffic in relation to a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The Long Beach Municipal Airport, located at 4100 Donald Douglas Drive, Long Beach, California, 90808, is the nearest public or private airport and is located approximately 3.7 miles northeast of the proposed project site. The proposed project site is located outside the limits of the Long Beach Airport Land Use Plan. Therefore, there will be no expected impacts to transportation and traffic related to a change in air traffic patterns that result in substantial safety risks. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.14.4 Will the project substantially increase hazards due to a design feature?**

**No impacts**—The proposed new courthouse building will face West Broadway, and the building's public entrance will be on West Broadway, or near the West Broadway–Magnolia Avenue intersection. The proposed project does not include hazardous design

features. The project design provides adequate measures for pedestrian and vehicular access:

- West Broadway or 3rd Street will provide ingress to the proposed new courthouse building's sallyport, and the sallyport's egress will be on 3rd Street;
- The proposed new courthouse building will have separate driveways for Sheriff's Department bus traffic, service traffic, and judicial officers. The Sheriff's Department requires sufficient secured space to unload two buses simultaneously while a third bus waits in the secured area; the buses will use Broadway and 3rd Street for access. Judicial officers and service vehicles could use Broadway or Magnolia Street or 3rd Street for access;
- The proposed project will remove the existing Magnolia Avenue crosswalk that extends from the Magnolia Avenue parking facility to the existing courthouse and will add a traffic signal and pedestrian crosswalk at the intersection of West Broadway and Daisy Avenue; and
- The proposed new courthouse will include sidewalks adjacent to West Broadway, Magnolia Avenue, 3rd Street, and Maine Avenue. The State of California will install sidewalk peninsulas for the pedestrian crosswalks at portions of the West Broadway–Magnolia Avenue intersection, the 3rd Street–Magnolia Avenue intersection, and the West Broadway–Daisy Avenue intersection.

The area surrounding the proposed project site is an urbanized mix of commercial, residential, and office space. The proposed project—which is intended to serve the State Superior Court, the County of Los Angeles, commercial office space, and other retail uses— will be a compatible use of the proposed project site. Therefore, there are no expected impacts to transportation and traffic related to substantially increasing hazards due to a design feature. No further analysis is warranted.

#### **4.14.5 Will the project have inadequate emergency access?**

**No impacts**—The proposed project is not expected to result in impacts to transportation and traffic in relation to inadequate emergency access. The proposed new courthouse building will have separate driveways for Sheriff's Department bus traffic, service traffic, and judicial officers. These separate access points will be expected to provide adequate emergency access. Therefore, there are no expected impacts to transportation and traffic related to inadequate emergency access. No further analysis is warranted.

**Mitigation Measures:** no mitigation required.

#### **4.14.6 Will the project have inadequate parking capacity?**

**Less than significant**—As stated in Section 2.4.3, the Superior Court's judges and some County officials currently park in secured parking in the existing courthouse, and the

Superior Court's managers park on the site's surface parking area. Other staff, jurors, County staff, and some visitors currently park in the Magnolia Avenue parking garage.

Other visitors to the courthouse park in the City's Broadway Garage at 300 West Broadway, in on-street parking spaces, in surface lots, or in other parking garages. Table 28 lists parking facilities and areas near the existing and proposed courthouses. Some courthouse visitors park in the Agency-owned privately operated parking lot that is on the western half of the proposed courthouse site. Other persons who work at the World Trade Center or adjacent buildings also park on the western half of the proposed courthouse site. Table 29 provides parking space availability data for several parking areas near the proposed courthouse site.

The project will substantially modify the current parking facilities near the proposed project site; parking impacts will include:

- Construction of the courthouse will eliminate the privately operated parking lot on the western half of the proposed courthouse parcel;
- Courthouse operational activities will eliminate daytime public on-street parking on Daisy Avenue between 3<sup>rd</sup> Street and West Broadway, the north side of West Broadway between Magnolia Street and Maine Street, the south side of 3rd Street between Magnolia Street and Maine Street, and the west side of Magnolia Street between West Broadway and 3rd Street; and
- The Agency's acquisition of the current courthouse will eliminate the Superior Court's and County's access to parking spaces on the existing courthouse's parcel. As noted previously, the project's renovation of the Magnolia Avenue parking facility will provide replacement parking spaces.

The project will implement several actions that will add parking spaces to the project area's parking supply:

- Improvements to correct the Magnolia Street garage's structural problems will reopen approximately 225 parking spaces to restore the structure's capacity of approximately 960 vehicles,
- The proposed courthouse will include approximately 35 secured parking spaces for the Superior Court's judges and some executives, and
- The project will also include on-site or additional off-site parking facilities for the building's commercial and retail tenants.

Since the project will correct the Magnolia Avenue garage's current structural problems that limit its capacity, the garage and the proposed new courthouse's secured parking will provide sufficient parking for the Superior Court's current and future executives and staff, jurors, and some visitors and the County's current and future staff, the AOC concludes that the project will have adequate parking for the Superior Court's personnel, jurors, and the County's project-related personnel, and the impacts for these parking demands will be less than significant

**Table 28. Parking Areas Near Proposed Courthouse Site**

Parking Area	Location	Capacity (approximate)	Management
Existing Courthouse's surface lot	415 West Ocean Boulevard	275	County, Superior Court, and lessee (City)
Magnolia Street Garage	101 Magnolia Avenue	960	County*
Surface lot	No address available (Southwestern corner of West Broadway/Magnolia Street, APN 7278-015-045)	83	Private
Surface lot	Western half of proposed courthouse site	Indefinite (only approximately 150 spaces have marked lines)	Agency-owned, privately managed
3 <sup>rd</sup> Street on-street	Between Magnolia Street and Maine Street	25	City
Maine Street on-street	Between West Broadway and 3 <sup>rd</sup> Street	7	City
Daisy Lane on-street	Between West Broadway and 3 <sup>rd</sup> Street	36	City
West Broadway on-street	Between Magnolia Street and Maine Street	15	City
World Trade Center	West Broadway/Main Avenue intersection	630	Private
Broadway Parking Garage	300 West Broadway	660	City
Arden Parking Garage (100 West Broadway)	Pacific Street between 1 <sup>st</sup> Street and West Broadway	500**	Private
<p>* The AOC is currently proceeding with acquisition of the facility from the County.  **Publicized capacity is 645,<sup>107</sup> but the facility's capacity includes numerous reserved spaces. Unreserved spaces = approximately 500 spaces.</p>			

Regarding the proposed project's elimination of the Agency-owned and privately operated parking lot that is on the western half of the proposed courthouse site and the daytime on-street parking adjacent to the proposed courthouse parcel, the AOC presumes that vehicle operators using the lot or on-street parking include courthouse visitors and other persons who work at the World Trade Center or adjacent buildings. The AOC presumes that persons who work at the World Trade Center or adjacent buildings will move to the World Trade Center's surface parking lot after the AOC begins construction of the proposed courthouse. As shown in Table 27, the parking lot has capacity available to meet increased demand. Visitors to the current courthouse who are using the lot will also be able to use the World Trade Center's parking lot, the Broadway Garage, or other parking facilities near Pacific Street (such as the Arden Parking Garage) or Pine Street. Therefore, the AOC concludes that parking impacts related to elimination of the Agency-owned privately operated parking lot and on-street parking adjacent to the proposed courthouse parcel will be less than significant.

<sup>107</sup> 2009. Long Beach Area Convention & Visitors Bureau. Available at <http://www.visitlongbeach.com/maps/downtownparking.htm>

For trips generated by the commercial and retail tenants of the proposed project, the AOC presumes that these drivers will park in the on-site parking provided by the project. Since the AOC expects the on-site parking facilities for commercial and retail tenants to meet the City’s Municipal Code requirements (see Section 2.4.3), the AOC concludes that the project’s commercial-related and retail-related parking impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

**Table 29. April 8 Parking Survey Results**

Parking Area	Capacity (approximate)	Early Morning Survey		Late Morning Survey	
		Filled Parking Spaces	Occupancy (%)	Filled Parking Spaces	Occupancy (%)
Surface lot (Western half of proposed courthouse site)	Indefinite	154	NA	221	NA
3 <sup>rd</sup> Street on-street	25	25	100	24	96
Maine Street on-street	7	7	100	7	100
Daisy Lane on-street	36	36	100	36	100
West Broadway on-street	15	7*	*	6*	*
World Trade Center	630	276	44	400	64
Broadway Parking Garage	660	534	81	594	90
Arden Parking Garage	500**	282	56	390	78
* Some parking spaces were unavailable due to construction activities					
** See Table 28 for discussion of facility’s reserved and unreserved parking spaces					

**4.14.7 Will the project conflict with alternative transportation programs?**

**No impacts**—As previously stated, the City is planning an upgrade to 3rd Street that will include the addition of a bicycle lane. The proposed project will not interfere with the plan for the bicycle lane. The proposed project will be accessible to pedestrians. The proposed project will conform to the City’s General Plan Transportation element<sup>108</sup> in that the proposed new courthouse will be built in close proximity to several Long Beach Transit Authority bus routes, and the public entrance will be an approximately 0.4-mile

<sup>108</sup> City of Long Beach Department of Planning and Building and the Department of Public Works. December 1991. City of Long Beach General Plan, Transportation Element. Long Beach, CA.

walk from the Metro Blue Line stop and the Long Beach Transit Mall located at 1st Street and Pacific Avenue. Therefore, there are no expected impacts to transportation and traffic related to adopted policies, plans, or programs supporting alternative transportation.

#### ***4.15 UTILITIES AND SERVICE SYSTEMS***

To evaluate utilities and service systems at the proposed project site, analysts reviewed the City's General Plan,<sup>109</sup> the County's General Plan Safety element,<sup>110</sup> and the State of California Regional Water Quality Control Board Basin Plan for the Los Angeles Regional Water Quality Control Board.<sup>111</sup> The scope of the utilities and service systems investigations included the natural gas, telephone, electric, sewer, storm drain and water utilities and coordination with the County of Los Angeles Department of Public Works.

**Mitigation Measures:** no mitigation required.

##### **4.15.1 Are sufficient water supplies available to serve the project?**

**Less than significant**—The City receives its potable (drinking) water supply from two sources. Ownership of water rights allows approximately half of the water supply needs to be produced from groundwater wells located within the city. The other portion of the city's potable (drinking) water supply is treated surface water purchased from the Metropolitan Water District of Southern California.<sup>112</sup> The Long Beach Water Department now serves about 6,000-acre feet of reclaimed water to its customers each year and will potentially supply water to the proposed project area. The Long Beach Water Department has annual pumping rights of over 32,000-acre feet.<sup>113</sup> Several factors will drive future water demands, including population growth, housing density, employment, and household income. The population of the City is expected to increase 15 percent from 490,100 in 2005 to approximately 564,900 by 2030. However, the proposed project does not include residential elements and will not contribute to an increase in population and therefore will not increase water demands in this manner. In order to meet these future water demands, the Long Beach Water Department has

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<sup>109</sup> City of Long Beach. 1975. City of Long Beach General Plan, Public Safety Element. Long Beach, CA.

<sup>110</sup> County of Los Angeles Department of Regional Planning. 1990. County of Los Angeles General Plan, Safety Element. Los Angeles, CA.

<sup>111</sup> State Water Resources Control Board—Los Angeles. Accessed 16 September 2008. Web site. "LARWQCB Basin Plan." Available at:

[http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/basin\\_plan/](http://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/)

<sup>112</sup> City of Long Beach. Accessed 16 September 2008. Web site. "Long Beach Water." Available at: [http://www.lbwater.org/drinking\\_water/source.html](http://www.lbwater.org/drinking_water/source.html)

<sup>113</sup> City of Long Beach. Accessed 16 September 2008. "2005 Urban Water Management Plan." Available at:

<http://www.lbwater.org/pdf/UWMP/2005UWMP.pdf>

partnered with the U.S. Bureau of Reclamation and the Los Angeles Department of Water and Power to construct and operate the largest and most significant seawater desalination research facility in the United States by 2030.

As noted earlier, the proposed project does not include residential housing and is located in a developed area of the City. Therefore, there are no expected impacts to population and housing related to inducing substantial direct or indirect population growth. Therefore, the proposed project's impacts will be less than significant.

#### **4.15.2 Will the project require new water supply facilities?**

**Less than significant**—The proposed project will be expected to result in less than significant impacts to utilities and service systems in relation to the requiring or producing the construction of new water supply facilities. As discussed in Section 4.15.1, since it is anticipated that the State may remove utility mains from the proposed project site's Daisy Avenue area and relocate the mains to 3rd Street and Magnolia Avenue and possibly part of West Broadway, the water supply demand to the proposed project will be comparable to the existing water supply demand. The sustainable elements implemented into the proposed project will further ensure that the proposed project will not be expected to significantly increase water usage during constructional and operational phases of the proposed project. Furthermore, the increase in water supply that may come as a result of the proposed project will be consistent with the projected growth and anticipated development in the City and therefore will not require the construction of new water supply demands that could not be serviced by the existing City's water supply facilities. Therefore, the proposed project's impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.15.3 Does the wastewater treatment provider which serves the project have capacity to serve the project's projected demand?**

**No impacts**—The City's sanitary sewer system carries water from households and businesses into the sanitary sewer system. The wastewater is sent for treatment to the Joint Water Pollution Control Plant, which provides primary, secondary, and tertiary treatment for up to 320 million gallons of wastewater per day.<sup>114</sup> The Joint Water Pollution Control Plant has the capacity to absorb projects that are consistent with regional growth factors established by the Southern California Association of Governments. Since the proposed project is not expected to increase population and will not substantially increase the need to treat wastewater since it will absorb the existing courthouse population; the proposed project will be consistent with regional growth

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<sup>114</sup> Sanitation Districts of Los Angeles County. Accessed 16 September 2008. "Joint Water Pollution Control Plant."

Available at: [http://www.lacsd.org/about/wastewater\\_facilities/jwpcp/default.asp](http://www.lacsd.org/about/wastewater_facilities/jwpcp/default.asp)

factors. Therefore, there are no expected impacts to utilities and service systems related to wastewater treatment.

#### **4.15.4 Will the project require the construction of new water or wastewater treatment facilities?**

**Less than significant**—As previously stated, wastewater generated by the proposed project will be treated at the Joint Water Pollution Control Plant, which provides both primary and secondary treatment for approximately 320 million gallons of wastewater generated per day. Although the proposed project will contain sustainable elements, which will limit the amount of wastewater leaving the proposed project site, the proposed project may be expected to contribute to additional amounts of wastewater going through the wastewater treatment system. However, it is not expected to require additional wastewater treatment facilities. Wastewater generated at the proposed project will be treated at the Joint Water Pollution Control Plant, which is one of the largest wastewater treatment plants in the world and is the largest of the district's wastewater treatment plants. As previously mentioned, the facility provides both primary and secondary treatment for approximately 320 million gallons of wastewater per day. The plant currently operates in conformance with the applicable standards of the RWQCB, Los Angeles Region. As discussed, the plant serves a population of approximately 3.5 million people throughout the County of Los Angeles. The proposed project will connect to the existing wastewater system and will not include the development of new sewer lines. Therefore, the proposed project's impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.15.5 Is there a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

**Less than significant**—Currently, there are eight major landfills permitted to accept solid waste in the County of Los Angeles. Six are located in the metropolitan Los Angeles area, and two are located in the Antelope Valley.<sup>115</sup> Five sites are privately owned and operated and the sanitation districts operate three. Table 30 lists the solid waste facilities in the South Bay and Long Beach area. In 2006, jurisdictions in the County of Los Angeles disposed of an average of approximately 39,000 tons of solid waste per day. Of this amount, approximately 84 percent, or 33,000 tons per day, were disposed in landfills located within the County of Los Angeles.<sup>116</sup>

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<sup>115</sup> Los Angeles County Sanitation Districts. Accessed 16 September 2008. Solid Waste Facilities in Los Angeles County. Available at: <http://www.lacsd.org/civica/filebank/blobdload.asp?BlobID=3727>

<sup>116</sup> County Sanitation Districts of Los Angeles. Accessed 16 September 2008. 2007 Annual Report for Puente Hills Landfill. Available at: <http://www.lacsd.org/civica/filebank/blobdload.asp?BlobID=3228>

**Table 30. Solid Waste Facilities In The South Bay/Long Beach Area<sup>117</sup>**

<b>Name/Operator</b>	<b>Address</b>	<b>Open to the Public</b>	<b>Distance to Site (miles)</b>
Allied / BFI Waste Systems, Compton / Browning Ferris Industries	2509 West Rosecrans Avenue Los Angeles, CA 90059	Yes	14
Allied / BFI Waste Systems, Falcon/Browning Ferris Industries	3031 East I Street Wilmington, CA 90744	Yes	2
American Waste Transfer Station / Consolidated Disposal Service	1449 West Rosecrans Avenue Gardena, CA 90249	Yes	14
Atkinson Brick Company / Azusa Land Reclamation Company	13633 South Central Avenue Los Angeles, CA 90059	Yes	14
Bel-Art Waste Transfer Station / Consolidated Disposal Service	2501 East 68th Street Long Beach, CA 90805	Yes	10
Carson Transfer Station & Materials Recovery Facility / Waste Management, Inc.	321 West Francisco Street Carson, CA 90745	Yes	9
City of Inglewood Transfer Station / City of Inglewood	222 West Beach Avenue Inglewood, CA 90302	No	22
Coastal Material Recovery & Transfer Station / Si-Nor Inc.	357 West Compton Boulevard Gardena, CA 90247	No	13
Ray's Trash Box Service / Ray's Trash Box	1070 East Spring Street Long Beach, CA 90806	Yes	4
Southeast Resource Recovery Facility / City of Long Beach	120 Henry Ford Avenue Long Beach, CA 90802	No	3

The proposed project includes the development of commercial office space and bathroom facilities, which will require an increase in water consumption and waste disposal during constructional and operational phases of the proposed project. Refuse collected by the City, which includes collection at the proposed project site, is burned in the Southeast Resource Recovery Facility, located at 120 Pier S Avenue, Long Beach, California, roughly 2.9 miles southwest of the proposed project site. The facility's Waste-to-Energy site converts waste into energy and generates power for the city and state.<sup>118</sup> According to the 2007 Third Quarter Report, during the three months of July, August, and September, 56,021.46 tons of refuse was collected.<sup>119</sup> The facility has the capacity to store up to 5,000 tons of waste any one time and can process over 40,000 tons of waste per month.<sup>120</sup> It is anticipated that waste collected at the proposed project site will be transferred to the Southeast Resource Recovery Facility, which has the capacity to service the proposed project site. Therefore, the proposed project's impacts will be less

<sup>117</sup> County of Los Angeles Public Works. Accessed 16 September 2008. Web site. "Solid Waste Facilities in Los Angeles County." Available at:

<http://dpw.lacounty.gov/swims/general/facilities/nearestfacilitylist.asp>

<sup>118</sup> City of Long Beach. Accessed 16 September 2008. Web site. "SERRF Operations." Available at:

[http://www.longbeach.gov/lbgo/serrf/serrf\\_operations.asp](http://www.longbeach.gov/lbgo/serrf/serrf_operations.asp)

<sup>119</sup> Long Beach. Accessed 16 September 2008. Web site. "Monthly Solid Waste Disposal Quantity Summary by

Jurisdictions." Available at: [http://dpwprod3.co.la.ca.us/swims/download/rpt\\_20071130\\_102022\\_-1\\_13.pdf](http://dpwprod3.co.la.ca.us/swims/download/rpt_20071130_102022_-1_13.pdf)

<sup>120</sup> Foley, Alan. Southeast Resource Recovery Facility. 16 September 2008. Telephone correspondence, with Laura

Watson, Sapphos Environmental, Inc., Pasadena, CA.

than significant because there will be sufficient capacity at the Southeast Resource Recovery Facility for the waste produced by the proposed project. No further analysis is warranted.

#### **4.15.6 Will the project comply with federal, state, and local statutes and regulations related to solid waste?**

**Less than significant**—The California Integrated Waste Management Act of 1989 [Assembly Bill (AB) 939] requires the County of Los Angeles to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the existing design. The proposed project includes sustainable elements that will ensure that the proposed project complies with all federal, state, and local statutes and regulations related to solid waste. It is anticipated that these project elements will comply with federal, state, and local statutes and regulations to reduce the amount of solid waste. The State shall ensure that the best method of solids disposal and reduction of the solid waste stream is implemented at the proposed project site. The proposed project will result in deposition of all solid waste at permitted facilities for solid waste (including hazardous waste). Therefore, the impacts in relation to compliance with federal, state, and local statutes will be less than significant.

**Mitigation Measures:** no mitigation required.

#### **4.15.7 Will the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**Less than significant**—The proposed project will contribute to additional amounts of wastewater going through the wastewater treatment system. However, it is not expected to require additional wastewater treatment facilities. Wastewater generated at the proposed project will be treated at the Joint Water Pollution Control Plant located at 24501 Figueroa Street, Carson, California, 90745, approximately 6.7 miles northwest of the proposed project site. The Joint Water Pollution Control Plant currently supports wastewater leaving the proposed project site and will continue to do so following the development of the proposed project. The JWPCP is one of the largest wastewater treatment plants in the world and is the largest of the County of Los Angeles Sanitation District's wastewater treatment plants. The facility provides both primary and secondary treatment for approximately 320 million gallons of wastewater per day. The JWPCP currently operates in conformance with the applicable standards of the RWQCB, Los Angeles Region. The plant serves a population of approximately 3.5 million people throughout the County of Los Angeles. Although the proposed project is not expected to induce population growth, it will be expected to generate additional wastewater that will flow into the existing system. The proposed project will connect to the existing system and will not include the development of new sewer lines.

The project's SWPPP and LEED elements will include BMPs to reduce or eliminate non-storm discharges to the storm water system. No impact will occur relating to discharge pipelines incapable of adequately supporting the use of non-potable water from the facility, which will include construction operations, post-construction operations and maintenance of bathroom facilities or other sources of wastewater. Therefore, the impacts in relation to exceeding wastewater treatment requirements of the RWQCB will be less than significant impacts. No further analysis is warranted.

#### **4.15.8 Will the project require the construction of new storm water drainage facilities?**

**Less than significant**—The proposed project will be expected to result in less than significant impacts to utilities and service systems in relation to the construction of new storm water drainage facilities or the expansion of existing facilities, which could cause significant environmental impacts.

As an element of the NPDES permit issued to the County by the RWQCB, the SWPPP mandates new development to meet NPDES requirements through BMPs to reduce or eliminate non-storm water discharges to the storm water system. These requirements meet the water quality standards set forth by the presiding agencies.

While it is anticipated that the proposed project may result in storm water runoff from non-storm and storm water discharges on roofs, streets, drive-ways, parking lots, the proposed project will implement BMPs into its construction, operation and maintenance procedures, in order to ensure that the amount of oil, chemical, soil or other pollutants are limited. Therefore, the proposed project is not expected to result in the creation of significant discharge of pollutants into the nearby storm drains or waterways, and the proposed project's impacts will be less than significant impacts.

**Mitigation Measures:** no mitigation required.

#### ***4.16 MANDATORY FINDINGS OF SIGNIFICANCE***

This analysis is undertaken to determine if the New Long Beach Courthouse (proposed project) may have a significant impact to Mandatory Findings of Significance, thus requiring the consideration of mitigation measures or alternatives, in accordance with Section 15063 of the State California Environmental Quality Act Guidelines (State CEQA Guidelines). Mandatory Findings of Significance at the proposed project site were evaluated with regard to California Trial Court Facilities Standards, California Department of Transportation's Scenic Highway System designations, City's General Plan, County of Los Angeles General Plan, previously prepared information on the proposed project site; information provided by the Administrative Office of the Courts; technical reports for (Aesthetics, Air Quality, Cultural Resources, Noise, and Traffic and

Transportation) which were prepared for the proposed project; and field reconnaissance undertaken in September 2008.

**4.16.1 Does the project have the potential to substantially, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal?**

**No impacts**—The proposed project is not expected to result in impacts to Mandatory Findings of Significance in relation to the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project site is located in an urbanized and previously developed area. No natural plant communities or animal habitats exist at the proposed project site. Therefore, there are no expected impacts to Mandatory Findings of Significance related to the potential to substantially, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.

**Mitigation Measures:** no mitigation required.

**4.16.2 Does the project have the potential to degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory?**

**Potentially significant**—The project is in an urbanized area on a previously developed site. Construction of the proposed project will not adversely impact or eliminate important examples of the major periods of California history or prehistory. There is a potential for discovery of archaeological or paleontological resources during excavation of the proposed courthouse site (See Sections 4.5.2 and 4.6.8), but addition of mitigation measures CULTURAL RESOURCES 1, CULTURAL RESOURCES 2, GEOLOGY 1, and GEOLOGY 21 ensure that impacts will be less than significant. In addition, the proposed courthouse facility may create potentially significant light and glare impacts (See Section 4.1.3), but addition of mitigation measures AESTHETICS 1 and AESTHETICS 2 ensure that impacts will be less than significant. Therefore, the proposed project will not have potential significant impacts to other resources to affect Mandatory Findings of Significance.

**Mitigation Measures:** See mitigation measure AESTHETICS 1, AESTHETICS 2, CULTURAL RESOURCES 1, CULTURAL RESOURCES 2, GEOLOGY 1, and Geology 2 in Sections 4.1.3, 4.5.2, and 4.6.8.

The above mitigation measures will reduce the aesthetic, cultural resource, and geologic environmental impacts to levels that are less than significant.

#### **4.16.3 Does the project have impacts that are individually limited but cumulatively considerable?**

**Less than significant**—Construction-related air quality and noise impacts might temporarily affect nearby residents. Since these impacts will only occur during short-term construction periods, the impacts will not be significant. Implementation of the proposed project will not contribute to incremental effects that might be considered significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Therefore, the proposed project will not have cumulatively significant impacts.

**Mitigation Measures:** no mitigation required.

#### **4.16.4 Does the project have environmental effects that will cause substantial adverse effects on human beings?**

**Less than significant**—The proposed project will comply with federal and state regulations. The proposed project will also implement sustainable features through LEED elements that will further ensure that the proposed project will not result in substantial adverse impacts to human beings. As previously discussed, construction-related air quality and noise impacts will be less than significant, and potential shadow impacts resulting from the height of the proposed project building will be less than significant. The proposed courthouse facility may create potentially significant light and glare impacts (See Section 4.1.3), but addition of mitigation measures Aesthetics 1 and Aesthetics 2 ensure that impacts will be less than significant. Therefore, the proposed project's impacts will be less than significant for Mandatory Findings of Significance related to the project having environmental effects that will cause substantial adverse effects on human beings.

**Mitigation Measures:** no mitigation required

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## 7.0 STAKEHOLDERS' COMMENTS and AOC's RESPONSES TO COMMENTS

The AOC made the Draft Initial Study available to the public for a 30-day public review period from May 22, 2009 through June 22, 2009. The AOC filed a Notice of Completion with the State Clearinghouse and notified the public that copies of the Draft Initial Study could be obtained at the Long Beach Public Library in Long Beach or by downloading the document from an AOC website.

As indicated earlier, the AOC held a Public Meeting on June 10, 2009 in Long Beach. During that meeting, several individuals presented questions or comments regarding the project. Section 7.1 includes stakeholders' oral comments and questions from the meeting and stakeholders' written comments and questions from the review period.

The AOC's responses to stakeholders' comments are in Section 7.2. Table 31 provides a table of contents for the AOC's responses.

**Table 31. Location of AOC's Responses to Stakeholders' Comments**

Commenter	Location of Comments	Location of AOC's Responses
Allen, Cory	<a href="#">Allen</a> , page 124	See <a href="#">Section 7.201 Cory Allen</a>
Aluma, Jeremy	<a href="#">Aluma</a> , page 125	See <a href="#">Section 7.201 Cory Allen</a>
Antler, Edward	<a href="#">Antler</a> , page 126	See <a href="#">Section 7.201 Cory Allen</a>
Appleby, Phil	<a href="#">Appleby</a> , page 127	See <a href="#">Section 7.201 Cory Allen</a>
Arcos, Milton	<a href="#">Arcos</a> , page 128	See <a href="#">Section 7.201 Cory Allen</a>
Arias, Joseph	<a href="#">Arias</a> , page 129	See <a href="#">Section 7.201 Cory Allen</a>
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## ***7.1 Stakeholders' Comments***

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

2. Sustainability: The courthouse must be at the cutting-edge of environmentally sound architecture. LEED certification at the Gold level or higher is a priority. The use of solar panels, water-saving devices, and ample opportunities for bicyclists and public transit users should be in place.

3. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby Cesar Chavez Elementary School. The building and entrances should be designed with this in mind.

4. Design: The courthouse must be integrated into the city by its design using modern, creative architecture. A monolithic and uninspired structure would negatively impact our community. The building should be welcoming and inspiring, and competing designs, once rendered, should be presented to the public for comment.

5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Cory Allen  
District Manager  
City of Long Beach  
562-506-5597  
corynlb@gmail.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
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Thank you for time and consideration.

Sincerely,

Jeremy Aluma  
Associate Director  
Alive Theatre  
562.508.1788  
the1983joker@aol.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

Edward Antler  
Retired  
n/a  
562-276-5445  
pinchevenado@charter.net

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

phil appleby  
Broker  
Apppleby Real Estate  
562.432.3322  
pappleby@applebyre.com

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Milton Arcos  
Attorney  
none  
562-732-4464  
mga911@hotmail.com

June 21, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Joseph Arias  
Teacher  
Blue Pegasus  
562-773-2613  
earias@losal.org

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Aaron Aulenta  
Resident  
City of Long Beach  
562.912.7698  
aaulenta@hotmail.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Thank you for time and consideration.

Sincerely,

Efren Baca  
WESTERN BUILDING MAINTENANCE  
(562) 867-0684  
efrenb@verizon.net

June 16, 2009

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Environmental Analyst  
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Sincerely,

Rick Berry  
562-805-0028  
yogi.berry@hotmail.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

2. Sustainability: The courthouse must be at the cutting-edge of environmentally sound architecture. LEED certification at the Gold level or higher is a priority. The use of solar panels, water-saving devices, and ample opportunities for bicyclists and public transit users should be in place.

3. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby Cesar Chavez Elementary School. The building and entrances should be designed with this in mind.

4. Design: The courthouse must be integrated into the city by its design using modern, creative architecture. A monolithic and uninspired structure would negatively impact our community. The building should be welcoming and inspiring, and competing designs, once rendered, should be presented to the public for comment.

5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Scott Blumenthal  
Owner  
Dreams & Visions Art Co.  
562-422-9802  
scottblumenthal@verizon.net

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Sincerely,

Andre Bravin  
Accounts Receivable  
Schafer Logistics  
310-897-7416  
AndreGotMail@aol.com

June 20, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

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As a former lawyer who practiced extensively in the current courthouse, I can attest to the difficulties that the design presented. When the escalators were down, it was not only inconvenient but also impossible to access different floors quickly and safely. Please insure that the new design takes into consideration the uses and the users of the building.

2. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

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Thank you for time and consideration.

Sincerely,

Margaret Brewer  
Adjunct Faculty  
CSULB  
562-434-1745  
mtbrewer@earthlink.net

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Daniel Brezenoff

June 16, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

stephanie bussi  
grandmother among other things  
Housing Long Beach  
562-436-6302  
stef.bussi@yahoo.com

June 22, 2009

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Environmental Analyst  
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Thank you for time and consideration.

Sincerely,

Loara Cadavona  
5622086973  
loararobert@yahoo.com

June 16, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

Kelly Carroll  
Lead Manager  
American Cancer Society  
562-432-6140  
bchgoddess@earthlink.net

June 16, 2009

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Thank you for time and consideration.

Sincerely,

Rene Castro  
VP Programs  
The California Conference for Equality and Justice  
(562) 895-6639  
renecastrol@me.com

June 17, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Somchai Chaisomboon  
Former parking attendant  
ace parking Inc.,  
5624353937  
thailandcowboy@yahoo.com

June 16, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

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Sincerely,

David Chen  
Program Manager  
DIRECTV  
3108041570  
dchen\_1@yahoo.com

June 15, 2009

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Environmental Analyst  
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Sincerely,

Phyllis Ciscle-McDaniels  
DownTown Satellite Chair  
Osher Lifelong Learning Institute @CSULB  
5624354162  
pacmed@gmail.com

June 15, 2009

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Thank you for time and consideration.

Sincerely,

Jim DANNO  
Community Outreach  
Willmore City Heritage Association  
8182667110  
BOOKEM104@GMAIL.COM

June 21, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Don Darnauer  
Vice President  
Downtown Residential Council  
562/435-3846  
DonBarbi@aol.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Sincerely,

Jim D. Deaton  
Retired  
LBUSD  
562 424 2311  
slimjimlb@aol.com

June 15, 2009

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Environmental Analyst  
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Thank you for time and consideration.

Sincerely,

Christopher DiPaul  
School Psychologist  
Palos Verdes Peninsula USD  
562-400-0304  
cdipaul@hotmail.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Dezire Doell  
Long Beach Resident

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
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Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Rebecca Dragula  
Project Administrator  
Decline to State  
Please email only  
rndragula@gmail.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

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Thank you for time and consideration.

Sincerely,

James Drake  
Employee Performance Program Coordinator  
Boeing Company  
562-435-5538  
carlofb@aol.com

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Michael Dumas  
Assistant Professor, College of Education  
California State University, Long Beach  
917 6992927  
mdumas@csulb.edu

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Jewell Faamaligi  
Event strategist  
PRC  
56253702993  
jewell562@gmail.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

tylan fields  
IT Consultant  
TF Tech Solutions  
562-244-2094  
tylanfields@hotmail.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

Marie Flowers  
Director, IT  
Clougherty Packing LLC  
562 437 8191  
mflowers@farmerjohn.com

June 17, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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I was called to jury duty and I must say it was a it was a very difficult experience. I thought I was in a 3rd world country, long lines and a old dirty place.

Thank you for time and consideration.

Sincerely,

Donald Freeman  
Retired  
N.A  
562-495-0890  
anodynemed@yahoo.com

June 17, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Simon Funge  
x  
x  
x  
sfunge@csulb.edu

June 17, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

dexter galloway  
administrator  
inner-city ministries  
562-616-2484  
dexregal@yahoo.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Robert Garcia  
City of Long Beach  
Long Beach City Councilmember

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Roxanne Garcia  
Student  
CSU Long Beach  
roxieg93@gmail.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Rafiq Ghaswala  
Compliance Manager  
MMDM  
3237866783  
rafiqg@hotmail.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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4. Design: The courthouse must be integrated into the city by its design using modern, creative architecture. A monolithic and uninspired structure would negatively impact our community. The building should be welcoming and inspiring, and competing designs, once rendered, should be presented to the public for comment. And the facility should be one that ALL residents of Long Beach and Southern California would be proud of.

5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

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Thank you for time and consideration.

Sincerely,

George Gillispie  
Systems Analyst  
NYK  
323-217-9018  
ggillisie@msn.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

While I welcome the building of the much needed courthouse in our neighborhood, I am concerned about the design of the building. The design should be LEED certified to at least the Gold level and it should be of a design that fits into its neighborhood surroundings which include historic, turn-of-the-20th-Century homes and more recently designed office buildings and condos. This building should have some flair with an interesting façade and should not look like any other standard, cookie cutter County building. An inspired design would certainly enhance the exciting renovation of this area.

Also the courthouse needs to have sufficient parking. The area is already heavily impacted by the current lack of parking throughout the neighborhood. Without proper planning the situation will only become worse, particularly since the site will incorporate retail stores. While the use of bicycles and public transportation should be encouraged, it should not be relied upon. The amount of parking used by visitors to the current courthouse already fills several temporary parking lots that will no longer exist as the area continues its redevelopment.

Sufficient parking on site will also keep courthouse visitors from meandering through the adjoining residential neighborhood. Safety and/or the perception of safety for neighborhood residents and the population at the nearby Cesar Chavez Elementary School must be a priority.

I hope that you will take to heart the above. I know that with a little 'thinking outside the box' a courthouse can be built of which the State, the County, Long Beach and neighborhood residents can all be proud and with little or no extra cost.

Thank you for your concern in this matter.

Sincerely,

Carrol Goddard  
Neighborhood Resident  
Willmore City Heritage Assoc  
562-624-6240  
Carrol@GoddardGroup.net

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Thomas - Tony Lawson - Gonzales  
Retired  
NA  
562-435-1703  
tnthermosa@charter.net

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Mario Gonzalez  
Public Health Associate  
Resident  
(562) 437-2436  
meglbc@gmail.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Susana Gonzalez  
First District Resident

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

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Thank you for time and consideration.

Sincerely,

Jason Guerra  
Attorney  
Davert & Loe, Lawyers  
562 901 3060  
jasonguerra@yahoo.com

June 20, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Ted Hamory  
Executive Director  
New City Public Schools  
562-436-0689  
ted@thenewcityschool.org

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

ISAAC HANCOCK  
VICE PRESIDENT  
ST. MARY MEDICAL CENTER FOUNDATION  
5624919225  
IHANCOCK@CHW.EDU

June 17, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Sincerely,

Heidi Hatch-Willis  
Domestic Analyst  
NC4  
562-436-8519  
heidihatch1@yahoo.com



**ALESHIRE  
WYNDER, LLP**  
ATTORNEYS AT LAW  
www.awattorneys.com

**Los Angeles Office:**  
South Bay Centre  
1515 West 190th Street  
South Tower, Suite 565  
Gardena, California 90248  
Phone 310.527.6660  
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**Orange County Office:**  
18881 Von Karman Avenue  
Suite 400  
Irvine, California 92612  
Phone 949.223.1170  
Fax 949.223.1180

*Email: dhaubert@awattorneys.com  
Direct Dial: (310) 527-6668*

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509

Re: Long Beach Courthouse

Dear Mr. Ripperda:

I wholeheartedly SUPPORT the construction of a new courthouse in downtown Long Beach. This is long, long overdue and I urge you and others involved in the planning and construction of this project to move forward with this project in a thoughtful and expeditious manner.

I started my legal career 10 years ago as a Deputy City Prosecutor for the City of Long Beach and spent every working day in the hallways and courtrooms of this building. After two years, I left this position to work in the private legal sector and regularly appeared in many other courthouses, including those in Los Angeles, Orange, Riverside, San Bernardino, and San Diego counties. I can tell you, without equivocation, that the Long Beach Courthouse is the worst courthouse in which I have ever practiced law.

The building is not safe. It is overcrowded. Lawyers, judges, and court staff are crammed into small spaces, and the public is even more impacted. The premises are in a constant state of disrepair and is, to be quite frank, an embarrassment to the legal profession.

I also wish to comment on some important environmental and community concerns. Not only am I an attorney with experience practicing in the Long Beach courthouse, but I am a resident of Long Beach.

First, it is essential that the new building provide sufficient parking. I strongly encourage you to work with the City of Long Beach, especially downtown Long Beach Councilmembers Robert Garcia and Suja Lowenthal, to take advantage of City efforts to promote ridesharing and other strategies to reduce parking impacts.

Second, since the courthouse is near to Cesar Chavez Elementary School, the construction of the new courthouse should accommodate the school's schedule. Please take every effort to ensure noise from the project site do not disrupt classroom learning and that truck



Mr. Jerry Ripperda  
June 16, 2009  
Page 2

traffic does not endanger children (often accompanied by parents) on their way to or from school.

Third, I implore you to use this opportunity to design and build a courthouse with creative and inspiring architecture that reflects positively on the community and the legal profession. Use local architects who know the community and can design an attractive building with local appeal. Use artists to improve the grounds or building fascades. The location for this building between Broadway and 3rd Street could not be better, as people will see it traveling to and from downtown Long Beach. If done properly, this building will leave a positive impression on the judicial system and the City. The building should be LEED certified, as most public buildings of consequence are designed today, since designs that include, for example, solar energy or water-conservation devices, often pay for themselves over time.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads 'D. Haubert'. The signature is written in a cursive, flowing style.

Douglas P. Haubert  
Attorney at Law

DPH:dnb

cc: Hon. Robert Garcia, Councilmember, 1st District  
Hon. Suja Lowenthal, Councilmember, 2nd District

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

suhadee henriquez  
flight attendant  
jetblue airways  
6463022126  
suhadee\_henriquez@hotmail.com

June 15, 2009

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Environmental Analyst  
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Sincerely,

Robert Hildebrand  
WECA Representative  
Long Beach Central Project Area Committee  
562-436-4656  
robertinlb@msn.com

June 16, 2009

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Sincerely,

Kathleen Irvine  
Newsletter Editor  
Willmore City Heritage Association  
562-342-6146  
bluegecko3@charter.net

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
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Thank you for time and consideration.

Sincerely,

Peter Johnson  
Consultant  
Los Angeles County Office of Education  
562.432.0985  
pmj\_47@hotmail.com

June 18, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Sommer Johnson  
Student  
CSULB  
2405081727  
remmoskicks@hotmail.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Jane Kelleher  
President  
Sav-On-Signs, Inc.  
562-961-3414  
jane@savonsigns.com

June 15, 2009

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Environmental Analyst  
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Sincerely,

Pamela Kelly  
Consultant, Author, Trainer  
Pamela Kelly Communications  
562-599-1462  
PKellyCom@aol.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Melissa Keyes  
Special Projects Coordinator  
Long Beach Water  
mkeyesdesign@gmail.com

June 16, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Phillip Knudsen  
retired studio driver  
local 399  
562.590.5664  
lblphil@verizon.net

June 16, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Sincerely,

Silvia Kwok  
Director of CompWeb  
CompWest Insurance  
(415) 671-9083  
silviabuffy@mac.om

June 21, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Evan Lamont  
Owner  
TLGLB  
562-537-6936  
Evan@lamontgroup.biz

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

2. Sustainability: The courthouse must be at the cutting-edge of environmentally sound architecture. LEED certification at the Gold level or higher is a priority. The use of solar panels, water-saving devices, and ample opportunities for bicyclists and public transit users should be in place.

3. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby Cesar Chavez Elementary School. The building and entrances should be designed with this in mind.

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Thank you for time and consideration.

Sincerely,

Manuel Lemos  
extended member  
Long Beach Gay Pride  
562-491-5961  
manny\_lemos@yahoo.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Sincerely,

S LIVAS  
ADMIN. SEC.  
CITY OF CARSON  
562-756-0279  
slivas@carson.ca.us

# LONG BEACH HERITAGE



POST OFFICE BOX 92521 LONG BEACH CA 90809

562.493.7019 LBHERITAGE.ORG

June 22, 2009

Mr. Jerome Ripperda  
Administrative Office of the Courts  
Northern/Central Regional Office  
2680 Gateway Oaks, Suite 400  
Sacramento, California 95833-3509  
Email: [Jerry.Ripperda@jud.ca.gov](mailto:Jerry.Ripperda@jud.ca.gov) or FAX: 916-263-8140

Regarding: Long Beach Courthouse  
Initial Study/Mitigated Negative Declaration  
Long Beach Heritage Comments

Dear Mr. Ripperda:

Thank you for the opportunity to submit comments regarding the Negative Declaration for the proposed new Long Beach Courthouse. Long Beach Heritage is a non-profit education and advocacy group promoting public knowledge and preservation of significant historic and architectural resources, neighborhoods and the cultural heritage of Long Beach.

Our comments specific to this project include the following:

1. The courthouse is adjacent to a historic district, an elementary school, and multi-family housing. The design of the new courthouse should be extremely sensitive to these areas in architecture, massing, scale, security, and access.
2. The City of Long Beach has created "mega-blocks" in a few other locations in the downtown area. These have often led to loss of historic scale and continuity of the urban fabric. If the new courthouse design requires the closure of Daisy Avenue, clear pedestrian and visual access along the Daisy corridor should be considered in order to address the original urban scale of the neighborhood.
3. Long Beach has recently experimented with designing new buildings in the historic styles of earlier periods. Much of this is considered unsuccessful. Long Beach Heritage does not support this type of approach for the design of the new courthouse. While the design should be compatible with and respectful to our great history, its' architecture should not copy or mimic it.
4. The public presentation made reference to Design Standards and Design Excellence in relation to the project. Can you please provide more information on the exact wording of these standards?

## BOARD OF DIRECTORS

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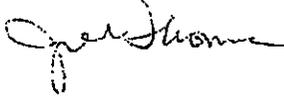
## EXECUTIVE DIRECTOR

MARY KAY NOTTAGE

5. The existing courthouse building was designed by some of Long Beach's most famous architects and is an important example of mid-century modernism. Although many of the building systems are deteriorated, the form and structure may be salvageable. We understand that the ultimate destruction or reuse may be in the control of the City of Long Beach. However, in mentioning the issue, the Environmental Review for the new facility should address the important architectural history of the old building and should be clearly neutral in describing any potential future action on that site.

Thank you for your attention to these issues.

Sincerely,



John Thomas, President  
Long Beach Heritage

Cc: Councilmember Robert Garcia  
Mayor Robert Foster  
Craig Beck, Development Services



**BUSINESS DEPARTMENT - Business Services**  
**Facilities Development & Planning Branch**  
 Donald K. Allen Building Services Facility  
 2425 Webster Ave., Long Beach, CA 90810  
 (562) 997-7550 Fax (562) 595-8644

June 22, 2009

*Fax:* (916) 263-8140

*email:* Jerry.Ripperda@jud.ca.gov

Mr. Jerome Ripperda  
 Administrative Office of the Courts  
 2860 Gateway Oaks, Suite 400  
 Sacramento, CA 95833

Re: Long Beach Unified School District Comments on the Draft Initial Study and Mitigated Negative Declaration for the Proposed New Long Beach Courthouse

Dear Mr. Ripperda:

The Long Beach Unified School District (LBUSD) appreciates the opportunity to comment on the Draft Initial Study and Mitigated Negative Declaration (MND) published on May 22, 2009 for a New Long Beach Courthouse (Project) proposed for the Superior Court of California. The Administrative Office of the Courts (AOC), a staff agency of the Judicial Council of California, prepared the MND and will act as the California Environmental Quality Act (CEQA) Lead Agency for this Project. The proposed new courthouse will replace and expand the capacity of the existing Superior Courthouse located at 415 West Ocean Boulevard in Long Beach, approximately 1,000 feet from the Project site.

## BACKGROUND

### Long Beach Unified School District

LBUSD was originally established in 1885 with fewer than a dozen students meeting in a borrowed tent and is now fully responsible for providing school facilities and public education services to approximately 80,000 students in 95 public schools in the cities of Long Beach, Lakewood, Signal Hill, and Avalon on Catalina Island. It is the third-largest school district in the state of California and employs more than 8,000 teachers and staff, making it the largest employer in the City of Long Beach.

In addition to establishing high standards of academic excellence for its students, LBUSD is committed to providing a safe environment and school facilities for its students and employees. Thus, the District's primary concern in its review of the MND is to distinguish the environmental impacts which must be properly addressed, analyzed, and mitigated to assure an environment conducive to learning.

Mary Stanton District 1 Vice President	Felton Williams District 2 Member	Michael Ellis District 3 Member	Jon Meyer District 4 President	David Barton District 5 Member
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## **INTRODUCTION TO COMMENTS**

LBUSD understands the existing Superior Court deficiencies and the need for a new courthouse. We also appreciate the time the AOC took to meet with us and discuss the project on June 19, 2009. Our concern is with the location of the proposed new courthouse and the impacts on Cesar Chavez Elementary School (Chavez ES), which is located directly across Maine Avenue from the proposed Project site. We are particularly concerned with potential impacts on Chavez ES students and staff due to noise, vibration, air contaminants, traffic, and public safety hazards from construction and operation of the Project, as well as cumulative impacts from other planned projects in the vicinity.

In summary form, our concerns with the MND, and our requests relative to future actions, are as follows:

1. The MND does not provide substantial evidence that all impacts will be mitigated to below a level of significance. If the AOC does not provide such evidence before adopting the MND, then an Environmental Impact Report must be prepared.
2. The MND does not analyze the entire project. Figure 5 shows the building envelope at the corner of West Broadway and Magnolia Avenue. We understand that the building will be multi-level and planned to be within 20 feet of Maine Avenue and 3<sup>rd</sup> Street, yet the MND does not address the shade/shadow impacts of the entire building, nor are any other potential impacts of the entire building envelope addressed in the MND.
3. Due to the planned Performance-Based Infrastructure process, the MND only addresses the proposed Project at a general level. Critical details are not available at this time. The MND does not provide construction level CEQA clearance for the Project. The AOC should describe the process by which future details, such as access points, building height, and details of the commercial and retail uses, including square footage and types of uses and their operating characteristics, will be provided to the public for review prior to implementation. The AOC should commit to providing additional CEQA analysis when the Project details are available. At a minimum, the AOC must conduct a CEQA review of the proposed design, once completed by the Project Company, to determine whether or not Project details constitute substantial changes to the project in accordance with CEQA section 21166 and the CEQA Guidelines section 15162.
4. We request that the AOC, and/or any future agent of the AOC as appropriate, such as the private firm who will design, build and operate the courthouse, commit to a cooperative process with LBUSD to disclose design and operation details and to work cooperatively with LBUSD to minimize impacts to the Chavez ES through design, landscaping, and other methods.

## **GENERAL COMMENT**

The MND only acknowledges the Chavez ES intermittently. All sections of the MND that reference existing uses should describe the school as an existing use. For example, section 2.7.2, Land Uses, does not mention the school. Section 4.1, Aesthetics, does not mention the school in the description of the area surrounding the project, on page 25 and

in Section 4.1.1 on page 26. These omissions mislead the reader and give a false impression of the existing neighborhood. This approach also underestimates the impacts to the Chavez ES. For example, 1) project construction is estimated to take 24 months and will result in significant increases in noise (more than 21 dBA) over ambient levels at Chavez ES resulting in potential disruption of teaching and learning at the school, yet this substantial noise impact is dismissed as a less than significant impact, and; 2) if pile drivers are used during construction they will result in potentially significant noise and vibration impacts to Chavez ES, yet pile driver noise is not addressed at all and pile driver vibration is not addressed adequately.

The LBUSD is concerned that the analyses and conclusions in the MND do not adequately address the Project's potential impacts to Chavez ES. The MND only addresses the project at a general or programmatic level. It is understood that, due to the proposed development method, more detailed plans are not available at this time. As such, the MND must be considered a programmatic level document that does not provide the kind of detail necessary for construction level clearance. Section 2.4, Project Description, illustrates this with its reference to design principles and a future geotechnical report, with no details as to how these principles will be implemented. Examples include but are not limited to, the following: 1) the height, mass and bulk of the Project building or buildings are described for purposes of analyses in various locations in the document, yet elsewhere in the document it is indicated these same parameters will be determined at some point in the future by the private company yet to be hired to construct and operate the Project (see page 2 for example); 2) the amount of retail and commercial space to be included in the Project are described in various locations in the document, and elsewhere in the document it is indicated these parameters will be determined at some point in the future by the private project developer.

In addition, there are numerous inconsistencies in the Project Description and the analysis, primarily related to the lack of information and an attempt to quantify the impacts without a full project description. Much of the impact analysis is based on the fact that the proposed Project will replace an existing courthouse. Impacts are minimized with vague statements that the number of employees will be the same, or similar generalizations. There are three fundamental problems with this approach:

1) Despite the assumption on page 10 that the existing building will remain vacant, the existing courthouse facility, or the existing project site, will be utilized for some other use in the future (see section 2.0, page 3). Section 2.4.1 states that the existing building cannot be used for non-courthouse uses without substantial renovations and that the Agency has no plans for another facility on the site at this time. While the Project may primarily be a replacement of an existing facility (with some expansion of use), it is reasonably foreseeable that the existing site will either continue to have some type of use or will be utilized for other uses in the future. We recognize that the future use of the existing site will be the subject of a separate CEQA document, but such future use should not be ignored at this point, in particular for cumulative impacts. The MND also states that the City "is in the process of developing a new Community plan for the district," demonstrating that the site will be planned for another use.

2) CEQA requires an analysis of impacts in comparison to existing conditions. This means that for purposes of physical impacts to the environment, there must be a "plan to ground" comparison, and not a "plan to plan" comparison of impacts.

3) The new courthouse is not simply a replacement of the existing courthouse. The new courthouse will have 31 courtrooms, which is four more than the existing courthouse. The new courthouse will be 545,000 square feet and the existing courthouse is 320,000 square feet. While much of the additional square footage in the new courthouse (as compared to the existing facility) is to provide more space for existing functions, some aspects of the new courthouse are new and not replacements. Examples include the four additional courtrooms for four new judges, increased staff (80 total additional staff for the Superior Court and the County), the increased juror and visitor populations, and the private commercial and retail space (estimated to be 95,000 BGSF).

## **SPECIFIC COMMENTS**

### **Project Description**

#### **Comment # 1. Vague Project Description**

A "Project" means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, section 15378, subd. (a).) A Performance-Based Infrastructure process will be utilized and a private firm will design, build, finance, operate and maintain the facility. Many project details are yet to be developed and as a result, the project description is not the "stable, finite" description required by CEQA and thus it does not comply with CEQA. The MND states on page 2 that the private company will "determine the actual amount of commercial office and retail spaces available to third parties." Further, the private company will also determine the "vehicle and pedestrian entrances; building height, mass and bulk; and architectural expression." Thus, the whole of the action has not been described or analyzed in the MND. If such details are not available at this time, then the AOC must commit to a specific process by which the public will be informed, and have the opportunity to comment on, these project details. The AOC must commit to the square footages and vehicle trips used for the impact analysis, to assure the public that the project will conform to the impact analysis conducted.

#### **Comment # 2. Land Exchange and CEQA**

The MND focuses on the proposed courthouse and related facilities, including parking. Yet, there is also discussion of the exchange of properties between the State (AOC) and the city Redevelopment Agency (Agency). Section 2.4.1 is titled "Real Estate-Related Action" and mentions the proposed property exchange. The MND states that "the project includes the Agency's acquisition of the building from the AOC, but the project does not include any physical changes to the existing courthouse building or its parcel. (Page 55, first bullet point).

The MND's approach to the Redevelopment Agency's acquisition is confusing and does not meet CEQA requirements. It appears that the Agency wants to use the MND to provide the CEQA clearance for the land exchange, but, the Agency claims that it has no plans for the site and therefore, for CEQA purposes, the MND assumes that the existing building will remain vacant. The assumed scenario seems unlikely.

**Comment # 3. The relationship of the West Gateway Environmental Impact Report to the Proposed Project is Unclear.**

Section 2.8 summarizes the impact conclusions of the West Gateway EIR, but the EIR is not incorporated by reference, and it is unclear whether the AOC is intending to rely on the West Gateway EIR as an information source. If the intent is to rely on the West Gateway EIR, then the MND must incorporate it by reference in accordance with CEQA Guidelines section 15150 and follow the provisions in section 15150.

**Aesthetics**

**Comment # 4. Impacts on School Are Not Adequately Addressed**

As previously noted, the Aesthetics section neglects to mention the Chavez ES in discussion of the existing adjacent uses. Simply referencing the area surrounding the proposed project site as a "mix of urban development, commercial buildings, and office spaces characteristic of a downtown urban center" ignores Chavez ES and does not alert the reader to the other uses in the area. It is not until the next to last line of the fourth page of the Aesthetics section that Chavez ES is mentioned. On page 28, Chavez ES along with residential housing is characterized as "sensitive use receptors," a characterization we agree with. But the MND fails to address overall aesthetic impacts to these sensitive use receptors.

Section 4.1.1, page 26, states the courthouse's features will be "generally consistent with the surrounding developments." The MND also states, the "visual character and aesthetic quality of the proposed courthouse will be consistent with the visual character and aesthetic quality of the downtown area." This is a generalization that fails to account for the Chavez ES. The impact analysis, to the extent it exists, focuses on building height and corresponding shade and shadow impacts, and does not address other aspects of the visual character or aesthetic quality of the site and its surroundings.

The MND evaluated the shade and shadow effects of the proposed courthouse on sensitive use receptors at the Cesar E. Chavez Elementary School west of the project site. The analysis relies on a conceptual massing model of the proposed courthouse, based on the anticipated square footage and height of the building, and the results of a corresponding shade and shadow simulation using Sketchup. The simulation of the shade and shadow by the proposed courthouse building was performed for the Winter Solstice, Summer Solstice, Autumnal Equinox, and Vernal Equinox. Figure 5 of the MND shows that the proposed courthouse will not shade the Cesar Chavez Elementary School.

We appreciate the fact that the building envelope as depicted in the MND will be situated at the corner of West Broadway and Magnolia Avenue and that the analysis shows no shade and shadow impacts to Chavez ES. Chavez ES is an award winning Collaborative for High Performance Schools (CHPS) campus designed and built with certified CHPS natural lighting strategies such as clerestory windows, light wells, skylights and light monitors. Thus, any shade and shadow effects on the school would be considered a significant impact. Based on our teleconference and meeting with the AOC on June 19<sup>th</sup>, 2009, we understand that a different building mass model – not depicted in the MND dated May 22<sup>nd</sup>, 2009 – is now available from AOC. It is our understanding that the AOC has not performed analysis of shade and shadow effects for any building models other than that depicted in the MND. As noted above, any changes to the building mass model depicted in the MND that would result in any amount of shade and shadow impacts to Chavez ES would represent a significant impact.

The MND's treatment of aesthetics is inadequate under CEQA because the only analysis specific to the Chavez ES is the shade/shadow analysis in Figure 5, and that may be based on a preliminary building model that is an incomplete representation of the building envelope. The MND does not address landscaping along the edge of the site and around the building or building set backs. The AOC should commit to a process of public review and input to the aesthetic and design aspects of the Project.

#### **Air**

##### **Comment # 5: Inadequate Carbon Monoxide (CO) Hotspot Analysis,** **Page 39 Lines 14-22**

The air quality analysis for potential carbon monoxide impacts at congested intersections references Appendix F. Appendix F is the traffic study, which makes no conclusion about traffic conditions relative to CO hotspots. The California Department of Transportation's (Caltrans) *Project Level Carbon Monoxide Protocol* provides the basis for assessing the impacts from carbon monoxide concentrations. The analysis in the MND is currently inadequate because the conclusion that the Project would not generate substantial concentrations of CO at intersections needs to be substantiated based on the methodology provided in the Caltrans' protocol.

##### **Comment # 6: No Analysis of Localized Significance Thresholds,** **Page 41 Lines 41-42**

The MND has not adequately addressed whether the project would expose sensitive receptors to substantial pollutant concentrations from construction activities. The MND states that project-related construction emissions would be below the South Coast Air Quality Management District's (SCAQMD) regional emissions thresholds and consequently would not result in a substantial exposure of air pollution at sensitive receptors. This conclusion is incorrect because they are applying a regional threshold to a localized impact. The SCAQMD recognizes that this regional threshold does not apply

to localized emissions and has established a separate threshold to assess localized impacts from project emissions.

The SCAQMD has established Localized Significance Thresholds (LST) to determine whether projects would result in substantial air pollutant concentrations on a localized area. The project site is in an area that currently exceeds ambient air quality standards for particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Particulate matter may cause health effects that include irritation of the eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Children are especially at risk due to their higher respiratory rates and other factors.

The proposed project would generate particulate matter through demolition and grading activities during the construction phase. Projects in the South Coast Air Basin need to conduct a LST analysis for CEQA based on SCAQMD's protocol in order to substantiate that construction activities would not generate substantial air pollutant concentrations at nearby sensitive receptors, including the children of Cesar Chavez elementary school. A finding that an MND is the appropriate CEQA document cannot be confirmed without an analysis of the proposed project's potential LST impacts at sensitive receptor locations, including the elementary school. It is anticipated that detailed Industrial Source Complex (ISC) dispersion modeling (including specification of project-specific construction activities/equipment) would be required because the LST methodology states that the LST screening approach (which embodies "typical" default construction activities/equipment) is not appropriate for projects that require excavation for parking structures.

The SCAQMD's LST methodology can be found at the website below.

<http://www.aqmd.gov/ceqa/handbook/LST/LST.html>

**Comment # 7: No Analysis of Diesel Generators, Page 39 Lines 36-37**

The MND has not adequately addressed the question of whether the project will expose sensitive receptors to substantial pollutant concentrations from diesel generators. The courthouse and prisoner detention facilities are likely to require installation of diesel backup generators to supplement power during a power outage. Thus diesel generators would be expected to be part of the Project. Diesel exhaust has been identified by the California Air Resources Board as a toxic air contaminant (TAC) and carcinogenic air pollutant. It has also been identified as the primary cause of health risk in the South Coast Air Basin. The SCAQMD's Multiple Airborne Toxic Exposure Study (MATES III) estimates that 84 percent of the health risk in the air basin is attributed to diesel particulate matter. Diesel exhaust is of particular concern in the Project vicinity due to the high volume of diesel powered "goods movement" in the area associated with the port operations. Because the elementary school is adjacent to the proposed Project, the District is concerned that carcinogenic emissions associated with the testing and operation of the diesel backup generators may adversely affect the health of students and faculty. We request that the MND disclose the location and potential impact of diesel

generators if they are included as part of the Project. The MND also should specify corresponding mitigation of potential impacts, such as diesel particulate filters and restricted hours of operation and testing.

**Comment # 8: Grading Emissions Are Inaccurate. Page 38, Table 6**

The URBEMIS modeling for grading emissions is inaccurate due to an underestimation of the area that would be disturbed on a daily basis. The modeling assumed that the grading phase would only disturb 0.3 acre of a 5.9-acre site on a daily basis as a result of travel on unpaved roads, storage piles, grading, and excavation activities. The SCAQMD recommends using the URBEMIS default of 25 percent of the site being disturbed on a daily basis. However, the air quality modeling in the MND (Appendix B) overrides this default and assumes only 5 percent of the site would be disturbed at any one time. Unless substantiation is provided that only 5 percent of this project site would be disturbed on a daily basis, the MND should use the default assumptions provided in the URBEMIS model. Use of an unsubstantiated 5 percent of the site disturbed on a daily basis would deviate from SCAQMD recommendations and underestimate the amount of particulate matter that is generated during the construction phase of the proposed Project. Furthermore, because the Project site is small, only five acres, it is probable that the entire site would be disturbed on daily basis. This assumption must be verified or revised, and if revised, the URBEMIS model must be run again with the proper site disturbance percentage.

**Comment # 9: Typographic Error in the Significance Thresholds for Particulate Matter, Page 38, Table 6**

Table 6 has a typographic error in the significance thresholds for  $PM_{10}$  and  $PM_{2.5}$ . The threshold for  $PM_{10}$  and the threshold for  $PM_{2.5}$  are juxtaposed.

**Comment # 10: Construction Equipment Projections May Be Inaccurate, Page 38, Table 5**

The projections for the number and types of construction equipment used in the development of the proposed Project are based on defaults provided within the URBEMIS model. The default construction projections are not appropriate for all projects. For example, the Project requires the excavation of an underground parking structure. However, none of the equipment listed is appropriate for that type of excavation. Typically, excavators are used for this type of activity. However, no excavator is included in the URBEMIS default construction equipment list. In addition, 60,000 cubic yards (cy) of soil is projected to be excavated within a month. This is equivalent to 3,000 cy a day or 150 truck loads/day. A grader, backhoe, and dozer are not capable of excavating 60,000 cy in one month as projected in the URBEMIS modeling. It would also be expected that a 10-story steel structure would require use of more than three welders. It is recommended that construction equipment used for the Project be projected by a contractor with experience in high-rise construction with sub-grade parking as opposed to using the defaults within the URBEMIS model. Use of the

defaults may underestimate the amount of emissions associated with construction of the Project.

## Noise

### **Comment # 11: Inadequate Mitigation Measures for Disruption to Educational Activities, Page 2.-15 of the Noise Impact Technical Report**

The Noise Technical Impact Report states:

*"The CNEL in the vicinity of Cesar Chavez Elementary School, the nearest sensitive receptor to the proposed project, is 62.9 dBA. During the finishing phase it is expected that the noise level from construction would be 84.7 dBA at this sensitive receptor, which would result in a 21.8-dBA increase in the ambient noise level and would exceed the 5-dBA significance threshold at this receptor."*

A 22 decibel increase in noise levels is substantial and will be a significant impact on Chavez ES. Based on Table 2.2-1 of the *Noise Impact Technical Report*, a noise level of 84 dBA is comparable to a motorcycle operating at 25 feet or a food blender. The subjective loudness listed within this Table characterizes the noise level as "very loud". Furthermore, a 10 dB increase represents a doubling of noise levels. Based on the logarithmic scale, a 22 dB represents more than a quadrupling of noise levels.

Lastly, normal conversation is generally carried out at 60 to 65 dB<sup>1</sup>. Noise levels of 84 dB are substantially above the 60 to 65 dBA range of conversation and would result in speech interference during outside physical education activities. If noise levels are attenuated by 20 dB between exterior to the interior noise levels (HUD 2006), interior noise levels would range upwards of 64 dB which is higher than the 60 to 65 dB used during normal conversation. Consequently, Project-related construction activities from typical construction equipment usage are anticipated to result in speech interference and disruption of classroom instruction. Because potentially significant impacts at the elementary school may occur, the environmental analysis needs to identify **additional mitigation measures** so that disruption to educational activities is minimized. For example, the developer should consider use of Sound Transmission Class (STC)-rated temporary noise blankets at the boundaries of the construction site to reduce noise levels. Alternatively, noisy-construction activities could be scheduled to occur on days when school is not in session, and/or noisy activities that would substantially increase noise at Chavez ES could be excluded from use at the Project site. In addition, quiet days could be scheduled for prescribed academic testing periods at Chavez ES. We will provide the AOC with a schedule of the testing periods at Chavez ES.

### **Comment # 12: Pile Driving Noise Not Evaluated, Table 2.6.2-1**

The MND did not evaluate noise from pile driving activities. This lack of quantitative analysis is a major omission since pile driving is one of the loudest activities that could

<sup>1</sup> Long Beach Airport Terminal Improvements, Appendix F. Technical Report: Noise Analysis, October 2005.

occur during construction activities on-site. Based on EPA noise level data<sup>2</sup>, impact pile driving activities could generate 101 dB at a distance of 50 feet. Based on Comment #11 above, which notes speech interference could occur at noise levels of 60 to 65 dB, noise levels from a pile driver could disrupt speech and educational activities for the entire school. Due to the magnitude of the noise generated from pile driving activities, noise levels from this activity need to be disclosed and mitigation measures to eliminate the potential for classroom disruption should be included in the MND.

**Comment # 13: Vibration Induced Annoyance, Section 2.6.4 of the Noise Impact Technical Report**

The MND followed the Federal Transit Administration's (FTA) protocol in the assessment of vibration-induced *structural* damage caused by the project's construction activities. However, the MND did not follow the FTA's protocol on the assessment of *annoyance* caused by project construction activities. This omission is especially important because pile driving activities at the project site have the potential to generate substantial levels of vibration that could be felt hundreds of feet away. This repetitive generation of vibration may distract students and hamper their ability to focus on classroom instruction. Consequently, vibration-induced annoyance from project-related construction activities needs to be evaluated.

**Comment # 14: Vibration Level from Pile Driving**

The Noise Impact Technical Report assessed the potential for structural damage from pile driving activities using typical levels of vibration (0.644 ppv at 25 feet). However, pile driving activities may be up to 2½ times higher or 1.518 ppv at 25 feet based on the same FTA document cited in the MND. It is necessary to assess vibration levels for this upper range or include a mitigation measure that ensures that typical levels of vibration of 0.644 ppv would be generated by the pile driver.

**Comment # 15: Structural Damage Threshold, Table 2.6.4-1 of the Noise Impact Technical Report**

Table 2.6.4-1 states that "fragile buildings can be exposed to ground-born vibration levels of 0.5 ppv without experiencing structural damage" based on the FTA's protocol. This is incorrect. The FTA *Transit Noise and Vibration Impact Assessment* states that buildings extremely susceptible to vibration damage have a threshold of 0.12 ppv. The use of 0.5 ppv is reserved for the most structurally sound buildings that are of reinforced concrete, steel or timber (no plaster). The School District has evaluated the construction drawings for the Chavez ES school building and determined it should be classified as being engineered concrete and masonry in accord with the building categories specified by the FTA. The FTA protocol indicates buildings classified as engineered concrete and

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<sup>2</sup> U.S. Environmental Protection Agency, "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances," NTID300.1, December 31, 1971.

masonry (i.e., Cesar Chavez) have a structural vibration threshold of 0.3 ppv as opposed to 0.5 ppv.

**Comment # 16: Relocation of Utilities to Maine Avenue**

The proposed project may include closure of Daisy Avenue between West Broadway and 3rd Street. The State may remove utility mains from the proposed project site's Daisy Avenue area and relocate the mains to 3rd Street, Maine Avenue, and Magnolia Avenue and possibly to portions along West Broadway. The Chavez ES is located on Maine Avenue. The construction noise and vibration analysis needs to evaluate how jack-hammering and excavation of the roadway will affect educational activities at the adjacent elementary school. The relocation of utilities was not evaluated in the MND and, due to its closer proximity to the Chavez ES, it needs to be evaluated for potential noise and vibration impacts.

**Comment # 17: Diesel Generators**

The noise analysis needs to evaluate the potential noise impact from the use of diesel generators if they are a part of the proposed Project.

**Comment # 18: Will There Be Sirens from Police Vehicles?**

The noise analysis needs to evaluate the potential noise impact from the police vehicles if they will be using their sirens proximate to the courthouse and the school.

**Construction Traffic**

**Comment # 19. Construction Traffic Mitigation**

A mitigation measure is required for a traffic plan during construction. The MND states that the AOC "anticipates that construction workers will access the site primarily off West Broadway." This is the same street utilized by many school employees and students.

**Operational Traffic**

**Comment # 20. Site Ingress, Egress and Parking**

The analysis in the MND (Appendix F) assumed that access to the Project site would be provided via the Daisy Avenue/3rd Street intersection and Daisy Avenue/Broadway intersection. There also would be several relevant changes to 3rd Street pertaining to the proposed Project. The City of Long Beach intends to add a bicycle lane (as part of a city-wide bike improvement plan) which would convert existing parking spaces on 3rd Street to a bike lane, eliminate some parking spaces, and possibly reduce the number of through lanes. There are inconsistencies in the MND with respect to descriptions of parking and the growth impacts of the Project. Section 4.3.1.2, page 38 says the Project "includes development of increased parking availability and will cause additional traveling due to an increased number of visitors, jurors and employees." But page 39 (paragraph under

the table) says "will have a very minor effect on local employment." Further, there is no support for the statement in the MND that the Project is consistent with the SCAG regional growth forecasts (page 40).

Many employees and students of Chavez ES utilize Broadway and 3<sup>rd</sup> Street and are potentially impacted by the increased traffic from the Project, including related to visitors searching for remaining street parking in the area.

Parking for the New Long Beach Courthouse would continue to be provided at the existing Magnolia Avenue parking structure. Parking for the proposed commercial office and retail space will be provided via a new 200 space on-site parking garage. The MND does not indicate the location of this commercial parking structure, the location of ingress/egress for this additional parking structure, or potential impacts to Chavez ES.

### **Cumulative Impacts**

#### **Comment # 21: Cumulative Impacts Analysis**

The MND discusses a range of related projects proposed for development in the vicinity of the Project, including other office buildings. However, the MND does not include several major development projects in the vicinity of the proposed Project and Chavez ES that have significant noise and/or air quality impacts in the area. Two such projects with significant noise and air quality impacts that may impact the Project and Chavez ES include: 1) the Union Pacific (UP) rail road company Intermodal Container Transfer Facility (ICTF) rail yard expansion project and 2) the Port of Long Beach Middle Harbor Redevelopment Project. These projects, and others, may contribute to cumulative impacts with the new courthouse Project.

The LBUSD requests that the AOC analyze cumulative impacts from the Middle Harbor and ICTF projects, and other proposed major developments with potential for significant traffic, air and noise impacts in the vicinity of the Project.

### **CONCLUSION**

In summary, the MND does not provide enough information or analysis at this time to support a conclusion that an MND is the appropriate CEQA document for the Project. LBUSD requests that the AOC adequately analyze potential impacts to Cesar Chavez Elementary School from Project operation and construction, as well as cumulative impacts from other planned emission sources in the Project vicinity. Also, LBUSD requests that the AOC further identify their plans to mitigate impacts associated with noise interruptions and vibration effects, shade shadow impacts, and air quality impacts to the school. The AOC should explain the process by which future project details will be provided to LBUSD for review of the full buildout and operation of the Project. In addition, LBUSD requests assurance that the future buildout will not impact the school in any way based on the assumptions discussed in the meeting between the AOC and LBUSD on June 19, 2009. We request that the AOC commit to a collaborative process by directing the Project Company to consider minimizing impacts to the school as one of

Page 13

the project goals, and sharing additional information with regard to the development of the Project.

LBUSD appreciates the opportunity to participate in the review process. We look forward to working with the AOC and the City of Long Beach in the continuing review and assessment of Project plans, methodologies and measures that will minimize impacts to our schools. If you have any questions, please feel free to contact me at (562) 997-7550.

Sincerely,



Carri M. Matsumoto  
Executive Director  
Facilities Development & Planning Branch  
Long Beach Unified School District

KHR:sa

cc: Chris Steinhauser - LBUSD Superintendent of Schools  
Kim Stallings - LBUSD Chief Business & Financial Officer  
Karl Rodenbaugh - The Planning Center  
File

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

2. Sustainability: The courthouse must be at the cutting-edge of environmentally sound architecture. LEED certification at the Gold level or higher is a priority. The use of solar panels, water-saving devices, and ample opportunities for bicyclists and public transit users should be in place.

3. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby Cesar Chavez Elementary School. The building and entrances should be designed with this in mind.

4. Design: The courthouse must be integrated into the city by its design using modern, creative architecture. A monolithic and uninspired structure would negatively impact our community. The building should be welcoming and inspiring, and competing designs, once rendered, should be presented to the public for comment.

5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Josh Lowenthal  
Managing Director  
Yakfree  
562-439-0022  
jlowenth@hotmail.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

Shaun Lumachi  
President  
Chamber Advocacy  
562-843-0947  
shaun@chamberadvocacy.biz

June 19, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I live in a historical district 6 blocks from the proposed courthouse site. We are a 'neighborhood in transition,' so revitalization to this area is crucial. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

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Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Patty Lund  
Secretary  
Willmore City Heritage Association  
1 (562) 435-9606  
puttyland@mac.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Current parking by the existing court house on Ocean is not sufficient. I would hope that you would take the opportunity to address this need with the new court house.

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Thank you for time and consideration.

Sincerely,

Mark Magdaleno  
Account Exec.  
(714) 315-6136  
mlmagdaleno@yahoo.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Gustavo Maldonado  
Long Beach Resident

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Leigh Manlove  
Long Beach 1st District resident  
Home Owner  
562-436-4445  
leigh\_manlove@toyota.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Tom Martin  
Attorney  
Local Business  
562-219-3290  
tmartin@foresightlegal.com

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Craig Martinelli  
General Manager  
Kurogo Productions  
818-414-1110  
craigmartinelli@verizon.net

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Karina Meese  
Project Analyst  
UTi Worldwide  
562.552.9544  
karina.meese@gmail.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following concerns with you to be included in public comment on this project.

1. Design: The site for the courthouse is strategically located, enabling the future building to become a civic gateway for the City of Long Beach. We envision a distinctive design presence, a symbol of justice, yet not intimidating. As a valuable civic institution immersed in the heart of the downtown community it should become an architectural asset for the city as a whole, as well as the surrounding neighborhood.
2. Sustainability: The courthouse must be environmentally friendly. LEED certification at the Gold level or higher is a priority.
3. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby Cesar Chavez Elementary School.
4. Adequate parking.
5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

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Thank you for time and consideration.

Sincerely,

Ruth Meghiddo, AIA  
Architect  
Meghiddo Architects, AIA  
562 901 9022  
ru@meghiddoarchitects.com

June 22, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Thank you for time and consideration.

Sincerely,

Matthew Mendez  
Student

June 18, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Sarah Mills  
Venture Environmentalist  
Sarah Mills Consulting  
562.498.9109  
sarahmills@gmail.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

LaTonya Neal  
Cater  
self  
562-366-1721  
tinyt90807@yahoo.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

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Thank you for time and consideration.

Sincerely,

Miles Nevin  
Writer  
LBPost.com  
5627624109  
miles.nevin@gmail.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Shea Newkirk  
creator  
LBPP  
562.822.5848  
shea@lbpp.net

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Kristina O'Connor  
Aerospace  
Resident  
562-826-4650  
bobandkrissy@hotmail.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Gaby O'Donnell

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Greg O'Donnell

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Jacob O'Donnell

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Michael Orfield  
Director of Sales & Marketing  
MEDsearch Financial, Inc.  
562.234.1298  
michaelorfield@yahoo.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

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Thank you for time and consideration.

Thank you  
frank osekowsky  
1454 west 19th street  
long beach ca 90810

Sincerely,

frank osekowsky  
owner  
FRANKSPARALEGAL SERVICE  
562-228-4840  
seashellscity@netzero.com

Frank Osekowsky  
1454 west 19<sup>th</sup> Street  
Long Beach, Ca 90810

22 JUN 2009 10:03 AM

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

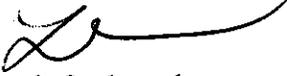
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Thank you for time and consideration.

A handwritten signature in black ink, appearing to read 'Frank Osekowsky', with a long, sweeping underline.

Frank Osekowsky

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Cheryl Perry  
562.436.2815  
perry351@hotmail.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

brian pforr  
owner  
turret house inn  
562-858-0598  
luvachow@aol.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Victoria Posthuma  
Realtor  
DOMA Properties  
562.481.3868  
vposthuma@domaproperties.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following five concerns with you to be included in public comment on this project.

As you receive these comments, I encourage you to respond in an open and transparent manner through the appropriate local leadership and media.

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Thank you for time and consideration.

Sincerely,

Rachel Potucek  
Project Manager  
Smolarcorp  
(562) 276-8514  
rachel@smolarcorp.com

June 17, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

melissa prince  
mom  
home  
562-437-5919  
chaotic\_surroundings@yahoo.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Catherine Raneri  
Manager  
Health Net  
818-421-2003  
meowser8@yahoo.com

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. I am sharing the following four concerns with you to be included in public comment on this project.

1. Size & Scale: It is my opinion that the new courthouse needs to be significantly larger primarily in the number of courtrooms in order to accommodate the growing needs of the community and load of legal issues we face in Long Beach and the surrounding areas. I understand very well there are backlogs of cases and it presents significant challenges just in scheduling cases a court date. The community is growing and will continue to do so rapidly, the opportunity for a new facility in a vibrant downtown should be grabbed with both hands and molded toward a flagship facility. To have an undersized facility when this is done will be a great disappointment and waste of opportunity.

2. Design: The courthouse must be integrated into the city by its design using modern, creative architecture. A monolithic and uninspired structure would negatively impact our community. The current courthouse is an eyesore for this community. The building should be welcoming and inspiring, and competing designs, once rendered, should be presented to the public for comment.

3. Parking: It is essential that the new building provide sufficient parking.

4. Sustainability: It is preferred that the courthouse be at the cutting-edge of environmentally sound architecture. LEED certifications etc.

4. Safety: The courthouse must not interfere with the safety, perceived safety, or efficiency of operations at the nearby school and neighborhoods.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Brent Reimer  
Risk Manager  
Scitor Corporation  
310.469.3184  
brentreimer@mac.com

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

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5. Labor: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse.

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who are most affected.

Thank you for time and consideration.

Sincerely,

Diane Reush  
INformation Systems Analyst  
County of Los Angeles  
562-437-4270  
wwdiane@cs.com

June 21, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

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Thank you for time and consideration.

Sincerely,

geoff richcreek  
n/a  
n/a  
n/a  
gewel@charter.net

June 16, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Joel Roberts  
CEO  
PATH Partners  
323-644-2200  
pathjoel@yahoo.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Christopher Robson  
Healthcare Policy Consultant  
YES WE CAN democratic club  
805-490-8851  
chris@ywcdc.com

June 19, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

April Sabucco  
562-331-5041  
afresh@earthlink.net

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Alma Salazar  
Director of Education and Workforce Development  
Los Angeles Area Chamber of Commerce  
213.580.7566  
alma1219@yahoo.com

June 20, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

christopher sangiovanni  
safety director  
metro ports  
3106060054  
christopher\_sangiovanni@hotmail.com

June 22, 2009

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Environmental Analyst  
Administrative Office of the Courts  
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Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Erik Sochin  
Vice President  
Willmore City Heritage Association  
562-208-9838  
erik@willmorecity.org

June 19, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

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Thank you for time and consideration.

Sincerely,

Ty Teissere  
Social Entrepreneur  
Green Long Beach  
(562)489-4968  
ty.teissere@gmail.com

June 15, 2009

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Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
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Thank you for time and consideration.

Sincerely,

Sigrin Torres-Aulenta  
Clothing Manf.  
Left Coast Clothing, Inc.  
562-773-5619  
siggiekai@gmail.com

June 17, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

Dear Mr. Ripperda:

I am writing to formally comment on the new courthouse planned for downtown Long Beach. As an individual involved in one of Long Beach's most significant development in the past, the World Trade Center Office Building and the Hilton Hotel complex, I believe my experience and knowledge of the specific area for the past 27 years provides some basis for sharing the following concerns regarding this proposed massive development.

1. Traffic: The increased traffic will be much more significant due to the size of this development (over the existing court complex); including the transport of increased number of criminals from the central county jails in Los Angeles.
2. Parking: It is essential that the new building provide convenient and sufficient parking. The State of California has been notorious for designing and building large facilities with extremely poor parking efficiencies and having an adequate number of parking spaces. At present, the only existing parking structure for the court complex is a parking structure that clearly does not have sufficient parking. The parking structure is located or situated at a distance away from the proposed court complex that will result in significant pedestrian (foot) traffic that will aggravate the congestion (autos and people) in that specific area. The present ingress and egress of vehicles of that existing parking facility is extremely limited and poor; the Broadway and Magnolia and Ocean Boulevard streets will be completely impacted. It is our understanding that the AOC has 'dictated' that public parking will not be 'on site' with the court facilities. That means more off site parking structures will be required; what are the plans for those locations/sites?
3. Location of Court Complex: It does not make sense why such a large (and predominantly) criminal court complex was not located in an area outside of the present designated site. Clearly, this is illogical and lacks good planning common sense on the part of the city of Long Beach and the State. The argument of taking revenues or customers away from the downtown area is nonsense; I believe the statistics of jurors and court employees supporting the surrounding retail shops and restaurants is simply not that significant. You can simply examine the impact of the existing court complex and how much support this facility provides currently. The locating of this facility in another area of Long Beach that is indeed in need of a new and significant development would have been much more beneficial.
4. Close Proximity to the Cesar Chavez Elementary School: The AOC has established clear dictates or restrictions in which new criminal courts are not to be located in close proximity to schools. How is this site justified given the fact that this facility is located immediately across the street from the above school in which children will be impacted by the increased traffic of autos, pedestrians, and criminals. It doesn't matter how many 'safety measures' are implemented; it will only take one bad incident in which a child is endangered by the 'users' of this facility that will question the judgement of the city of Long Beach and State in locating this huge facility at this site. Is this really an acceptable risk? Obviously, the AOC had a very good reason for establishing a prohibition of locating a criminal court facility in close proximity to schools in the first place. What is the new rationalization for justifying this location just across the street to the existing elementary school?
5. Surrounding neighborhood impact: This location was originally planned by the Long Beach Redevelopment Agency to be predominantly residential. As an 'original' participant in the planning and development of the Long Beach World Trade Center complex (directly south of Magnolia across from the proposed site), the above

residential use was a sound use; not only to the existing adjacent residential uses but to help support the commercial and retail uses in the downtown Long Beach area; day time workers simply do not provide the kind of customer support that a residential development provides; from our actual experience from 1989 through 2008, the WTC retail shops and restaurants have suffered greatly due to the lack of residents in the nearby area. This can also be said of the Pine Avenue area. This new court complex will not significantly improve the general area of retail shops and restaurants (the existing court complex has proven that fact) but will only cause additional aggravation. It is not the daytime customers but the customers that are there after 5:00 PM that make a difference. The residential concept for the proposed sites was an excellent planned use.

5. Labor, Job Training, Continued Community Involvement: Local Long Beach workers should make up the vast majority of laborers during the construction of the building and in the operation of the courthouse. The development team should be an organization that clearly understands the above; another 'carpet bagger' type development organization in which community involvement is minimal is simply not acceptable for a development of this magnitude. As a member of the original development team of the World Trade Center Complex, this community involvement was one of our key requirements for our organization. Job Training, job creation, and continued employment of local Long Beach residents beyond the construction phase of the development was a key part of our development's plan. This also included the continued support of many of the city's non-profit organizations and simply stated, being a good corporate citizen and not a 'carpet bagger.'

Although this is a State project, it is fair and proper that utmost consideration is given to the needs and desires of the people of Long Beach, who indeed will be the most affected.

Thank you for time and consideration.

Sincerely,

Larry Uyeda  
President and Board Chairman  
JCA Resources Inc. and ACCORD for Community Now  
562-901-3081  
larryuyeda@jcaresources.com

June 22, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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Thank you for time and consideration.

Sincerely,

Coleen Vandepas  
Consumer Protection  
Wrigley Association  
562-424-4484  
coleen66@msn.com

June 15, 2009

Mr. Jerry Ripperda  
Environmental Analyst  
Administrative Office of the Courts  
2860 Gateway Oaks, Suite 400  
Sacramento CA 95883-3509  
Fax: 916-263-8140

Subject: Long Beach Courthouse

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1. Parking: It is essential that the new building provide sufficient parking. I cannot support visitors to the courthouse using scarce neighborhood parking especially since I live across the street from where the new courthouse will be erected. It is noble to encourage the use of bicycles and public transit, but this should be done by working with the City of Long Beach to offer enhanced opportunities for those forms of transportation, not by providing less than sufficient parking.

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Thank you for time and consideration.

Sincerely,

Kimberly Wright  
Payroll Administrator  
Classic Party Rentals  
562-633-3369  
kd\_wright75@yahoo.com

Question from Long Beach CEQA Meeting Attendees – June 10, 2009

1. Time: 16:38, Ben Rockwell
  - a. Mr. Rockwell expressed concern regarding the lack of full accessibility of the courthouse. He stated that there has never been access for people in wheelchairs to serve jury duty properly because the jury boxes are not accessible, which has caused him (in the past) to be put outside of the jury box instead of being able to sit with the other jurors. Also many courthouses do not have wheelchair accessible restrooms in the jury room or throughout the courthouse. Mr. Rockwell also expressed concern that the courthouses do not meet the ADA (American Disabilities Act) passed in 1990 and asked why the courthouses are lax. Mr. Rockwell would like to serve on jury duty like everyone else.
  - b. Mr. Rockwell expressed concern regarding the close proximity of the courthouse to the elementary school and the safety of the children. With the types of criminal cases, sex offenders and various types of predators may be too close to the school. Mr. Rockwell suggested marking “No Courthouse Parking” within at least one block of the school (if not more.) Mr. Rockwell would like to see that the children are safe.
  
2. Time: 23:48, Robert Garcia
  - a. Mr. Garcia expressed that sustainability is extremely important and would like to see the use of sustainable products and green technology, i.e. solar power, water use in the building, and landscaping incorporated into the construction of the courthouse. Mr. Garcia stated that having a fully sustainable building integrated into the community is good for the community, and hopes that this will really be focused on.
  
3. Time: 27:49, Joan Greenwood
  - a. Ms. Greenwood stated that transportation is an issue and there are cumulative impacts because of the park, school, and residential development downtown. Ms. Greenwood would like to see that the area around the courthouse and vicinity is bicycle friendly. Long Beach has a goal of being the most bike friendly city in the country and this is an important design feature.
  - b. Ms. Greenwood expressed concern regarding the noise during construction and feels this may be an issue with the bordering residential area.
  - c. Ms. Greenwood asked if the jury assembly room will be at the top of the building with an outdoor area and expressed concern regarding accommodating the urban wildlife.

4. Time: 30:15, Don Darhauer
  - a. Mr. Darhauer asked if there will be any control and/or parameters for the ground floor retailers and if the retailers will be compatible with the neighborhood.
  - b. Mr. Darhauer asked if any city or community development input will be allowed in the architectural attractiveness of the courthouse.
  - c. Mr. Darhauer asked why parking is not provided in the basement.
  
5. Time: 38:55, Cheryl Perry
  - a. Ms. Perry expressed concern regarding the extreme parking impacts around the area of the courthouse and stated that in the current neighborhood people park in the community and walk to the courthouse. Ms. Perry asked if the parking capacity will increase during the rehabilitation of the current parking structure and provide adequate parking.
  
6. Time: 41:43, Niki Tennant
  - a. Ms. Tennant asked what the planned height of the new courthouse will be.
  - b. Ms. Tennant asked where the new courthouse will be sited on the two (2) square blocks, i.e. in the middle, closer to the school, or farther away from the school.
  
7. Time: 46:33, Female (name not stated)
  - a. The lady asked where the money (for construction) is coming from.
  - b. The lady asked how the performance based infrastructure compares to the (**pro forma**\*) turnkey process.

\*Pro forma – word was slightly inaudible.

## ***7.2 Responses to Comments***

### **7.201 Cory Allen**

Responses:

1. As stated in [Section 4.14.6](#), the project will eliminate weekday daytime public parking around the proposed project site on 3<sup>rd</sup> Street, Daisy Avenue, Magnolia Avenue, and West Broadway. The AOC presumes that some displaced drivers will park in the private lot near the World Trade Center or the City's parking garage on West Broadway. The project will add some on-site parking for the Superior Court's judges and staff and some County staff and additional parking for the Superior Court's staff, jurors, and visitors and County staff in the Magnolia Avenue parking structure. The project's commercial and retail component will also add some on-site parking or other nearby parking. The parking analysis in the Initial Study evaluates the availability of parking in the areas surrounding the project site and shows that there will be sufficient parking for the project.
2. The commenter provides statements regarding sustainability. The AOC does not yet have design information for sustainability features. The AOC will disclose the precise the project's details to the School District and other stakeholders when the AOC finalizes the design process. [Section 2.4](#) describes the AOC's design requirements for new courthouses and describes the project's LEED and energy conservation considerations.
3. The commenter expressed concerns for safety, perceived safety, and efficiency of operations at Cesar Chavez Elementary School. State and local law enforcement agencies maintain appropriate public safety at the Superior Court's existing facilities, and the AOC presumes that these parties will provide appropriate public safety for the proposed project. All public gatherings produce concerns for security, but the AOC concludes that the application of typical Court-related security measures for the project will prevent significant security hazard impacts. The project's placement of the project's public entrance near the West Broadway/Magnolia Avenue intersection and the elimination of weekday daytime parking on portions of 3rd Street and West Broadway will further help to ensure there are no substantial or significant safety or other conflicts with the school.

The proposed project will have aesthetic, air quality, cultural resource, geology and soils, hazards and hazardous materials, traffic and circulation, and other impacts, but the AOC concludes that the project's impacts will be less than significant. The AOC intends to work cooperatively with the School District, all members of the Long Beach community, and parties that interact with the Superior Court to minimize the project's impacts, but the school's students, teachers, and visitors will notice the AOC's development of the project site and may notice the construction-related impacts. However, the AOC believes that construction-related impacts and operational impacts not substantially interfere with the school's operations.

4. The comment references design issues. The AOC does not yet have detailed design information for the project at this time. [Section 2.4](#) describes the AOC's design requirements for new courthouses. The AOC will disclose the precise details of the project design to the Long Beach community and other stakeholders when the AOC finalizes the design process.

5. Comment noted.

### **7.202 Don Darhauer**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Mr. Darhauer asked if there will be any control and/or parameters for the ground floor retailers and if the retailers will be compatible with the neighborhood.

Response: The AOC does not have detailed leasing information available at this time. Use of commercial and retail space will be consistent with judicial activities, other downtown uses, and the City's Municipal Code and zoning.

Mr. Darhauer asked if any city or community development input will be allowed in the architectural attractiveness of the courthouse.

Response: The AOC intends to share design details with the Long Beach community. The AOC is sharing design information with the City, consulting with the City, and soliciting the City's input and reviews. The AOC will be sharing design information with the Long Beach community and soliciting comments.

Mr. Darhauer asked why parking is not provided in the basement.

Response: The AOC does not allow public parking under courthouses due to security concerns.

### **7.203 Joan Greenwood**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Ms. Greenwood stated that transportation is an issue and there are cumulative impacts because of the park, school, and residential development downtown. Ms. Greenwood would like to see that the area around the courthouse and vicinity is bicycle friendly. Long Beach has a goal of being the most bike friendly city in the country and this is an important design feature.

Response: The AOC's analyses evaluate traffic capacity, parking capacity, alternative transportation, and traffic hazard issues. The analyses considered infrastructure factors

and existing and future traffic. The AOC concluded that these impacts are less than significant.

Ms. Greenwood expressed concern regarding the noise during construction and feels this may be an issue with the bordering residential area.

Response: [Section 4.11.1.1](#) evaluates the project's projected noise impacts. The project will produce construction noise that will affect residential areas. The AOC concludes that the impacts will be less than significant because the impacts will be temporary and sporadic, the location of most construction operations will allow distance-related attenuation of noise, the project's perimeter sound barrier will reduce noise, and construction operations will occur during the City's designated construction hours. The AOC wishes to emphasize that it intends to work cooperatively with the Long Beach community to minimize noise disturbance.

Ms. Greenwood asked if the jury assembly room will be at the top of the building with an outdoor area and expressed concern regarding accommodating the urban wildlife.

Response: The AOC does not have detailed design information available at this time.

#### **7.204 Robert Garcia**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Mr. Garcia expressed that sustainability is extremely important and would like to see the use of sustainable products and green technology, i.e. solar power, water use in the building, and landscaping incorporated into the construction of the courthouse. Mr. Garcia stated that having a fully sustainable building integrated into the community is good for the community, and hopes that this will really be focused on.

Response: Comment noted.

#### **7.205 Douglas Haubert**

The environmental analysis in the Initial Study and the responses to the comments received address the issues raised by the commenter pertaining to the sufficiency of parking, potential noise and safety effects on the Cesar Chavez Elementary School, and the project's aesthetic impacts.

## **7.206 Long Beach Heritage**

With respect to items 1, 2, and 3 raised by the commenter, the Initial Study provides a thorough analysis of the project's aesthetic impacts. The analysis shows that the impacts are less-than-significant and that the project will be consistent with the site's urban visual surroundings. The AOC will continue to work with the Long Beach community and interested stakeholders to address aesthetic issues during the final design process.

With respect to item no. 4 raised by the commenter, the AOC's 2006 design standards are available in: California Trial Court Facilities Standards. 226 p. Available at: [http://www.courtinfo.ca.gov/programs/occm/documents/06\\_April\\_Facilities\\_Standards-Final-Online.pdf](http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf).

With respect to item no. 5 raised by the commenter, the proposed project does not propose any modifications to the exterior or interior of the existing courthouse building. The possible future reuse of the existing courthouse building site by the City is separate and distinct from this project and will be subject to its own CEQA review at the appropriate time. The AOC is neutral with respect to the City's possible future use of the existing courthouse site, which is a matter that lies within the Long Beach City Council's discretion.

## **7.207 Long Beach Unified School District**

1. The AOC's CEQA documentation analyzes the project's environmental effects, identifies significance thresholds, and compares the impacts and significance thresholds to determine whether impacts are less than significant, potentially significant or significant and unavoidable impacts. The AOC identifies mitigation measures and determines whether the mitigation measures reduce impacts to a level that is less than significant.
2. The commenter's statement that: "We understand that the building will be multi-level and planned to be within 20 feet of Maine Avenue and 3<sup>rd</sup> Street..." is not correct. The AOC does not yet have design information for the project. Figure 5 shows potential zones where the AOC may locate the project within the proposed site. The AOC will provide the School District and other stakeholders with precise details regarding the building height, size, location and footprint as the AOC reviews and finalizes the design process. As noted in the Initial Study, the environmental analysis assumes a maximum envelope for project construction based on the design information that is currently available, in order to adequately capture the project's potential impacts.

The AOC's documentation includes analysis of an approximately 7-story tower near the center of the proposed project site. The project may potentially include additional commercial and retail building space along West Broadway, and the AOC has added additional analysis of this component of the project in Sections 4.1 and 4.3.

3. The AOC's CEQA documentation provides sufficient disclosure of the project's description and analysis of its potential impacts for the AOC's project approval process. Section 2.4 and its subdivisions describe the project's access points, anticipated maximum height, types of usage, square footage, and other details. In addition, Section 4 evaluates the project's environmental impacts in detail and not at a general or programmatic level. As with any project that is evaluated under CEQA, future discretionary project approvals will be subject to CEQA Guidelines Sections 15162 and 21166. Further, as noted above, the AOC will disclose the precise the project's details to the School District and other stakeholders when the AOC finalizes the design process.

4. Comment noted. The AOC intends to work cooperatively with all members of the Long Beach community and parties that interact with the Superior Court.

5. The commenter states that the Draft Initial Study only acknowledges the Chavez Elementary School intermittently, and that all sections of the document ought to describe the school as an existing use. The AOC has added references to the school in Section 2.7.2 and Section 4.1. Further, the environmental analyses in the Initial Study's Section 4 address the project's effects on the Cesar Chavez School and the school's vicinity, including aesthetic, air quality, noise, traffic and other effects.

6. Regarding the duration of construction, the Draft Initial Study's Section 2.4.5 stated that the AOC plans to begin construction in 2010 and complete construction in 2012. The AOC still expects construction to require approximately 24 months, but Table 1 clarifies the projected construction operations and schedule. Construction operations that generate substantial noise will persist for days, weeks, or a few months in some instances, but they will not require 24 months. In addition, construction operations will usually create sporadic noise during the relevant time periods.

To clarify the duration of construction activities and the project's potential noise impacts to the school, the AOC has added additional information to the project description ([Section 2.4.4 Construction Scenario](#)) and the noise analysis ([Section 4.11.1.1 Construction Noise](#)). The additional information emphasizes that since construction operations that generate substantial noise will typically be temporary and sporadic, there will be no pile driving, construction will occur only during the hours specified in the City's construction noise ordinance, the distance between the school and most construction activities, the AOC's planned sound barrier, and other BMPs, the AOC concludes that projected noise impacts to the school will be less than significant.

7. The environmental analysis has been clarified to explain that construction operations will not use pile driving.

8. The Initial Study presents a detailed evaluation of the project's environmental impacts based on the best information that is currently available. In response to the School District's comments, the AOC refined the environmental analysis to present additional and more detailed information about the project features and the particular impacts on the Cesar Chavez School based on anticipated project design features. The evaluation

contained in the Initial Study is at a project-level of detail and is sufficient for the AOC's decision-making process. As with any project that is evaluated under CEQA, future discretionary project approvals will be subject to CEQA Guidelines Sections 15162 and 21166.

9. The AOC has no reliable information at this time about how the Agency might use the existing court building site in the future, when the Agency might use the property, or what the potential impacts of such a use might be. As explained in the Initial Study, the facilities in the existing court building are outdated, worn, and are not readily adaptable for future non-court uses. It is not appropriate for the AOC to speculate on the how the Agency might modify the site for some type of non-court use in the future. Any future decisions about how the site could be used will be subject to their own evaluation under CEQA at the appropriate time.

10. The commenter states: "CEQA requires an analysis of impacts in comparison to existing conditions. This means that for purposes of physical impacts to the environment, there must be a 'plan to ground' comparison, and not a 'plan to plan' comparison of impacts." But the Initial Study does not conduct a "plan-to-plan" comparison. Rather, it compares the new courthouse project with the existing environmental baseline, which is precisely what CEQA requires.

11. The Initial Study adequately describes the proposed project's features that replace features of the existing courthouse, project features that add or modify facilities for the Superior Court and County, and project features that are new. The Initial Study also properly evaluates the project's traffic, air quality and other environmental impacts using comparisons to the existing environmental baseline. For example, the traffic analysis explains that the project will add 1,920 daily net trips and the air quality analysis evaluates the operational impacts of adding these new trips. The Initial Study does not, as the commenter suggests, treat the project as nothing more than a mere replacement of the existing court building.

12. The Initial Study provides a detailed description of the project's anticipated design features, based on the best information that is currently available, and a detailed evaluation of the project's potential impacts. In response to the School District's comments, the AOC has refined the environmental analysis to present additional and more detailed information about the project features and the particular impacts on the Cesar Chavez School based on the anticipated project design features. As the design process evolves, the AOC may make refinements to the project, but that does not render the Initial Study inadequate. As with any project that is evaluated under CEQA, future discretionary project approvals will be subject to CEQA Guidelines Sections 21166 and 15162.

13. As stated in [Section 2.9](#), the AOC understands that the Agency may use the AOC's CEQA documentation for the Agency's CEQA documentation of the land exchange. See [response #9](#) regarding the City's possible future use of the existing courthouse site.

14. Section 2.8 provides background information on recent development proposals for the AOC's proposed project site and the Agency's recent activities at the site. The AOC mentions the West Gateway EIR for informational purposes, but the AOC's Initial Study for this project is a stand-alone environmental analysis, and there is no requirement to incorporate the West Gateway EIR by reference.

15. Sections 4.1 and 4.11 include Cesar Chavez School as a part of their descriptions of the area. In addition, the analysis of aesthetic impacts addresses all of the questions listed in Appendix G of the CEQA Guidelines for aesthetics including an evaluation of the project's effect on the visual character of the area that surrounds the project site. As explained in the Initial Study, this area is flat, urban, and lacking in any scenic resources or vistas. Impacts of the project will be less-than-significant. The Initial Study also contains a refined shading analysis with particular emphasis on the Cesar Chavez School; the analysis shows that these impacts will also be less than significant.

16. [Section 2.4.2](#) provides additional information on the potential preliminary conceptual site plan, and [Section 4.1.4](#) provides an updated shade analysis.

17. The Initial Study adequately describes the anticipated project features and parameters and presents a detailed shading analysis based on the best information that is currently available. The analysis is designed to capture the maximum potential shading impacts on the school. The analysis provides sufficient disclosure of the project's description and analysis of its potential impacts for the AOC's project approval process. The project's building setback and landscape design will conform to the requirements of the California Trial Court facilities Standards described in [Section 2.4](#). The AOC will disclose the precise the project's details to the School District and other stakeholders when the AOC finalizes the design process.

18. The California Department of Transportation's *Project Level Carbon Monoxide Protocol* lists three criteria that determine whether an agency may avoid carbon monoxide analysis:

1. Project does not significantly increase cold start percentage,
2. Project does not significant increase traffic volumes, and
3. Project improves traffic flow.

The AOC summed trips shown by Appendix H's Figures 6-3, 6-4, 6-5, and 6-6 for AM peak hour traffic and PM peak hour traffic. The project's projected traffic increases are less than 2 percent for the AM peak traffic hour and less than 1 percent for the PM peak traffic hour. These percentages satisfy criteria #1 and #2. As noted in [Section 2.4.2](#), the AOC presumes that the City will remove the existing Magnolia Avenue crosswalk that extends from the Magnolia Avenue parking facility to the existing courthouse. The AOC's analysts observed regular and substantial traffic disruptions at the crosswalk due to large numbers of pedestrians crossing Magnolia Avenue in the crosswalk. Since the project will eliminate the need for the crosswalk and [Section 4.14.1](#)'s data indicates that the project's traffic impacts will be less than significant, the AOC concludes that the

project satisfies criterion #3. Since the project satisfies all three criteria, the AOC can avoid the carbon monoxide analysis.

As noted in [Section 4.3.1.2](#), the project's projected operational carbon monoxide emissions are lower than the Air District's significance thresholds.

19. The commenter states that: 1) The South Coast Air Quality Management District established Localized Significance Thresholds (LST) to determine whether projects would result in substantial air pollutant concentrations on a localized area, 2) The MND [Mitigated Negative Declaration] has not adequately addressed whether the project would expose sensitive receptors to substantial pollutant concentrations from construction activities, and 3) It is anticipated that detailed Industrial Source Complex dispersion modeling would be required because the LST methodology states that the LST screening approach is not appropriate for projects that require excavation for parking structures.

The Air District's *Final Localized Significance Threshold Methodology*<sup>121</sup> states on page 1-1's third paragraph: "Use of LSTs by local government is VOLUNTARY." On page 1-1's fourth paragraph, the document states: "The use of LSTs is VOLUNTARY, to be implemented at the discretion of local agencies." Therefore, the AOC concludes that the Air District does not require use of LSTs.

The Air District's LST methodology manual also states:

"The LST mass rate look-up tables provided in Appendix C allow a user to readily determine if the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts. If the calculated emissions for the proposed construction or operational activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other environmental issues, then the proposed construction or operation activity is not significant for air quality. Proposed projects whose calculated emission budgets for the proposed construction or operational activities are above the LST emission levels found in the LST mass rate look-up tables should not assume that the project would necessarily generate adverse impacts. Detailed air dispersion modeling may demonstrate that pollutant concentrations are below localized significant levels. The lead agency may choose to describe project emissions above those presented in the LST mass rate look-up tables as significant or perform detailed air dispersion modeling or perform localized air quality impact analysis according to their own significance criteria."

Although the AOC does not need to evaluate LSTs to satisfy Air District requirements, the AOC's air quality analysts used the URBEMIS 2007 model and methods from the Air

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<sup>121</sup> South Coast Air Quality Management District. 2008. Final Localize Significance Threshold Methodology. 50 p. Available at: [http://www.aqmd.gov/ceqa/handbook/LST/Method\\_final.pdf](http://www.aqmd.gov/ceqa/handbook/LST/Method_final.pdf). Accessed on July 10, 2009.

District’s LST methodology manual to estimate daily localized emissions and LSTs for the proposed project’s vicinity. Table 32 lists the data.

Table 32. Estimated Daily Localized Construction Emissions

Construction Phase	Construction Emissions (Pounds/Day)					
	Volatile organic compounds	Nitrogen oxides	Carbon monoxide	Sulfur oxides	PM10*	PM2.5*
Mobilization	1.88	15.97	6.05	0.00	0.72	0.67
Demolition	1.68	12.91	6.08	0.00	0.77	0.71
Mass Site Grading & Excavation	6.44	48.42	27.03	0.00	3.03	2.78
Trenching	2.32	19.67	9.56	0.00	0.94	0.74
Building Construction	5.63	35.05	16.93	0.00	1.86	1.71
Architectural Coating	0.00	0.00	0.00	0.00	0.00	0.00
Paving	2.82	18.73	10.27	0.00	1.39	1.28
Fine Site Grading	2.69	21.95	11.51	0.00	1.07	0.99
Finalization	1.72	13.88	5.77	0.00	0.62	0.57
Maximum Localized Total	6	48	27	0	3	3
Air District’s Daily Localized Significance Threshold (Pounds/Day)	---**	99	1,503	---**	14	8
Significant Impacts?	No	No	No	No	No	No

\*Estimated emissions do not include any reduction for implementation of Rule 403—Fugitive Dust  
 \*\* The District has no LST for volatile organic compounds or sulfur oxides

Since Table 32’s data indicate that the calculated emissions for project construction activities are below the LST emission levels found on the LST mass rate look-up tables and no potentially significant impacts are found to be associated with other air quality issues, the AOC concludes that the impacts are less than significant. The Air District’s methodology manual links detailed air dispersion modeling with proposed projects whose calculated emission budgets for the proposed construction activities are above the LST emission levels, which is not the case here. The AOC concludes that further analysis with an air dispersion model is unnecessary. Finally, as noted above, the AOC calculated emissions with URBEMIS rather than using the screening methodology’s tables provided by the Aid District.

20. The AOC does not yet have design information for the project. Therefore, the AOC does not know whether the facility will have a generator or the location of a potential generator for the facility. If the project has a generator, the project’s generator installation and testing will comply with the Air District’s air quality regulations and permit requirements. Use of emergency generators is rare event that produces very minor quantity of exhaust, and testing of generators is only a very short duration event that occurs at infrequent intervals. The AOC concludes that the impacts are less than significant.

21. [Section 2.4.4](#) presents updated construction information, and [Section 4.3.1.1](#) presents revised air quality evaluation data that utilizes the revised construction information. The

new analysis assumes that as much as 1.75 acres may be disturbed during mass grading and excavation operations and fine site grading operations may disturb as much as 4.5 acres per day. Table 7 lists the results. Since estimated emissions will be below the Air District's thresholds, the AOC concludes that the impacts will be less than significant.

22. Comment noted.

23. [Section 2.4.4](#) presents updated construction information, and the AOC revised Table 6 to include better estimate of construction equipment. The AOC's air quality analysts used the revised information from Section 2.4.4 and Table 6 for a new estimate of air quality emissions. [Section 4.3.1.1](#) presents revised air quality evaluation data that utilizes the revised construction information. Table 7 lists the results. Since estimated emissions will be below the Air District's thresholds, the AOC concludes that the impacts will be less than significant.

24. [Section 2.4.4](#) presents updated construction information, and Table 1 includes updated information on the duration of construction activities. [Section 4.11.1.1](#) presents a revised noise analysis that accounts for the localized areas of construction activities, distance-related attenuation of construction noise, the AOC's perimeter sound barrier, the temporary duration of construction activities, and other relevant considerations. The AOC's analysis concludes that construction impacts will be less than significant. The AOC intends to work cooperatively with the School District, all members of the Long Beach community, and parties that interact with the Superior Court to minimize the project's effects.

To address the School District's concerns in particular, the AOC agrees to keep the School District informed of the timing and location of construction activities, to monitor noise levels at the Cesar Chavez Elementary School when the school is in session, and to meet with District representatives regularly during project construction in an effort to coordinate construction activities that may occur near the school with the school's schedule for testing and other events.

25. Construction operations will not use pile driving as part of the construction of the project.

26. [Section 4.11.2](#) presents a revised vibration analysis that analyzes potential structure-related impacts and annoyance impacts. [Section 2.4.4](#) presents updated construction information, and Table 1 includes the AOC's expectation that construction operations will not use pile drivers. The analysis considers the localized area of construction activities, distance-related attenuation of construction vibration, the temporary duration of construction activities, and other relevant considerations. The AOC's analysis concludes that construction impacts will be less than significant. As noted above, the AOC intends to work cooperatively with the School District, all members of the Long Beach community, and parties that interact with the Superior Court.

27. [Section 2.4.4](#) presents updated construction information, and Table 1 includes the AOC's expectation that construction operations will not use pile drivers.

28. [Section 4.11.2](#) presents revised projections of vibration impacts, and the projected impacts are below the 0.3 PPV threshold.

29. The AOC has added additional information to [Section 4.11.2](#) for trenching operations. Although utility relocation operations will require approximately two months, the excavation work for a trench in Maine Avenue will require approximately one day or two days. Jackhammer operations for this effort will be sporadic and last for a few minutes. Backhoe operations will be less sporadic and will last for several minutes. Since the noise will be temporary and will occur during the hours specified by the City's Code, the AOC concludes that the impacts will be less than significant.

Furthermore, to address the School District's concerns, the AOC agrees to keep the School District informed of the timing and location of construction activities, to monitor noise levels at the Cesar Chavez Elementary School when the school is in session, and to meet with District representatives regularly during project construction in an effort to coordinate construction activities that may occur near the school with the school's schedule for testing and other events.

30. Since the project site has electrical service, electrical power will be available for construction operations, and construction operations will utilize electric power when feasible instead of generators. Although unusual circumstances may occur that require the use of generators, any such use would be temporary and construction personnel will routinely use electrical power for construction operations. For project operations, any use of a generator would be limited to emergencies and would be temporary. Testing of generators would be of very short duration occurring at infrequent intervals. The AOC concludes that the impacts are less than significant.

31. Use of sirens by police vehicles or other emergency response vehicles is not part of project, and the AOC cannot predict the probability or frequency of incidents that will cause emergency response vehicles to travel to the proposed project site. All activities that produce congregations of people increase the potential for an incident that requires response by a vehicle (including ambulances, fire engines, and law enforcement vehicles) that sounds a siren. Law enforcement personnel routinely travel to courthouses, but their operational procedures restrict use sirens for emergencies.

32. The AOC believes the project's construction-related traffic generation will be fewer than 200 trips during the peak AM traffic hour, and the traffic study estimated that the proposed project will generate approximately 180 peak AM hour trips. As noted earlier in response 18, the project's projected operational traffic represented an approximately 2 percent increase in AM peak hour traffic and a less than 1 percent increase in the PM peak hour traffic. The AOC believes that the project's construction-related traffic will similarly represent an approximately 1 percent to 2 percent increase in traffic. The traffic results (See Table 23) indicate that the project's operational traffic intersection effects

will be less than significant. Since the operational traffic effects of 180 additional trips are less than significant, the AOC concludes that the traffic effects of fewer than 200 construction-related peak hour trips are also less than significant. Therefore, no mitigation is needed for construction-related traffic load.

Construction personnel and traffic will utilize existing streets. The West Broadway intersections with Maine Avenue, Daisy Avenue, and Magnolia Street have traffic signal controls. West 3rd Street's intersections with Magnolia Street and Maine Avenue also have traffic signal controls.

Since the existing traffic controls offer resources to control traffic around the proposed project site and construction operations routinely add personnel, signage, lane controls, and other features to ensure safe vehicle movements around construction sites, the AOC concludes that construction-related traffic hazards will be less than significant. Therefore, no mitigation is needed for potential construction-related hazards.

33. The AOC understands that the City is considering potential future modifications to West 3rd Street. The City informed the AOC<sup>122</sup> that it has not completed design of the potential modifications and has not yet undertaken its CEQA review for these potential modifications. Comments regarding the potential future modifications to West 3rd Street should be directed to the City of Long Beach.

34. In Section 2.4.2, the AOC's estimates that the Superior Court's staffing will increase by approximately 40 staff members and the County will increase its staffing will increase by approximately 40 staff members. The traffic study estimates that the commercial component of the project will generate approximately 125 peak hour AM trips. The AOC's projection for new jobs is less than 250. The Southern California Association of Government's July 2008 Regional Transportation Plan estimated that 2010 employment in the City of Long Beach would be over 185,00 jobs (Integrated Growth Forecast, Southern California Association of Government, available at <http://www.scag.ca.gov/forecast/index.htm>, accessed on July 14, 2009). Therefore, the AOC concluded that the project's new jobs will have a minor effect on local employment.

35. Southern California Association of Government' Integrated Growth Forecast (available at <http://www.scag.ca.gov/forecast/index.htm>, accessed on July 14, 2009) forecast a 2.8% increase in employment in Long Beach, which equals approximately 4,000 jobs. The project-related projected increase in employment represents a minor portion of the projected employment increase.

36. The project's traffic analysis indicates that intersection impacts will be less than significant. The project's elimination of weekday daytime parking around the periphery of the site drastically reduces the probability that drivers will travel around the West

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<sup>122</sup> Personal communication, Jamilla Vollmand (Long Beach Redevelopment Agency) to Clifford Ham (AOC). July 27, 2009.

Broadway, Magnolia Street, West 3rd Street, and Maine Avenue area to search for parking.

37. The AOC has disclosed the best design-related information that is currently available to the AOC. The AOC will provide the School District and other stakeholders with precise details regarding the building's parking parameters as the AOC reviews and finalizes the design process. The project will provide on-site parking consistent with City's requirements (although project might conceivably substitute off-site parking or mass transit option instead of on-site parking capability). Project design features for driveways require the City's approval of curb cuts, and the AOC and City's curb cut approvals will conform to traffic engineering standards. The project's traffic analyses indicate that the project will not produce significant traffic capacity impacts to the West Broadway/Maine Avenue and 3<sup>rd</sup> Street/Maine Avenue intersections. Both intersections have traffic signal controls and pedestrian crosswalks. Due to this evidence, the AOC concludes that the project's parking-related impacts to Cesar Chavez School will be less than significant.

38. The proposed Intermodal Container Transfer Facility project site is approximately 2.7 miles northwest of the proposed courthouse site; the AOC concludes that the site is too distant from the proposed courthouse site to interact with the impacts of the proposed project. In addition, the BMPs for the proposed project will serve to ensure that the incremental effects of the project will not be cumulatively considerable. It is also important to note that the traffic analysis for the proposed project is based on cumulative conditions.

The Port of Long Beach's Middle Harbor Redevelopment project site is 0.5 to 1.3 miles southwest of the proposed courthouse site. As shown in Table 14, construction equipments' noise levels become very minor when the receiver is over 800 feet from the noise source. With respect to air impacts, the proposed project will use BMPs to minimize impacts during project construction, such that the incremental effects of the project will not be cumulatively considerable. In addition, most of the proposed construction for the redevelopment project will occur after construction is completed for the AOC's project. With respect to operational impacts, the analysis in the Initial Study explains that the project's employment is well within regional SCAG's regional growth forecasts for attaining air quality standards. Further, the traffic analysis is based on cumulative conditions and shows that the project's traffic impacts will be minor and will not be cumulatively considerable. The AOC concludes there are no significant cumulative impacts.

39. The AOC will present project design information to interested parties in Long Beach during late 2009 after developer teams have submitted their final proposals and before the AOC has selected a proposal. As with any project under CEQA, any future discretionary project approvals will be evaluated in light of Section 21166 of CEQA and CEQA Guidelines Section 15162.

40. Comment noted. The AOC cannot provide assurances to the School District that the project will not affect Cesar Chavez School in any way. The AOC intends to work cooperatively with the School District, all members of the Long Beach community, and parties that interact with the Superior Court to minimize the project's impacts, but this document discloses that the proposed project will have some degree of aesthetic, air quality, cultural resource, geology and soils, hazards and hazardous materials, traffic and circulation, and other impacts. The AOC concludes that the project's impacts will be less than significant because:

- All parties responsible for constructing and operating the project will comply with standard conditions and requirements for local, state, or federal regulations or laws;
- Project design features will prevent the occurrence of potential environmental effects or reduce the significance of potential environmental effects; and
- The AOC intends to adopt mitigation measures that will avoid or minimize several potentially significant impacts so that the impacts are less than significant.

41. As noted earlier, the AOC intends to work cooperatively with the School District, all members of the Long Beach community, and other parties that interact with the Superior Court.

### **7.208 Cheryl Perry**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Ms. Perry expressed concern regarding the extreme parking impacts around the area of the courthouse and stated that in the current neighborhood people park in the community and walk to the courthouse. Ms. Perry asked if the parking capacity will increase during the rehabilitation of the current parking structure and provide adequate parking.

Response: As stated in [Section 4.14.6](#), the project will eliminate weekday daytime public parking around the proposed project site on 3<sup>rd</sup> Street, Daisy Avenue, Magnolia Avenue, and West Broadway. The AOC presumes that some displaced drivers will park in the private lot near the World Trade Center or the City's parking garage on West Broadway. The project will add some on-site parking for the Superior Court's judges and staff and some County staff; additional parking for the Superior Court's staff, jurors, and visitors and County staff in the Magnolia Avenue parking structure. The project's commercial and retail component will also add some on-site parking or other nearby parking. The parking analysis in the Initial Study evaluates the availability of parking in the areas surrounding the project site and shows that there will be sufficient parking for the project.

## **7.209 Brent Reimer**

Responses:

1. The primary factor that determines the proposed project's number of courtrooms is the number of judicial officers that will be available to operate the Superior Court's facility. The project's courtrooms will support the Superior Court's current judicial officers plus several expected new officers. The facility's commercial office and retail space offer potential space for future expansion of the Superior Court's operations.
2. The AOC does not yet have design information for the project. [Section 2.4](#) describes the AOC's design requirements for new courthouses. The AOC will disclose the precise the project's details to the Long Beach community and other stakeholders when the AOC finalizes the design process.
3. Regarding parking, sustainability, and safety issues, see the AOC's responses in [Section 7.1](#).

## **7.210 Ben Rockwell**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Mr. Rockwell expressed concern regarding the lack of full accessibility of the courthouse. He stated that there has never been access for people in wheelchairs to serve jury duty properly because the jury boxes are not accessible, which has caused him (in the past) to be put outside of the jury box instead of being able to sit with the other jurors. Also many courthouses do not have wheelchair accessible restrooms in the jury room or throughout the courthouse. Mr. Rockwell also expressed concern that the courthouses do not meet the ADA (American Disabilities Act) passed in 1990 and asked why the courthouses are lax. Mr. Rockwell would like to serve on jury duty like everyone else.

Response: As stated in [Section 2.4](#), the project will comply with the American Disabilities Act.

Mr. Rockwell expressed concern regarding the close proximity of the courthouse to the elementary school and the safety of the children. With the types of criminal cases, sex offenders and various types of predators may be too close to the school. Mr. Rockwell suggested marking "No Courthouse Parking" within at least one block of the school (if not more.) Mr. Rockwell would like to see that the children are safe.

Response: State and local law enforcement agencies maintain appropriate public safety at the Superior Court's existing facilities, and the AOC presumes that these parties will provide appropriate public safety for the proposed project. All public gatherings produce concerns for security, but the AOC concludes that the application of typical Court-related security measures for the project will prevent significant security hazard impacts. The project's placement of the project's public entrance near the West Broadway/Magnolia Avenue intersection and the elimination of weekday daytime parking on portions of 3rd

Street and West Broadway will further help to ensure there are no substantial or significant safety or other conflicts with the school.

### **7.211 Niki Tennant**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

Ms. Tennant asked what the planned height of the new courthouse will be.

Response: The AOC does not have definite design information at this time, but the maximum height of the building will be approximately 150 feet.

Ms. Tennant asked where the new courthouse will be sited on the two (2) square blocks, i.e. in the middle, closer to the school, or farther away from the school.

Response: The tallest portion of the building, which will contain most of the Superior Court's space, will be approximately 275 feet from the school's entrance. The courthouse's public entrance will be approximately 600 feet from the school. Portions of the project's building with commercial office space might be as close as approximately 100 feet from the school. The AOC does not have more precise design information at this time; additional details about the project design and footprint will be provided as the design process is finalized.

### **7.212 Larry Uyeda**

Responses:

1. Regarding traffic, the AOC's traffic analysis for the project evaluates the existing courthouse-related traffic and other traffic, potential new future traffic that is unrelated to the project, and project-related from the expansion of the Superior Court's operations and the project's additional space for County staff, commercial offices, and retail space. [Section 4.14.1](#) explains the AOC's traffic assumptions and analytical methods. The analysis presumes that the project will add approximately 182 net trips to the morning peak traffic hour and approximately 227 net trips to the evening peak traffic hour. The AOC's evaluation indicates that the project's impacts intersections in the project area will be less than significant.

2. The commenter provides several statements about parking. The proposed project's entrance will be approximately 300 feet from the Magnolia Street parking structure. Pedestrians walking between the new courthouse and the parking structure will need to cross the West Broadway/Magnolia Street intersection. The AOC believes the pedestrian crossing will not be a significant problem because the intersection has a traffic signal control that will segregate pedestrian and vehicle movements, the AOC will add pedestrian crossing enhancements, and West Broadway can provide substantial space for vehicle queuing.

The AOC's analysts have not observed substantial egress problems from the Magnolia Street parking structure, but the AOC agrees that the present ingress traffic produces congestion. In particular, the AOC has observed that most drivers who park in the parking structure use the nearby Magnolia Avenue crosswalk to travel from the parking structure to the courthouse. Pedestrian movements in the crosswalk are unregulated; during the morning peak traffic hour, the pedestrian crosswalk traffic often substantially blocks vehicle movement on Magnolia Avenue between West Broadway and Ocean Boulevard. However, as noted in [Section 2.4.2](#), the AOC expects that the City will remove the Magnolia Avenue crosswalk after completion of the project. The AOC expects removal of the crosswalk, pedestrian crossing-related improvements of the West Broadway/Magnolia Avenue intersection, and signal control of pedestrian crossings of Magnolia Avenue at West Broadway will improve vehicle and pedestrian flow in the vicinity of the parking garage.

The AOC has not "dictated" that public parking will not be "on-site" with court facilities. For security reasons, the AOC will not allow public parking under courthouses, but the AOC frequently includes secured parking for Court's staff under courthouses. When space is available, the AOC is willing to add surface parking or parking structures to new courthouse projects. For the New Long Beach Courthouse, [Section 2.4.3](#) discloses that the AOC plans some on-site public parking spaces for commercial and retail tenants, and the AOC expects its design will generally conform to the City's Municipal Code requirements for parking. The AOC will disclose the precise details about the project design with the Long Beach community as the AOC reviews and finalizes the design.

3. The AOC believes there are advantages for locating the proposed project on the proposed site. The site is near the Magnolia Avenue parking structure, which has served the existing courthouse and will provide valuable parking spaces for the new courthouse. The site is also near the Long Beach Police Department, the City's nearby parking structures, publicly owned parking facilities, and public transit facilities.

4. AOC staff are unaware of the AOC's establishment of clear dictates or restriction for placement of new criminal courts in close proximity to schools.

The commenter expressed concerns for the project's proximity with Cesar Chavez Elementary School. State and local law enforcement agencies maintain appropriate public safety at the Superior Court's existing facilities, and the AOC presumes that these parties will provide appropriate public safety for the proposed project. All public gatherings produce concerns for security, but the AOC concludes that the application of typical Court-related security measures for the project will prevent significant security hazard impacts. The existing courthouse is already near the school, and many courthouse visitors currently park in the surface parking lot across Maine Avenue from the school or in on-street parking spaces on Maine Avenue, 3rd Street, or West Broadway. The project's placement of the project's public entrance near the West Broadway/Magnolia Avenue intersection and the elimination of weekday daytime parking on portions of 3rd Street and West Broadway will provide security benefits for the school.

Response # 3 provides some of the AOC's reasons for considering the proposed project site. Since the AOC intends to place the proposed project's entrance near the West Broadway/Magnolia Avenue intersection and will eliminate much of the current weekday daytime public on-street parking (and associated traffic) near the school, the AOC believes that the proposed project does not create auto, pedestrian, and criminal problems for Cesar Chavez School.

4. Since the proposed project replaces approximately 5.9 acres of undeveloped land, the AOC believes that the proposed project will provide benefits for the general area. The project will also promote continued and possibly increased use of public transit facilities, and its implementation of the project's objectives will improve judicial services for residents of Long Beach and Los Angeles County.

6. Comment noted.

### **7.213 Unidentified Commenter**

(Comments from Long Beach CEQA Meeting – June 10, 2009)

The commenter asked where the AOC will get money (for construction) for the project.

Response: Private development teams are financing construction of the project. State Judicial Branch general funds will lease the Superior Court's space from the developers. County funds, commercial office tenants, and retail tenants will also make lease payments to repay the developers. The Superior Court's, County's, commercial tenants', and retail tenants' lease payments will also reimburse the developers for operational and maintenance costs.

The commenter asked how the performance-based infrastructure compares to the (pro forma\*) turnkey process.

Response: For most courthouse construction projects, the AOC uses State funds to acquire a parcel and pay for a private firm's design of a courthouse, a private firm's construction of a courthouse, and the State's operational and maintenance costs for the new courthouse. For a performance-based infrastructure project, the State will acquire the project's parcel, and the State will contract with a private development firm that will use its funds to design, construct, operate, and maintain the courthouse. The State will own the courthouse, but the State make payments to the private developer for a specified number of years to reimburse the developer for its financing, design, construction, operational, and maintenance costs.

## 8.0 Revisions to the Draft Initial Study

The AOC's revisions to the Draft Initial Study are presented below. The deleted text from the Draft Initial Study is shown in strike-through gray font, and the new text is shown as underlined red font.

### 2.4 PROJECT DESCRIPTION

The proposed project will include an approximately ~~10~~7-story building with a basement. The proposed facility ~~is intended to~~will serve the Superior Court, the County, commercial office ~~space~~tenants, and other retail tenants.

Since the AOC is the project's lead agency and is acting for the State of California on behalf of the Judicial Council of California, local governments' land use planning and zoning regulations do not apply to the proposed courthouse project. The AOC's proposed courthouse design will conform to the ~~specifications~~requirements of the California Trial Court Facilities Standards.<sup>123</sup> The ...

The AOC will apply the following codes and standards: California Building Code<sup>124</sup> (edition in

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efficiency, energy and atmosphere, materials and resources, indoor environmental quality, and innovation and design processes.

The AOC's preparations for implementation of the project presume that all parties responsible for constructing and operating the project comply with standard conditions and requirements for local, state, or federal regulations or laws that are independent of CEQA compliance. The standard conditions and requirements serve to prevent specific impacts. Typical standard conditions and requirements include compliance with the provisions of the California State Building Code, National Pollutant Discharge Elimination System (NPDES) permit system, and South Coast Unified Air Pollution Control District's Rules and permitting requirements.

The AOC's plans for the project also include project design features—specific design elements that the AOC has incorporated into the project's construction and operation to prevent the occurrence of potential environmental effects or reduce the significance of potential environmental effects. The project design features are actions that conform to the California Trial Court Facilities Standards' design requirements. For example, the AOC presumes that the parties implementing the proposed project will use best management practices (BMPs) and technologies aimed to limit the use of natural resources as well as the project's operating cost over the life of the building. Because the

<sup>123</sup> Judicial Council of California. 2006. California Trial Court Facilities Standards. 226 p. Available at: [http://www.courtinfo.ca.gov/programs/occm/documents/06\\_April\\_Facilities\\_Standards-Final-Online.pdf](http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf).

<sup>124</sup> California Building Code. 2008. Building Standards Commission. Available at: <http://www.bsc.ca.gov/default.htm>.

AOC is incorporating the project design features into the project, they do not constitute mitigation measures as defined by CEQA.

Prior to the start of construction, the AOC will include preparation of a geotechnical report, and utilization of the report's recommendations to prepare design criteria that will ensure that the project's design meets requirements of the California Building Code for geological and soil issues. ~~The proposed project will use best management practices (BMPs) and technologies aimed to limit the use of natural resources as well as the operating cost over the life of the building. The proposed project will consist of economical and adaptive spaces that are flexible and anticipate future change. These measures are aimed to provide a healthy, safe, and accessible environment for the building occupants and visitors.~~

#### **2.4.1 Real Estate-Related Actions**

The AOC and the Agency propose an exchange of properties. The AOC will acquire the parcels

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existing building will remain vacant after the Superior Court and County move to the proposed new courthouse.

The proposed courthouse parcel is within the Agency's Central Redevelopment Project area. The general plan land use designation for the proposed project site is Land Use District No. 7 (LUD No. 7), which is a mixed-use district. The City is in the process of developing a new Community plan for the district, and the plan will recognize the judicial operations and other uses proposed by the AOC for the site of the new court facility.

The proposed project may include closure of Daisy Avenue between West Broadway and 3rd Street. The State may remove utility mains from the proposed project site's Daisy Avenue area and relocate the mains to 3rd Street, Maine Avenue, and Magnolia Avenue and possibly to portions along West Broadway. The proposed project will include widening the east side of Magnolia Avenue by 17 feet between 3rd Street and West Broadway.

#### **2.4.2 Proposed Courthouse Facility**

~~As previously mentioned, the~~The proposed project will consist of a courthouse building with as many as 10-7 stories and a basement. The AOC has not yet developed a conceptual site plan for the project. The building will be up to approximately 200150 feet tall with as much as approximately 545,000 building gross square feet. It will extend along West Broadway. The greatest height and bulk of the new court building, and its tallest portions will be approximately 150 feet east of Maine Avenue, 150 feet south of West 3rd Street, and 100 feet west of Magnolia Avenue. Figure 5 shows potential zones where the AOC may locate the project within the proposed site. Figure 5 presents a "worst-case" scenario for the evaluation of environmental impacts, and this Initial Study evaluates the maximum level of impacts that are anticipated from the proposed project footprint zones. Project components constructed within 150 feet of Maine Avenue will

be no greater than approximately 50 feet in height. Portions of the commercial and retail components may have entrances facing West Broadway, Magnolia or Maine Avenues. The courthouse's main public entrance will be along West Broadway and near the intersection of West Broadway and Magnolia Avenue. ~~The new development will have a lower scale and larger building setbacks along Maine Avenue and 3<sup>rd</sup> Street. The building will be designed to have a sloped or stepped roofline so that the tallest portion of the building will be along West Broadway, and the northern 3<sup>rd</sup> Street side of the building will be shorter.~~

The new courthouse will include 31 courtrooms with associated judicial chambers and

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movement of in-custody detainees, judicial staff, and visitors.

The proposed project site will also provide commercial office and retail space within the facility. The roughly 545,000 BGSF court facility will provide approximately 380,000 BGSF for the Superior Court; approximately 70,000 BGSF for the County; and as much as approximately 85,000 BGSF of commercial office space for private tenants, and as much as approximately 10,000 BGSF of private retail space. The private commercial and retail tenants will also have on-site parking spaces in the lower floors or basement of the non-Superior Court portion of the building.

The building's basement will include a sallyport (a secured building entrance that connects to a

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support space in the basement for operational needs.

The Superior Court will generally maintain current patterns of use for 27 courtrooms and use the new courthouse's additional four courtrooms for criminal judicial proceedings. The Superior Court will relocate its staff and operations from the existing courthouse to the proposed new courthouse. County staff in the existing courthouse who interact with the Superior Court will also move from the existing courthouse to the new courthouse. The Superior Court will increase staffing from the current approximately 265 staff to approximately 305 staff members, and the County will may increase staffing by 15 percent from the current approximately 260 staff to approximately 300 staff members. The Superior Court will increase juror population by approximately 100 persons per day and visitor population by approximately 15 percent per day.<sup>125</sup>

West Broadway or West 3rd Street will provide ingress to the proposed building's sallyport, and the ~~sallyport's~~ sally port's egress will be on 3rd Street. The proposed courthouse building will may have separate driveways for Sheriff's Department bus traffic, service traffic, and judicial officers. The Sheriff's Department requires sufficient secured space to unload two buses simultaneously while ~~three additional buses wait~~ a third bus waits in the secured area; the buses will use Broadway and 3rd Street for access. Judicial officers and service vehicles may use West Broadway or Magnolia Street or 3rd Street for access.

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<sup>125</sup> The total of 31 courtrooms equals a 15-percent increase from the existing 27 courtrooms.

The project will also make several improvements in the area surrounding the proposed project. The project may add a traffic signal at the intersection of West 3<sup>rd</sup> Street and Daisy Avenue if a signal assists Sheriff's buses' exits from the new courthouse. To improve pedestrian safety at the ~~intersection~~intersections of West Broadway and 3rd Street with Magnolia Avenue, the AOC will add pedestrian corner crossing enhancements.

The proposed project may require a street closure of Daisy Avenue between West Broadway and 3rd Street. In addition, the ~~proposed project~~AOC presumes that the City will remove the existing Magnolia Avenue crosswalk that extends from the ~~County~~Magnolia Avenue parking facility to the existing courthouse. The State may remove utility mains from the proposed project site's Daisy Avenue area and relocate the mains to 3rd Street, Main Avenue, and Magnolia Avenue and possibly to portions of West Broadway.

### **2.4.3 Parking**

The Superior Court's judges and some County officials currently park in secured parking in the existing courthouse, and the Superior Court's managers park on the site's surface parking area. Other staff, jurors, County staff persons, and some visitors currently park in the Magnolia Avenue parking garage. Other visitors to the courthouse park in the City's Broadway Garage at 300 West Broadway, in on-street parking spaces, in surface lots, or in other parking garages.

Figure 13. Potential Building Height Zones for the Proposed Project



The Magnolia Avenue garage currently has structural problems that limit its capacity. The project will add improvements to correct the garage's structural problems and reopen approximately 225 parking spaces to restore the structure's capacity of approximately 960 vehicles. After completion of the new courthouse and the parking garage improvements, the Superior Court's judges and some executives will park in the new courthouse's secured parking area. The Superior Court's remaining ~~executives and~~ staff, jurors, and some visitors and the County's staff working in the new courthouse will park in the improved Magnolia Avenue parking garage.

The proposed project will have some on-site public parking spaces for commercial and retail tenants. For professional offices, Long Beach Municipal Code<sup>126</sup> Section 21.41.216's Table 41-1C (Required Number of Parking Spaces for Commercial, Industrial/Manufacturing and All Other Uses) requires 4 parking spaces per 1,000 gross floor area (GFA<sup>127</sup>) up to 20,000 GFA and 2 parking spaces per 1,000 GFA for offices more than 20,000 GFA. The AOC's design will generally conform to the City's Municipal Code requirements.

Following the completion of construction, the project will eliminate public on-street parking on the west side of Magnolia Street between West 3rd Street and West Broadway, the south side of West 3<sup>rd</sup> Street between Magnolia Avenue and Maine Avenue, and on the north side of West Broadway between Magnolia Avenue and Maine Avenue on weekdays from approximately 8:00 a.m. ~~to 5 p.m.~~ to 5 p.m. Official vehicles may park in these locations during Court business hours.

#### 2.4.4 Construction Scenario

In response to comments submitted on the Initial Study and draft Mitigated Negative Declaration, the AOC has expanded and added more detail to the discussion of the construction scenario and the best management practices that the AOC will implement as part of the project.

The proposed project will ~~occur continuously and will~~ include the construction of the proposed courthouse ~~buildings~~ building, renovation of the Magnolia Avenue parking structure, and the development of ~~the~~ site improvements. There will be no off-site staging areas. ~~Site preparation and,~~ but construction of the proposed project personnel will park in nearby off-site areas. The AOC anticipates that construction workers will access the site primarily off West Broadway. When possible, workers will carpool to the site and will report to a designated on-site staging area. ~~comply with all federal and state building codes. The development~~ The construction contractor will install fencing around the perimeter of the project site.

The site currently has no buildings. A construction staging area currently occupies approximately 35 percent of the site in the northeast, the northwest portion of the site has an aggregate-covered parking lot that covers approximately 25 percent of the site, an asphalt-covered parking lot covers approximately 25 percent of the site in the southwest portion of the site, and the remainder of the site is vacant and unused.

Construction of the New Long Beach Courthouse will require approximately 24 months to complete from ~~early 2011~~ mid 2010 to ~~late~~ 2012. Table 1 provides the AOC's estimate of the duration of expected individual construction activities, but some of these individual construction activities may overlap.

<sup>126</sup> Available at <http://www.municode.com/Resources/gateway.asp?pid=16115&sid=5>. Accessed on May 11, 2009.

<sup>127</sup> GFA excludes utility and elevator cores, stairwells and restrooms.

Table 33. Projected Construction Activities

<u>Construction Phase</u>	<u>Construction Activity</u>	<u>Projected Duration (Months)</u>	<u>Notes</u>
<u>Mobilization</u>	<u>Preparations for construction</u>	<u>0.25</u>	<u>AOC assumes staging area will cover approximately 20% of site</u>
<u>Demolition</u>	<u>Removal of pavement, utilities, and debris</u>	<u>0.5</u>	<u>Since a large portion of the site is already clear, demolition phase activities will affect only approximately 10% of site</u>
<u>Mass grading &amp; excavation</u>	<u>Excavate basement</u>	<u>1</u>	<u>The mass grading and excavation area will cover approximately 1.75 acres</u>
	<u>Construct foundation</u>	<u>1</u>	<u>Activity includes backhoe-excavated footings for shorter portions of facility. To construct supports for “tower” portion of facility, construction operations will not use pile drivers and will drill holes and cast piles in place or use other methods</u>
<u>Trenching</u>	<u>Relocate utilities</u>	<u>2</u>	
<u>Building construction</u>	<u>Assemble frame and floors</u>	<u>4</u>	
	<u>Install exterior and roof</u>	<u>4</u>	
	<u>Finish interior</u>	<u>10</u>	
<u>Coatings</u>	<u>Exterior coating</u>	<u>1</u>	<u>Spray paint and apply water sealants with brushes</u>
	<u>Interior coating</u>	<u>2</u>	<u>Spray paint and coatings</u>
<u>Paving</u>	<u>Install drives, sidewalks, plazas, and other structures</u>	<u>1</u>	<u>Includes concrete installation but no asphalt use</u>
<u>Fine grading</u>	<u>Grade and contour site</u>	<u>1</u>	<u>AOC estimates grading area will cover approximately 4.25 acres</u>
<u>Finish</u>	<u>Inspections, testing, clean-up, and other activities</u>	<u>1</u>	

The project’s construction operations will implement BMPs and other measures throughout the construction phase to avoid or minimize potential impacts. These BMPs and other measures will include:

General measures

Designate a project contact person to communicate with the Long Beach community and interested stakeholders regarding construction activities;

Inform the Long Beach community and interested stakeholders through the use of a monthly newsletter that identifies the construction schedule and upcoming construction activities;

Storm water, water quality, and soil erosion management measures

Prior to the start of construction activities, the AOC will ensure that the construction contractor prepares a Storm Water Pollution Prevention Plan and secures the Regional Water Quality Control Board’s approval of the plan. ~~The AOC’s contractor will implement BMPs throughout the construction phase to avoid or minimize potential impacts. The AOC will require the construction contractor to:~~

The construction contractor will incorporate BMPs consistent with the guidelines provided in the California Storm Water Best Management Practice Handbooks:

Construction.<sup>128</sup>,<sup>129</sup>

For the construction during the rainy season, the construction contractor will implement erosion measures that may include mulching, geotextiles and mats, earth dikes and drainage swales, temporary drains, silt fence, straw bale barriers, sandbag barriers, brush or rock filters, sediment traps, velocity dissipation devices, or other measures;

Wherever possible, the construction contractor will perform grading activities outside the normal rainy season to minimize the potential for increased surface runoff and the associated potential for soil erosion;

Air quality management measures

Apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least two times a day to prevent generation of dust plumes,

Moisten or cover excavated soil piles to avoid fugitive dust emissions,

Discontinue construction activities that that generate substantial blowing dust on unpaved surfaces during windy conditions,

Install and use a wheel-washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site,

Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions,

Ensure that all construction and grading equipment is properly maintained,;

Ensure that construction personnel will turn off equipment when equipment is not in use;

Ensure that all vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times;

When feasible, construction operations will use electric construction power instead of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations;

Suspend heavy-equipment operations during first-stage and second-stage smog alerts;

Noise and vibration measures

Equip construction equipment with the best available noise attenuation device such as mufflers or noise attenuation shields

Install sound barriers (such as plywood barriers or noise attenuation blankets) around the perimeter of the project site along Maine Avenue and W. 3rd Street,

A “noise coordinator” for the project would be designated to meet with interested stakeholders and respond to complaints concerning construction noise; and

When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

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<sup>128</sup> California Stormwater Quality Association. 2003. *California Storm Water Best Management Practice Handbooks:*

*Construction*. Menlo Park, CA. Also Available at:

[http://www.cabmphandbooks.com/Documents/Construction/Section\\_3.pdf](http://www.cabmphandbooks.com/Documents/Construction/Section_3.pdf)

<sup>129</sup> California Stormwater Quality Association. 2003. *California Storm Water Best Management Practice Handbooks:*

*Construction*. Menlo Park, CA. Also Available at:

[http://www.cabmphandbooks.com/Documents/Construction/Section\\_3.pdf](http://www.cabmphandbooks.com/Documents/Construction/Section_3.pdf)

Construction activities will include excavation, grading, framing, paving, and coating. The AOC expects that excavation and grading operations will require approximately two months. ~~The~~

Although the AOC does not yet have design information for the project, the AOC estimates that proposed project will excavate approximately 60,000 cubic yards of soil materials. All grading will be completed on-site, and the construction contractor will reuse and keep on-site the maximum amount of materials. Excavation operations at the site will export roughly 30,000 cubic yards of material to an off-site location and re-place and compact the remaining material on-site. ~~Excavation~~ Building excavation operations will ~~go no deeper than roughly~~ be approximately 8 to 12 feet (~~deep (with an additional~~ approximately 10 feet for the building building's footings and foundations) at the proposed area of the New Long Beach Courthouse, a roughly 60,000-square-foot area. Excavation ~~will~~ might go as deep as approximately 15 feet at a roughly 70,000-square-foot area, ~~which will be utilized for commercial and retail uses~~ use portions of the project.

Construction will commence no earlier than 7:00 a.m. and typically cease no later than 4:00 p.m. on weekdays. ~~Work,~~ although it is possible that some construction activities may occur on weekdays until 7:00 p.m. Construction work might occur on Saturdays, ~~and it will commence no earlier than~~ between 9:00 a.m. and ~~cease no later than~~ 6:00 p.m.

~~The AOC will include the following air quality related BMPs:~~

~~Apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least two times a day to prevent generation of dust plumes;~~  
~~Moisten or cover excavated soil piles to avoid fugitive dust emissions;~~  
~~Discontinue construction activities that that generate substantial blowing dust on unpaved surfaces during windy conditions;~~  
~~○Installed and use a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site;~~  
~~Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions, and~~  
~~Suspend heavy equipment operations during first stage and second stage smog alerts.~~

~~The construction contractor will ensure that all construction and grading equipment is properly maintained, and construction personnel will turn off equipment when equipment is not in use. All vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times. The AOC anticipates that construction workers will access the site primarily off West Broadway. When possible, workers will carpool to the site and will report to a designated on-site staging area.~~

## 2.6 ZONING

The existing zoning for the proposed project site is a planning district for Downtown Long Beach (PD-30). The City's municipal codes identifies "planning districts" as areas that are established to allow "flexible development plans to be prepared for areas of the

city which may benefit from the formal recognition of unique or special land use and the definition of special design policies and standards not otherwise possible under conventional zoning district regulations.”<sup>130</sup> The PD district allows for compatible mixed development uses, including planned commercial areas and business parks, and encourages a variety of residential styles and densities.

Within the PD-30 Zoning District, there are several sub-districts. The area proposed for the site of the new courthouse is Downtown Mixed Use and has a maximum height limit of six stories or 80 feet for buildings. The area of the project where the existing parking lot and courthouse are located is Institutional, which has no maximum-height requirement. Although the State of California is not subject to local governments’ land use planning and zoning authorities, the AOC is coordinating closely with the City and Agency to promote the project’s compatibility with local land use plans and policies.

The City released a draft Downtown Community Plan and Notice of Preparation of a Draft Environmental Impact Report in July 2009.<sup>131</sup> The draft plan, which has not yet been finalized, proposes zoning, development standards, and design guideline changes to guide development that will be consistent with the community vision for the Downtown.

## 2.7.2 Land Uses

The area surrounding the proposed project site is an urbanized mix of planned development, commercial, and office spaces. Neighboring land uses also contain residential uses and the Cesar Chavez Elementary School. The Agency owns the immediate Proposed New Long Beach Courthouse Area. As previously mentioned, the ~~Proposed~~ proposed New Long Beach Courthouse Area is predominantly vacant, with the exception of the privately ~~owned~~ operated parking ~~space~~ lot on the Agency’s parcels ~~situated north of West~~ between Broadway, Daisy Avenue, W. 3rd Street, and Maine Avenue. The vacant land at the proposed project site was previously developed and ~~now~~ consists largely of dirt. The is now bare ground. To comply with the Trial Court Facilities Act of 2002 (SB 1732, Escutia), as amended, the State will acquire expects to complete acquisition during early August 2009 of the existing parking garage on Magnolia Street from the County. The AOC completed a notice of exemption (SCH 2008088243) for the acquisition in 2008.

## 2.7.3 Superior Court of California

The Superior Court is currently located in the existing courthouse at 415 West Ocean Boulevard. The Long Beach courthouse is in the Superior Court’s Southern District. The Superior Court currently operates 27 courtrooms with associated judicial chambers and operational areas. The courthouse supports felony, misdemeanor, civil, probate, and family law functions. The Superior Court currently has a staff of approximately ~~255~~ 275 at the Long Beach Courthouse.

<sup>130</sup> The City of Long Beach. 1988. City of Long Beach Municipal Code 21.37. Long Beach, CA.

<sup>131</sup> Available at [http://www.lbds.info/planning/advance\\_planning/downtown\\_community\\_plan/](http://www.lbds.info/planning/advance_planning/downtown_community_plan/). Accessed on July 27, 2009.

The existing courthouse has serious deficiencies that reduce the Superior Court's efficiency,

...

visitors. The building has inadequate space for the Superior Court's staff offices and juror assembly.

## 4.0 ENVIRONMENTAL ANALYSIS

The environmental analysis provided in this section describes the information that was considered in evaluating the questions in Section 3.0, Environmental Checklist. The information used in this evaluation is based on a review of relevant literature and technical reports (see Section 5.0, References, for a list of reference material consulted) and field reconnaissance undertaken in September 2008.

### 4.1 AESTHETICS

Aesthetic analysts' evaluations for ~~at~~ the proposed project site considered the California Trial

...

observations, photographs, and a review of conceptual elevations and site plans.

The proposed site for the New Long Beach Courthouse is predominantly vacant, with the exception of the privately operated parking ~~space~~lot on Agency-owned parcels ~~situated north of West~~between Broadway, Daisy Avenue, W. 3rd Street, and Maine Avenue. The vacant land at the proposed project site was previously developed and now consists largely of bare soil, pavement, and old concrete. In addition, the proposed project site has no vegetation, rock outcroppings, and historical buildings.

The area surrounding the proposed project site is a mix of urban, commercial, and office spaces characteristic of a downtown urban center. Neighboring land uses also include residential use, which provides moderate to high density housing opportunities for persons working in the Downtown area. Cesar E. Chavez Park is ~~located furthest west~~along Maine Avenue on the western side of the ~~Downtown area between the Los Angeles River and the West End Residential District.~~ Maximum building~~project site.~~ Building heights in the districts around the proposed project site ~~and its surroundings~~ range between approximately 30 feet to 280 feet tall.

In the Northern Hemisphere, the sun always arcs across the southern portion of the sky, but the

...

other times of year. At midday in winter, the position of the sun is directly south; shadows extend to the north and are at their shortest.

The pattern of shadow is similar in summer, but because the arc of the sun starts and ends farther ...

period. Therefore, only a facility that surrounds an area on two or more sides can shade an area for a substantial portion of the day.

**4.1.1 Will the project substantially degrade the existing visual character or aesthetic quality of the site and its surroundings?**

**No impact**—As noted above, the project site is a vacant lot. ~~A~~ There is a parking lot ~~operates~~ operation on the western portion of the site. The area surrounding the proposed project site is an urbanized mix of planned development, commercial and office spaces characteristic of a downtown urban center. The Cesar Chavez Elementary School is immediately west of the project site along Maine Avenue. The surrounding buildings include a wide variety of styles and materials.

The courthouse’s design will be consistent with courthouse design standards, and the AOC expects the courthouse’s features to be generally consistent with the surrounding developments. Table ~~34~~ lists other nearby tall buildings along West Broadway and near the proposed courthouse site. The proposed construction of the ~~200~~ 150 foot high courthouse will be substantially less than the nearby World Trade Center Long Beach building, which is 30 stories and 397-feet high and dominates the skyline of the project area. Since the proposed approximately ~~107~~ 7-story building will not be unusual for the downtown setting and the visual character and aesthetic quality of the proposed courthouse will be consistent with the visual character and aesthetic quality of the downtown area, the AOC concludes that the physical appearance of the building will not substantially degrade the existing visual character or aesthetic quality of the site’s surroundings. The proposed scale of the project is compatible and consistent with surrounding existing and approved structures because the project site is located in an area characterized by urban uses including high-rise towers. Therefore, there will be no impacts.

Table 3. Tall Buildings Near The Proposed Courthouse Site

Building	Building Height (stories)	Approximate Distance From Proposed Courthouse Site (feet)
Lyons Building	5	300
Police Department	8	350
Magnolia Street Parking Garage	4	250
Long Beach Courthouse	<del>10</del> <u>6</u>	650
Federal Building	15	600
World Trade Center Long Beach	30	625

**Mitigation Measures:** no mitigation required.

**4.1.4 Will the project create a new source of substantial shade which will adversely affect the area?**

**Less than significant**— For this potential impact, analysts based the evaluation upon the guidelines of the California Trial Court Facilities Standards and the City’s General Plan’s Land Use Element. To evaluate the shade and shadow effects of the proposed courthouse on surrounding development, particularly residential units north of the proposed project, analysts observed the impact of shadows created by the proposed new courthouse on sensitive use receptors at the Cesar E. Chavez Elementary School and Cesar Chavez Park west of the project site and on the residential ~~housing lying~~ area along the north boundary of the project site on West 3rd Street.

Analysts prepared a conceptual massing model of the proposed courthouse, based on the anticipated square footage and height of the building to conduct a shade and shadow simulation in Sketchup. The simulation of the shade and shadow by the proposed courthouse building was performed evaluated the project’s shading of nearby areas for the Winter Solstice, Summer Solstice, and Autumnal Equinox, and Vernal Equinox. Figure 5 displays shading impacts to Equinoxes. For the Final Initial Study and Mitigated Negative Declaration, analysts prepared revised shade analyses of the proposed project’s potential tower. Figures 6 through 11 display the potential Winter Solstice shading impacts to the West 3<sup>rd</sup> Street area including Cesar Chavez Elementary School, Cesar Chavez Park, and the residential area north of West 3<sup>rd</sup> Street. The analysts’ simulation evaluated the hours between 9 a.m. and 3 p.m.

As shown in Figure 5, Within the proposed courthouse will not shade the Cesar Chavez Elementary School. potential 50-foot tall commercial building zone, a building near the corner of West Broadway/Maine Avenue may shade the school between 8 a.m. and 9 a.m. on the Winter Solstice, but the tower portion of project will not shade the school. The project will not shade Cesar Chavez Park on the Winter Solstice, and the project will not shade the school or park on the equinoxes or Summer Solstice.

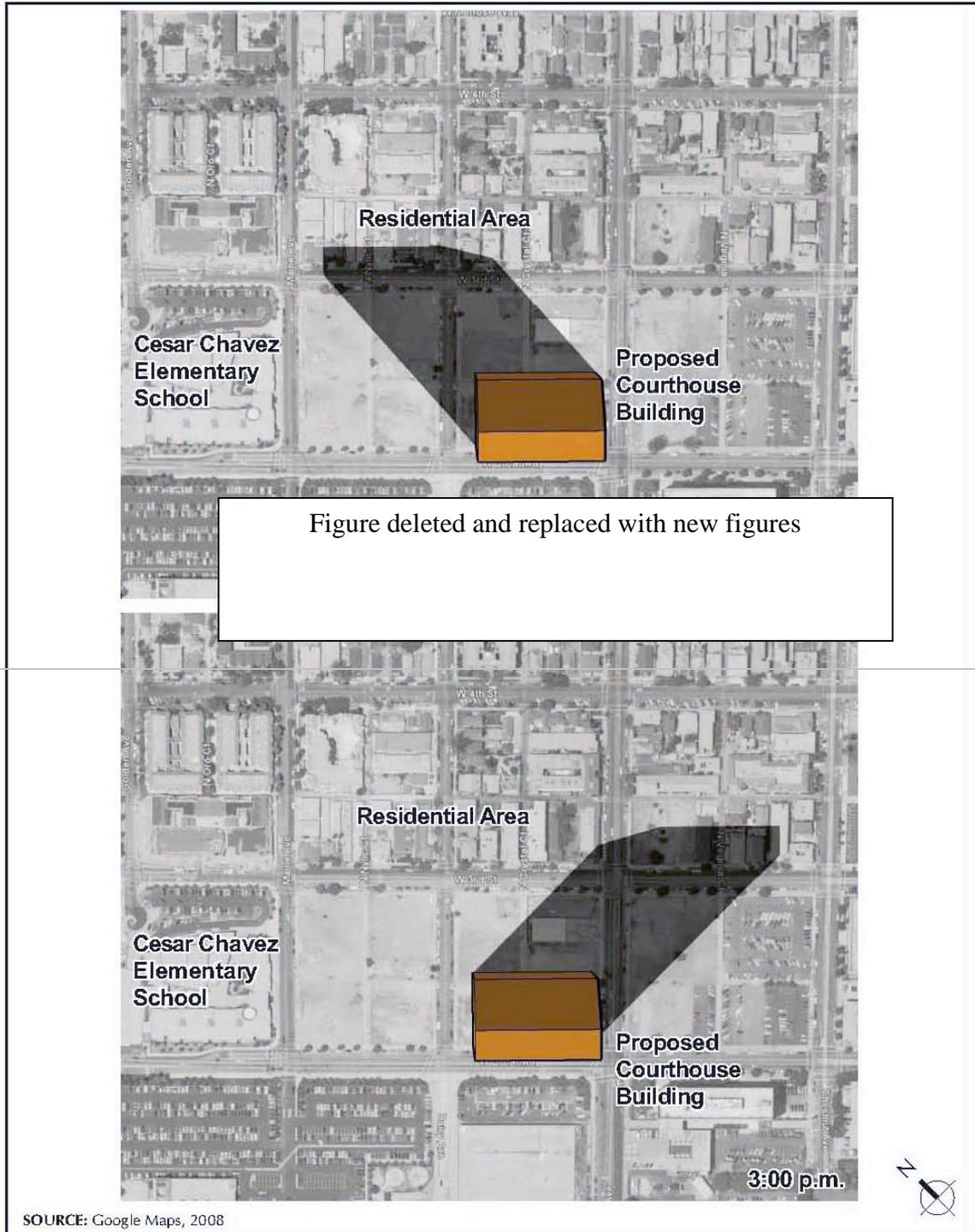
~~There is~~ The project will have a shadow effect of two hours to eight hours on the south-facing sides of the residences directly along West 3rd Street between Maine Avenue and Nyllic Court Magnolia Avenue during the period of the Winter Solstice. Winter Solstice. The longest shading will occur in the area between Daisy Court and Crystal Court. The project’s tower will shade the residences along West 3rd for approximately one hour between 9:00 a.m. to 10:00 a.m. (Figure 4.2.2 1, Winter Solstice, between 9:00 a.m. and 3:00 p.m.). After 10:00 a.m., the proposed new courthouse would not cast a shadow over any of the residential developments along West 3rd Street. The proposed building will shade the residential area north of the project site, but shading two hours in the early morning and late evening on the Spring and Fall Equinoxes.

The State’s threshold of significance for individual residences will only occur for approximately one hour of the daytime period. Since the shading will only occur for a limited portion of the daylight period shading impacts is creation of extended periods of shading of public facilities. Since the project will shade the Cesar Chavez School for at most approximately one hour on the Winter Solstice and have no shading impacts on the Spring and Fall Equinoxes or Summer Solstice, the AOC concludes that the shading

impacts on the school are less than significant. Since the project will not shade the park, the impacts on the park are less than significant.

~~No shade/shadow impacts will take place on sensitive receptors during the summer solstice, autumnal equinox, and vernal equinox.~~

Figure 5. Winter Solstice Shadows: 9:00 a.m. and 3:00 p.m.



**FIGURE 4.2.2-1**  
Winter Solstice, 9:00 a.m. and 3:00 p.m.

The State is not subject to local governments' land use plans, policies, regulations, and codes. The project will shade residential areas for extended periods during the Winter Solstice, but the project will not shade the residential areas for extended periods at other times of the year. Since there are no public facilities in this area of project-related extended shade, the AOC concludes that the impacts are less than significant.

#### **4.3.1 Will the project obstruct or conflict with implementation of the applicable air quality plan?**

The proposed project area is located in the City, which is located within the Air District's portion ...

Angeles is a state-level non-attainment area for the ozone, PM10, and PM2.5 air quality standards for the California Ambient Air Quality Standards. 1 month

The most recent update to the Air District's Air Quality Management Plan was prepared to meet ...

practicable date. With the incorporation of new scientific data, emission inventories, ambient measurements, control strategies, and air quality modeling, this 2007 Air Quality Management Plan focuses on ozone and PM2.5 attainments.

Existing air quality within the City vicinity consists of a mix of local emission sources that

...

identifies carbon monoxide as a localized problem requiring additional analysis when a proposed project is likely to expose sensitive receptors to carbon monoxide hotspots.

The Air District evaluates the project in terms of air pollution thresholds ...

proposed project, as currently conceived, will occur daily for a period of approximately 24 months.

The proposed project proposes an approximately 545,000 BGSF building with up to ~~ten~~ seven-stories. Implementation of the proposed project will create new activity that will contribute to air quality impacts in the surrounding area. In addition, during operation of the proposed project, emissions generated daily from space and water heating and vehicle trips generated by new employees, additional jurors, and visitors to and from the proposed project area might produce operational air quality impacts beyond the Air District's thresholds of significance.

The air quality analysts used methodology that is consistent with the methods described in the

...

Because the proposed project site does not contain an industrial component that is considered a lead emission source, analysts did not evaluate lead emissions for the proposed project.

To perform the air quality technical analysis, analysts made the following assumptions:

- URBEMIS's commercial land use category for the air quality analysis;
- The proposed project consists of a 545,000 square foot facility, ~~broken down into~~ with 450,000 square foot for the courthouse, 75,000 for commercial office space, and 20,000 square foot for retail use.
- According to the traffic impact analysis prepared for the proposed project,<sup>132</sup> the proposed project will generate 1,911 trips per day. in comparison to the existing environmental baseline. This was simulated in the URBEMIS model by using a trip generation factor of 1.00 trip per 1,000 square feet for the courthouse, 11.01 trips per 1,000 square feet for the office building, and 31.76 trips per 1,000 square feet for the retail space;
- The total proposed project construction was assumed to take 24 months ~~in~~ maximum from January ~~June~~ June 1, 2010 to ~~December 31, 2011~~ July 30, 2012;
- ~~Six~~ The project includes nine construction phases ~~were assumed~~ —mobilization, demolition, mass site grading, fine site grading, paving, trenching, construction, and architectural coatings, paving, fine site grading, and finalization. Demolition, mass site grading, fine site grading, and paving will each take 1 month or less, building construction will take ~~17~~ approximately 24 months, and coating will take 3 months;
- Approximately 5.9 acres will be scheduled for construction, with a maximum of ~~0.3~~ 1.75 acre to be disturbed daily during mass site grading and a maximum of 4.25 acres to be disturbed daily during fine site grading;
- ~~A~~ Construction operations will coat a maximum of 150,000 square feet ~~would be coated,~~ and workers will generally apply exterior coatings with a brush;
- Default parameters such as the horsepower and the operational duration (8 hours/day) were used for all construction equipment;
- Area air emission sources of natural gas fuel combustion, hearth fuel combustion, landscape fuel combustion, consumer products, and architectural coatings were selected to represent area sources in the vicinity of the proposed project;
- Default values (i.e. vehicular fleet, trip characteristics, temperature data, and variable starts) were used to calculate air emissions generated by vehicular trips to and from the proposed project site; and
- The build-out year for the proposed project ~~was assumed to~~ will be ~~2011~~ 2012, which was inputted to represent the vehicular fleet mix in ~~2011~~ 2012 upon completion of the proposed project's construction.

Sections 4.3.1.1 and 4.3.1.2 separately evaluate the project's construction-related impacts and operational impacts.

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<sup>132</sup> Linscott, Law, and Greenspan, Engineers. December 2008. New Long Beach Courthouse Traffic Impact Analysis. Costa Mesa, CA.

Table 4. Air District's Emission Thresholds Of Significance

Critical Air Pollutant	Project Construction (lbs/day)	Project Operations (lbs/day)
Carbon monoxide	550	550
Volatile organic compounds	75	55
Nitrogen oxides	100	55
Sulfur oxides	150	150
Particulate matter (PM2.5)	55	55
Particulate matter (PM10)	150	150

### 4.3.1.1 Construction Impacts

**Less than significant**—In response to comments received on the Draft Initial Study and Mitigated Negative Declaration, the AOC added additional project construction information and performed a revised analysis of air emissions from project construction.

Construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. Demolition and site preparation activities will create fugitive dust emissions. Construction equipment will produce nitrogen oxide emissions. Paving operations and the application of architectural coatings and other building materials will release volatile organic compound emissions. The assessment of construction air quality impacts considers each of these potential sources during each constructional phase. However, construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and the prevailing weather conditions.

Analysts prepared a projected list of the type and quantity of equipment and vehicles, number of trips to and from the proposed project site during construction, and approximate duration of on-site activities (See Table 5.6) and used this information in the assessment of the potential construction impacts upon air quality. As stated in Section 2.4.4, the proposed project will implement BMPs during the construction of the proposed project to reduce or avoid potential impacts. For air quality issues, the AOC will include the following BMPs:

Designate a project contact person to communicate with the Long Beach community and interested stakeholders regarding construction activities; Inform the Long Beach community and interested stakeholders through the use of a monthly newsletter that identifies the construction schedule and upcoming construction activities;

- Apply water or a stabilizing agent to exposed surfaces in sufficient quantity at least two times a day to prevent generation of dust plumes;
- Moisten or cover excavated soil piles to avoid fugitive dust emissions;
- Discontinue construction activities that that generate substantial blowing dust on unpaved surfaces during windy conditions;
- Install and use a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.;

Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions, and;

Ensure that all construction and grading equipment is properly maintained;

Ensure that construction personnel turn off equipment when equipment is not in use;

Ensure that all vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times;

When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations; and

Suspend heavy-equipment operations during first-stage and second-stage smog alerts.

Table 5. Anticipated Construction Equipment

Type of Equipment/ Vehicle <u>Construction Phase</u>	<u>Construction Activity</u>	Quantities (Approximate) <u>Type of Equipment/ Vehicle</u>	Approximate Duration of On-Site Construction Activity (days) <u>(weeks)</u>
Concrete/industrial saw <u>Mobilization</u>	<u>Construction preparations</u>	+ <u>Tractor/loader, truck</u>	2+ <u>1</u>
Rubber tired dozer <u>Demolition</u>	<u>Removal of pavement, utilities, and debris</u>	+ <u>Tractor/loader, concrete/ industrial saw, rubber-tired dozer, grader, water truck</u>	6+ <u>1</u>
Tractors/loaders <u>Mass site grading</u>	<u>Excavate basement and construct foundation</u>	+ <u>5 tractors/loaders, rubber tired dozer, grader, 2 excavators, water truck</u>	45+ <u>6-8</u>
Tractors/loaders <u>Trenching</u>	<u>Relocate utilities</u>	+ <u>Tractor/loader, Rubber-tired dozer, water truck</u>	2+ <u>8</u>
Water truck <u>Building construction</u>	<u>Assemble frame and floors, Install exterior and roof, finish interior</u>	+ <u>3 welders, 2 forklifts, crane, generator set, tractor/loader, off-highway truck, water truck</u>	52+ <u>72</u>
Grader <u>Coating</u>	<u>Exterior and interior Coating</u>	+ <u>Relevant coating equipment</u> N/A to AQ analysis	43+ <u>12</u>
Cement and mortar mixers <u>Paving</u>	<u>Install drives, sidewalks, plazas, and other structures</u>	+ <u>4 cement and mortar mixers, paver, paving equipment, roller, tractor/loader, water truck</u>	22+ <u>4</u>
Pavers <u>Fine site grading</u>	<u>Grade and contour site</u>	+ <u>Tractor/loader, rubber-tired dozer, grader, water truck</u>	22+ <u>4</u>
Paving equipment <u>Finalization</u>	<u>Inspections, testing, cleanup, and other activities</u>	+ <u>Tractor/loader and off-highway truck</u>	22+ <u>4</u>
Rollers		+ <u>1</u>	22
Welders		+ <u>3</u>	370
Forklifts		+ <u>2</u>	370
Cranes		+ <u>1</u>	370
Generator sets		+ <u>1</u>	370

Analysts based the emission forecasts on ~~conservative assumptions about~~ that incorporated the construction scenario; these assumptions include anticipated construction activities ~~occurring 8 hours a day and 5 days a week and being completed within a relatively short timeframe.~~ The assumptions included listed above, the construction schedule for the project, the BMPs described in ~~Section 2.4.4.~~ <sup>133</sup> Section 2.4.4 and listed above, and compliance with the Air District's rules. <sup>134</sup> In addition, estimates included in this analysis include the highest number of potential worker commute trips.

The delivery and hauling of construction materials and equipment, the use of heavy-duty construction equipment, and the construction workers' commute trips from and to the proposed project site will be initiated in support of site construction activities. The construction air quality technical impact analysis takes into account of each of these potential emission sources.

Table ~~6~~ 7 lists analysts' estimates of the project's maximum daily construction emissions (See Appendix B for URBEMIS 2007 Version 9.2.4 Output). The daily construction emissions associated with the project's construction activities will not exceed the Air District's daily construction emission thresholds of significance for carbon monoxide, sulfur oxides, nitrogen oxides, volatile organic compounds, PM10, and PM2.5. Therefore, the daily construction emissions will be less than significant.

Table 6. Estimated Daily Construction Emissions

Construction Phase	Construction Emissions (Pounds/Day)					
	Volatile organic compounds	Nitrogen oxides	Carbon monoxide	Sulfur oxides	PM10*	PM2.5*
<u>Mobilization</u>	<u>1.89</u>	<u>16.00</u>	<u>6.57</u>	<u>0.00</u>	<u>0.73</u>	<u>0.67</u>
Demolition	1.72	12.99	7.39	0	0.78	0.71
Mass <u>Site Grading &amp; Excavation</u>	<del>6.62</del> <u>8.91</u>	<del>71.77</del> <u>79.72</u>	<del>31.45</del> <u>41.61</u>	<del>0.06</del> <u>0.04</u>	<del>9.38</del> <u>39.47</u>	<del>4.24</del> <u>11.33</u>
<u>Trenching</u>	<u>2.4</u>	<u>19.72</u>	<u>10.34</u>	<u>0.00</u>	<u>35.95</u>	<u>8.18</u>
Fine <u>Site Grading</u>	<del>3.04</del> <u>2.72</u>	<del>25.05</del> <u>22.00</u>	<del>13.51</del> <u>12.42</u>	0	<del>7.26</del> <u>86.08</u>	<del>2.41</del> <u>18.74</u>
Paving	<del>3.48</del> <u>13</u>	<del>22.09</del> <u>19.51</u>	<del>13.22</del> <u>12.57</u>	0	<del>1.62</del> <u>44</u>	<del>1.48</del> <u>32</u>
Building Construction	<del>5.85</del> <u>7.29</u>	<del>29.80</del> <u>43.08</u>	<del>53.97</del> <u>58.30</u>	0.06	<del>4.98</del> <u>2.46</u>	<del>1.68</del> <u>2.12</u>
<u>Architectural Coating</u>	<del>48.70</del> <u>53.57</u>	<del>0.03</del> <u>12</u>	<del>0.55</del> <u>2.06</u>	0	<del>0.01</del> <u>02</u>	<del>0.00</del> <u>01</u>
Maximum Regional Total	<del>48.70</del> <u>54</u>	<del>71.77</del> <u>80</u>	<del>53.97</del> <u>58</u>	0.06	<del>9.38</del> <u>86</u>	<del>4.24</del> <u>19</u>
Air District's Daily Significance Threshold	75	100	550	150	<del>55</del> <u>150</u>	<del>150</del> <u>55</u>
Significant Impacts?	No	No	No	No	No	No

<sup>133</sup> Section 2.4.4 describes air quality-related BMPs, and Section 4.3.1.2 notes the description. The URBEMIS software describes these BMPs as "mitigation measures." The AOC believes the BMPs describe current construction industry practices. Therefore, the AOC includes the BMPs as part of the project description rather than mitigation measures.

<sup>134</sup> Section 2.4.4 describes air quality-related BMPs, and Section 4.3.1.2 notes the description. The URBEMIS software describes these BMPs as "mitigation measures." The AOC believes the BMPs describe current construction industry practices. Therefore, the AOC includes the BMPs as part of the project description rather than mitigation measures.

**Mitigation Measures:** no mitigation required.

#### **4.3.4 Will the project expose sensitive receptors to substantial pollutant concentrations?**

**Less than significant**— Land uses identified to be sensitive receptors by the Air District include ...

will disturb soils and when equipment will be used for site grading, materials delivery, and facility construction.

Sensitive receptors near the proposed project include:

Edison Elementary School at 625 Maine Avenue, which is approximately 0.2 mile north of the proposed project site,

The Breakers senior living community at 210 E. Ocean Boulevard, which is approximately 0.5 mile southeast of the proposed project,

Childtime Learning Center at 1 World Trade Center #199, which is approximately 0.1 mile south of the proposed project, and

Cesar Chavez Elementary School at 730 W 3rd Street, which is approximately 0.04 mile west of the project area.

Additional single-family and multiple-family residences are located in the surrounding community with 0.25 mile of the proposed project site.

Exposure to potential emissions will vary substantially from day to day, depending on the amount of work being conducted, the weather conditions, the location of receptors, and the length of time that receptors will be exposed to air emissions. The construction phase emissions estimated in this analysis are based on conservative estimates and worst-case conditions, with maximum levels of construction activity occurring simultaneously within a short period of time.

The Air District recommends that project proponents conduct a health risk assessment for substantial sources of diesel particulate emissions such as emissions from truck stops and warehouse distribution facilities. The operation of the proposed courthouse project will not require substantial heavy-duty equipment operations or generate substantial daily truck trips. Trucks used for maintenance and delivery purposes during the project's operation will be the only potential source contributing to the toxic air contaminant level at the proposed project site. However, the number and frequency of heavy-duty trucks and Sheriff's busses accessing the proposed project site on a daily basis will be minimal, and the trips will be approximately equal to the trips that are currently needed for serving the existing courthouse. Typical sources of acute and chronically hazardous toxic air contaminants include certain commercial developments that handle carcinogens and

toxic non-carcinogens, manufacturing industries, and automobile repair facilities. Since the proposed project does not match any of those categories, the project will not emit additional amounts of toxic air contaminants. Therefore, project operation-related toxic air contaminant emissions will be below the level of significance and have a less than significant air toxic impact on human health.

As discussed in Section 4.3.1.1, projected emissions are below Air District thresholds. Since projected emissions are below significance thresholds, the short-term nature of the proposed project's construction activities, and the temporary nature of potential exposures to project construction-related air emissions, the AOC concludes that the project's impacts are less than significant.

**Mitigation Measures:** no mitigation required.

## 4.11 NOISE

To evaluate noise at the proposed project site, analysts consulted the City's General Plan Noise element,<sup>135</sup> the City's Noise Ordinance,<sup>136</sup> and the site-specific noise and vibration technical analysis<sup>137</sup> that was prepared for the proposed project. Appendix E provides additional information on noise analyses.

### 4.11.1 Will the project expose people in the project area to noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?

**Less than significant**—The City's General Plan and the City's Noise Ordinance have established standards governing noise within the City. The City's General Plan contains a Noise Element: which offers guidelines for noise levels and construction within the City. Regarding construction, the Noise Element of the City's General Plan (Noise Element) suggests that that average maximum noise levels outside the nearest building at the window of the occupied room closest to the construction site boundary, should not exceed:

70 dBA in areas away from main roads and sources of industrial noise.

75 dBA in areas near main roads and heavy industries.

The Noise Element also includes recommended criteria for maximum acceptable noise levels (See Table 9-10). The City's Noise Ordinance (Noise Ordinance) establishes exterior noise levels for designated land use districts (Table 11). The proposed project site is located within District 1.

<sup>135</sup> City of Long Beach, Department of Planning and Building. 25 March 1975. City of Long Beach General Plan, Noise Element. Long Beach, CA.

<sup>136</sup> City of Los Angeles, 1977. Noise Ordinance of the City of Long Beach. Municipal Code, Title 8 Health and Safety, Chapter 8.80 Noise. Available at: <http://municipalcodes.lexisnexis.com/codes/longbeach/>

<sup>137</sup> Sapphos Environmental, Inc. November 2008. *Noise Technical Impact Report*. Pasadena, CA.

The City's Noise Ordinance (Noise Ordinance) establishes exterior noise levels for designated land use districts (Table 10). The proposed project site is located within District 1.

Sapphos analysts monitored noise levels along property boundaries of the proposed project in late 2008 (See Appendix E). Table 11 lists noise levels at several sites. The existing noise environment of the project area is typical of urban areas, and vehicular traffic on 3<sup>rd</sup> Street, West Broadway, and surrounding streets and highways dominates the noise environment.

Table 10. Exterior Noise Limits

Receiving Land Use District	Time Period	Noise Level (dBA)
District 1: Predominantly residential with other land use types also present	Night (10:00 p.m.–7:00 a.m.)	45
	Day (7:00 a.m.–10 p.m.)	50
District 2: Predominantly commercial with other land use types also present	Night (10:00 p.m.–7:00 a.m.)	55
	Day (7:00 a.m.–10 p.m.)	60
District 3: Predominantly industrial with other land use types also present	Anytime	65
District 4: Predominantly industrial with other land use types also present	Anytime	70
District 5: Airport, freeways, and waterways regulated by other agencies	Regulated by other agencies and laws	Varies
<p><b>NOTES:</b> The ordinance provides that if measured ambient levels exceed the permissible noise level, the allowable noise exposure standard under the ordinance shall be increased in five decibel increments to encompass the ambient noise level.</p> <p><b>SOURCE:</b> City of Los Angeles. 1977. Exterior Noise Limits—Sound Levels by Receiving Land Use. Municipal Code, Title 8 Health and Safety, Chapter 8.80 Noise, Section 8.80.150.</p>		

**Sapphos analysts monitored noise levels along property boundaries of the proposed project in late 2008 (See Appendix E).**

**NOTES:** Districts 3 and 4 are intended primarily for use at their boundaries rather than for noise control within those districts.

**SOURCE:** City of Los Angeles. 1977. Exterior Noise Limits—Sound Levels by Receiving Land Use. Municipal Code, Title 8 Health and Safety, Chapter 8.80 Noise, Section 8.80.150.

The Noise Ordinance includes the following standards governing exterior noise levels: No person shall operate or cause to be operated any source of sound at any location within the incorporated limits of the city or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured from any other property, either incorporated or unincorporated, to exceed:

1. The noise standard for that land use district as specified in Table A in Section 8.80.160 for a cumulative period of more than thirty minutes in any hour;

2. The noise standard plus 5 decibels for a cumulative period of more than 15 minutes in any hour;
3. The noise standard plus 10 decibels for a cumulative period of more than 5 minutes in any hour;
4. The noise standard plus 15 decibels for a cumulative period of more than 1 minute in any hour; and
5. The noise standard plus 20 decibels or the maximum measured ambient, for any period of time; and

If the measured ambient level exceeds that permissible within any of the first four noise limit categories, the allowable noise exposure standard shall be increased in five decibels increments in each category as appropriate to encompass or reflect the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the category's maximum allowable noise level shall be increased to reflect the maximum ambient noise level.

Table 12 lists noise levels at several sites. The existing noise environment of the project area is typical of urban areas, and vehicular traffic on 3<sup>rd</sup> Street, West Broadway, and surrounding streets and highways dominates the noise environment.

Table 11. Ambient Noise Levels

Location	Peak Hour Leq (dBA)	CNEL+ (dBA)
3 <sup>rd</sup> Street and Daisy Avenue	66.6	67.6
Magnolia Avenue	63.0	62.9
West Broadway and Daisy Avenue	68.1	69.1
Maine Avenue	61.9	62.9
North side of Parking Garage	61.3	62.3
East side of Parking Garage along Magnolia Avenue	66.5	67.5
West side of Parking Garage	64.8	65.8
*CNEL represents the average daytime noise level during a 24-hour day adjusted to an equivalent level to account for peoples' lower tolerance of noise during the evening and nighttime hours.		

The Noise Ordinance also restricts the hours and days of operation for noise-generating construction activities. The restrictions are as follows:

...

Sunday work permits—Any person who wants to do construction work on a Sunday must apply for a work permit from the noise control officer. The noise control officer may issue a Sunday work permit if there is good cause shown; and in issuing such a permit, consideration will be given to the nature of the work and its proximity to residential areas. The permit may allow work on Sundays, only between 9 a.m. and 6 p.m., and it shall designate the specific dates when it is allowed.

The City’s General Plan Noise element considers residential land uses as the most sensitive to noise and includes schools, hospitals, and libraries within the residential category. Table 13 lists sensitive receptors near the project site.

Table 40. Noise-Sensitive Receptors Near Project Site

<u>Sensitive Receptors</u>	<u>Distance &amp; Direction from Perimeter of Proposed Courthouse Project Site</u>	<u>Approximate Distance &amp; Direction from Perimeter of Proposed Courthouse Building</u>
<u>Residential area north of the proposed project site</u>	<u>75 feet north</u>	<u>100 feet north</u>
<u>New residential building east of the proposed project site</u>	<u>75 feet east</u>	<u>150 feet east</u>
<u>Cesar Chavez Elementary School</u>	<u>65 feet west</u>	<u>255 feet west</u>
<u>Childtime Learning Center</u>	<u>50 feet west</u>	<u>300 feet south</u>
<u>One West Ocean Condominiums</u>	<u>980 feet southeast</u>	<u>1,200 feet southeast</u>
<u>The Breakers Hotel</u>	<u>1,150 feet southeast</u>	<u>1,350 feet southeast</u>

4.11.1.1 Construction Noise

In response to comments received on the Draft Initial Study and Mitigated Negative Declaration, this section provides an expanded discussion of the noise impacts anticipated from project construction activities.

As noted above, the Noise Element of the City’s General Plan (Noise Element) suggests that that average maximum noise levels outside the nearest building at the window of the occupied room closest to a construction site boundary should not exceed 70 dBA in areas away from main roads and sources of industrial noise or 75 dBA in areas near main roads. The project site borders W. Broadway, which is a main road. Table ~~42~~14 lists typical maximum noise levels of common construction machines and Table ~~43~~15 lists noise levels for construction operations with more than one piece of construction equipment in operation at a time for various phases of construction. ~~Construction of the proposed project will generate noise levels that will exceed those permitted in the Noise Ordinance.~~

~~However, the~~ As explained above in Section 2.5, the State of California is not subject to local governments’ planning and zoning requirements or municipal codes and ordinances. In addition, the City has recognized that that noise from construction is temporary, is an inevitable part of construction activities that are necessary for development, will occur in the least noise-sensitive times of the day, and will not result in a permanent increase in ambient noise levels, ~~and;~~ thus, as reflected in the Agency’s 2005 West Gateway EIR ~~emphasized that~~ as well as in the City’s 2004 Long Beach Sports Park EIR, construction-generated noise is not subject to the numeric standards in the City’s Municipal Code ~~exempts construction-generated noise.~~ The City’s noise provisions are nevertheless presented for informational purposes, and it is important to emphasize that the construction activities will occur only during ~~permitted~~the hours ~~is from the standards~~

sets specified in the Noise Ordinance. As stated earlier, City's noise ordinance provisions relating to construction activities.

In addition, the following BMPs will be implemented as part of the construction of the proposed project:

- Designate a project contact person to communicate with the Long Beach community and interested stakeholders regarding construction activities;
- Inform the Long Beach community and interested stakeholders through the use of a monthly newsletter that identifies the construction schedule and upcoming construction activities;
- As part of these public outreach efforts, a "noise coordinator" for the project would be designated to meet with interested stakeholders and respond to complaints concerning construction noise;
- Construction equipment would be equipped with the best available noise attenuation device, such as mufflers or noise attenuation shields;
- Install sound barriers (such as plywood barriers or noise attenuation blankets) around the perimeter of the project site along Maine Avenue and W. 3rd Street; and
- When feasible, construction operations will use electric construction power in lieu of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

The project's construction operations will include the following noise impacts:

- Excavation of the basement for the court building will require operation of excavators, loaders, and trucks. The operations will occur in an area that is approximately 200 feet to 675 feet east of Cesar Chavez School and approximately 175 feet to 300 feet south of residences along West 3<sup>rd</sup> Street. Due to location of the excavation operations, the AOC expects excavation noise to generate approximately 74 dBA at the school and for residences along West 3<sup>rd</sup> Street (see Table 15). Since the excavation operations will lower the topographical elevation of the construction site, the sides of the lowered elevation area will act as a sound barrier to attenuate noise. The project's perimeter sound barrier will also attenuate the noise of excavation operations;
- Trenching operations for utility relocation will occur around the periphery of the proposed courthouse site, and construction personnel will probably utilize jackhammers and backhoes to gain access to existing utilities and prepare alignments for new utilities. As noted in Table 1, the AOC expects utility relocation operations to require approximately two months of work, but excavation operations for the relocation will occur for only a very small amount of this time. Operations will probably occur along West 3<sup>rd</sup> Street between Daisy Court and Magnolia Street, Maine Avenue between 3rd Street and West Broadway and along West Broadway between Daisy Court and Magnolia Street. Excavation work for a trench in Maine Avenue across from the Cesar Chavez Elementary School, for example, will require only one or two days of work and

during this time, the use of jackhammers and backhoes will be sporadic and last for only several minutes at a time;

- Foundation operations for the project’s tower will occur in the excavated basement area. As stated previously, foundation construction operations will not include use of pile drivers. The distance to sensitive receptors and the depth of the basement’s excavation area will attenuate noise from foundation operations. In addition, the distance between the tower’s foundation area and Cesar Chavez School and the West 3<sup>rd</sup> Street residential area will attenuate noise;
- Foundation operations for the project’s non-tower areas will require footings, and construction personnel likely will utilize only backhoes for excavation of the footings. The footing excavations will occur for only approximately a week. Due to the lower height of the non-tower areas of the project, foundation operations will not require as much work and will not generate as much noise as the foundation operations for the tower;
- Assembly of the project’s steel frame and installation of its exterior will utilize one or more cranes. Once the construction contractor assembles the building’s walls, interior work will generate only minor noise; and
- Final grading of the site and installation of driveways, sidewalks, other hard surfaces, and landscaping will occur over most of the project site and will require use of backhoe tractors, light tractors equipped with graders, and concrete trucks. However, the AOC expects that these operations will be low intensity and not require high-power operation of the equipment or vehicles. The project’s perimeter sound barrier will also reduce noise levels along West 3<sup>rd</sup> Street and at the Cesar Chavez School.

As noted earlier, noise attenuation from the project’s perimeter sound barrier and the basement excavation’s walls will serve to reduce construction-related noise levels at sensitive receptors. As stated earlier, construction activities will typically occur during the hours from 7:00 a.m. to 5:00 p.m. ~~Since~~ on weekdays (although it is possible that construction activities may occur until 7:00 p.m.) and 9:00 a.m. to 6:00 p.m. on Saturdays.

The AOC is not subject to local governments’ codes and regulations. Since project’s BMPs will reduce noise and since construction noise will be temporary and ~~is~~ ~~allowed~~ often sporadic and will occur only during the least noise-sensitive hours specified by the City’s Municipal Code, the AOC concludes that the project’s construction noise impacts will be less than significant ~~impact.~~

Table 12. Maximum Noise Levels Of Common Construction Machines

<u>Noise Source</u>	<u>Noise Level (dBA) /a/*</u>				
	<u>50 Feet</u>	<u>100 Feet</u>	<u>200 Feet</u>	<u>400 Feet</u>	<u>800 Feet</u>
Jackhammer	81-98	75-92	<u>69-86</u>	<u>63-82</u>	<u>57-76</u>
Pneumatic impact equipment	83-88	77-83	<u>71-77</u>	<u>65-71</u>	<u>59-65</u>
Trucks	82-95	76-89	<u>70-83</u>	<u>64-77</u>	<u>58-71</u>
Backhoe	73-95	67-89	<u>61-83</u>	<u>56-77</u>	<u>50-71</u>
Cranes (moveable)	75-88	69-82	<u>63-76</u>	<u>57-70</u>	<u>51-64</u>

Front loader	73-86	67-80	<u>61-74</u>	<u>56-68</u>	<u>50-62</u>
Concrete mixer	75-88	69-82	<u>63-76</u>	<u>57-70</u>	<u>51-64</u>
<u>Impact pile driver**</u>	<u>101</u>	<u>95</u>	<u>89</u>	<u>86</u>	<u>80</u>
<u>Sonic pile driver**</u>	<u>96</u>	<u>90</u>	<u>84</u>	<u>81</u>	<u>75</u>

Note: /a/ assumes a 6-dBA decline for noise generated by a "point source" and traveling over hard surfaces.  
\*Source: City of Los Angeles. 2003. L.A. CEQA Thresholds Guide. Los Angeles, CA for 50 feet and 100 feet columns. Noise levels for 200 feet, 400 feet, and 800 feet columns calculated from the assumption that dBA decline by 6 dBA with doubling of the distance between noise source and receptor  
\*\* The AOC included a pile driver in this table for illustrative purposes, but the project's construction operations will not use a pile driver

Table 13. Outdoor Construction Noise Levels

Construction Phase	Noise Level at 50 Feet (dBA)*				
	<u>50 Feet</u>	<u>100 Feet</u>	<u>200 Feet</u>	<u>400 Feet</u>	<u>800 Feet</u>
Ground clearing	<u>82</u>	<u>80</u>	<u>74</u>	<u>68</u>	<u>62</u>
Grading/excavation	86	<u>80</u>	<u>74</u>	<u>68</u>	<u>62</u>
Foundations	77	<u>71</u>	<u>65</u>	<u>59</u>	<u>53</u>
Structural	83	<u>77</u>	<u>71</u>	<u>65</u>	<u>59</u>
Finishing	86	<u>82</u>	<u>76</u>	<u>70</u>	<u>64</u>

\*Source: City of Los Angeles. 2003. L.A. CEQA Thresholds Guide. Los Angeles, CA for 50 feet and 100 feet columns. Noise levels for 100 feet, 200 feet, 400 feet, and 800 feet columns calculated from the assumption that dBA decline by 6 dBA with doubling of the distance between noise source and receptor

#### 4.11.1.2 Operational Noise

Operation of the proposed project will generate noise from operation of the proposed project and increased traffic generated by the proposed project. Noise generated by the mechanical systems of buildings is typically between 50 and 60 dBA at 50 feet. Cesar Chavez Elementary School is the nearest sensitive receptor to the New Long Beach Courthouse (Figure 6-12, *Sensitive Receptors within a Half-Mile Radius of the Proposed Project*). Assuming a ~~worse~~ worst case scenario where the mechanical system of the New Long Beach Courthouse will result in a 60 dBA level at 50 feet, the noise level from the mechanical system at the Cesar Chavez Elementary School will be 57.7 dBA, which is 5.2 dBA lower than the ambient noise level in the vicinity of the Elementary School (see Figure 6). A 3-dBA change in the noise level is considered barely perceptible.<sup>138</sup> The mechanical systems of the proposed project will result in an increase of less than 2 dBA to the ambient noise level and will result in impacts that ~~will be below the level of significance~~ are less than significant.

The implementation of the proposed project is expected to result in 1,920 total new vehicle trips to and from the project site daily, with 156 inbound vehicles and 26 outbound vehicles during the a.m. peak hour, and 167 outbound vehicles and 60 inbound vehicles during the p.m. peak hour.<sup>139</sup> While the increased traffic generated by the proposed project is expected to raise the ambient noise level, the increase in traffic will

<sup>138</sup> James P. Cowan. 1993. *Handbook of Environmental Acoustics*. Wiley-Interscience.

<sup>139</sup> Linscott, Law, and Greenspan, Engineers. December 2008. *New Long Beach Courthouse Traffic Impact Analysis*. Costa Mesa, CA.

be very minor compared to the existing traffic on the streets near the proposed courthouse site (See Appendix F). Therefore, the AOC expects that the project's traffic-generated noise will be barely perceptible.

Therefore, the AOC concludes that the proposed project's impacts to noise related to exposure or generation of noise levels in excess of established standards will be less than significant.

**Mitigation Measures:** no mitigation is required.

#### **4.11.2 Will the project expose people residing or working in the project area to excessive ground-borne vibration or ground-borne noise levels?**

**Less than significant**—~~The proposed project is expected to result in less than significant impacts to noise in relation to generation of excessive ground-borne vibration or ground-borne noise. Field~~ Analysts' field observations found that vibration levels from surrounding and nearby roadways are not perceptible at the proposed project site.

As shown in Table ~~14~~ 16, use of heavy equipment (e.g., a large bulldozer) generates vibration levels of 0.089 inches per second PPV<sup>140</sup> at a distance of 25 feet. ~~It is not anticipated that repairs to the existing parking garage will require heavy equipment.~~ or 87 vibration decibels. Vibration levels at the nearest sensitive receptor were adjusted according to its distance from the proposed project. As noted above, the project's construction operations will not include pile driving.

The nearest sensitive receptor, Cesar Chavez Elementary School, is 65 feet from the project site perimeter. Most of the construction activity for the project will be located 200 feet or more from the school. Limited, temporary construction activities for construction of the non-tower area of the project will be located approximately 65 feet from occasional heavy 100 feet from the school. Very limited site grading activities, which will not require use of bulldozers or other equipment activity and could experience that may generate higher vibration levels of 0.021 inches per second PPV. Vibration, will occur temporarily within approximately 65 feet of the school.

As shown in Table 16, vibration levels at this receptor will be perceptible but will not exceed the potential building damage threshold of 0.5 inches per second PPV. 3 inches per second PPV, especially since construction operations will not include pile driving. In addition, annoyance vibration levels of the heavy equipment activity located 100 feet or more from the school (which accounts for vast majority of the project construction activities) will be lower than 70 VdB, which is lower than the Federal Transit Administration's threshold of 75VdB.<sup>141</sup> Construction activities that are closer than 100 feet to the school will be temporary and very limited, and given the distance to the school and the nature of the equipment involved, these activities are not expected to generate vibration levels that exceed 75 VdB.

<sup>140</sup> PPV=peak particle velocity

<sup>141</sup> Harris Miller Miller & Hanson, Inc. 2006. Transit Noise and Vibration Impact Assessment. Federal Transit Authority.253 p.

Based on the discussion above and in light of the temporary nature of project construction operations, the proposed project is not expected to result in significant impacts to noise related to exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

**Mitigation Measures:** no mitigation is required.

Table 14. Vibration Velocities For Construction Equipment

Equipment	Equip-ment	Vibration Level — PPV at 25 Feet (Inches/Second)*													
		25 Feet		50 Feet		100 Feet		150 Feet		200 Feet		300 Feet		400 Feet	
		PPV*	VdB*	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB	PPV	VdB
Pile Driving (Impact)		0.644	104	0.228	95	0.089	81	0.044	77	0.028	72	0.015	68	0.010	64
Pile Driving (Sonic)		0.170	87	0.031	78	0.011	69	0.006	64	0.004	60	0.002	55	0.001	51
Caisson Drilling	Impact	0.644	104	0.228	95	0.089	81	0.044	77	0.028	72	0.015	68	0.010	64
Pile Driving**		0.644	104	0.228	95	0.089	81	0.044	77	0.028	72	0.015	68	0.010	64
Large Bulldozer		0.089	87	0.031	78	0.011	69	0.006	64	0.004	60	0.002	55	0.001	51
Loaded Trucks		0.076	86	0.027	77	0.010	68	0.005	63	0.003	59	0.002	54	0.001	50
Jack-hammer		0.035	79	0.012	70	0.004	61	0.002	56	0.000	52	0.001	47	0.001	43

\* PPV =Inches/Second, VdB =Vibration decibels  
 \*\* The AOC included a pile driver in this table for illustrative purposes, but the project's construction operations will not use a pile driver  
 SOURCE: Federal Transit Authority, May 2006. *Transit Noise and Vibration Impact Assessment.*

**4.11.3 Will the project expose people residing or working in the project area to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Less than significant**—The proposed project is expected to result in less than significant impacts to noise in relation to permanent increases in ambient noise levels. As discussed previously, operation of the proposed project is expected to increase ambient noise levels in the vicinity of the proposed project above levels existing without the project. However, the change is not anticipated to be greater than 3 dBA, the level at which an increase in noise is considered perceptible, and will not be considered substantial. Therefore, the proposed project is will not expected to result in significant impacts to noise related to permanent increases in ambient substantially increase noise levels, and no further analysis is warranted the project's impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

**4.14.6 Will the project have inadequate parking capacity?**

**Less than significant**—As stated in Section 2.4.3, the Superior Court’s judges and some County officials currently park in secured parking in the existing courthouse, and the Superior Court’s

...

availability data for several parking areas near the proposed courthouse site.

Table 26 Parking Areas Near Proposed Courthouse Site

Parking Area	Location	Capacity (approximate)	Management
Existing Courthouse’s surface lot	415 West Ocean Boulevard	275	County, Superior Court, and lessee (City)
...			
<p>* The AOC is currently proceeding with acquisition of the facility from the County.  **Publicized capacity is 645,<sup>142</sup> but the facility’s capacity includes numerous reserved spaces. Unreserved spaces = approximately 500 spaces.</p>			

The project will substantially modify the current parking facilities near the proposed project site; parking impacts will include:

Construction of the courthouse will eliminate the privately operated parking lot on the western half of the proposed courthouse parcel;

Courthouse operational activities will eliminate daytime **public** on-street parking on Daisy Avenue between 3<sup>rd</sup> Street and West Broadway, the north side of West Broadway between Magnolia Street and Maine Street, the south side of 3rd Street between Magnolia Street and Maine Street, and the west side of Magnolia Street between West Broadway and 3rd Street; and

The Agency’s acquisition of the current courthouse will eliminate the Superior Court’s and County’s access to parking spaces on the existing courthouse’s parcel. **As noted previously, the project’s renovation of the Magnolia Avenue parking facility will provide replacement parking spaces.**

The project will implement several actions that will add parking spaces to the project area’s parking supply:

Improvements to correct the Magnolia Street garage’s structural problems will reopen approximately 225 parking spaces to restore the structure’s capacity of approximately 960 vehicles,

The proposed courthouse will include approximately 35 secured parking spaces for the Superior Court’s judges and some executives, and

The project will also include **on-site or additional off-site** parking facilities for the building’s commercial and retail tenants.

<sup>142</sup> 2009. Long Beach Area Convention & Visitors Bureau. Available at <http://www.visitlongbeach.com/maps/downtownparking.htm>

Since the project will correct the Magnolia Avenue garage’s current structural problems that  
 ...  
 related personnel, and the impacts for these parking demands will be less than significant.

Table 27. April 8 Parking Survey Results

Parking Area	Capacity (approximate)	Early Morning Survey		Late Morning Survey	
		Filled Parking Spaces	Occupancy (%)	Filled Parking Spaces	Occupancy (%)
Surface lot (Western half of proposed courthouse site)	Indefinite	154	NA	221	NA
...					
Arden Parking Garage	500**	282	56	390	78

\* Some parking spaces were unavailable due to construction activities  
 \*\* See Table 2728 for discussion of facility’s reserved and unreserved parking spaces

Regarding the proposed project’s elimination of the Agency-owned and privately operated  
 ...  
 owned privately operated parking lot and on-street parking adjacent to the proposed courthouse parcel will be less than significant.

For trips generated by the commercial and retail tenants of the proposed project, the AOC presumes that these drivers will park in the on-site parking provided by the project. Since the AOC expects the on-site parking facilities for commercial and retail tenants to meet the City’s Municipal Code requirements (see Section 2.4.3), the AOC concludes that the project’s commercial-related and retail-related parking impacts will be less than significant.

**Mitigation Measures:** no mitigation required.

5.0 REFERENCES

[Harris Miller Miller & Hanson, Inc. 2006. Transit Noise and Vibration Impact Assessment. Federal Transit Authority.253 p.](#)

## **9.0 MITIGATION MONITORING PLAN**

### ***9.1 Mitigation Monitoring Plan***

Public Resources Code Section 21081.6 requires state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of specified environmental findings. This document presents the AOC's Mitigation Monitoring Plan for the New Long Beach Courthouse. This Mitigation Monitoring Plan includes a description of the requirements of CEQA and a compliance checklist. The Final Initial Study includes mitigation measures that address the proposed project's significant environmental impacts. The purpose of this Mitigation Monitoring Plan is to ensure compliance with the AOC's adopted mitigation measures during project implementation.

### ***9.2 Compliance Checklist***

The Mitigation Monitoring Plan includes the following components:

- **Project Design Features** – Project Design Features are specific design elements proposed by the AOC and incorporated into the project to prevent the occurrence of potential environmental effect or reduce the significance of potential environmental effects. Because project design features have been incorporated into the project, they do not constitute mitigation measures as defined by CEQA. However, the AOC has identified project design features in this Mitigation Monitoring Plan to ensure that personnel implement the features;
- **Standard Conditions and Requirements** – Standard conditions and requirements are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. They also serve to offset or prevent specific impacts. Typical standard conditions and requirements include compliance with the provisions of the Uniform Building Code, National Pollutant Discharge Elimination System permit system, and San Joaquin Valley Unified Air Pollution Control District Rules; and
- **Mitigation Measures** – When the AOC has identified a potentially significant environmental effect despite the application of project design features and standard conditions and requirements, the AOC has proposed project-specific mitigation measures.

The AOC's proposed courthouse design will conform to the specifications of the California Trial Court Facilities Standards, including the standard that the AOC shall design and construct Court buildings using proven best practices and technology with careful use of natural resources. To implement this standard, the project's project manager will include specifications that design efforts and construction operations

implement BMPs and other measures throughout the construction phase to avoid or minimize potential impacts. These BMPs and other measures will include:

- General measures
  - Designate a contact person for public interaction during construction operations;
  - Inform community through the use of a monthly newsletter that identifies the upcoming work and potential impacts to the surrounding communities;
- The project's lighting plan will comply with LEED requirements including:
  - Meet or provide lower light levels and uniformity ratios than those recommended by the Illuminating Engineering Society of North America Lighting for Exterior Environments: An IESNA Recommended Practice (IESNA 1999);
  - Design exterior lighting such that all exterior luminaries with more than 1,000 initial lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens meet the Full Cutoff IESNA Classification;
  - The maximum candela value of all interior lighting shall fall within the building (not out through windows) and the maximum candela value of all exterior lighting shall fall within the property; and
  - Any luminary within a distance of 2.5 times its mounting height from the property boundary shall have shielding such that no light from that luminary crosses the property boundary;
- Storm water, water quality, and soil erosion management measures
  - Prior to the start of construction activities, the AOC will ensure that the construction contractor prepares a Storm Water Pollution Prevention Plan and secures the Regional Water Quality Control Board's approval of the plan;
  - The construction contractor will incorporate BMPs consistent with the guidelines provided in the California Storm Water Best Management Practice Handbooks: Construction;
  - For the construction during the rainy season, the construction contractor will implement erosion measures that may include mulching, geotextiles and mats, earth dikes and drainage swales, temporary drains, silt fence, straw bale barriers, sandbag barriers, brush or rock filters, sediment traps, velocity dissipation devices, or other measures;
- Air quality management measures
  - Apply water or a stabilizing agent to exposed surfaces in sufficient quantity to prevent generation of dust plumes,
  - Moisten or cover excavated soil piles to avoid fugitive dust emissions,
  - Discontinue construction activities that that generate substantial blowing dust on unpaved surfaces during windy conditions,
  - Install and use a wheel-washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site,
  - Cover dump trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions,

- Ensure that all construction and grading equipment is properly maintained,;
- Ensure that construction personnel will turn off equipment when equipment is not in use;
- Ensure that all vehicles and compressors will utilize exhaust mufflers and engine enclosure covers (as designed by the manufacturer) at all times; and
- When feasible, construction operations will use electric construction power instead of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations;
- Suspend heavy-equipment operations during first-stage and second-stage smog alerts;
- Noise and vibration measures
  - Equip construction equipment with the best available noise attenuation device such as mufflers or noise attenuation shields
  - Install sound barriers (such as plywood barriers or noise attenuation blankets) around the perimeter of the project site along Maine Avenue and W. 3rd Street,
  - A “noise coordinator” for the project would be designated to meet with interested stakeholders and respond to complaints concerning construction noise; and
  - When feasible, construction operations will use electric construction power instead of diesel powered generators to provide adequate power for man/material hoisting, crane, and general construction operations.

During construction of the New Long Beach Courthouse project, the AOC will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities;
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures;
- Ensuring contractors’ knowledge of and compliance with the MMP;
- Requiring correction of activities that violate mitigation measures;
- Securing compliance with the Mitigation Monitoring Plan;
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures;
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures; and
- Ensuring that parties with concerns or observations of violations of project permit conditions or mitigation have a project-related contact person. Upon receiving any complaints, the contact person will immediately contact the construction representative and the AOC’s construction supervisor or inspector. The AOC will be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative.

The New Long Beach Courthouse project's Final Initial Study presents a detailed set of mitigation measures that will be implemented throughout the life of the project. The AOC will ensure the implementation, monitoring, and documentation of the mitigation measures.

### ***9.3 Mitigation Monitoring Plan Summary Table***

Table 46 identifies the project's potentially significant environmental impacts and the proposed mitigation measure to address the impact, the mitigation measure number and text, monitoring action, implementation schedule, the monitoring party.

1  
2  
3

**Table 32. Mitigation Monitoring Plan and Compliance Checklist**

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/ Parties
<b>AESTHETICS</b>				
<p>Will the project create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?</p>	<p><i>Aesthetics 1— The AOC will implement a lighting plan that complies with LEED requirements. These lighting requirements (U.S. Green Building Council 2003) include:</i></p> <ul style="list-style-type: none"> <li>• <i>Meet or provide lower light levels and uniformity ratios than those recommended by the Illuminating Engineering Society of North America Lighting for Exterior Environments: An IESNA Recommended Practice (IESNA 1999),</i></li> <li>• <i>Design exterior lighting such that all exterior luminaries with more than 1,000 initial lamp lumens are shielded and all luminaries with more than 3,500 initial lamp lumens meet the Full Cutoff IESNA Classification,</i></li> <li>• <i>The maximum candela value of all interior lighting shall fall within the building (not out through windows) and the maximum candela value of all exterior lighting shall fall within the property, and</i></li> </ul> <p><i>Any luminary within a distance of 2.5 times its mounting height from the property boundary shall have shielding such that no light from that luminary crosses the property boundary;</i></p>	<p>Incorporate features into building design</p>	<p>During project design</p>	<p>AOC Project Manager (PM)</p>
	<p><i>Aesthetics 2— The AOC will utilize exterior building materials that reduce glare.</i></p>	<p>Incorporate features into building design</p>	<p>During project design</p>	<p>AOC Project Manager (PM)</p>

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/ Parties
<b>CULTURAL RESOURCES</b>				
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<i>Cultural Resources 1— The AOC will require its developer to retain a qualified archaeologist who shall inform all construction personnel prior to any construction or earth-disturbing activities in areas that may contain native soils of the potential to encounter archaeological resources and provide instruction to recognize archaeological artifacts, features, or deposits. Personnel working on the project will not collect archaeological resources.</i>	Incorporate archaeological monitoring measures into contractor's bid package	Prior to initiation of construction activities	AOC's PM and CEQA Analyst
		Document the design document's archaeological monitoring measures to AOC's Environmental Analyst (EA)	Prior to completion of working drawings	AOC PM and EA
		Document the identity and professional qualifications of archaeological monitor(s) to AOC's EA	Prior to start of construction	AOC PM and EA
		Ensure that archaeological resource restrictions are enforced during construction	During construction	AOC's PM and Construction Inspectors
		If the archaeological monitor evaluates cultural resources during construction activities and prepares management recommendations, the monitor shall document completion of the management recommendations to the AOC PM, Construction Inspector Manager, and EA	During construction	AOC PM, Construction Inspector Manager, and EA

Environmental Impact	Mitigation Measure	Monitoring Action	Mitigation Timing	Monitoring Party/ Parties
<b>GEOLOGY AND SOILS</b>				
Destroy a unique paleontological resource or site?	<i><b>Geology 1</b>—If paleontological resources are encountered during construction, all work will be halted within a 30-foot radius of the finding and a qualified paleontologist will evaluate the discovery, determine its significance, and to provide proper management recommendations. Project personnel will not collect paleontological resources</i>	Incorporate paleontological monitoring measures into contractor's bid package	Prior to initiation of construction activities	AOC's PM and CEQA Analyst
		Document the design document's paleontological monitoring measures to AOC's EA	Prior to completion of working drawings	AOC PM and EA
		Document the identity and professional qualifications of paleontological monitor(s) to AOC's EA	Prior to start of construction	AOC PM and EA
		Ensure that paleontological resource restrictions are enforced during construction	During construction	AOC's PM and Construction Inspectors
		If the paleontological monitor evaluates cultural resources during construction activities and prepares management recommendations, the monitor shall document completion of the management recommendations to the AOC PM, Construction Inspector Manager, and EA	During construction	AOC PM, Construction Inspector Manager, and EA

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1 **9.0 LEAD AGENCY DETERMINATION**

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3 ***9.1 Determination***

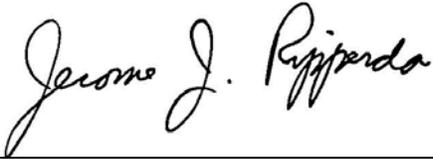
4 Based on the initial study checklist (Table 3) and related analyses included in Section 4:

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- I find that the proposed project will not have a significant effect on the environment, and the Judicial Council will prepare a Negative Declaration for the project.
- I find that although the proposed project might have a significant effect on the environment, there will not be a significant effect on the environment because the Administrative Office of the Courts has added mitigation measures that will reduce the project's impacts to a level that are not significant, and the Administrative Office of the Courts will prepare a Mitigated Negative Declaration for the project.
- I find that the proposed project might have a significant impact on the environment, and the Administrative Office of the Courts will prepare an Environmental Impact Report for the project.
- I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project might have a significant effect on the environment, all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and all potentially significant effects have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

1 **9.2 Certification**

2 I certify that the statements furnished above and in the attached sections present the data and  
3 information required for this initial evaluation to the best of my ability, and that the facts,  
4 statements, and information presented are true and correct to the best of my knowledge and  
5 belief.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Jerome J. Ripperda  
\_\_\_\_\_  
Printed Name

Administrative Office of the Courts  
\_\_\_\_\_  
For

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