

RESOLUTION NO. R-

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LONG BEACH CERTIFYING THAT THE
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
GOLDEN SHORE MASTER PLAN (STATE
CLEARINGHOUSE NO. 2008111094) HAS BEEN
COMPLETED IN ACCORDANCE WITH THE PROVISIONS
OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
AND STATE AND LOCAL GUIDELINES AND MAKING
CERTAIN FINDINGS AND DETERMINATIONS RELATIVE
THERE TO; ADOPTING A STATEMENT OF OVERRIDING
CONSIDERATIONS; AND ADOPTING A MITIGATION
MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, 400 Oceangate, Ltd. in association with Molina Healthcare (the
Applicants) have proposed the Golden Shore Master Plan ("Project"), a development
within Subarea 1 of the Downtown Planned Development District (PD-6) in the City of
Long Beach. The proposed project would provide new residential, office, retail, and
potential hotel uses, along with associated parking and open space. The Project would
consist of three development options, a Residential Option and two Hotel Options, Hotel
Option A and Hotel Option B, all of which would be entitled through the City of Long
Beach. The option ultimately constructed would be selected based on market conditions
prevailing at the time entitlement is complete. The Residential Option would include
1,370 condominiums, an estimated 340,000 square feet of office space, 28,000 square
feet of retail uses, approximately 3,355 parking spaces, open space and other amenities.
Under both Hotel Options, the development would include 1,110 condominiums and a
400-room hotel with conference/banquet facilities, 340,000 square feet of office space,

1 along with 27,000 square feet of retail uses, 3,430 parking spaces, open space, and
2 other amenities. The existing development totaling 294,003 square feet of office and
3 retail would be removed as part of the Project.

4 Said Project is more fully described in the Draft Environmental Impact
5 Report (DEIR), a copy of which DEIR and the Project Description is incorporated herein
6 by this reference as though set forth in full, word for word.

7 WHEREAS, Project implementation will require an amendment to PD-6
8 (Subarea 1), a Site Plan Review, approval of a Tentative Tract Map, a Development
9 Agreement, demolition, grading and foundation permits, as well as approval of a Coastal
10 Development Permit by the California Coastal Commission and approvals, permits,
11 and/or agreement approvals from Responsible and/or Trustee Agencies, including but not
12 limited to the California Coastal Commission, United States Army Corps of Engineers,
13 California Department of Fish and Game, California Department of Transportation, Los
14 Angeles County Fire Department, Los Angeles County Sanitation District, Los Angeles
15 County Department of Public Works, Los Angeles Regional Water Quality Control Board,
16 South Coast Air Quality Management District, and the Southern California Association of
17 Governments. A list of discretionary, Agreement, and permit approvals required for
18 Project implementation is set forth in the DEIR.

19 WHEREAS, the City began an evaluation of the proposed project by issuing
20 a Notice of Preparation (NOP) on November 25, 2008, followed by a thirty (30) day
21 comment period from November 25, 2008 to December 26, 2008, together with a public
22 scoping meeting held on December 10, 2008, and Planning Commission study session
23 held in November 2008, and January 21, 2010;

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

27 WHEREAS, it was determined during the initial processing of the Project
28 that it could have potentially significant effects on the environment, requiring the

1 preparation of an EIR;

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

5 WHEREAS, the Planning Commission has reviewed and considered the
6 information in and the comments to the DEIR and the responses thereto, and the Final
7 Environmental Impact Report ("FEIR") at a duly noticed Planning Commission meeting
8 held on March 18, 2010, at which time evidence, both written and oral, was presented to
9 and considered by the Planning Commission;

10 WHEREAS, the Planning Commission has read and considered all
11 environmental documentation comprising the FEIR, including the DEIR, comments and
12 the responses to comments, and errata included in the FEIR, and has determined that
13 the FEIR considers all potentially significant environmental impacts of the Project and is
14 complete and adequate and fully complies with all requirements of CEQA;

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

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

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

28 NOW, THEREFORE, the Planning Commission of the City of Long Beach

1 does hereby find, determine and resolve that:

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

4 Section 2. The FEIR has been completed in compliance with CEQA and
5 the State CEQA Guidelines.

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

9 Section 4. Pursuant to Public Resources Code Section 21081 and State
10 CEQA Guidelines section 15091, the Planning Commission has reviewed and hereby
11 adopts the CEQA Findings and Facts in Support of Findings for the Golden Shore Master
12 Plan as shown on the attached Exhibit "A", which document is incorporated herein by
13 reference as though set forth in full, word for word.

14 Section 5. The Planning Commission finds and determines that on
15 balance, there are specific considerations associated with the proposed Project that
16 serve to override and outweigh those Project impacts that cannot be mitigated to a level
17 of insignificance, and the Planning Commission hereby adopts that certain document,
18 and the contents thereof, entitled "Statement of Overriding Considerations" for the
19 Golden Shore Master Plan, as shown on the attached Exhibit "B", which document is
20 incorporated herein by this reference as though set forth in full, word for word.

21 Section 6. Although the FEIR identifies certain significant environmental
22 effects that would result if the Project is approved, most environmental effects can
23 feasibly be avoided or mitigated and will be avoided or mitigated by the imposition of
24 mitigation measures included with the FEIR. Pursuant to Public Resources Code Section
25 21081.6, the Planning Commission has reviewed and hereby adopts the Mitigation
26 Monitoring and Reporting Program ("MMRP") as shown on the attached Exhibit "C",
27 which document is incorporated herein by reference as though set forth in full, word for
28 word, together with any adopted corrections or modifications thereto, and further finds

1 that the mitigation measures identified in the FEIR are feasible, and specifically makes
2 each mitigation measure a condition of project approval.

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

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

14 Section 9. This resolution shall take effect immediately upon its adoption
15 by the Planning Commission, and the Planning Commission Secretary shall certify to the
16 vote adopting this resolution.

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Ayes: Commissioners: _____

Noes: Commissioners: _____

Absent: Commissioners: _____

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CITY RESOLUTION NO. _____

EXHIBIT "A"

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE ENVIRONMENTAL
EFFECTS FOR THE GOLDEN SHORE MASTER PLAN**

SCH # 2008111094

Lead Agency:

City of Long Beach

333 W. Ocean Boulevard

Long Beach, California 90802

Contact: Mr. Jeffrey Winklepleck, Planner

(562) 570-6607

March 2010

Exhibit "A"

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STATEMENT OF FACTS AND FINDINGS

I. INTRODUCTION

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

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

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

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

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

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

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

The City of Long Beach, the CEQA Lead Agency, finds and declares that the proposed Golden Shore Master Plan Environmental Impact Report (EIR) has been completed in compliance with CEQA and the CEQA Guidelines. The City of Long Beach finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed Golden Shore Master Plan, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the Lead Agency, and sets forth an adequate range of alternatives to this project. The **City Council** certified the EIR at its hearing of **[Note to Team: Enter Date following Certification]**.

The Final EIR is comprised of the following elements:

- Draft Golden Shore Master Plan Environmental Impact Report, October 2009;
- Responses to Comments on the Draft EIR, December 2009;
- Errata sheets to the Draft EIR (corrected pages); and
- Mitigation monitoring and reporting program.

The remainder of this document is organized as follows:

- II. Description of project proposed for approval;
- III. Effects determined to be less than significant in the Initial Study/Notice of Preparation;
- IV. Effects determined to be less than significant;
- V. Effects determined to be less than significant with mitigation and findings;
- VI. Environmental effects that remain significant and unavoidable after mitigation and findings; and
- VII. Alternatives to the proposed project.
- VIII. Statement of Overriding Considerations

II. DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

The Golden Shore Master Plan would be developed within the Long Beach Downtown Shoreline Planned Development (PD-6), Subarea 1, in the City of Long Beach. The proposed project consists of three options, a Residential Option and two Hotel Options, Hotel Option A

and Hotel Option B, each comprising a mix of residential and commercial uses to be constructed in three phases: the office tower in Parcel 1 west of Golden Shore, the residential and mixed-use residential/hotel towers in Parcel 2 west of Golden Shore, and the residential/office tower in Parcel 3 east of Golden Shore. Under all three development options, the proposed uses would be housed in four buildings, with associated parking, amenities and open space, and would include two-story townhomes located on, and embedded within, a concrete podium. The three options would vary primarily in terms of the use and design of the two buildings in Parcel 2 in the western portion of the project site, which would be developed with either two residential towers or a residential tower and a mixed-use residential/hotel tower; however, the total office/retail floor area under the two options would remain the same. The project's two office components (within Parcels 1 and 3) would be respectively located at the west and east sides of Golden Shore at Ocean Boulevard. These buildings would serve as gateway structures, interfacing commercial land uses to north of Ocean Boulevard and establishing a mixed-use tone for the project.

A. RESIDENTIAL OPTION

The Residential Option includes the development of four high rise buildings in the combined western and eastern portions of the site, including two residential buildings 32 and 40 stories in height, respectively, a 19-story office building, a 34-story mixed-use residential/office/retail building, and townhome units. Total development under the residential option includes 1,370 residential units, 340,000 square feet of office space, 28,000 square feet of retail uses, 242,716 square feet of open space area, and 3,355 parking spaces. A breakdown of proposed uses under the proposed project's Residential Option is presented below in Table 1.

Golden Shore Master Plan EIR
Facts, Findings and Statement of Overriding Considerations

Table 1

Summary of Residential Option

Building	Building Height	Residential Condominiums	Open Space	Office Space	Retail Space	Parking Spaces
West Site (Parcels 1 & 2)						
North Residential	40 stories	918 units	54,756 sf	-	7,000 sf	725
South Residential	32 stories		50,704 sf	-	7,000 sf	655
Office Tower	19 stories	-	65,158 sf	260,000 sf	6,000 sf	740
<i>West Site Total</i>		<i>918 units</i>	<i>170,618 sf</i>	<i>260,000 sf</i>	<i>20,000</i>	<i>2,315</i>
East Site (Parcel 3)						
Office/Residential	34 stories	452 units	72,098 sf	80,000 sf	8,000 sf	1,040
<i>East Site Total</i>		<i>452 units</i>	<i>72,098 sf</i>	<i>80,000 sf</i>	<i>8,000 sf</i>	<i>1,040</i>
Total Project		1,370 units	242,716 sf	340,000 sf	28,000 sf	3,355
Existing Uses To Be Removed						
Parcel	Building Height	Residential Condominiums	Open Space	Office Space	Retail Space	Parking Spaces
Parcels 1 & 2	2 & 6 stories	-	36,840 sf	131,636 sf	4,705 sf	557
Parcel 3	14 stories	-	19,894 sf	150,507 sf	7,155 sf	363
Total Existing			56,734 sf	282,143 sf	11,860 sf	920
Project Net Change		+ 1,370 units	+185,982	+57,857	+16,140	+2,435

Source: IBI Group, February 2009.

B. HOTEL OPTION A

Hotel Option A includes the development of four high-rise buildings in the combined west and east portions of the project site, including a 40-story residential building, a 27-story mixed-use residential/hotel building (15 levels of hotel uses including 400 guest rooms and 27,000 square feet of conference and banquet facilities, with 12 levels of residential units above), a 19-story office building, and a 40-story mixed-use residential/office/retail building. Total development under the hotel option would include 1,110 residential units, 400 hotel rooms, 340,000 square feet of office space, and 27,000 square feet of retail uses, 233,672 square feet of open space, with 3,430 parking spaces. A breakdown of proposed uses under the proposed project's Hotel Option A is presented below in Table 2.

Table 2

Summary of Hotel Option A

Building	Building Height	Residential Condos	Hotel Rooms	Open Space	Hotel Banquet/ Restaurant	Office Space	Retail Space	Parking Spaces
West Site (Parcels 1 & 2)								
North Residential	40 stories	574 units	-	51,156 sf	-	-	6,500 sf	762
Residential/ Hotel	27 stories		400	40,220 sf	27,000 sf	-	6,500 sf	763
Office Tower	19 stories	-	-	65,158 sf	-	260,000 sf	6,000 sf	740
West Site Total		574 units	400	156,534 sf	27,000 sf	260,000 sf	19,000 sf	2,265
East Site (Parcel 3)								
Office/Residential	40 stories	536 units	-	77,138 sf	-	80,000 sf	8,000 sf	1,165
East Site Total		536 units	-	77,138 sf	-	80,000 sf	8,000 sf	1,165
Total Project		1,110 units	400 rooms	233,672 sf	27,000 sf	340,000 sf	27,000 sf	3,430 spaces
Existing Uses To Be Removed								
Building	Building Height	Residential Condos	Hotel Rooms	Open Space	Hotel Banquet/ Restaurant	Office Space	Retail Space	Parking Spaces
Parcels 1 & 2	2 & 6 stories	-	-	36,840 sf	-	131,636 sf	4,705 sf	557
Parcel 3	14 stories	-	-	19,894 sf	-	150,507 sf	7,155 sf	363
Total Existing		-	-	56,734 sf	-	282,143 sf	11,860 sf	920
Project Net Change		+ 1,110 units	+ 400 rooms	+176,938 sf	+27,000 sf	+57,857	+15,140	+2,510 spaces

Source: IBI Group, February 2009.

C. HOTEL OPTION B

Hotel Option B includes the development of four high-rise buildings in the combined west and east portions of the project site, including a 24-story residential building, a 36-story mixed-use residential/hotel building (15 levels of hotel uses including 400 guest rooms and 27,000 square feet of conference and banquet facilities, with 21 levels of residential units above), a 19-story office building, and a 40-story mixed-use residential/office/retail building. Total development under Hotel Option B would include 1,110 residential units, 400 hotel rooms, 340,000 square feet of office space, 27,000 square feet of retail uses, and 232,951 square feet of open space area with 3,430 parking spaces. A breakdown of proposed uses under the proposed project's Hotel Option B is presented below in Table 3.

Table 3

Summary of Hotel Option B

Building	Building Height	Residential Condos	Hotel Rooms	Open Space	Hotel Banquet/ Restaurant	Office Space	Retail Space	Parking Spaces
West Site (Parcels 1 & 2)								
Residential/ Hotel	36 stories	574 units	400	45,831sf	27,000 sf	-	6,500 sf	762
South Residential	24 stories		-	44,824 sf	-	-	6,500 sf	763
Office Tower	19 stories	-	-	65,158 sf	-	260,000 sf	6,000 sf	740
West Site Total		574 units	400	155,813 sf	27,000 sf	260,000 sf	19,000 sf	2,265
East Site (Parcel 3)								
Office/Residential	40 stories	536 units	-	77,138 sf	-	80,000 sf	8,000 sf	1,165
East Site Total		536 units	-	77,138 sf	-	80,000 sf	8,000 sf	1,165
Total Project		1,110 units	400 rooms	232,951 sf	27,000 sf	340,000 sf	27,000 sf	3,430 spaces
Existing Uses To Be Removed								
Building	Building Height	Residential Condos	Hotel Rooms	Open Space	Hotel Banquet/ Restaurant	Office Space	Retail Space	Parking Spaces
Parcels 1 & 2	2 & 6 stories	-	-	36,840 sf	-	131,636 sf	4,705 sf	557
Parcel 3	14 stories	-	-	19,894 sf	-	150,507 sf	7,155 sf	363
Total Existing		-	-	56,734 sf	-	282,143 sf	11,860 sf	920
Project Net Change		+ 1,110 units	+ 400 rooms	+176,217	+27,000 sf	+57,857	+15,140	+2,510 spaces

Source: IBI Group, February 2009.

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

The City of Long Beach conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to Appendix A, *Initial Study/NOP/NOP Comment Letters*, in the Draft EIR).

AESTHETICS

Would the project:

Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. The project site is currently developed with three office buildings and associated parking structures. No valued natural features (i.e., rock outcroppings), or historic buildings exist within the site, and landscaping is limited to limited areas of ornamental trees and vegetation. Thus, development of the project would not have a significant impact on scenic historic resources or any on-site natural or aesthetic features. Further analysis of this issue in an EIR is not required.

AGRICULTURAL RESOURCES

Would the Project:

Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The project site is fully developed within a highly urbanized area and is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, no agricultural or other related activities currently occur on the site or within the project vicinity. Therefore, no impacts to farmland would occur. Further analysis of this issue in an EIR is not required.

Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The site encompasses a developed Planned Development site (PD-6, Subarea 1). No agricultural zoning is present in the surrounding area, and no nearby lands are enrolled under the Williamson Act. Therefore, no conflict with agricultural zoning or Williamson Act contracts would occur. Further analysis of this issue in an EIR is not required.

Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

No Impact. As discussed above, no agricultural uses exist on the project site or in the project vicinity nor is the project site or the project vicinity zoned for agricultural use. Thus, the proposed project would not involve the conversion of farmland to non-agricultural uses. No impacts to agricultural land or uses would occur. Further analysis of this issue in an EIR is not required.

AIR QUALITY

Would the project:

Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. Potential sources of odors during construction activities include the use of architectural coatings and solvents. The activities and materials associated with project construction would be typical of construction projects of similar type and size. Any odors that may be generated during construction or operation of the project would be localized and temporary in nature, and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. As such, impacts with regard to odors would be less than significant.

According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project involves the development of residential, office/retail, and potentially hotel uses and associated parking and would not introduce any major odor-producing uses that would have the potential to affect a substantial number of people. Only limited odors associated with project operations would be generated by on-site waste generation and storage, the use of certain cleaning agents, and/or restaurant uses, all of which would be consistent with existing conditions on-site and in the surrounding area. Odor impacts during project operations would be less than significant. Thus, further analysis of odor impacts in an EIR is not required.

BIOLOGICAL RESOURCES

Would 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 by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact. The project site is entirely developed with three office buildings and parking structures. Given the urbanized nature of the area, the likelihood of the presence

of any endangered and/or threatened species is remote. Existing vegetation includes limited areas of ornamental trees and other non-native landscaping, and no sensitive or special status species have been identified on the project site. Species likely to occur on site are limited to avian and small terrestrial species typically found in urban settings. While the project site supports some ornamental vegetation, it is devoid of natural vegetation that could serve as habitat for sensitive or special status species. In order to ensure that any migratory birds that may be nesting on the project site would not be affected by construction, the Migratory Bird Treaty Act (MBTA) requires all landscaped areas and structures to be surveyed for nesting migratory bird prior to demolition. Due the limited area of landscaping and the mandatory enforcement of existing regulations applicable to the project site, the project would not have a substantial adverse effect on sensitive or special status species. Impacts with respect to habitat modification would be less than significant. Thus, further analysis of this issue in an EIR is not required.

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

Less Than Significant Impact. The project site is entirely developed with three office buildings and parking structures. Existing landscaping includes limited areas of ornamental trees and other non-native landscaping. No riparian or other sensitive natural community exists on the project site. The project site is separated from the Golden Shore Marine Biological Reserve to the south by Shoreline Drive (a six-lane highway), concrete retaining walls associated with the highway, and the Golden Shore RV Park, which collectively prevent direct surface runoff from the project site from reaching the Biological Reserve. As no riparian habitat or other natural community is located within or adjacent to the project site, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. Impacts on riparian or other sensitive natural communities would be less than significant and further analysis of this issue in an EIR is not required.

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?

Less Than Significant Impact. The project site is currently developed and does not contain any federally protected wetlands. The proposed project would not require any activities on federally protected wetlands through direct removal, filling or hydrological interruption, or other means, as defined in Section 404 of the Clean Water Act. As such, implementation of the proposed project would not have a significant impact on federally protected wetlands. Further analysis of this issue in an EIR is not required.

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?

Less Than Significant Impact. The project site is fully developed and surrounded by existing urban development, including Ocean Boulevard, a major arterial, to the north; Shoreline Drive, a six-lane highway coming off I-710 to the west and south; and the 200 - 300 Ocean Gate buildings and other urban development to the east. Due to the urbanized nature of the project area and the proximity of surrounding roadways with high traffic levels, the potential for native resident or migratory wildlife species movement through the site is very low. In addition, no wildlife corridors or native wildlife nursery sites are present on the site. Furthermore, there is no body of water existing on the project site that serves as natural habitat in which fish could exist. As such, the project would not interfere with the movement of any native resident or migratory fish or wildlife species or use of any wildlife nursery site. Impacts on wildlife movement would be less than significant and further analysis of this issue in an EIR is not required.

Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

No Impact. The project site is entirely developed with three office buildings and parking structures. Existing landscaping includes limited areas of ornamental trees and other non-native landscaping. Native or natural vegetation and landmark or heritage trees that are subject to preservation policies or regulations do not occur within the project site. Any street trees removed for project development would be replaced in accordance with City standards, and the project would provide landscaping in accordance with City of Long Beach Municipal Code (LBMC) requirements that would offset the loss of trees and open space landscaping. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources. No impacts would occur and further analysis of this issue in an EIR is not required.

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. As discussed above, the project site is currently developed with buildings and parking structures within a highly urbanized area. No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the project site. Thus, no impacts would occur and further analysis of potential conflicts with habitat conservation plans in an EIR is not required.

CULTURAL RESOURCES

Would the project:

Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?

Less Than Significant Impact. The project site is currently developed with buildings and parking structures. There are no historical resources within or adjacent to the project site that would be directly affected by the project. Results of a cultural resources records search conducted through the California Historical Resources Information System South Central Coastal Information Center (CHRIS-SCCIC) at California State University, Fullerton, indicate that several historical properties are located within a half-mile radius of the project site, including the City of Long Beach Drake Park/Willmore City Historic Landmark District (Willmore District).¹

The approximate boundaries of the Willmore District extend from Park Court on the east, Loma Vista Drive to the north, 4th Street on the south, and an irregular boundary to the west that includes Loma Vista.² The nearest portion of the Willmore District to the project site is along the southern margin of 4th Street, approximately three city block-lengths to the north of the project site. Several additional historic properties have been documented along Daisy Avenue, 3rd Street, Broadway, Golden Avenue, and Chestnut Avenue. These properties are listed in the Cultural Resources Survey provided in Appendix A of this Initial Study. Due to intervening development and the distance between the project site and the Willmore District and other historical properties, the proposed project would not have a direct impact on local historic resources.

Many of the project's proposed buildings, under either development option, are similar in height or higher than many existing high-rise buildings in the downtown area and immediate project vicinity. However, the massing and form of the proposed buildings would not represent a significant departure from the high density, high-rise character of existing development located along Ocean Boulevard to the south of the Willmore District and known historical buildings. As the proposed project would not affect the character of the surrounding area with respect to the historical context of the area and the project site does not contain and is not adjacent to historical resources, no substantial adverse change in the significance of a historical resource under Section 15064.5 of the CEQA Guidelines would occur. Therefore, further analysis of historic resources in an EIR is not required.

¹ PCR Services Corporation, *Results of CHRIS-SCCIC Records Search, Broadway and Maine Project, Long Beach, March 22, 2007.*

² Detailed description of Willmore District boundaries is given in City of Long Beach Ordinance No. C-7538, <http://www.longbeach.gov/civica/filebank/blobdload.asp?BlobID=8766>, accessed November 19, 2008.

GEOLOGY AND SOILS

Would the project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. Fault rupture is defined as the displacement that occurs along the surface of a fault during an earthquake. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive.³ Active faults are those having historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch).⁴ Potentially active faults have demonstrated displacement within the last 1.6 million years (during the Pleistocene Epoch), but do not displace Holocene Strata. Inactive faults do not exhibit displacement younger than 1.6 million years before the present. In addition, there are buried thrust faults, which are low angle reverse faults with no surface exposure. Due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

The seismically active Southern California region is crossed by numerous active and potentially active faults and is underlain by several blind thrust faults. Alquist-Priolo Earthquake Fault Zones (formerly Special Study Zones) have been established throughout California by CGS. These zones, which extend from 200 to 500 feet on each side of a known active fault, identify areas where potential surface rupture along an active fault could prove hazardous and identify where special studies are required to characterize hazards to habitable structures.

The project site is not located within an established Alquist-Priolo Fault zone. The nearest active fault to the project site is the Newport Inglewood Fault Zone, located approximately 2.9 miles to the northwest.⁵ Active faults with the potential for surface rupture are not known to be located beneath the project site. Therefore, the potential to expose people to impacts from fault rupture resulting from seismic activity during the design life of the buildings is considered less than significant. No further evaluation of this issue in an EIR is required.

³ The California Geological Survey was formerly known as the Division of Mines and Geology of the California Department of Conservation.

⁴ California Department of Conservation, California Geologic Survey.

⁵ City of Long Beach General Plan, Seismic Safety Element, October 1988.

Landslides?

Less Than Significant Impact. The project site is not identified as an area of slope instability in the General Plan Seismic Element. Landslides generally occur in loosely consolidated, wet soil and/or rock on steep sloping terrain exposed to the effects of water. The project site is characterized by relatively flat topography and is entirely developed, which reduces direct exposure to water. The surrounding area is characterized by a gently sloping topography that is also almost entirely developed with paved surfaces. As steep hillsides are not present on-site or in the project vicinity, impacts associated with landslides would be less than significant and further evaluation of this issue in an EIR is not required.

Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less Than Significant Impact. Expansive soil is defined as soil that expands to a significant degree upon wetting and shrinks upon drying. Generally, expansive soils contain a high percentage of clay particles. The natural soils in the area consist of primarily of river and coastal alluvium, containing high levels of gravel and sand, which, as defined in Table 18-1-B of the Uniform Building Code are not considered to be expansive. Thus, impacts would be less than significant and further analysis of this issue in an EIR is not required.

Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The project site is located in a fully urbanized area served by existing wastewater infrastructure and no septic tanks or alternative wastewater disposal systems would required. Therefore, the project would not result in impacts related to the ability of soils to support septic tanks or alternative wastewater disposal systems. No impacts would occur, and further evaluation of this issue in an EIR is not required.

HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The type and amount of hazardous materials to be used for the project would be typical of those used for residential and commercial developments. Specifically, operation of the proposed uses would involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, painting supplies, pesticides for landscaping, and petroleum products. Construction of the project could require the temporary use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored,

and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. Therefore, impacts associated with the types of hazardous materials used routinely in the construction and operation of the project would be less than significant. As such, further analysis of this issue in an EIR is not required.

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?

Less Than Significant Impact. The project site and surrounding area historically have been developed with a variety of urban uses. The potential exists that existing on-site uses may contain asbestos containing materials (ACM) and/or lead-based paint that may be released during demolition activities. ACM, consisting of microscopic fibers, was widely used historically in the building industry for a variety of uses, including acoustic and thermal insulation and fireproofing. Despite its useful qualities, asbestos is associated with lung diseases caused by the inhalation of airborne asbestos fibers. Asbestos becomes a hazard if the fibers separate and become airborne. Given the age of the existing structures, asbestos is not expected to occur on-site. However, any ACM encountered prior to or during demolition would be removed in compliance with South Coast Air Quality Management District's (SCAQMD) Rule 1403, as well as other applicable State and federal rules and regulations. Therefore, with compliance with Rule 1403, potentially hazardous impacts associated with ACM would be reduced to a less than significant level. Thus, further analysis of this issue is not required.

Lead is a naturally occurring element and heavy metal that can cause adverse health effects, especially on children. Lead was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950. Given the age of the existing structures, lead-based paint (LBP) is not expected to occur on-site. However, if lead based paint is found, the Applicant shall follow all procedural requirements and regulations, including California Code of Regulations, Title 8, Section 1532.1, for proper removal and disposal of the lead based paint. Therefore, impacts associated with hazards to the public or environment from the release of hazardous materials, including ACM and LBP, would be less than significant. As such, no further analysis in an EIR is required.

Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The project site is located within one-quarter mile of Cesar Chavez Elementary School, a K-5 school located on the east side of Maine Avenue, between Broadway and 3rd Street. The school site is separated from the project site by Santa Cruz Park, sections of the I-710 terminus/interchange, and the Hilton Hotel. The potential exists for hazardous materials to be encountered during demolition of existing buildings and the use and

storage of typical hazardous materials used during construction and operation of the project. Hazardous construction materials may include vehicle fuels, oils, transmission fluids, mastics, and paints, and operation-phase hazardous materials may include cleaning solvents, painting supplies, petroleum products, and pesticides for landscaping and grounds maintenance. Existing standards and regulations require that potentially hazardous materials be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable California standards and regulations enforced by the Long Beach Fire Department. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. The proposed project would not include land uses, such as industrial or manufacturing uses, that would involve the manufacture, use, or transport of large quantities of potentially hazardous materials on an ongoing basis. The potential for the project to emit and/or handle common hazardous materials in a manner that would adversely affect Cesar Chavez Elementary School would not be significant. Thus, further analysis of this issue in an EIR is not required.

Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and does not represent a significant hazard to the public or to the environment. Therefore, the project would not create a significant hazard to the public or the environment and no significant impacts would occur. Thus, further analysis of this issue in an EIR is not required.

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not located within an airport land use plan area, nor is the site located within two miles of an airport. The nearest airport is Long Beach Airport, located approximately four miles northeast of the site. No impacts with respect to the airport or airport land use plan would occur. Thus, further analysis of this issue in an EIR is not required.

For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?

No Impact. The project site is not located within the vicinity of a private airstrip. The nearest airport is Long Beach Airport, located approximately four miles from the site. No impacts with respect to a private airstrip would occur. Thus, further analysis of this issue in an EIR is not required.

Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Immediate access to the project site is provided via Ocean Boulevard, Golden Shore, and Seaside Way. Emergency response and emergency evacuation for the City is based on the availability of through streets and multiple access routes and bridges. Access to the project vicinity is provided by the I-710 freeway, Ocean Boulevard, Shoreline Drive, Golden West, and Seaside Way. The proposed project would not impede street access through the removal of any through streets or changes in the existing street and highway pattern in the area. Additionally, construction activities and staging areas would be generally confined to the project site so as not to physically impair access to and around the site. A parking structure would be developed over a section of Seaside Way in the East Phase site; however, the proposed building would bridge the street and would not impede movement along the street right-of-way. Although a period of closure of Seaside Way would occur during construction of the bridge/parking structure, this street does not serve as a critical through route or evacuation route for the City, since alternative routes and cross streets occur in the area. East-west access between Golden West and the Convention Center is also available via Ocean Boulevard and Shoreline Drive, both of which are main arterials connecting with and serving other main arterials. Access along through streets and highways in the area, including Ocean Boulevard, Shoreline Drive, and Golden West would be maintained during construction and project operation. As the construction and operation of the proposed project would not permanently impede any through streets or evacuation routes, impacts with respect to emergency access would be less than significant. Therefore, further evaluation of this issue in an EIR is not required.

Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The project site and surrounding areas are predominately developed and no wildlands occur within the vicinity of the project site. Future development as a result of project implementation would provide additional ornamental landscaping, which is not anticipated to create hazardous fire conditions. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Thus, further evaluation of this issue in an EIR is not required.

HYDROLOGY AND WATER QUALITY

Would the project:

Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g.,

the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The City's potable water is equally derived from groundwater wells within the City and purchases from the Metropolitan Water District of Southern California (MWD). Direct, natural groundwater recharge in the highly urbanized Ocean Boulevard corridor in downtown Long Beach is minor since the majority of the area is paved and/or covered with buildings. During project construction, excavation would be necessary for the development of subterranean parking levels. Therefore, it is possible that groundwater would be encountered during construction of the proposed project, and a construction dewatering permit may be required pursuant to Los Angeles Regional Water Quality Control Board (LARWQCB) requirements. However, if necessary, dewatering would occur in accordance with RWQCB and City guidelines to ensure that construction activities would not substantially deplete groundwater supplies or interfere with groundwater recharge. Consequently, construction impacts to groundwater would be less than significant.

Operation of the project also would not interfere with groundwater recharge. The majority of the project site is developed with buildings and paved surfaces, with limited ornamental landscaping. The proposed project would replace existing impervious areas with new impervious areas and would continue to incorporate landscaping on-site. Thus, there would be a marginal change in the amount of impervious surface area, and thus a corresponding marginal change in the amount of runoff. A small, incremental increase in runoff would not affect the regional water table or the water levels in the City's existing wells needed to support the area's planned land uses. Furthermore, operation of the proposed project would not involve long-term extraction of groundwater. Therefore, the impact of the project on groundwater supplies would be less than significant and further evaluation of this issue in an EIR is not required.

Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less Than Significant Impact. According to the City of Long Beach NHMP, the project site flood inundation areas for the Sepulveda Reservoir and Hansen Dam on the Los Angeles River do not extend to the south of Ocean Boulevard.⁶ The project is not located within an inundation area associated with any other levees or dams. Therefore, implementation of the project would not result in the exposure of people to a significant risk of loss, injury, or death involving flooding, including flooding associated with the failure of a levee or dam. Therefore, further analysis of this issue in an EIR is not required.

⁶ City of Long Beach, *Natural Hazards Mitigation Plan, Maps 5-6 and 5-7* (Source: U.S. Army Corps of Engineers).

Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity. The project site is not located below an enclosed basin or storage tank and would not be susceptible to seiche. In addition, the project site is not located within a hilly area that would be susceptible to mudflow. Thus, impacts with respect to seiches and mudflows would be less than significant and further analysis in an EIR is not required.

However, according to the General Plan Seismic Safety Element, the project site is located within an area of the City susceptible to tsunami.⁷ The NHMP also addresses the possibility of tsunamis impacting the City of Long Beach and states that the most significant impacts would occur, among other shore areas, at the port and surrounding commercial areas that are at or near sea level.⁸

The Port of Los Angeles and Port of Long Beach have recently commissioned a rigorous probabilistic analysis to study the potential tsunami hazards affecting the two ports.⁹ The study incorporated the following scope:

- Review of historical tsunamis impacting the Ports of Los Angeles and Long Beach;
- Identification and evaluation of the likelihood of potential local tsunamigenic sources;
- Generation of an initial tsunami from each potential source;
- Configuration of an applicable detailed hydrodynamic model for the two ports;
- Propagation of the potential tsunami waves into the two ports with detailed hydrodynamic models of the area;
- Description of the tsunamic characteristics in the ports, including predicted water levels, current speeds, and arrival times; and

⁷ *City of Long Beach General Plan Seismic Safety Element, Plate 11, Tsunami and Seiche Influence Areas* (Source: Base Map Bureau of Engineers, USGS, 1961, and Steinbrugge, 1982), October 1988.

⁸ *City of Long Beach Natural Hazards Mitigation Plan, Chapter 9, Tsunami Hazards in the City of Long Beach*, page 13, October 19, 2004.

⁹ *Port of Los Angeles and Port of Long Beach, Tsunami Hazard Assessment for the Ports of Long Beach and Los Angeles* (Prepared by Moffatt & Nichol, Long Beach, CA), April 2007.

- Determination of overtopping characteristics at locations where maximum water levels would exceed adjacent land elevations.

In accordance with the scope, the study evaluated the seismicity and tectonics of the Southern California Borderland (SCCB) to characterize the potential for tsunami-generating earthquakes. The analysis indicated that the SCCB has few restraining bends with thrust-type faulting sources large enough to generate significant tsunamis and, therefore, tsunamis appear to be extremely infrequent. According to the report, based on seismicity, geodetics, and geology, a large locally generated tsunami from either local seismic activity or a local submarine landslide would likely not occur more than once every 10,000 years. The study also suggested that the historically recorded tsunamis in the Ports of Los Angeles and Long Beach may be the maximum to be expected from remote sources. At the four local tectonic tsunami sources evaluated in the report, the travel time after the initial earthquake to Queens Gate in the Port of Long Beach ranges from approximately 18 to 29 minutes. For the two local landslide tsunami sources, the travel time after the initial landslide at Queens Gate would be 12 to 14 minutes. The travel time for the trans-ocean tsunami source would be slightly more than three hours. The study also suggests that the maximum mean wave height resulting from remote sources would be approximately 2.46 feet (0.75 meters) and maximum mean wave height from local sources (based on the worst case Palos Verdes Landslide model) would reach approximately 23 feet (7 meters) at the Navy Mole in the Port of Long Beach.

The proposed project would be developed above parking structure podiums, ranging from 50 feet above ground level in the West Phase site to 60 feet above ground level in the East Phase site. Although office lobbies and garages would be at lower elevations, all offices and residential development would occur above these levels. With a worst case wave height of 23 feet, the occupied units and offices would be above the level of the maximum tsunami wave. Given the low probability of tsunamis (extreme infrequency) and configuration of the occupied portion of the project above the ground level, the proposed project would not have a significant impact with respect to tsunami hazards. Therefore, further analysis of tsunamis in an EIR is not required.

LAND USE AND PLANNING

Would the project:

Physically divide an established community?

Less Than Significant Impact. The project site is defined by a complex network of surrounding streets, including separated grade crossings and divided streets and highways that would remain in their existing configurations with the development of the proposed project. With the exception of the Golden Shore RV Park directly to the south of the West Phase site, south of Shoreline Drive, the project site adjoins existing high-rise commercial and residential buildings, including the Hilton Hotel and One World Trade Center to the north; and Arco Plaza (200 - 300

Ocean Gate) and a variety of high-rise commercial and residential buildings along Ocean Boulevard to the east. The proposed project would represent a continuation of recent high-rise development along Ocean Boulevard. As the project is an extension and continuation of an existing high-rise corridor containing a mix of uses, it would not divide an existing community. Thus, impacts would be less than significant and no further analysis of this issue is necessary.

Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The project site is entirely developed with three 14-story, 6-story, and 2-story office buildings and associated parking structures within a highly urbanized area of Downtown Long Beach. No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved habitat conservation plans apply to the project site. Therefore, the implementation of the proposed project would have no impact on adopted habitat conservation or natural community conservation plans and further analysis of this issue in an EIR is not required.

MINERAL RESOURCES

Would the project:

Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. Petroleum is the primary mineral resource within the City of Long Beach. The project site is not classified by the City of Long Beach as an area containing significant deposits of oil, gas, or other mineral deposits. In addition, the project is not currently utilized for oil extraction, nor are oil and other mineral deposits known to occur within the project site. As the development of the project site would not result in the loss of a known mineral resource, no impact with respect to this issue would occur. Therefore, further analysis of this issue in an EIR is not required.

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?

No Impact. The Long Beach General Plan and other specific plans and land use plans do not identify the project site as an important mineral resource recovery site. Project implementation would not result in impacts associated with the loss or availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, further analysis of this issue in an EIR is not required.

NOISE

Would the project result in:

For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located within an airport land use plan area or within two miles of a public or public-use airport. The nearest airport to the project site is the Long Beach Airport, located approximately four miles northeast of the project site, to the north of the I-405 freeway. Therefore, the project would not expose people to excessive airport-related noise levels. As no impact would occur, further analysis of this issue in an EIR is not required.

For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed project is not located in the vicinity of a private airstrip. Therefore, the proposed project would not expose people to excessive noise levels associated with the operation of a private airstrip. As no impacts would occur, further analysis of this issue in an EIR is not required.

POPULATION AND HOUSING

Would the project:

Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no existing residential uses on the project site, and thus, the proposed project would not displace existing housing or people. No impacts would occur. Therefore, further analysis of this issue is not necessary, and no mitigation measures would be required.

Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. No existing residential uses are located within the project site. Therefore the development of the proposed project would not displace existing housing or people. No impacts would occur. Further evaluation of this issue in an EIR is not required.

TRANSPORTATION/CIRCULATION

Would the project:

Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less Than Significant Impact. The project site is not located within the vicinity of a public or private airport. The nearest airport to the site is the Long Beach Municipal Airport, which is located approximately four miles northwest of the project site. Based on the Long Beach Municipal Airport's airport land use plan, the project site is not located within its Planning Boundary. The project does not propose any uses that would increase the frequency of air traffic. The project includes high-rise buildings ranging from 19 to 47 stories (up to 531 feet above ground level). The project would comply with applicable Federal Aviation Administration (FAA) requirements regarding rooftop lighting for high-rises. In addition, in accordance with FAA requirements, Form 7460-1, Notice of Proposed Construction or Alteration, would be filed with the FAA prior to construction of all buildings that are 200 feet or greater in height from the grading terrain. With compliance with FAA requirements, no significant impacts to air traffic patterns are anticipated. Further evaluation of this issue in an EIR is not required.

UTILITIES

Would the project:

Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The City of Long Beach is located in Sanitation District No. 29 of the Los Angeles County Sanitation District (LACSD). Wastewater treatment for the City is provided by the Joint Water Pollution Control Plant (JWPCP), located in the City of Carson. The JWPCP provides primary and partial secondary treatment for 350 million gallons of wastewater per day. As shown in Table 4, below, the Residential Option of the project would generate an estimated 324,158 gallons per day (gpd) of wastewater. In addition, the Hotel Option of the project would generate an estimated 332,658 gpd of wastewater. The project's demand for wastewater treatment would not be expected to exceed existing treatment capacity or the wastewater requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB) for the JWPCP. Therefore, further analysis of wastewater treatment in an EIR is not necessary.

Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. Water service and wastewater conveyance in the City of Long Beach is provided by the Long Beach Water Department (LBWD). Within the project area,

water supplies are delivered via 20-inch and 12-inch water lines in Ocean Boulevard and 12-inch lines in Seaside Way and Golden Shore. LBWD has indicated that project development would not conflict with these existing water lines, but that no new water connections to the 20-inch Ocean Boulevard line are permitted.¹⁰ Nonetheless, the existing water lines that serve the site are considered adequate to accommodate project-generated water demand, and further analysis of water infrastructure is not necessary.

Wastewater in the project area is conveyed in sewer lines that include a 10-inch line in Ocean Boulevard, a 10-inch and 12-inch line in Seaside Way, and an 8-inch line in Shoreline Drive. LBWD has indicated that the project would not conflict with these existing sewer lines, but that a 6-inch sewer lateral line in Shoreline Drive and Golden Shore would need to be relocated south of the project property line in order to accommodate proposed development.¹¹ This relocation would occur under the direction of the City to ensure compliance with all applicable standards. As the existing sewer lines that serve the site are considered adequate to accommodate project-generated wastewater, further analysis of wastewater conveyance infrastructure is not necessary.

Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

¹⁰ Memo from Larry Oaks, Development Services, Long Beach Water Department to Derek Burnham, Planner, Long Beach Development Services, February 27, 2008.

¹¹ Memo from Larry Oaks, Development Services, Long Beach Water Department to Derek Burnham, Planner, Long Beach Development Services, February 27, 2008.

Table 4

Estimated Wastewater Generation (Net Increase)

Net Floor Area/ Units/Rooms	Generation Rate ^a	Total (gpd)
Residential Option		
79,538 sq. ft.(net new office/retail)	200 gal/1,000 sf	15,908
1,370 units ^b		
685 units -(2 BR)	200 gal/du	137,000
685 units -(3 BR)	250 gal/du	171,250
Total		324,158
Hotel Option		
79,538 sq. ft. (net new office/retail)	200 gal/1,000 sf	15,908
1,110 units ^b		
555 units- (2 BR)	200 gal/du	111,000
555 units- (3 BR)	250 gal/du.	138,750
400 rooms	150 gal/room/day	60,000
7,000 sq. ft. (restaurant)	50 gal/seat ^c	3,500
20,000 sq. ft. (banquet)	50/gal/seat ^d	3,500
Total		332,658

- ^a Generation Rates obtained from Los Angeles County Estimated Average Daily Sewage Flow for Various Occupancies.
^b For a more conservative estimate, it is assumed that no more than half of the proposed units would be 3-bedroom units.
^c Restaurant uses assume one seat per 100 square feet.
^d Restaurant generation rates were used as no generation rates were available for banquet uses.

Less Than Significant Impact. Wastewater treatment is provided by the JWPCP, which has adequate capacity to accommodate project-generated wastewater volumes. Therefore, the project would not be expected to result in a determination by the LACSD that it has inadequate capacity to serve the project's projected demand in addition to existing commitments. Thus, further analysis of this issue is not recommended and no mitigation measures would be required.

Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. Solid waste collection from the project site would be managed by the Department of Public Works Environmental Services Bureau. The City has a 69 percent waste diversion rate through recycling and other measures and is in compliance with the California Integrated Waste Management Act of 1989 (AB939). The proposed project would comply with applicable regulations related to solid waste, including those pertaining to waste reduction and recycling. As all solid waste collection from the project site would be managed by the Environmental

Services Bureau, which is in compliance with federal, state, and local statutes and regulations, the proposed project would be consistent with respective regulatory measures. Further analysis of this issue in an EIR would not be required.

Other Utilities and Service Systems?

Less Than Significant Impact. Electricity transmission to the project site is provided and maintained by Southern California Edison (SCE). SCE currently derives approximately 16 percent of its energy from wind, solar, biomass, small hydropower and geothermal sources, and in 2007 lead all U.S. utilities in the delivery of renewable energy, procuring approximately 12.5 billion kilowatt-hours (kWh). In 2007, SCE delivered the following renewable energy portfolio to its customers:

- Geothermal: 7.71 billion kilowatt-hours (62 percent)
- Wind: 2.58 billion kilowatt-hours (21 percent)
- Solar: 667 million kilowatt-hours (5 percent)
- Biogas: 580 million kilowatt-hours (5 percent)
- Small hydro: 557 million kilowatt-hours (4 percent)
- Biomass: 336 million kilowatt-hours (3 percent)

In August 2008, SCE began construction on a solar panel array on commercial buildings in Southern California totaling two square miles, the largest solar array in the world, and in August 2008, SCE signed a 20-year contract with Caithness Energy to provide up to 909 megawatts of wind power. Once completed, the Caithness project will be one of the world's largest fully permitted wind farms. The Caithness project involves the installation of 303 wind turbines across 30 square miles in Gilliam and Morrow Counties in North-Central Oregon between 2011 and 2012. This project is expected to generate 2 billion kilowatt-hours per year of renewable energy, which is more than one-tenth of SCE's overall renewable portfolio.

In addition, the City's SERRF system combusts residential and commercial solid waste to produce steam which in turn is used to run the turbine-generator producing electricity. The electricity is used to operate the facility with the remainder sold to SCE. SERRF processes an average of 1,290 tons of municipal solid waste each day and generates up to 36 megawatts of electricity. SERRF has sold to SCE in excess of 1½ billion kilowatts. According to the City of Long Beach, SERRF generates enough power each year to supply 35,000 residential homes with electricity.¹²

¹² City of Long Beach, www.longbeach.gov/lbgo/serrf, accessed November 6, 2008.

As shown in Table 5 below, the project would generate a demand for an estimated 8,738 million kilo-watt hours (kWh) per year (Residential Option) or 7,821 million kWh per year (Hotel Option). Rates shown in Table B-1 do not reflect the 2008 Building Energy Standards for California (Title 24), effective in July 2009. In addition to the implementation of the updated Title 24, the project would implement Leadership in Energy and Environmental Design (LEED) design elements which would also incrementally reduce electricity demand. SCE has an approximate annual production of 121 billion kWh annually. Compared to SCE's annual output, project-related annual electricity demand would represent a small fraction of existing demand from a service that has an annual output of 121 billion kWh and anticipates an increase of approximately 3 billion kWh of renewable energy by 2012. Therefore, the electricity demand generated by the proposed project would fall within the anticipated service capabilities of SCE.

Natural gas is provided to the project site by the City of Long Beach Gas and Oil Department (LBGO). The LBGO purchases natural gas from local producers. Production sites are located in off-shore islands in Long Beach Harbor. This local source, which goes directly into the City's natural gas pipeline system, represents approximately 10 percent of the total natural gas purchased by LBGO. The remainder is purchased from throughout the southwestern United States and transported to Long Beach via the Southern California Gas Company (SoCal Gas) distribution system. The Anine plant in the City of Long Beach will allow natural gas supplies to be cleaned to meet City standards. The Anine plant, which will be completed in January 2009, will allow the LBGO to purchase up to 35 percent of its natural gas from local producers. The Long Beach downtown area, including the project site, is close to the local natural gas production (Long Beach Harbor) and is served by the City's local natural gas infrastructure.

Table 5
Estimated Baseline Electricity Consumption (Net Increase)

	Land Use	Net Floor Area/ Units/Rooms	Usage Rate ^a	Annual Electrical Consumption
Residential Option				
	Office	79,538 sq. ft. ^b	12.95 kWh/sf/yr	1,030 MWh
	Residential	1,370 units	5,626.5 kWh/du/yr	7,708 MWh
	Net Increase			8,738 MWh
Hotel Option				
	Office	79,538 sq. ft. ^b	12.95 kWh/sf/yr	1,030 MWh
	Residential	1,110 units	5,626.50 kWh/du/yr	6,245 MWh
	Hotel	400 rooms	9.95 kWh/unit/yr	3.98 MWh
	Hotel Restaurant	7,000 sq. ft.	47.45 kWh/sf/yr	332 MWh
	Hotel Banquet	20,000 sq. ft.	10.50 kWh/sf/yr	210 MWh
	Net Increase			7,820.98 MWh

^a Average for Southern California Edison. Usage rates do not reflect the 2008 Building Energy Standards for California (Title 24) effective July 2009.

^b The net new floor area (79,538 sq. ft.) is the proposed office/retail floor area (373,541 sq. ft.) less the combined existing office/retail floor area (294,003 sq. ft.).

Source: SCAQMD CEQA Air Quality Handbook, Table A9-11-A (April 1993).

According to the LBGO, infrastructure upgrades have been made to the downtown area to provide adequate service to high-rise residential development and offices.¹³

The California Energy Commission (CEC) 2008-2018 Staff Revised Report stated that end user natural gas demand in California is approximately four percent lower than forecasted in 2005 due to energy conservation and indicates that natural gas supplies, which were estimated to be sufficient to meet the State's energy demand under the prior, higher forecasts, would also meet the revised forecast. According to the US government Energy Information Administration

¹³ Paulina Flores, Gas Supply Business Office, telephone interview, November 10, 2008.

(EIA), natural gas production in the Lower 48 States has seen a large upward shift. After nine years of no net growth through 2006, an upward trend began that generated three percent growth between first-quarter 2006 and first-quarter 2007, followed by an exceptionally large nine percent increase between first-quarter 2007 and first-quarter 2008.¹⁴ Large recent increases in supply are coming from across the Lower 48 States. However, more than half of the increase in natural gas production between the first quarter of 2007 and the first quarter of 2008 came from Texas, where supplies grew by an exceptionally high 15 percent due to improved technology and higher natural gas prices. According to the EIA, on a nationwide level, technically recoverable natural gas resources are estimated to far exceed current production levels.

As shown in **Error! Reference source not found. Error! Bookmark not defined.**, the project would generate an approximate demand of 154,293 thousand cubic feet per day (kcf/day). This volume represents a small percentage increase with respect to current capacity and expanding local and regional supplies. In addition, the project's compliance with energy conservation standards set forth in the amended Title 24 (effective January 2009) and voluntary LEED features will further reduce the project's potential impacts on natural gas resources. Therefore, substantial adverse physical impacts associated with the project's estimated demand on natural gas supplies that would exceed supply or LGBO's delivery capacity would occur. As no significant impacts to local or regional supplies of natural gas would occur, further evaluation of this issue in an EIR is not required.

IV. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE EIR

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

AESTHETICS AND VIEWS

Long-term Aesthetics/Visual Character. Overall, development of any of the proposed project's development options would represent a substantial aesthetic improvement relative to the existing appearance of the site. The proposed project would not remove or demolish valued features or elements that contribute positively to the visual character of the vicinity. Additionally, the proposed project would not degrade or detract from the existing visual quality of the site and its surroundings. Development of high-rise buildings would also be consistent with the surrounding high-rise office uses that surround the project

¹⁴ EIA. <http://tonto.eia.doe.gov/energy/> (accessed November 7, 2008).

site (including the Arco Center to the east and the World Trade Center to the north of the project site). As such, the design of proposed project would improve and enhance the visual character of the site, be aesthetically compatible with surrounding uses, and generally improve the identity of the area. The proposed project would also provide landscaped pedestrian walkways along gardens and open-air plazas that are intended to provide a pedestrian-friendly environment as well as create a development acknowledged for its landmark design. Accordingly, visual quality impacts due to the proposed project would be less than significant.

Therefore, impacts related to long-term aesthetics and visual character would be Class III, less than significant, for all of the proposed project's development options.

Views. The proposed project would increase the intensity of on-site development over current conditions, and increase building heights across the entire project site, which would serve to incrementally further obstruct views of and across the site. However, as previously described, the high-rise buildings would feature modern glass exteriors with varying architectural elements and extensive landscaping that would enhance the visual character of the project site, and the proposed structures would not significantly obstruct views relative to existing conditions. As such, impacts to views would be less than significant.

Therefore, view impacts would be Class III, less than significant, for all of the proposed project's development options.

Light and Glare. With adherence to applicable LBMC regulations, lighting associated with the Residential Option, Hotel Option A, and Hotel Option B, would be consistent with the character of the off-site areas surrounding the project and would not interfere with the performance of an off-site activity from any residential use. Impacts attributable to project-induced artificial lighting would be less than significant.

Since Ocean Boulevard, Golden Shore, and Shoreline Drive have high levels of traffic, glare from reflected sunlight could interfere with the operation of a motor vehicle or other activity. The project could also be source of glare to the Hilton Hotel to the north and the Golden Shore RV Resort and Golden Shore Wildlife Preserve to the south. However, in compliance with Section 21.54.250 of the LBMC, direct glare from signage/billboards is prohibited to shine onto adjacent properties or public areas. In addition, as illuminated signs would be similar to signage on existing commercial buildings, the project would not create a

singular, disruptive glare source. Therefore, development of the proposed project would result in less than significant glare impacts.

Impacts would be Class III, less than significant. Note that the following mitigation measure is nonetheless recommended to further reduce air pollutant emissions from operation of the proposed project.

Recommended Mitigation Measures:

Mitigation Measure A-2: All new street and pedestrian lighting shall be shielded and directed away from any light-sensitive off-site uses.

Mitigation Measure A-3: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

Shade and Shadow. Shade-sensitive uses in proximity to the project site include the Hilton Hotel, Cesar E. Chavez Park, and the Santa Cruz Park located north of the project site, and the Golden Shore RV Resort and Golden Shore Wildlife Preserve to the south. Development of the Residential Option, Hotel Option A, and Hotel Option B would not cast new shadows on off-site shade-sensitive uses for more than three hours during either the winter or summer solstice, resulting in less than significant impacts in this regard.

Therefore, shadow impacts would be Class III, less than significant, for all of the proposed project's development options.

AIR QUALITY

Construction-Period Toxic Air Contaminants. Although a cancer risk factor has been established for diesel particulate matter, the OEHHA HRA cancer risk factors assume a continuous exposure over a 70-year time frame. Because the construction schedule estimates that the phases which require the most heavy-duty diesel vehicle usage, such as site grading and excavation, would last no more than a year, construction of the proposed project would not result in a long-term (i.e., 70 years) substantial source of TAC emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment for short-term construction emissions. It is therefore not meaningful to evaluate long-term cancer impacts from construction activities which occur over a short duration. In addition, there would be no residual emissions after construction and thus no corresponding individual cancer risk. As such, project-related toxic emission impacts during construction would be less than significant.

Therefore, construction-related toxic air contaminant impacts would be Class III, less than significant, for all of the proposed project's development options.

Localized Operational Emissions. None of the proposed project's development options would cause any new, or exacerbate any existing, carbon monoxide (CO) hotspots, and, as a result, impacts related to localized mobile-source CO emissions would be less than significant. Additionally, the project may include the installation and operation of diesel-fired generators for emergency power generation. Unless a blackout occurs, these generators would be operated for only a few hours per month for routine testing and maintenance purposes. The Applicant would be required to obtain a permit to construct and a permit to operate any standby generators under SCAQMD Rules 201, 202, and 203. Under SCAQMD Regulation XIII, all generators must meet BACT requirements to minimize emissions of PM₁₀ (as well as CO, VOC, and NOX emissions). Compliance with SCAQMD Rules and Regulations regarding stationary-source combustion equipment would ensure that contributions to localized PM₁₀ concentrations remain below the 2.5 µg/m³ significance threshold. As such, any potential localized operational impacts would be less than significant.

Therefore, localized operational emissions impacts would be Class III, less than significant, for all of the proposed project's development options.

GEOLOGY AND SOILS

Seismic Ground Shaking. Despite the fact that the project site would experience groundshaking as a result of an earthquake along any of the active or potentially active faults in the region, as is the case in all of southern California, the proposed structures would be required to be designed, engineered, and constructed to meet all applicable local and state seismic safety requirements, including the Uniform Building Code and the City of Long Beach Municipal Code. Given compliance with applicable seismic safety requirements, impacts on the proposed development from seismic groundshaking would be less than significant.

Therefore, seismic groundshaking impacts would be Class III, less than significant, for all of the proposed project's development options.

Subsidence, Liquefaction, and Collapse. Based on subsurface data obtained from the exploratory borings drilled on- and off-site, the on-site alluvial soils are, for the most part, dense to very dense, and therefore not prone to seismically induced settlement. Nonetheless, compliance with applicable building codes, including the Uniform Building Code and Title 18, Buildings and Construction, of the City of Long Beach Municipal Code, would preclude the potential for

adverse structural impacts from liquefaction or other ground failure. Incorporation of such recommendations into the project design and construction would reduce impacts from ground failure to less than significant.

Also, because significant quantities of water or oil are not being extracted beneath or in close proximity to the project site, subsidence is not anticipated to pose a significant hazard to the proposed project, barring such extractions in the future. Although construction-related and ongoing groundwater extraction (dewatering) may be required for the proposed structure, such dewatering would not result in the extraction of substantial quantities of water such that subsidence could occur. The proposed dewatering would be subject to issuance of a dewatering permit from the Los Angeles Regional Water Quality Control Board. Adherence to the requirements of the dewatering permit would ensure that groundwater extraction on-site would not result in adverse impacts related to lowering of the groundwater table in the project vicinity, such that notable subsidence could occur. Therefore, impacts related to subsidence would be less than significant.

Given the local geologic conditions and proposed layout for the proposed structure, no portion of the proposed project would overlie a transition between Holocene age alluvium and older alluvium or bedrock. Therefore, the likelihood of lurching affecting the project site is considered low. Thus, impacts are concluded to be less than significant in this regard.

Because the potential for liquefaction within project site is unlikely due to the lack of liquefiable soil materials, the likelihood of lateral spreading is remote. Thus, impacts related to lateral spreading are concluded to be less than significant.

Therefore, subsidence, liquefaction, and collapse impacts would be Class III, less than significant, for all of the proposed project's development options.

Soil Erosion/Loss of Topsoil. Soil erosion is most prevalent in unconsolidated alluvium and surficial soils, which are prone to downcutting, sheetflow, and slumping and bank failure during and after heavy rainstorms. To meet the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, the proposed project would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) during construction activities to prevent the introduction of pollutants, including soil materials, into stormwater flows off-site. Per City requirements, the proposed project would implement a project-specific Stormwater Pollution Prevention Plan to prevent substantial erosion and/or sedimentation during storm events during

construction. Additionally, to meet the water quality requirements of the County's Standard Urban Stormwater Mitigation Plan (SUSMP), under the NPDES Municipal Separate Storm Sewer System (MS4) Permit, the proposed project would also be required to prepare and implement an operational Water Quality Management Plan (WQMP) to address pollutants following construction activities. Implementation of the approved Water Quality Management Plan would minimize impacts related to erosion and other water quality impacts during project operation. Additionally, given that the project site is essentially flat and does not possess site conditions conducive to erosion, the potential for soil erosion during operations is nil. Thus, impacts are concluded to be less than significant in this regard.

Therefore, soil erosion and loss of topsoil impacts would be Class III, less than significant, for all of the proposed project's development options.

HYDROLOGY AND WATER QUALITY

Hydrology and Drainage. The proposed project would not substantially alter the existing drainage pattern of the site or area, create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, or place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area. As such, impacts related to hydrology and drainage would be less than significant.

Therefore, hydrology and drainage impacts would be Class III, less than significant, for all of the proposed project's development options.

Construction-Period Surface Water Quality. Grading activities associated with project construction will temporarily increase the amount of suspended solids from surface flows derived from the project site during a storm event due to erosion of exposed soil. In addition, due to on-site watering activities utilized to reduce airborne dust, construction could contribute marginally to increased sediment loading of surface runoff during dry weather conditions. As indicated above, NPDES permits will be obtained prior to construction or grading activities for each phase of project development. These permits will require that SWPPPs be developed and implemented. As described above, BMPs and erosion control measures will be included in the SWPPP. With implementation of NPDES and local regulations, proposed construction activities will not result in substantial erosion or sedimentation, degrade surface water quality of receiving waters to levels below standards considered acceptable by the LARWQCB or other regulatory agencies, or impair the beneficial uses of the receiving waters. In

addition, construction of the project will not result in a violation of any water quality standards or waste discharge requirements and will not otherwise substantially degrade water quality. Therefore, construction-related impacts to surface water quality will be less than significant given compliance with applicable regulations.

Therefore, construction-related surface water quality impacts would be Class III, less than significant, for all of the proposed project's development options.

Construction-Period Groundwater Quality. Construction activities on the project site could require excavation of up to 20 feet below ground surface during removal of existing foundations and construction of subterranean parking structures. Implementation of these construction activities could involve dewatering, given the historic groundwater levels measured on-site. Although it is not anticipated that groundwater contamination exists beneath the project site, should contamination be discovered, a short-term NDPES permit would be obtained to ensure that any needed groundwater treatment will be completed prior to discharging the groundwater to the storm drain, in compliance with storm water regulations. Therefore, construction activities associated with the project will not degrade the groundwater quality to levels below standards considered acceptable by the LARWQCB or other regulatory agencies. In addition, these short-term activities will not substantially deplete groundwater supplies or interfere with groundwater recharge. As such, groundwater impacts during construction of the project will be less than significant given compliance with applicable regulations.

Therefore, construction-related groundwater quality impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Surface Water Quality. Operation of the proposed project will produce pollutants typically associated with urban uses, such as oil and grease, metals, fertilizers, pesticides, dirt from landscaped areas, and litter. Pollutants in this runoff have the potential to be carried off-site and increase pollutant levels in affected receiving waters such as the Los Angeles River, Queensway Bay, and Long Beach Harbor. Although the proposed project will include landscaped areas, as previously discussed, it will not substantially change the amount of pervious surface area on the project site relative to existing conditions. As such, the minor change in overall imperviousness of the site and associated runoff will not notably increase or reduce the proposed project's contribution of surface water runoff discharge to existing or planned storm water drainage systems or of additional sources of polluted runoff.

In addition, the applicant and subsequent property owners will be required to comply with SUSMP requirements during the operational life of the project. Such requirements will include source control BMPs, treatment control BMPs, requirements regarding erosion control peak runoff, and BMP maintenance. As part of these requirements, post-construction structural or treatment control BMPs designed to mitigate (infiltrate or treat) the volume of runoff produced from a 0.75-inch storm event prior to its discharge to a storm water conveyance system will also be implemented. Therefore, runoff contaminants generated by the operation of the proposed project will not violate any water quality standards or waste discharge requirements, impair the quality of receiving surface waters, impair the beneficial uses of the receiving waters, or otherwise substantially degrade water quality. Thus, impacts to surface water quality associated with operation of the project will be less than significant given compliance with applicable regulations.

Therefore, operational surface water quality impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Groundwater Quality. As indicated above, the proposed project is not expected to notably increase polluted runoff in the area given a lack of proposed uses with the potential to generate large amounts of pollutants as well as the introduction of a storm water treatment system that will incorporate SUSMP requirements. This negligible change in pollutants will also not increase the associated potential from groundwater contamination through percolation. As such, operation of the proposed project will not degrade the groundwater quality to levels below standards considered acceptable by the LARWQCB or other regulatory agencies or impair the quality of receiving surface waters or groundwater. Impacts would be less than significant in this regard and no mitigation measures are required.

Therefore, operational groundwater quality impacts would be Class III, less than significant, for all of the proposed project's development options.

LAND USE

Land Use Consistency. The proposed project would complement and define the existing high-rise development of the area, and therefore it is considered compatible in scale with existing development and impacts would be less than significant. Similarly, the proposed project would not disrupt the operation of existing surrounding land uses in that area, and therefore, is concluded to be consistent with existing land uses in terms of compatibility of use and impacts would be less than significant.

Therefore, land use consistency impacts would be Class III, less than significant, for all of the proposed project's development options.

Consistency with Plans, Policies, and Regulations. Upon approval of the requested amendment of the Downtown Shoreline Planned Development (PD-6) and the LCP, an Element of the General Plan, the project would be in compliance with all applicable provisions of the General Plan, Downtown Shoreline Planned Development, LBMC Zoning Regulations (Title 21), Long Beach Strategic Plan 2010, and SCAG's 2008 RTP, SCAG's Compass Growth Vision Plan, and FAR Part 77. Therefore, the proposed project is considered consistent with the regulatory framework relative to land use.

Therefore, impacts related to consistency with plans, policies, and regulations would be Class III, less than significant, for all of the proposed project's development options.

NOISE

Construction Vibration. The proposed project would generate ground-borne construction vibration during site clearing and grading activities or large bulldozer operation. Based on the vibration data, vibration velocities from the operation of project construction equipment would range from approximately 0.001 to 0.043 inches per second root-mean-square (RMS) at 25 feet from the source of activity. The nearest off-site residential structure is the hotel building located on Ocean Boulevard, which is located approximately 200 feet north foot print of the project building, would be exposed to vibration velocities ranging from approximately up to 0.002 inches per second RMS. This value would not exceed the 0.002 inches per second (RMS) perception threshold. Therefore, vibration impacts during construction would be less than significant.

Therefore, construction vibration impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Stationary Source Noise. Overall, relative to the existing ambient noise environment, the proposed project would not increase the ambient sound level at the nearest noise-sensitive receptors (R2 and R6) under the Residential Option and Hotel Options. As such, the composite stationary source noise level impact due to the proposed project would be less than significant.

Therefore, operational stationary source noise impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Mobile-Source Noise. The maximum calculated increase in project-related traffic noise levels would be 1.8 dBA, which would occur along Seaside Way, west of Chestnut Place. The noise increases at all other analyzed roadway segments would be less. The estimated noise increase due to project-related traffic is below the conservative 3 dBA CNEL significance threshold. Therefore, off-site roadway noise level increases would be less than significant and no mitigation measures are required.

Therefore, operational mobile-source noise impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Vibration. The proposed project would include typical residential and commercial-grade stationary mechanical and electrical equipment such as air handling units, condenser units, exhaust fans, and electrical emergency power generators, which would produce vibration. In addition, the primary sources of on-site transient vibration would include vehicle circulation within the proposed surface parking areas and multi-level parking facilities, refuse/delivery truck activity, and loading dock/refuse collection area activity. Ground-borne vibration generated by each of these activities would be similar to the existing vibration generated by existing sources (i.e., traffic on adjacent roadways) in the project area. The potential vibration impacts from all proposed project sources at the closest structure locations would be less than the significance threshold 0.002 inches per second RMS for perceptibility. As such, vibration impacts associated with operation of the project would be below the significance threshold and impacts would be less than significant.

Therefore, operational vibration impacts would be Class III, less than significant, for all of the proposed project's development options.

POPULATION AND HOUSING

Construction Period Population, Housing, and Employment. Construction of the project would generate construction workers during the demolition, grading and excavation, and building construction and finishing phases. However, individual construction projects would not necessarily generate new employment within the region. Rather, construction workers move from project to project and are somewhat mobile. To the extent that future project supports and contributes to the pool of construction workers, its impacts would be considered beneficial. Since construction activities related to the proposed project would not exceed expected growth nor alter the location, distribution, density, or growth rate of construction employment through the local, subregional, and regional area, construction-related employment impacts would

be less than significant. Furthermore, it is not expected that construction impacts would displace substantial numbers of existing housing as the project site mainly consists of general commercial uses. As construction would be relegated to the project site, it is not expected that any person would be displaced within the vicinity of the site from project development. As such, displacement impacts on existing housing and the residential population would be less than significant under the Residential Option and both Hotel Options.

Therefore, construction period population, housing, and employment impacts would be Class III, less than significant, for all of the proposed project's development options.

Population Growth. The project-related population increase is well within the forecasted growth set forth by SCAG. In addition, as the project population growth would not substantially alter the location or growth rate of the population projected and forecasted for the City, the Gateway Cities COG subregion, and SCAG region, the proposed project would not result in a significant population impact.

Therefore, operational population impacts would be Class III, less than significant, for all of the proposed project's development options.

Housing. New housing proposed by the project is well within official SCAG forecasted estimates up to the year 2030 and the addition of new housing to the area is considered a beneficial impact pursuant to regional and housing policy. In addition, the maximum potential indirect housing demand would also be adequately available. As such, impacts to housing growth would be less than significant as a result of the proposed development under all development options.

Therefore, operational housing impacts would be Class III, less than significant, for all of the proposed project's development options.

Employment. The increase of employees associated with the proposed project would be within the SCAG forecasted employment growth projections and would provide new employment to the City. As such, impacts associated with employment growth would be less than significant as a result of development of any of the project's development options.

Therefore, operational employment impacts would be Class III, less than significant, for all of the proposed project's development options.

PUBLIC SERVICES

Fire Protection Services and Facilities. Construction activities may temporarily increase the existing demand on fire protection and emergency medical services and may cause the occasional exposure of combustible materials, such as wood, plastics, sawdust, coverings and coatings, to heat sources including machinery and equipment sparking, exposed electrical lines, welding activities, chemical reactions in combustible materials and coatings, and lighted cigarettes. However, in compliance with Occupational Safety and Health Administration (OSHA) and Fire and Building Code requirements, construction managers and personnel would be trained in emergency response. Fire suppression equipment specific to construction would be maintained on-site. Additionally, project construction would comply with applicable existing codes and ordinances. Therefore, construction impacts on fire protection and emergency medical services would be less than significant under the proposed project.

Construction-related traffic on adjacent streets could potentially affect emergency access to the project site and neighboring uses. However, construction staging and all temporary facilities (temporary offices, trash bins, toilets, cranes, pumps, etc) would occur on-site. As such, construction is anticipated to only require the closure of the sidewalks (no traffic lane closures) on Ocean Boulevard and Shoreline Drive. Nonetheless, construction activities could increase response times for emergency vehicles to local businesses and/or residences on Ocean Boulevard and Shoreline Drive, due to travel time delays. Therefore, throughout the duration of construction, traffic management personnel (flag persons) and appropriate detour signage would be employed as necessary to ensure emergency access is maintained to the project site and that traffic flow is maintained on street right-of-ways. The project contractor would coordinate with the City to obtain an approved traffic control plan to accommodate the flow of vehicular and pedestrian traffic in the area. Additionally, the project would be required to comply with Section 14.08.220 of the LBMC, which requires that safe crossings be maintained for vehicles and pedestrian traffic at all street intersections and crosswalks. Therefore, with compliance with the regulations of the LBMC, emergency access would be maintained and traffic impacts from construction activity would be reduced to a less than significant level.

Implementation of the proposed project would result in an increased demand for fire protection services, equipment and facilities due to project-related population growth. Fire Station No. 1 is the closest fire station located within the project vicinity and would be "first in" during an emergency. Fire Station No. 20 would provide additional assistance to Fire Station No. 1, as stated above. While

this increase to the residential population would result in a greater demand for fire protection services, is not considered to be of significant impact.

In addition, proposed development would be required to pay fees pursuant to the Fire Facilities Impact Fee as amended in Chapter 18.23 of the LBMC. The payment of the fire facilities fee would attempt to ensure that fire facilities and services satisfy City standards and be available concurrent with new development needs within the City. The collection of the fees would be used to finance the construction of additional fire facilities or improvements to current facilities. Furthermore, the City would also generate annually recurring revenues through applicable City taxes such as sales tax, property tax, utility taxes, from the proposed retail, office, and residential uses.

Finally, the project would also be required to implement applicable building code requirements pursuant to the CBC as well as the Uniform Fire Code (UFC) as amended in Chapter 18.48 of the LBMC, requiring that fire protection devices be installed and utilized, which would decrease the demand for fire services. Therefore, impacts to fire protection services and facilities would be less than significant.

Therefore, fire protection services and facilities impacts would be Class III, less than significant, for all of the proposed project's development options.

Police Protection Services and Facilities. Construction-related traffic on adjacent streets could potentially affect emergency access to the project site and neighboring uses. Construction activities may involve temporary lane closures for utility construction, crane erection, or the foundation mat slab pour (generally only one lane would be temporarily closed so through access on all roadways serving the project site would be maintained). Other implications of construction-related traffic include increased travel time due to flagging or stopping of traffic to accommodate trucks entering and exiting the project site during construction (i.e., for the movement of construction equipment and hauling of excavated materials). As such, construction activities could increase response time for emergency vehicles to local businesses and/or residences due to travel time delays. However, the LBPD would be notified of the times of day and locations of all temporary lane closures, and such closures would be coordinated so that they do not occur during peak traffic periods, to the extent feasible. Additionally, the project would be required to comply with Section 14.08.220 of the LBMC, which requires that safe crossings be maintained for vehicles and pedestrian traffic at all street intersections and crosswalks. Therefore, with compliance with the regulations of the LBMC, emergency access

would be maintained and traffic impacts from construction activity would be reduced to a less than significant level.

With implementation of the proposed project, current police protection services, personnel, and facilities would be strained due to the increased residential population within the City. Furthermore, additional sworn officers would be required to maintain one officer per 559 residents. However, implementation of the project would generate funding for police protection services through property and sales tax revenue generated by the proposed retail, office, and residential uses. These funds would be used for the development of needed facilities, personnel, or equipment. In addition, in order to reduce the impact on police services, adequate security and lighting measures would be adopted by the proposed project to ensure public safety. This may include the implementation of security cameras, fences, adequately lit streets with security lighting, and well-lit walkways to minimize crimes and the need for police services. Finally, the project would be required to comply with Chapter 18.22 of the LBMC, requiring payment of the police facilities impact fee on residential and nonresidential development for the purpose of assuring that the impacts created by new development pay its fair share of the costs required to support needed police facilities and related costs necessary to accommodate such development. As such, impacts to police services under the proposed project would be less than significant.

Therefore, police protection services and facilities impacts would be Class III, less than significant, for all of the proposed project's development options.

School Services. Development of the proposed project would not result in significant impacts to Washington Middle School or Cabrillo High School. However, a shortage of seats is anticipated at Chavez Elementary School as the school would be operating above-capacity. However, as the LBUSD maintains a school of choice policy that allows students to attend any school with available seats within the LBUSD boundary it is not expected that all students would attend Chavez Elementary School, or in this case the Washington Middle School or Cabrillo High School. Furthermore, the project would be subject to school developer fees to help build new schools or fund renovation projects for extra seating at existing schools in an effort to reduce overcrowding. Thus, pursuant to Section 65995 of the California Government Code and SB 50, with the payment of required developer impact fees, project-related impacts on the LBUSD facilities would be reduced to a less than significant level. Compliance with SB 50 is considered full and complete mitigation.

Therefore, school services impacts would be Class III, less than significant, for all of the proposed project's development options.

Parks and Recreation. Under all of the proposed project's development options, the demand for parks and recreational facility services would be increased. While the project does not include an increase of parkland acreage to the City, the project would include approximately five acres of open space and recreational amenities along with providing developer fees that help build new parks or fund playground amenities for park patrons. Specifically, in compliance with AB 1600 and subsequent to the City's decision upon the imposition of park impact fees, the project would be required to do one of the following according to the Quimby Act: pay in lieu fees directed towards parks and recreation, develop and dedicate parkland, or a combination of both that would provide an equivalent to a total of three acres per 1,000 residents. In addition, funding for additional maintenance would be collected through property and sales tax revenue generated by planned commercial and residential uses. Given compliance with applicable requirements and provision of adequate parks and recreational facilities, impacts related to park and recreational facilities would be less than significant level under the proposed project.

In addition, the proposed project would be consistent with the requirements of the Quimby Act; Park Impact Mitigation Fee Act (AB 1600); City of Long Beach General Plan; Department of Parks, Recreation and Marine 2010 Strategic Plan; and City of Long Beach Municipal Code.

Therefore, parks and recreation impacts would be Class III, less than significant, for all of the proposed project's development options.

Libraries. Residents of the proposed project would most likely use the closest local library to the project site, the Main Library, but would not be limited to solely utilizing the Main Library. Other libraries in the vicinity of the project site include the Alamitos Neighborhood Library, Burnett Hill Neighborhood Library, Bret Harte Neighborhood Library, and the Mark Twain Neighborhood Library, which would also be available for use by residents. School libraries would also be available to serve students that are generated by the project. Furthermore, the project would generate revenue to the City's general fund in the form of net new property tax, direct (i.e., from on-site commercial uses) and indirect (i.e., from household spending) sales tax, utility user's tax, gross receipts tax, real estate transfer tax on residential initial sales and annual resales, and other miscellaneous household-related taxes (e.g., parking fines). Therefore, there are other libraries servicing the area and the project would generate revenues for the City's general fund, which would serve to offset the project's incremental impact

on library services. Therefore, impacts related to library services would be less than significant.

Additionally, the LBPL lists four policies and/or goals in order to assess the project's impact on library services. The first goal is engaging youth and families in productive social and economic activities. The project would provide for additional funding to the City through fees and taxes that could be utilized to assist in the funding of these social and economic activities. However, as also described above, the LBPL indicates that the project would increase numbers of adults and youth at library programs for which the LBPL would have insufficient staffing to accommodate the increased numbers. The proposed project would not interfere with the goal of providing safe and welcoming community centers at the neighborhood libraries and the additional fee/tax revenue would also support providing additional materials and supporting economic, educational, and employment opportunities. Therefore, under the project would be consistent with the policies and goals of the LBPL, resulting in less than significant impacts under all three options.

Therefore, library service impacts would be Class III, less than significant, for all of the proposed project's development options.

TRAFFIC AND PARKING

Transit Impacts. It is anticipated that the existing transit service in the project area would be able to accommodate the project generated transit trips. Metro Blue Line, Metro Local Line 232, Metro Express Line 577X, OCTA Route 60, LADOT Commuter Express 142, Long Beach Transit (LBT) Routes Nos. 1, 7, 21, 22, 23, 46, 51, 52, 61, 62, 63, 66, 81, 91, 92, 93, 94, 96, 111, 112, 172, 173, 174, 181, 182, 191, 192 and 193 currently serve the surrounding vicinity. Therefore, given the number of transit trips generated by the project and the existing transit routes in the project vicinity, it is concluded that the existing public transit system would not be significantly impacted by the proposed project.

Therefore, public transit service impacts would be Class III, less than significant, for all of the proposed project's development options.

Parking Supply. The various project development options would all result in parking shortfalls relative to the City's parking code requirements. However, given the mixed-use nature of the proposed project, especially in the western portion of the site, there is an opportunity to share parking spaces based on the utilization profile of each land use component of the project, as well as the utilization of the banquet facilities of the hotel component. According to the Urban Land Institute's (ULI's) *Shared Parking 2nd Edition* publication, shared

parking is defined as parking space that can be used to serve two or more individual land uses without conflict or encroachment. The ULI Shared Parking publication provides hourly parking accumulation rates for residential, hotel, and office uses, as well as other uses to include retail, theater, restaurant, hotel, etc. expressed as a percentage of the peak demand for the day. Therefore, it is anticipated that prior to finalization of detailed project site plans, the project applicant will prepare, and receive City approval of, a shared parking analysis to verify the adequacy of the proposed project parking supply, or ultimately increase the parking supply to meet the City's parking code requirements. With approval of a shared parking plan, or provision of additional parking supply to meet parking code requirements, parking impacts would be less than significant.

Therefore, parking supply impacts would be Class III, less than significant, for all of the proposed project's development options.

Consistency With Traffic Regulations. The proposed project would comply with all applicable regulations relative to traffic and circulation, as future development would be consistent with applicable goals and policies in the City's General Plan and would be carried out in accordance with the development regulations contained in the Long Beach Municipal Code. Furthermore, the project is not expected to result in conflicts with the Los Angeles County CMP or the Southern California Association of Governments' Regional Transportation Plan. Additionally, future development projects, to the extent required by the City, would include pedestrian and bicycle-related facilities in order to foster alternative transportation modes. Future development of proposed uses is not expected to conflict with policies related to alternative transportation. Impacts would be less than significant in this regard.

Therefore, parking supply impacts would be Class III, less than significant, for all of the proposed project's development options.

UTILITIES

Construction Period Water Supply. A short-term demand for water would occur during construction associated with demolition, excavation, grading, and other construction-related activities on-site. As the project would occur in phases over an approximately seven period, construction activities would occur intermittently and would be temporary in nature. The demand for water supplies for construction activities such as soil watering (i.e., for fugitive dust control), demolition and construction activities, clean up, masonry, painting, and other related activities would be temporary and would require minimal water. Therefore, the demand for water is not anticipated to have adverse impacts on

the available water supply. Furthermore, the water demand generated by project construction activities would be offset by the reduction in water consumption resulting from the demolition of existing uses. Overall, demolition and construction activities would require minimal water and would not be expected to have any adverse impact on available water supplies or the existing water distribution system. Therefore, impacts associated with short-term construction activities would be less than significant under the various development options.

Therefore, construction-related water supply impacts would be Class III, less than significant, for all of the proposed project's development options.

Operational Water Supply. As concluded in the Water Supply Assessment (WSA) for the proposed project, the anticipated increase in water usage would be within the available and projected water supplies for normal, single-dry, and multiple-dry years through the year 2030 water demand projections of LBWD's 2005 UWMP. Thus, LBWD would be able to meet the water demand of the proposed project as well as existing and planned future water demands of its service area. In addition, compliance with State and local laws regarding water conservation measures, including pertinent provisions of Title 20 and Title 24 of the California Code of Regulations and the LBMC, would further reduce the proposed project's water consumption estimates for the project at full build out, thereby reducing the demand on City supplies. As such, impacts regarding the availability of water to serve the proposed project would be less than significant.

Therefore, operational water supply impacts would be Class III, less than significant, for all of the proposed project's development options.

Construction-Related Solid Waste. Demolition, construction, and renovation required for the proposed project would generate varying amounts of construction and demolition (C&D) waste. The project would divert a minimum of 60 percent of the C&D waste away from landfills. Therefore, only a portion of C&D waste would be disposed of at one of the County's unclassified landfills. As such, the proposed project's estimated solid waste generation during construction would represent only a small fraction of the estimated remaining capacity at the County's unclassified landfills serving the project site. Therefore, the County's unclassified landfills would have adequate capacity to accommodate project-generated inert waste. Thus, construction impacts under the Residential Option relative to solid waste would be less than significant.

Impacts would be Class III, less than significant. Note that the following mitigation measure is nonetheless recommended to further reduce solid waste disposal from construction of the proposed project.

Recommended Mitigation Measures:

Mitigation Measure K.2-1: Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract indicating that the construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction related wastes. The contract specifying recycled waste service shall be presented to the Department of Building and Safety prior to approval of certificate of occupancy.

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

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

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

AESTHETICS AND VIEWS

The project's potential impacts with regard to short-term construction-related aesthetics/visual character that can be mitigated or are otherwise less than significant are discussed in Section IV.A, *Aesthetics and Views*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Short-Term Aesthetics. Due to the fact that construction activities would not be short-term in nature, since they would occur for at least seven years, impacts regarding construction activities would be significant without the incorporation of mitigation measures.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure A-1: Temporary fencing with screening material shall be used to buffer views of construction equipment and materials, when feasible.

AIR QUALITY

The project's potential impacts with regard to operational toxic air contaminants and pedestrian wind effects that can be mitigated or are otherwise less than significant are discussed in Section IV.B, *Air Quality*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Operational Toxic Air Contaminants. Even with the emission reductions expected from the Clean Air Action Plan, the siting of residential uses on the project site would result in a potentially significant impact with regard to the exposure of on-site residents to the TAC emission sources identified in ARB's siting recommendations.

Finding

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

Facts in Support of Finding

The potential operational toxic air contaminant impacts have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Mitigation Measure B-9: The project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency

reporting value (MERV) of 17 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2, which is designed to remove approximately 99.97% of PM₁₀. The air handling systems shall be maintained on a regular basis per manufacturer's recommendations by a qualified technician employed or contracted by the project proponent or successor. Operation and maintenance of the system shall ensure that it performs at or above the minimum reporting value.

Pedestrian Wind Effects. The proposed project's various development phases would create unacceptable wind conditions that result in potentially significant wind-related hazards for pedestrians at the project site.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure B-10: In order to address pedestrian-level wind effects along the southwest edge of the proposed Phase 1 office tower in the west project site, permanent physical barriers such as landscaping and/or trellises shall be installed and maintained to reduce wind speeds at this location.

Mitigation Measure B-11: In order to address pedestrian-level wind effects at the entrance to the proposed northerly Phase 2 residential/hotel tower in the west project site, permanent canopies shall be installed and maintained at building entrances on podium level to reduce wind speeds at this location.

Mitigation Measure B-12: In order to address pedestrian-level wind effects along the northern edge of the proposed southerly Phase 2 residential tower in the west project site, canopy trees shall be planted to reduce at-grade wind speeds at this location. This requirement shall only be necessary prior to construction of the Phase 3 office/residential tower east of Golden Shore, as development of the east site tower would serve

to reduce wind speeds at this location to within applicable comfort criteria.

Mitigation Measure B-13: In order to address pedestrian-level wind effects along the west side of the row of townhouses within the eastern project site, permanent partitions between townhome balconies, as well as trellises above patios, shall be installed and maintained in order to improve conditions and reduce wind speeds to within applicable comfort criteria.

CULTURAL RESOURCES

The project's potential impacts with regard to paleontological, archaeological, and Native American resources and Sacred Lands File/Native American Consultation that can be mitigated or are otherwise less than significant are discussed in Section IV.C, *Cultural Resources*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Paleontological Resources. Where excavation into bedrock may be required, construction of the project has the potential to result in significant impacts associated with the permanent loss of, or loss of access to, a paleontological resource.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure C-1: A qualified paleontologist retained by the Project Applicant and approved by the City shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into the Fernando Formation. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The need for and frequency of monitoring

inspections shall be based on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered.

Mitigation Measure C-2: If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.

Mitigation Measure C-3: At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

Mitigation Measure C-4: Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.

Mitigation Measure C-5: Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

Mitigation Measure C-6: If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report for review and approval by the City summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

Archaeological and Native American Resources. Ethnohistorically identified villages are known to have been in the project vicinity and significant prehistoric archaeological sites have been unearthed in downtown Long Beach in the immediate vicinity of the project site. Therefore, preservation of prehistoric remains in the project vicinity cannot be ruled out, and development of the project has potential to encounter prehistoric and historical-period archaeological deposits.

Finding

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

Facts in Support of Finding

The potential archaeological and Native American resources impacts have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Mitigation Measure C-7: An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (the "Archaeologist") shall be retained by the Project Applicant and approved by the City to oversee and carryout the archaeological mitigation measures stipulated in this EIR.

Mitigation Measure C-8: A qualified archaeological monitor shall be selected by the Archaeologist, retained by the Project Applicant, and approved by the City to monitor ground-disturbing activities within the project area. Ground-disturbing activities are here defined as activities that include digging, grubbing, or excavation into sediments (fill or native sediments) that have not been previously disturbed for this project. Ground-disturbing activities do not include movement, redistribution, or compaction of sediments excavated during the project. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of resources encountered.

Mitigation Measure C-9: Due to the sensitivity of the project area for Native American resources, a Native American monitor shall also monitor ground-disturbing activities in the project area. Selection of the monitor shall be made by the City and take into account guidance provided by the Native American Heritage Commission with respect to Native American groups identified as having affiliation with the project area.

Mitigation Measure C-10: In the event that cultural resources are unearthed during ground-disturbing activities, the Archaeological or Native American monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find.

Mitigation Measure C-11: All cultural resources unearthed by project construction activities shall be evaluated by the Archaeologist. If the Archaeologist determines that the resources may be significant, the Archaeologist will notify the Project Applicant and the City and will develop an appropriate treatment plan for the resources. The Archaeologist shall consult with the Native American monitor or other appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

Mitigation Measure C-12: Treatment plans developed for any unearthed cultural resources shall consider preservation of the resource or resources in place as a preferred option. Feasibility and means of preservation in place shall be determined through consultation between the Archaeologist, the Native American monitor or other appropriate representative, the Project Applicant, and the City. The Project Applicant, in coordination with the Archaeologist, Native American monitor and the City, shall also designate repositories in the event that resources are recovered.

Mitigation Measure C-13: The Archaeologist shall prepare a final report to be reviewed and accepted by the City. The report shall be filed with the Project Applicant, the City, and the California Historic Resources Information System South Central Coastal Information Center. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall also include all specialists' reports as appendices, if any. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be required. The City shall designate repositories in the event cultural resources are uncovered.

Mitigation Measure C-14: If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be

taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered as possible courses of action by the Project Applicant, the City, and the Most Likely Descendent.

Sacred Lands File/Native American Consultation. Results of the Sacred Lands File search failed to indicate Native American resources within or adjacent to the project site. A response to the NAHC-recommended follow-up contact with affiliated Native American groups, however, indicates that the project site vicinity may be sensitive for prehistoric remains. Based on consultation with the NAHC, impacts to Native American resources are considered potentially significant.

Finding

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

Facts in Support of Finding

The potential Sacred Lands File/Native American Consultation impacts have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Refer to Mitigation Measures C-7 through C-14 above.

NOISE

The project's potential impacts with regard to operational on-site source noise that can be mitigated or are otherwise less than significant are discussed in Section IV.G, *Noise*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Operational On-Site Noise. The project would locate new noise sensitive uses on the site, including residential units and hotel uses. As indicated by the noise measurement data, the proposed residential and hotel uses would be exposed to noise levels, which exceed the City's land use compatibility standard of 65 dBA CNEL for residential and hotel uses.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure G-5: The Project Applicant shall retain the services of a qualified acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report to the City during plan check for review and approval, indicating that the proposed building design for the residential towers and the hotel building achieves an interior sound environment of 45 dBA (CNEL), as required by City's building code.

Mitigation Measure G-6: The Project Applicant shall retain services of a qualified acoustical consulting engineer experienced in mechanical noise analysis to provide an acoustical report to the City during plan check for review and approval indicating that the project mechanical design meets the City's noise ordinance. All mitigation measures and estimated performance developed by the applicant retained acoustical engineer shall be identified in the acoustic report.

PUBLIC SERVICES

The project's potential impacts with regard to fire protection that can be mitigated or are otherwise less than significant are discussed in Section IV.I.1, *Public Services - Fire Protection*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Fire Protection Regulation Compliance. Lack of adequate fire suppression and emergency medical service features could result in potentially significant fire protection service impacts.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure I.1-1: Prior to the issuance of a building permit, the Project Applicant shall consult with the Long Beach Fire Department and incorporate fire prevention and suppression features and other life-saving equipment (e.g., defibrillators) appropriate to the design of the project.

Mitigation Measure I.1-2: The project shall comply with all applicable State and local codes and ordinances, unless otherwise approved.

Emergency Access. Project-related increases in traffic on surrounding roadways could have an impact on fire protection and emergency medical services if the response capabilities of the LBFD are impeded.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure I.1-3: Prior to the issuance of building permits, project building plans including a plot plan and floor plan of the buildings shall be submitted for approval by the Long Beach Fire Department. The plot plan shall include the following minimum design features: location and grade of access roads and fire lanes, roadway widths, distance of buildings from an edge of a roadway of an improved street, access road, or designated fire lane, turning areas, and fire hydrants.

TRAFFIC AND PARKING

The project's potential impacts with regard to site access and circulation that can be mitigated or are otherwise less than significant are discussed in Section IV.J, *Traffic and Parking*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Site Access and Circulation. One of the three project driveways, Driveway A at Golden Shore, is forecast to operate at LOS E or F during the A.M. or P.M. peak hours.

Finding

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

Facts in Support of Finding

The potential site access and circulation impacts have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

Mitigation Measure J-6: Project Driveway A at Golden Shore -- Install traffic signal, and associated signing and striping modifications, inclusive of crosswalks. The installation of a traffic signal at Rose Avenue and Pacific Coast Highway, and associated signing and striping modifications, is subject to the approval of the City of Long Beach.

UTILITIES

The project's potential impacts with regard to solid waste that can be mitigated or are otherwise less than significant are discussed in Section IV.K.2, *Utilities - Solid Waste*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Operational Solid Waste Generation. Future disposal needs over the next 15 year planning horizon would be adequately met through the use of in-County facilities, out-of-County landfills, as well as new conversion technologies. Regardless, due to the continuing decline in availability of landfill space, impacts would be potentially significant.

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

Mitigation Measure K.2-3: The proposed project shall include recycling bins at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. The bins shall be picked up and appropriately

recycled as a part of the proposed project's regular trash disposal program.

Mitigation Measure K.2-4: New homeowners/tenants shall be provided with educational materials on the proper management and disposal of household hazardous waste, in accordance with educational materials made available by the County of Los Angeles Department of Public Works.

VI. ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS

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

AIR QUALITY

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Construction-Related Air Pollutant Emissions. Construction activities associated with implementation of the proposed project would result in an exceedance of regional and localized emissions thresholds, an inconsistency with the Air Quality Management Plan, thereby resulting in a significant unavoidable impact to air quality even with implementation of applicable mitigation measures.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section IV.B, Air Quality, of the Draft EIR, significant impacts related to construction regional emissions during construction are anticipated to occur for the project even with mitigation. Implementation of the mitigation measures would reduce construction emissions for all pollutants. Implementation of the mitigation measures described above would reduce localized PM₁₀ emissions by approximately 10 percent during the site grading phase. Even with incorporation of mitigation measures, the project would remain in exceedance of the SCAQMD localized construction threshold for PM₁₀ and PM_{2.5}, therefore, this impact is considered significant and unavoidable at both the project and cumulative level. Cumulative impacts associated with construction of the project would also remain significant. Since localized PM₁₀ emissions would continue to exceed applicable thresholds, the project would result in significant and unavoidable impacts with regard to AQMP consistency.

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

Mitigation Measures:

Mitigation Measure B-1: Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.

Mitigation Measure B-2: Water exposed surfaces at least three times a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. This mitigation measure would reduce PM₁₀ and PM_{2.5} emissions during construction.

Mitigation Measure B-3: In addition to being covered (Rule 403 minimum), all trucks hauling dirt, sand, soil or other loose materials off-site shall be wetted or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between the top of the material and the top of the truck). Wash (or shaker plate) mud-covered tires and under-carriages of trucks leaving construction sites. This mitigation measure would reduce PM₁₀ and PM_{2.5} emissions during construction.

Mitigation Measure B-4: Sweep adjacent streets, as needed, to remove dirt dropped by construction vehicles or mud that would otherwise be

carried off by trucks departing the site. This mitigation measure would reduce PM₁₀ and PM_{2.5} emissions during construction.

Mitigation Measure B-5: Securely cover loads with a tight fitting tarp on any truck leaving the construction site. This mitigation measure would reduce PM₁₀ and PM_{2.5} emissions during construction.

Mitigation Measure B-6: Building walls shall be watered prior to use of demolition equipment. This mitigation measure would reduce PM₁₀ and PM_{2.5} emissions during construction.

Operational Air Pollutant Emissions. Long-term operation of the proposed project would result in an exceedance of regional emissions thresholds, and therefore would also create an inconsistency with the Air Quality Management Plan, thereby resulting in a significant unavoidable impact to air quality even with implementation of applicable mitigation measures.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section IV.B, Air Quality, of the Draft EIR, Mitigation Measures B-7 and B-8 would reduce regional operational emissions. However, insufficient data is available to quantify the reductions associated with these mitigation measures. Therefore, even with mitigation, regional operational emissions would still exceed the SCAQMD daily emission thresholds for VOC, NO_x, and PM₁₀. Therefore, operation of the project would have a significant and unavoidable impact on long-term regional air quality. Since regional operational emissions exceed SCAQMD thresholds, the project would also result in a significant and unavoidable cumulative impact. Since regional VOC, NO_x, and PM₁₀ emissions would continue to exceed applicable thresholds, operation of the project would result in significant and unavoidable impacts with regard to AQMP consistency.

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

Mitigation Measures:

Mitigation Measure B-7: The Project Applicant shall, as feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods. This mitigation measure would reduce all criteria pollutant emissions during operation.

Mitigation Measure B-8: The Project Applicant shall, to the extent reasonably feasible, install energy-efficient appliances (e.g., ENERGY STAR) to reduce energy consumption. This mitigation measure would reduce all criteria pollutant emissions during operation.

Greenhouse Gases/Global Climate Change. Long-term operation of the proposed project would not achieve a 30-percent reduction in greenhouse gas emissions relative to business-as-usual conditions even with implementation of applicable mitigation measures, and therefore would result in a significant unavoidable impact in this regard.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section IV.B, Air Quality, of the Draft EIR, Mitigation Measure B-8 would reduce GHG emissions from the proposed project. Energy Star® appliances use 10 to 50 percent less energy and up to 50 percent less water than their counterparts. The project will incorporate additional project design features as part of LEED® certification. However, at this stage in the design process, there is insufficient data to quantify the GHG reductions from Mitigation Measure B-8 and other LEED features that will be incorporated to achieve certification. Thus, impacts to global climate change would remain significant and unavoidable on a project level, and accordingly cumulative impacts to global climate change would also be considered significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set

forth therein. In addition, the following mitigation measures would reduce the impacts to the extent feasible:

Mitigation Measures:

Refer to Mitigation Measure B-8 above.

NOISE

Construction Noise. Short-term construction activities would generate noise in excess of established noise standards, and therefore would result in significant unavoidable noise impacts on nearby sensitive receptors.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section IV.G, Noise, of the Draft EIR, the temporary sound barrier prescribed in Mitigation Measure G-1 can achieve a noise reduction of 10 dBA or more in areas where the line-of-sight between construction-period noise sources and off-site noise receptor locations is obstructed. Therefore, the maximum construction-period L_{eq} would be reduced from 78 dBA to approximately 68 dBA at the RV Park use (R2) and from 81 dBA to approximately 71 dBA at the hotel use (R6). Noise level reductions attributable to Mitigation Measures G-2 through G-4 and project design features (e.g., use of noise mufflers and on site storage of construction equipment) are not easily quantifiable, but implementation of such measures would further reduce the noise level impact associated with construction activities to the extent practicable. Implementation of the prescribed mitigation measures would reduce the project construction noise impacts at the off-site noise sensitive receptors R6 to less than significant levels during the construction period. However, construction noise levels would still exceed the 5-dBA significance criterion at the RV Park use (R2) with implementation of the prescribed mitigation measures. Construction noise impacts would be significant and unavoidable at the RV Park use (R2).

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set

forth therein. In addition, the following mitigation measures would reduce the impacts to the extent feasible:

Mitigation Measures:

Mitigation Measure G-1: Effective temporary noise barriers, when they are feasible, shall be used to block the line-of-site between the construction equipment and the off-site noise-sensitive receptors during project construction, as follows:

- a) Provide a temporary noise barrier along the north boundary of the project site to reduce construction noise at the Hilton Hotel (R6).
- b) Provide a noise barrier along the southwestern boundary of the project site to block line-of-sight to the RV park use (R2).
- c) The exact height and extent of the sound barrier wall shall be defined during the project engineering design phases by a qualified acoustical engineer based on achieving 10 dBA minimum noise reduction.

Mitigation Measure G-2: Engine idling from construction equipment such as bulldozers and haul trucks shall be limited. Idling of haul trucks shall be limited to five (5) minutes at any given location as established by the California Air Resources Board.

Mitigation Measure G-3: Construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.

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

TRAFFIC AND PARKING

Local and CMP Intersections. Implementation of the proposed project would result in impacts to local and CMP intersections in excess of established Level of Service standards, and mitigation to address such impacts may not be feasible. As such, impacts to such facilities is considered a significant unavoidable impact.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section IV.J, Traffic and Parking, of the Draft EIR, recommended improvements to several study area intersections, which are included as mitigation measures, may not be feasible. Should recommended improvements at the intersections of Alamitos Avenue/7th Street, Alamitos Avenue/4th Street, Alamitos Avenue/Broadway, and Pine Avenue/Ocean Boulevard ultimately be deemed infeasible, full implementation of the proposed project would result in significant unavoidable traffic impacts at these locations.

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

Mitigation Measures:

Mitigation Measure J-1: Intersection No. 7 - Alamitos Avenue at 7th Street -

Restripe 7th Street to provide a third westbound through lane on 7th Street, through the intersection of Martin Luther King, Jr. and 7th Street. The implementation of this improvement would require the removal of curbside parking on both sides of 7th Street, east and west of Alamitos Avenue. Given the demand for curbside parking in the area, the loss of parking may not be considered acceptable. Further, the intersection of Alamitos Avenue and 7th Street is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately ten percent (10%).

Mitigation Measure J-2: Intersection No. 10 - Alamitos Avenue at 4th Street -- No physical mitigation measure is feasible at this location; any additional turn lanes will require widening and additional right-of-way. The

intersection of Alamitos Avenue and 4th Street is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately ten percent (10%).

Mitigation Measure J-3: Intersection No. 15 - Alamitos Avenue at Broadway -- Restripe Alamitos Avenue to provide a second southbound through lane. The implementation of this improvement may require the removal of curbside parking on both sides of Alamitos Avenue, north and south of Broadway. Given the demand for curbside parking in the area, the loss of parking may not be considered acceptable. Further, the intersection of Alamitos Avenue and Broadway is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. It should be noted that the provision of two southbound lanes on Alamitos Avenue is generally consistent with the City's future improvement plans for this key roadway segment. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately fifteen percent (15%).

Mitigation Measure J-4: Intersection No. 17 - Magnolia Avenue at Ocean Boulevard -- Modify existing signal to provide protect left-turn phasing for the eastbound and westbound directions on Ocean Boulevard and install a southbound right-turn overlap phase.

Mitigation Measure J-5: Intersection No. 20 - Pine Avenue at Ocean Boulevard -- Restripe Pine Avenue to provide a separate southbound left-turn lane and a shared through-right lane on Pine Avenue. Implementation of this improvement may require the removal of the passenger loading/unloading zone on the east side of Pine Avenue, north of Ocean Boulevard, and potentially impact the flow of traffic given existing bus stops are located along this section of Pine Avenue, both of which may not be considered acceptable. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately fifteen percent (15%).

VII. ALTERNATIVES TO THE PROPOSED PROJECT

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

A. NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative assumes that the Golden Shore Master Plan project will not be developed and development of the Golden Shore Master Plan site with new uses and structures will not otherwise occur. The No Project/No Development Alternative would thus, consist of the continued use of approximately 293,000 square feet of occupied office and retail floor area within Golden Shore Master Plan site.

Finding

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

Facts in Support of Finding

Since the No Project/No Development Alternative would maintain the existing conditions on the project site, it would not achieve any of the project objectives. Specifically, this Alternative would not fulfill the landmark design objective of creating a world-class development project worthy of international recognition. By maintaining the existing buildings on-site that do not have a cohesive design and represent older style office buildings, the No Project/No Development Alternative would also not assist the City in creating a western icon for downtown Long Beach that would be recognizable from a great distance. Finally, this Alternative would maintain the existing access that does not provide sufficient parking for residents, visitors, patrons, and employees.

The No Project/No Development Alternative would also not provide new development that would help to reduce vehicular travel and include sustainable design features to reduce environmental impacts. The existing development does not integrate a livable, walkable and diverse mixed-use development served by local and regional transit within the downtown area. In addition, the existing office and medical buildings do not create a secure, convenient urban

neighborhood suited for living and working, with state-of-the-art amenities and public spaces. As such, this Alternative does not create an environment to maximize local public transit throughout the downtown area. Nor do the existing buildings incorporate sustainable design features to maximize energy and water use efficiency, reduce waste and pollutant generation, and minimize consumption of natural resources.

Finally, the No Project/No Development Alternative would not support the City's economic growth by providing much needed first class hotel rooms to support the City's growing convention business and development of corporate headquarters for two of the City's most prestigious businesses. This Alternative would also not provide an increase of high-density housing to support the City's maturing employment hub.

In summary, the No Project/No Development Alternative would not attain any of the basic objectives of the project and would not attain the Applicant's underlying purpose, which is to assist in the implementation of the City's long-range visions.

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

B. REDUCED INTENSITY ALTERNATIVE

This Alternative would be similar in type and location to the land uses associated with the proposed project's Hotel Option B, which is the most intensive project option in terms of traffic generation, but with an overall 15-percent reduction in development intensity. Development under this Alternative would occupy similar building footprints as the proposed project, but with incrementally reduced building heights for proposed structures. Accordingly, Alternative 2 would include up to 1,165 residential units, 289,000 square feet of office uses, and 23,800 square feet of retail uses (relative to the proposed project's Residential Option), or up to 942 residential units, approximately 311,000 square feet of office and retail uses, and 340 hotel rooms (relative to the proposed project's Hotel Options). Assuming a proportionate reduction in associated building heights, proposed structures under this Alternative would also be reduced by approximately 15 percent. All other related infrastructure improvements, landscaping, amenities, and project features would also be implemented, as appropriate.

Finding

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

Facts in Support of Finding

Under the Reduced Intensity Alternative, some of the project design objectives would be fulfilled. This Alternative would create a world-class development project worthy of international recognition and would provide sufficient parking for residents, visitors, patrons, and employees. However, the Reduced Intensity Alternative would not create a western icon for downtown Long Beach that would be recognizable from a great distance.

The Reduced Intensity Alternative would provide new development that would help to reduce vehicular travel and include sustainable design features to reduce environmental impacts. The Reduced Intensity Alternative would also integrate a livable, walkable and diverse mixed-use development served by local and regional transit within the downtown area. In addition, this Alternative would create a secure, convenient urban neighborhood suited for living and working, with state-of-the-art amenities and public spaces. This Alternative would create an environment to maximize local public transit throughout the downtown area and would incorporate sustainable design features to maximize energy and water use efficiency, reduce waste and pollutant generation, and minimize consumption of natural resources.

However, the Reduced Intensity Alternative would not support the City's economic growth by providing much needed first class hotel rooms to support the City's growing convention business but it would include development of corporate headquarters for two of the City's most prestigious businesses. In addition, this Alternative would provide an increase of high-density housing to support the City's maturing employment hub.

Therefore, the Reduced Intensity Alternative would fulfill some of the design and economic objectives and all of the development objectives.

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

C. WEST SITE ONLY ALTERNATIVE

Under this Alternative, only the western portion of the project site would be developed with land uses included under the proposed project's Residential Option. As such, the eastern portion of the project site would remain in its current state with no development occurring in Parcel 3, and the western portion of the site would be developed with 918 residential units, 260,000 square feet of office uses, and 20,000 square feet of retail uses (relative to the proposed project's Residential Option) or up to 574 residential units, 260,000 square feet of office uses, 400 hotel rooms, and 19,000 square feet of retail uses (relative to the proposed project's Hotel Options). All other related infrastructure improvements, landscaping, amenities, and other

project features would be implemented, as appropriate, within the western portion of the project site.

Finding

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

Facts in Support of Finding

Under the West Site Only Alternative, the project design objectives of creating a world-class development project worthy of international recognition, which would become a western icon for downtown Long Beach recognizable from a great distance would still be accomplished. In addition, this Alternative would provide sufficient parking for residents, visitors, patrons, and employees.

The West Site Only Alternative would also provide a mixed-use development that would help to reduce vehicular travel and include sustainable design features to reduce environmental impacts. West Site Only Alternative would also integrate a livable, walkable and diverse mixed-use development served by local and regional transit within the downtown area. In addition, this Alternative would create a secure, convenient urban neighborhood suited for living and working, with state-of-the-art amenities and public spaces. This Alternative would also create an environment to maximize local public transit throughout the downtown area and would incorporate sustainable design features to maximize energy and water use efficiency, reduce waste and pollutant generation, and minimize consumption of natural resources.

However, the West Site Only Alternative would support the City's economic growth by providing much needed first class hotel rooms (within the west site under the Hotel Options) to support the City's growing convention business, and it would include development of corporate headquarters for two of the City's most prestigious businesses. In addition, this Alternative would provide an increase of high-density housing to support the City's maturing employment hub.

Therefore, the West Site Only Alternative would fulfill the design and development objectives and the economic objectives, but not to the extent the proposed project would.

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

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

A. INTRODUCTION

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

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not avoided or substantially lessened, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

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

B. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

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

- Air Quality - Construction Period Regional and Local Emissions (Project-Level and Cumulative);
- Air Quality - Air Quality Management Plan Consistency;
- Air Quality - Regional Operational Emissions (Project-Level and Cumulative);

- Air Quality – Operational Greenhouse Gas Emissions;
- Noise – Construction-Related Noise; and
- Traffic and Parking – Local and CMP Intersections.

Details of these significant unavoidable adverse impacts are discussed in the Golden Shore Master Plan EIR and are summarized in Section VI, *Environmental Effects Which Remain Significant and Unavoidable After Mitigation, and Findings*, in the Statement of Facts and Findings.

C. OVERRIDING CONSIDERATIONS

The proposed action involves discretionary actions needed for approval of the Golden Shore Master Plan. Analysis in the EIR for this project has concluded that the proposed project would result in impacts to air quality, noise, and traffic that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts can be mitigated to a less than significant level through mitigation measures in the Final EIR.

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

The City of Long Beach has determined that the significant unavoidable adverse project impacts, which would remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Long Beach finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or fewer/reduced environmental impacts, they do not provide all of the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The project is consistent with the *City of Long Beach General Plan* land use designation, and will be consistent with the *City of Long Beach Municipal Code* zoning requirements with approval of the proposed amendment to the Downtown Shoreline Planned Development.
3. Project implementation will contribute to long-range development goals identified by the City in the General Plan Land Use Element, Downtown Regional Center, and Long Beach Strategic Plan, including neighborhood enhancement goals, economic

development goals, and sustainability goals by providing visitor-serving, entertainment, open space, offices, and high-density residential uses. Moreover, the project provides a pedestrian-oriented mixed-use urban center to serve as a focal point for identity and activity in Downtown Long Beach. The project will also serve to eliminate blighting influences and replacing existing vacant, commercially obsolete or underutilized structures. Moreover, the project will provide a mix of mutually supportive residential, commercial, retail, restaurant, and potential hotel uses that are integrated with neighboring residential uses.

4. The project will positively enhance revitalization in the Downtown area by developing an underutilized site with a diversity of residential, commercial, and potential hotel uses, in proximity to employment, entertainment, retail and transit opportunities.
5. The project will enhance the pedestrian environment through establishing an enhanced and iconic streetscape. Enhancing the streetscape will provide a more vibrant pedestrian experience in Downtown Long Beach. The project site will be redeveloped into a pedestrian-oriented mixed-use neighborhood center/village center. A pedestrian-oriented center will enhance the surrounding community by providing social, residential, office, retail, restaurant, and potential hotel opportunities to the community.
6. The project will include restaurants, commercial office uses, retail stores, and possibly a full-service hotel in proximity to tourist-oriented amenities. This will enhance the viability of Downtown Long Beach and will provide commercial opportunities within walking distance of residential areas.
7. The project will add new residential units, increasing the availability of housing in the City of Long Beach, enhancing the jobs/housing balance and encouraging walking and transit use.
8. The project will enhance opportunities for private financial investments through home ownership opportunities, job opportunities, and retail opportunities.
9. The project will strive for sustainability and utilize strategies to encourage efficient use of land and energy conservation such as shared parking through a combination of surface and structured parking. This will further the City's sustainability goals and will reduce air pollution in the City.

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

V. MITIGATION MONITORING AND REPORTING PROGRAM

A. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of potentially significant environmental impacts associated with project development. The Final Environmental Impact Report (Final EIR) for the proposed Golden Shore Master Plan (State Clearinghouse No. 2008111094) includes specific mitigation measures to reduce the potential environmental effects of the proposed project.

Monitoring of the implementation of adopted mitigation measures is required by Public Resources Code Section 21081.6. The Final EIR for the proposed project provides a list of project-specific mitigation measures, and describes the process whereby the mitigation measures would be monitored. Following certification of the Final EIR and approval of this Mitigation Monitoring and Reporting Program (MMRP) by the City, the project-specific mitigation measures included in the Final EIR would be monitored as described in this Mitigation Monitoring and Reporting Program.

a. Purpose

The purpose of the proposed Golden Shore Master Plan MMRP is to ensure compliance with all mitigation measures to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project that were identified in the Draft EIR. Implementation of this MMRP shall be accomplished by the City. Mitigation measures will be implemented as part of project implementation.

b. Responsibilities and Duties

In general, monitoring will consist of demonstrating that mitigation measures were implemented, and that the responsible unit monitored the implementation of the measures. The responsible unit for determining compliance with all mitigation measures will be the City Department of Development Services or other affected City departments or public agencies, as applicable. Monitoring will consist of determining whether activities identified in the mitigation measures have been, or are being, implemented.

B. LIST OF MITIGATION MEASURES

Table V-1, below, identifies the mitigation measures by resource area. Table V-1 also provides the specific mitigation monitoring requirements along with implementation and monitoring phases and the responsible monitoring party. Verification of compliance with each measure is to be indicated by signature of the mitigation monitor, together with date of verification.

The City shall be responsible for implementation of all mitigation measures, unless otherwise noted in the table.

Table V-1

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Aesthetics and Views						
Mitigation Measure A-1: Temporary fencing with screening material shall be used to buffer views of construction equipment and materials, when feasible.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure A-2: All new street and pedestrian lighting shall be shielded and directed away from any light-sensitive off-site uses.	Project Design	Prior to approval of final lighting plans	City of Long Beach Department of Development Services/Department of Public Works			
Mitigation Measure A-3: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.	Construction	Prior to Occupancy	City of Long Beach Department of Development Services			
Air Quality						
Mitigation Measure B-1: Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure B-2: Water exposed surfaces at least three times a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. This mitigation measure would reduce PM ₁₀ and PM _{2.5} emissions during construction.	Construction	Construction	SCAQMD, City of Long Beach Department of Development Services			
Mitigation Measure B-3: In addition to being covered (Rule 403 minimum), all trucks hauling dirt, sand, soil or other loose materials off-site shall be wetted or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between the top of the material and the top of the truck). Wash (or shaker plate) mud-covered tires and under-carriages of trucks leaving construction sites. This mitigation measure would reduce PM ₁₀ and PM _{2.5} emissions during construction.	Construction	Construction	SCAQMD, City of Long Beach Department of Development Services			
Mitigation Measure B-4: Sweep adjacent streets, as needed, to remove dirt dropped by construction vehicles or mud that would otherwise be carried off by trucks departing the site. This mitigation measure would reduce PM ₁₀ and PM _{2.5} emissions during construction.	Construction	Construction	SCAQMD, City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure B-5: Securely cover loads with a tight fitting tarp on any truck leaving the construction site. This mitigation measure would reduce PM ₁₀ and PM _{2.5} emissions during construction.	Construction	Construction	SCAQMD, City of Long Beach Department of Development Services			
Mitigation Measure B-6: Building walls shall be watered prior to use of demolition equipment. This mitigation measure would reduce PM ₁₀ and PM _{2.5} emissions during construction.	Demolition	Demolition	SCAQMD, City of Long Beach Department of Development Services			
Mitigation Measure B-7: The Project Applicant shall, as feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods. This mitigation measure would reduce all criteria pollutant emissions during operation.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure B-8: The Project Applicant shall, to the extent reasonably feasible, install energy-efficient appliances (e.g., ENERGY STAR) to reduce energy consumption. This mitigation measure would reduce all criteria pollutant emissions during operation.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure B-9: The project shall include air filtration systems for residential dwelling units designed to have a minimum efficiency reporting value (MERV) of 17 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2,	Construction	Construction	SCAQMD, City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
which is designed to remove approximately 99.97% of PM10. The air handling systems shall be maintained on a regular basis per manufacturer's recommendations by a qualified technician employed or contracted by the project proponent or successor. Operation and maintenance of the system shall ensure that it performs at or above the minimum reporting value.						
Mitigation Measure B-10: In order to address pedestrian-level wind effects along the southwest edge of the proposed Phase 1 office tower in the west project site, permanent physical barriers such as landscaping and/or trellises shall be installed and maintained to reduce wind speeds at this location.	Pre-Construction/Construction	Plan Check/Construction	City of Long Beach Department of Development Services			
Mitigation Measure B-11: In order to address pedestrian-level wind effects at the entrance to the proposed northerly Phase 2 residential/hotel tower in the west project site, permanent canopies shall be installed and maintained at building entrances on podium level to reduce wind speeds at this location.	Pre-Construction/Construction	Plan Check/Construction	City of Long Beach Department of Development Services			
Mitigation Measure B-12: In order to address pedestrian-level wind effects along the northern edge of the proposed southerly Phase 2 residential tower in the west project site, canopy trees shall be planted to reduce at-grade wind speeds at this location. This requirement shall only be necessary prior to construction of the Phase 3 office/residential tower east of Golden Shore, as development of the east site tower would serve to	Pre-Construction/Construction	Plan Check/Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
reduce wind speeds at this location to within applicable comfort criteria.						
Mitigation Measure B-13: In order to address pedestrian-level wind effects along the west side of the row of townhouses within the eastern project site, permanent partitions between townhome balconies, as well as trellises above patios, shall be installed and maintained in order to improve conditions and reduce wind speeds to within applicable comfort criteria.	Pre-Construction/ Construction	Plan Check/ Construction	City of Long Beach Building Department Development Services			
Cultural Resources						
Mitigation Measure C-1: A qualified paleontologist retained by the Project Applicant and approved by the City shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into the Fernando Formation. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The need for and frequency of monitoring inspections shall be based on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered.	Pre-Construction	Pre-Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure C-2: If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-3: At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-4: Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-5: Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-6: If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report for review and approval by the City summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.						
Mitigation Measure C-7: An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (the "Archaeologist") shall be retained by the Project Applicant and approved by the City to oversee and carryout the archaeological mitigation measures stipulated in this EIR.	Pre-Construction	Pre-Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-8: A qualified archaeological monitor shall be selected by the Archaeologist, retained by the Project Applicant, and approved by the City to monitor ground-disturbing activities within the project area. Ground-disturbing activities are here defined as activities that include digging, grubbing, or excavation into sediments (fill or native sediments) that have not been previously disturbed for this project. Ground-disturbing activities do not include movement, redistribution, or compaction of sediments excavated during the project. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule. The frequency of monitoring shall be	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
based on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of resources encountered.						
Mitigation Measure C-9: Due to the sensitivity of the project area for Native American resources, a Native American monitor shall also monitor ground-disturbing activities in the project area. Selection of the monitor shall be made by the City and take into account guidance provided by the Native American Heritage Commission with respect to Native American groups identified as having affiliation with the project area.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-10: In the event that cultural resources are unearthed during ground-disturbing activities, the Archaeological or Native American monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-11: All cultural resources unearthed by project construction activities shall be evaluated by the Archaeologist. If the Archaeologist determines that the resources may be significant, the Archaeologist will notify the Project Applicant and the City and will develop an appropriate treatment plan for the resources. The Archaeologist shall consult with the Native	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
American monitor or other appropriate Native American representatives in determining appropriate treatment for unearthened cultural resources if the resources are prehistoric or Native American in nature.						
Mitigation Measure C-12: Treatment plans developed for any unearthened cultural resources shall consider preservation of the resource or resources in place as a preferred option. Feasibility and means of preservation in place shall be determined through consultation between the Archaeologist, the Native American monitor or other appropriate representative, the Project Applicant, and the City. The Project Applicant, in coordination with the Archaeologist, Native American monitor and the City, shall also designate repositories in the event that resources are recovered.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure C-13: The Archaeologist shall prepare a final report to be reviewed and accepted by the City. The report shall be filed with the Project Applicant, the City, and the California Historic Resources Information System South Central Coastal Information Center. The report shall include a description of resources unearthened, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall also include all specialists' reports as appendices, if any. If the	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be required. The City shall designate repositories in the event cultural resources are uncovered.						
Mitigation Measure C-14: If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered as possible courses of action by the Project Applicant, the City, and the Most Likely Descendent.	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Noise						
Mitigation Measure G-1: Effective temporary noise barriers, when they are feasible, shall be used to block the line-of-site between the construction equipment and the off-site noise-sensitive receptors during project construction, as follows: a) Provide a temporary noise barrier along the north boundary of the project site to reduce construction noise at the Hilton Hotel (R6). b) Provide a noise barrier along the southwestern boundary of the project site to block line-of-sight to the RV park use (R2). c) The exact height and extent of the sound barrier wall shall be defined during the project engineering design phases by a qualified acoustical engineer based on achieving 10 dBA minimum noise reduction.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure G-2: Engine idling from construction equipment such as bulldozers and haul trucks shall be limited. Idling of haul trucks shall be limited to five (5) minutes at any given location as established by the California Air Resources Board.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure G-3: Construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure G-4: Noise-generating construction equipment operated at the project site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.	Construction	Construction	City of Long Beach Department of Development Services			
Mitigation Measure G-5: The Project Applicant shall retain the services of a qualified acoustical engineer with expertise in design of building sound isolations, who shall submit a signed report to the City during plan check for review and approval, indicating that the proposed building design for the residential towers and the hotel building achieves an interior sound environment of 45 dBA (CNEL), as required by City's building code.	Project Design	Plan Check	City of Long Beach Department of Development Services			
Mitigation Measure G-6: The Project Applicant shall retain services of a qualified acoustical consulting engineer experienced in mechanical noise analysis to provide an acoustical report to the City during plan check for review and approval indicating that the project mechanical design meets the City's noise ordinance. All mitigation measures and estimated performance developed by the applicant retained acoustical engineer shall be identified in the acoustic report.	Project Design	Plan Check	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Public Services - Fire Protection						
Mitigation Measure I.1-1: Prior to the issuance of a building permit, the Project Applicant shall consult with the Long Beach Fire Department and incorporate fire prevention and suppression features and other life-saving equipment (e.g., defibrillators) appropriate to the design of the project.	Project Design	Plan Check	City of Long Beach Fire Department and Department of Development Services			
Mitigation Measure I.1-2: The project shall comply with all applicable State and local codes and ordinances, unless otherwise approved.	Plan Check	Prior to Occupancy	City of Long Beach Department of Development Services			
Mitigation Measure I.1-3: Prior to the issuance of building permits, project building plans including a plot plan and floor plan of the buildings shall be submitted for approval by the Long Beach Fire Department. The plot plan shall include the following minimum design features: location and grade of access roads and fire lanes, roadway widths, distance of buildings from an edge of a roadway of an improved street, access road, or designated fire lane, turning areas, and fire hydrants.	Project Design	Plan Check	City of Long Beach Fire Department and Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Traffic and Parking						
Mitigation Measure J-1: Intersection No. 7 - Alamitos Avenue at 7th Street – Restripe 7th Street to provide a third westbound through lane on 7th Street, through the intersection of Martin Luther King, Jr. and 7th Street. The implementation of this improvement would require the removal of curbside parking on both sides of 7th Street, east and west of Alamitos Avenue. Given the demand for curbside parking in the area, the loss of parking may not be considered acceptable. Further, the intersection of Alamitos Avenue and 7th Street is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. As an alternative, the proposed project’s impact at this key intersection could be mitigated by reducing the project’s trip generation potential by approximately ten percent (10%).	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			
Mitigation Measure J-2: Intersection No. 10 - Alamitos Avenue at 4th Street -- No physical mitigation measure is feasible at this location; any additional turn lanes will require widening and additional right-of-way. The intersection of Alamitos Avenue and 4th Street is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. As an	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately ten percent (10%).						
Mitigation Measure J-3: Intersection No. 15 - Alamitos Avenue at Broadway -- Restripe Alamitos Avenue to provide a second southbound through lane. The implementation of this improvement may require the removal of curbside parking on both sides of Alamitos Avenue, north and south of Broadway. Given the demand for curbside parking in the area, the loss of parking may not be considered acceptable. Further, the intersection of Alamitos Avenue and Broadway is physically constrained with existing development located along the street making the expansion of the roadway to add additional lanes difficult. It should be noted that the provision of two southbound lanes on Alamitos Avenue is generally consistent with the City's future improvement plans for this key roadway segment. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately fifteen percent (15%).	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure J-4: Intersection No. 17 - Magnolia Avenue at Ocean Boulevard -- Modify existing signal to provide protect left-turn phasing for the eastbound and westbound directions on Ocean Boulevard and install a southbound right-turn overlap phase.	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			
Mitigation Measure J-5: Intersection No. 20 - Pine Avenue at Ocean Boulevard -- Restripe Pine Avenue to provide a separate southbound left-turn lane and a shared through-right lane on Pine Avenue. Implementation of this improvement may require the removal of the passenger loading/unloading zone on the east side of Pine Avenue, north of Ocean Boulevard, and potentially impact the flow of traffic given existing bus stops are located along this section of Pine Avenue, both of which may not be considered acceptable. As an alternative, the proposed project's impact at this key intersection could be mitigated by reducing the project's trip generation potential by approximately fifteen percent (15%).	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			
	Construction	Construction	City of Long Beach Public Works Department			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure J-6: Project Driveway A at Golden Shore -- Install traffic signal, and associated signing and striping modifications, inclusive of crosswalks. The installation of a traffic signal at Rose Avenue and Pacific Coast Highway, and associated signing and striping modifications, is subject to the approval of the City of Long Beach.	Construction	Prior to Occupancy	City of Long Beach Public Works Department and Department of Development Services			
Utilities and Service Systems – Solid Waste						
Mitigation Measure K.2-1: Prior to the issuance of any demolition or construction permit, the Project Applicant shall provide a copy of the receipt or contract indicating that the construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction related wastes. The contract specifying recycled waste service shall be presented to the Department of Development Services prior to approval of certificate of occupancy.	Pre-Construction	Pre-Construction	City of Long Beach Department of Development Services			
Mitigation Measure K.2-2: In order to facilitate on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during demolition and construction.	Construction	Construction	City of Long Beach Department of Development Services			

Table V-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Verification		
				Compliance Verification	Date of Implementation	Remarks
Mitigation Measure K.2-3: The proposed project shall include recycling bins at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. The bins shall be picked up and appropriately recycled as a part of the proposed project's regular trash disposal program.	Project Design/ Operation	Prior to Occupancy/ Operation	City of Long Beach Department of Development Services			
Mitigation Measure K.2-4: New homeowners/tenants shall be provided with educational materials on the proper management and disposal of household hazardous waste, in accordance with educational materials made available by the City of Long Beach Public Works Integrated Resources Bureau and the County of Los Angeles Department of Public Works.	Operation	Operation	City of Long Beach Department of Development Services			