



CITY OF LONG BEACH

H-2

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

February 2, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, deny the appeal, and adopt a Resolution recertifying Final Environmental Impact Report (SCH No. 2008041028), readopt a Mitigation Monitoring and Reporting Program, and approve a Statement of Overriding Considerations; and approve a Site Plan Review and Local Coastal Development Permit for rehabilitation of the Alamitos Bay Marina basins 1-7 located on the Peninsula, Naples Island, Marina Pacifica and Marina Drive. (District 3)

DISCUSSION

On December 17, 2009, the Planning Commission voted unanimously to certify an Environmental Impact Report, adopt a Mitigation Monitoring and Reporting Program, approve a Statement of Overriding Considerations, and approve a Site Plan Review and Local Coastal Development Permit to allow the rehabilitation of the Alamitos Bay Marina (Exhibit A - Planning Commission Staff Report). The project was appealed on December 17, 2009 (Exhibit B - Appeal). The appellant supports the plan to rehabilitate the Marina, however, has concerns with the location of docks and slips encroaching into active waterways in relationship to rowing lanes between basin 4 on Naples Island and basin 3 on Marina Drive. Additional concerns include safety of waterways and conflicts between motorized and non-motorized vessels, and compliance with State laws.

The proposed project implements the Alamitos Bay Master Plan adopted in 2001, by renovating the marina and enhancing the existing recreational boating facilities. Specific improvements, which are contemplated when funding becomes available include:

- Dredging the marina basin of approximately 272,000 cubic yards of sediment down to original depths.
- Replacing and/or upgrading thirteen restrooms and sewer and water lines (ten new restrooms and three remodels).

- Providing ADA compliant facilities.
- Repairing sea walls - 8,250 linear feet.
- Dock and piling replacement.
- Replacement of parking lot pavement.
- Reconfiguring boat slip size to meet the demand for larger slips, thus reducing the number from 1967 to 1646 slips.

A number of public meetings have been held to discuss the proposed project since 2007, including a Planning Commission study session on October 1, 2009 (Exhibit C - List of public meetings). The City is also working with existing Alamitos Bay customers to ensure that no one will be forced out of the marina due to construction. The City is installing a temporary dock adjacent to basin 4 during construction and two construction staging areas are proposed off Marina Drive.

In summary, the proposed project will allow upgraded restrooms with laundry and ADA compliant facilities, a deeper harbor for safe navigation, and larger boat slips. Associated improvements include new trash enclosures, parking lot improvements, and fencing. These improvements are expected to benefit users of the marina and increase recreational boat use.

Environmental Impact Report SCH No. 2008041028 (Exhibit D – Environmental Impact Report) identifies mitigation measures to address potential impacts from the project. These measures are included in the conditions of approval and address construction noise, traffic impacts, water conservation measures, and habitat replacement for sea plants.

This letter was reviewed by Assistant City Attorney Michael J. Mais on January 14, 2010, and by Budget and Performance Management Bureau Manager David Wodynski on January 15, 2010.

TIMING CONSIDERATIONS

A City Council hearing is required within 60 days of receipt of an appeal of Planning Commission action.

FISCAL IMPACT

There will be no impact to the General Fund. Liability for the DBW loan is solely borne by the Marina enterprise through a gross pledge of marina revenues (slip and concession fees) without General Fund backing. The combination of a \$6,800,000 loan from DBW and \$5,000,000 from unallocated Marina Fund fund balance will fund the final design, engineering, and construction for the Alamitos Bay Marina, basin 4. Future phases will be funded as resources allow.

SUGGESTED ACTION:

Approve recommendation.

HONORABLE MAYOR AND CITY COUNCIL

February 2, 2010

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Respectfully submitted,




REGINALD I. HARRISON

INTERIM DIRECTOR OF DEVELOPMENT SERVICES

RH:DB:LF P:\Planning\City Council Items (Pending)\Council Letters\2010-02-02v5.doc

Attachments: City Council Resolution
Exhibit A - Planning Commission Staff Report, including Plans, and Finding & Conditions of Approval
Exhibit B - Appeal Form/Letter
Exhibit C - List of Public Meetings
Exhibit D - Environmental Impact Report

APPROVED:



PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH RECERTIFYING THAT THE FINAL
5 ENVIRONMENTAL IMPACT REPORT FOR THE ALAMITOS
6 BAY MARINA REHABILITATION PROJECT (STATE
7 CLEARINGHOUSE NO. 2008041028) HAS BEEN
8 COMPLETED IN ACCORDANCE WITH THE PROVISIONS
9 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
10 AND STATE AND LOCAL GUIDELINES AND MAKING
11 CERTAIN FINDINGS AND DETERMINATIONS RELATIVE
12 THERETO; ADOPTING A STATEMENT OF OVERRIDING
13 CONSIDERATIONS; AND A MITIGATION MONITORING
14 AND REPORTING PROGRAM (MMRP)

15
16 WHEREAS, the City of Long Beach ("City") has proposed a project
17 ("Project") that would rehabilitate the Alamitos Bay Marina facilities for boaters, local
18 residents, and tourists while maintaining the unique character of the Marina. The
19 proposed Project consists of improvements including (1) dredging the Marina basins
20 down to original design depths and/or original basin depths; (2) replacing and/or
21 upgrading 13 restrooms along with their associated water and sewer laterals; (3)
22 repairing the sea wall where necessary to reestablish the rock revetment along the slope
23 to the basin floor; (4) completing dock and piling replacement; and (5) replacing the
24 pavement in the Marina's parking lots. Said Project is more fully described in the Draft
25 Environmental Impact Report (DEIR), a copy of which DEIR and the Project Description
26 is incorporated herein by this reference as though set forth in full, word for word.

27 WHEREAS, Project implementation will require approval of a Coastal
28 Development Permit by the California Coastal Commission and approvals, permits,

1 and/or agreement approvals from Responsible and Trustee Agencies, including but not
2 limited to the California Coastal Commission, California Water Resources Control Board,
3 Los Angeles Regional Water Quality Control Board (RWQCB), the United States
4 Department of the Interior, the United States Fish and Wildlife Service (USFWS), the
5 United States Army Corps of Engineers (ACOE), the California Department of Fish and
6 Game (CDFG), National Marine Fisheries Service (NMFS), the Department of Boating
7 and Waterways (DBAW), and the California State Lands Commission. A list of
8 discretionary, Agreement, and permit approvals required for Project implementation is set
9 forth in the DEIR.

10 WHEREAS, the City began an evaluation of the proposed project by issuing
11 a Notice of Preparation (NOP) on May 7, 2009, followed by a thirty (30) day comment
12 period from May 11, 2009 to June 10, 2009, together with a public scoping meeting held
13 on May 28, 2009, Planning Commission study session held on October 1, 2009, and
14 public meetings held by the Marine Advisory Commission on March 2, 2009 and October
15 22, 2009, and circulation of the DEIR between October 8, 2009 and November 23, 2009;

16 WHEREAS, on December 17, 2009, the Planning Commission conducted a
17 duly noticed public hearing on the DEIR and FEIR and the Project. At said time, the
18 Planning Commission certified that the DEIR and FEIR were fully compliant with CEQA
19 and the CEQA Guidelines and approved the Project. Subsequent to said certification and
20 Project approval, the actions of the Planning Commission were appealed to the City
21 Council for its full consideration and review;

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

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

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

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

3 WHEREAS, the City Council has reviewed and considered the information
4 in and the comments to the DEIR and the responses thereto, and the Final
5 Environmental Impact Report ("FEIR") at a duly noticed City Council meeting held on
6 February 2, 2010, at which time evidence, both written and oral, was presented to and
7 considered by the City Council;

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

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

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

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

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

28 //

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

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

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

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

13 Section 5. The City Council finds that on balance, there are specific
14 considerations associated with the proposed Project that serve to override and outweigh
15 those Project impacts that cannot be mitigated to a level of insignificance, and the City
16 Council hereby adopts that certain document, and the contents thereof, entitled
17 "Statement of Overriding Considerations" for the Alamitos Bay Marina Rehabilitation
18 Project, a copy of which document is attached hereto as Exhibit "B" and incorporated
19 herein by this reference as though set forth in full, word for word.

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

1 condition of project approval.

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

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

13 Section 9. This resolution shall take effect immediately upon its adoption
14 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

15 I hereby certify that the foregoing resolution was adopted by the City
16 Council of the City of Long Beach at its meeting of _____, 2010, by the
17 following vote:

18 Ayes: Councilmembers: _____

19 _____

20 _____

21 _____

22 Noes: Councilmembers: _____

23 _____

24 Absent: Councilmembers: _____

25 _____

26 _____

27 _____

28 _____

City Clerk

EXHIBIT "A"

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS
FOR THE
ALAMITOS BAY MARINA REHABILITATION PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT**

CITY OF LONG BEACH

(STATE CLEARINGHOUSE NO. 2008041028)

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SECTION 1: INTRODUCTION

1.1 Statutory Requirements for Findings

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

- (a) No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final Environmental Impact Report (EIR).
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final environmental impact report.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

1.2 Record of Proceedings

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

- Notice of Preparation, Notice of Availability, and Notice of Completion, which were issued by the City in conjunction with the proposed project (see the Final EIR for the Notice of Preparation, Notice of Availability, and Notice of Completion)
- The Final EIR, dated December 2009, which includes the Draft EIR, all written comments submitted by agencies or members of the public during the public comment period on the Draft EIR and responses to those comments and all of the documents referenced therein
- The Mitigation Monitoring and Reporting Program
- All findings, statements of overriding consideration, and resolutions adopted by the City in connection with the proposed project, and all documents cited or referred to therein
- All final reports, studies, memorandums, maps, correspondence, and all planning documents prepared by the City, or the consultants or responsible or trustee agencies, with respect to: (1) the City's compliance with CEQA; (2) development of the project site; or (3) the City's action on the proposed project
- All documents submitted to the City by agencies or members of the public in connection with development of the proposed project
- All documents compiled by the City in connection with the study of the proposed project and the alternatives
- The testimony and evidence presented at the public scoping meeting on May 28, 2009, the Long Marine Advisory Commission Special Meeting on March 2, 2009, and the Public Meeting on the Alamitos Bay Marina Rebuild on October 22, 2009.

1.3 Organization/Format of Findings

Section 2 of these findings contains a summary description of the proposed project, sets forth the objectives of the proposed project, and provides related background facts. Section 3 identifies the potentially significant effects of the proposed project that will be mitigated to a less than significant level. All mitigation measures referenced in this document can be found in the Final EIR. Section 4 identifies the significant impacts that cannot be mitigated to a less than significant level. Section 5 identifies the proposed project's potential environmental effects that were determined to be less than significant and therefore did not require mitigation measures. Section 6 discusses the feasibility of proposed project alternatives. Section 7 includes general findings.

SECTION 2: ALAMITOS BAY MARINA REHABILITATION PROJECT (PROPOSED PROJECT)

2.1 Project Objectives

The proposed project is intended to renovate the existing Marina facilities and enhance the existing recreational boating facilities within the Marina. The project encourages boating use by providing upgraded ADA-compliant facilities, upgraded restrooms, and dredged basins to ensure safe navigation. The proposed project consists of a number of improvements to the existing Marina and includes the following: (1) dredging the Marina basins down to original design depths and/or original basin depths; (2) replacing and/or upgrading 13 restrooms along with their associated water and sewer laterals; (3) repairing the sea wall where necessary to reestablish the rock revetment along the slope to the basin floor; (4) completing dock and piling replacement; and (5) replacing the pavement in the Marina's parking lots. The project includes two construction staging areas: one located in a parking lot on Marina Drive near Basin 2; and the second staging area would be located in a parking lot on Marina Drive near Basin 3, adjacent to the Marina Shipyard.

The primary goals of the Alamitos Bay Marina Rehabilitation Project are to rehabilitate the Marina facilities for boaters, local residents, and tourists while maintaining the unique character of the Marina. Project objectives include:

- Renovate and replace the deteriorating Marina facilities to expand recreational boating opportunities in keeping with the current and future demands of the boating public for larger slips
- Restore the Marina's original and/or design depths by dredging the basins to ensure safe navigation and adequate access for the boating public
- Provide overdue and necessary Marina repairs and maintenance through surface repaving of parking areas, repairs to basin seawalls where required, and complete renovations to the 13 restroom buildings
- Maintain the Marina's existing character

- Satisfy Americans with Disabilities Act (ADA) requirements for access to the Marina facilities and docks
- Enhance the level of safety for boaters
- Extend the useful life of the Marina
- Upgrade utility facilities
- Provide slips/layout designs in accordance with Department of Boating and Waterways (DBAW) standards
- Rebuild the Marina consistent with the goals of the Alamitos Bay Master Plan and the Department of Parks, Recreation, and Marine Departmental Strategic Plan

The project objectives listed above are intended to implement the following goals, objectives, and policies of the City's Open Space and Recreation and Conservation Elements of the General Plan, and the Long Beach Department of Parks, Recreation, and Marine Strategic Plan:

- Provide the recreational resources the public wants. (Goals/Objectives 4.4)
- Make all recreation resources environmentally friendly and socially and economically sustainable. (Goals/Objectives 4.5)
- Create additional recreation open space and pursue all appropriate available funding to enhance recreation opportunities. (Open Space and Recreation Element, Policy 4.1)
- Fully maintain public recreation resources. (Goals/Objectives 4.7)
- Provide access to recreation resources for all individuals in the community. (Goals/Objectives 4.10)
- With the help of the community, plan and maintain park facilities at a level acceptable to the constituencies they serve. (Open Space and Recreation Element, Policy 4.6)
- Give special consideration to handicapped and disadvantaged residents in accessing public recreation resources. (Open Space and Recreation Element, Policy 4.13)
- To assure that the waters of San Pedro and Alamitos Bays and Colorado Lagoon are maintained at the highest quality feasible in order to enhance their recreational, and commercial utilization. (Water Resource Management Goal)
- To preserve and enhance the open space opportunities offered by the inland waterways of the City through improved access and beautification (Water Resource Management Goal)
- Provide active, passive, and educational recreational opportunities by providing ADA access and improved navigational access to the Marina facilities (Strategy 9);
- Improve and modernize marina condition, infrastructure, and amenities through the replacement of deteriorated facilities with new docks, slips, restrooms, parking surfaces and seawall repairs (Strategy 8 and 18); and

- Improve the level of safety within City marinas by replacing older infrastructure and providing ADA compliant new docks and gangways (Strategy 20).

2.2 Summary of Project Description

The proposed project would renovate the existing Marina facilities and enhance the existing recreational boating facilities within the Marina. The project encourages boating use by providing upgraded ADA-compliant facilities, upgraded restrooms, and dredged basins to ensure safe navigation.

The proposed project consists of a number of improvements to the existing Marina and includes the following: (1) dredging the Marina basins down to original design depths and/or original basin depths; (2) replacing and/or upgrading 13 restrooms along with their associated water and sewer laterals; (3) repairing the sea wall where necessary to reestablish the rock revetment along the slope to the basin floor; (4) completing dock and piling replacement; and (5) replacing the pavement in the Marina's parking lots. The project also includes replacement and extension of the long dock located adjacent to the Long Beach Yacht Club, at the southeast end of Basin 4. The proposed long dock will be extended by approximately 565 ft from where it currently ends. However, approximately 200 ft of this long dock is temporary and is intended to accommodate displaced boats during each phase of the rehabilitation process. The 200 ft temporary portion of the dock will be removed upon project completion.

The proposed project is anticipated to be implemented in 12 phases over approximately 6 years and includes two construction staging areas: one located in a parking lot on Marina Drive near Basin 2; and one located in a parking lot on Marina Drive near Basin 3, adjacent to the Marina shipyard.

The proposed rebuild of the Marina would result in approximately 1,646 slips. As of the date of the Draft EIR, there were 1,430 customers in the Marina, so there would be a slip for every customer once the renovations are complete. However, should the number of correctly sized slips not be available at project completion, those customers would be placed in alternate slips until the appropriately sized slips become available.

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

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

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

Air Quality

Impact: Fugitive Dust. Only the site preparation phase prior to paving the parking lots is anticipated to generate any measurable emissions of fugitive dust. The PM₁₀ and PM_{2.5} construction emissions would not exceed the SCAQMD's thresholds. However, Mitigation Measure 4.2-5 will ensure that fugitive dust impacts during construction activities remain less than significant.

4.2-5 During all phases of demolition, dredging, and construction, the Marine Bureau Manager shall ensure that the contract to construct complies with the following rules for construction and operation to minimize the air quality impacts from the proposed project. The following measures are required and will reduce or minimize air pollutants generated by construction vehicles and equipment and fugitive dust emissions associated with earthmoving or excavation operations, or other soil disturbances, as identified in South Coast Air Quality Management District (SCAQMD) Rules 402 and 403. The following measures shall be printed on all final plans and drawings associated with the project:

During earthmoving or excavation operations, fugitive dust emissions shall be controlled by regular watering or other dust-preventive measures using the following procedures:

- All material excavated shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
- All earthmoving or excavation activities shall cease during periods of high winds (i.e., winds greater than 20 miles per hour [mph] averaged over 1 hour).
- All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by earthmoving or excavation operations shall be minimized at all times.

¹ CEQA Guidelines, Section 15091.

After earthmoving or excavation operations, fugitive dust emissions shall be controlled using the following measures:

- Portions of the construction area to remain inactive longer than a period of 3 months shall be revegetated and watered until cover is grown.
- All active portions of the construction site shall be watered to prevent excessive amounts of dust.

At all times, fugitive dust emissions shall be controlled using the following procedures:

- On-site vehicle speed shall be limited to 15 mph.
- Road improvements shall be paved as soon as feasible, watered periodically, or chemically stabilized.

At all times during the construction phase, ozone precursor emissions from mobile equipment shall be controlled using the following procedures:

- Equipment engines shall be maintained in good condition and in proper tune according to manufacturer's specifications.
- On-site mobile equipment shall not be left idling for a period longer than 60 seconds.

Outdoor storage piles of construction materials shall be kept covered, watered, or otherwise chemically stabilized with a chemical wetting agent to minimize fugitive dust emissions and wind erosion.

Finding: The City hereby finds that project impacts to fugitive dust are less than significant level with implementation of Mitigation Measure 4.2-5.

Impact: Odors. Some objectionable odors may emanate from the operation of diesel-powered construction equipment during construction of the project. These odors, however, would be limited to the site only during the construction period and therefore would not be a significant impact.

During the dredging portion of Phases 2 and 3 of the proposed project, the contaminated dredged materials from Basin 1 will be spread out on site to dry before being hauled off site. It is anticipated that the dredged sediment will contain organic materials and that the decomposition of the organic matter when exposed to air may generate unpleasant odors. Therefore, the dredged material may result in odor impacts at the adjacent and nearby

sensitive land uses. Implementation of Mitigation Measure 4.6-3 in Section 4.6, Hazards and Hazardous Materials, requires the application of a mixture of Simple Green and water to the excavated sediment as part of an overall Soil Management Plan. Simple Green accelerates the decomposition process and will have the overall result of shortening the duration of odor emissions. Therefore, with implementation of Mitigation Measure 4.6-3, potential impacts related to odors would be reduced to a less than significant level.

See Mitigation Measure 4.6-3 under Hazards and Hazardous Materials.

Finding: The City hereby finds that project impacts to odors are less than significant level with implementation of Mitigation Measure 4.6-3.

Impact: Localized Significance. The calculated emissions rates for the proposed construction activities are below the localized significance thresholds for NO_x, CO, PM₁₀, and PM_{2.5}. Therefore, the proposed construction activities would not cause any short-term, localized, significant air quality impacts. However, the analysis was based on information indicating that no more than 1 ac of parking lot repaving would occur at any one time. Therefore, Mitigation Measure 4.2-4 has been including requiring that repaving areas do not exceed 1 ac at any one time. With implementation of Mitigation Measure 4.2-4, emission rates for each phase of project construction would remain below the thresholds, ensuring potential impacts are less than significant.

4.2-4 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings and the construction contract indicate that no more than 1 acre (43,560 square feet) of parking lot pavement area shall be under construction for replacement at any one time during each phase of the project.

Impact: Greenhouse Gas Emissions. Short-term GHG emissions would occur from construction activities, consisting primarily of emissions from equipment exhaust. The peak daily CO₂ emissions associated with construction equipment exhaust for the proposed project would be highest during Phases 2 and 3, generating up to 33,328 lbs/day of CO₂. Because construction activities are expected to generate an increase in CO₂ emissions, Mitigation Measure 4.2-2 and 4.2-3 have been proposed, requiring the Marine Bureau to incorporate CO₂ reduction measures in order to reduce CO₂ emissions associated with construction activities. Because GHG emissions during construction activities are relatively short term and would cease once construction activities end, construction-related GHG emissions are less than significant with incorporation of Mitigation Measure 4.2-2 and 4.2-3.

The project will comply with all Title 24 requirements, thereby increasing the energy efficiency of all on-site restrooms. Therefore, the proposed project is not expected to result in a long-term increase in GHG emissions. Further, Mitigation Measures 4.2-2 and 4.2-3 have been proposed and will require the Marine Bureau to incorporate CO₂ reduction measures in order to reduce CO₂ emissions associated with building design and building operation/maintenance to improve energy efficiency or reduce energy consumption. With implementation of Mitigation Measures 4.2-2 and 4.2-3, operation of the proposed project would not conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. In addition, the proposed project is a less intense continuation of an existing land use. Therefore, with mitigation, operational GHG impacts are less than significant.

4.2-2 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings include the following building design energy conservation measures:

- **Green Building Design for Restroom Buildings:** Incorporate measures from the Leadership in Energy and Environmental Design (LEED) certification program and other green building guidelines that reduce greenhouse gas (GHG) emissions through either development density/design and/or energy conservation. The LEED for Retail–New Construction and LEED for Commercial Interiors programs developed by the United States Green Building Council are good sources for identifying measures and examples of energy conservation measures, including the following:
 - Meet or exceed Title 24 requirements
 - Incorporate ENERGY STAR-rated windows
 - Incorporate ENERGY STAR-rated space heating and cooling equipment
 - Incorporate hot water systems that are energy efficient
 - Incorporate ENERGY STAR-rated light fixtures
 - Incorporate ENERGY STAR-rated appliances
 - Install/operate renewable electric generation systems, as appropriate and economically feasible

4.2-3 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings of the building operations and

maintenance plan include, but are not limited to, the following energy conservation measures:

- **Compact Fluorescent Light Bulbs:** All interior building lighting shall use compact fluorescent light bulbs. Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs.
- **Energy Audits:** Conduct a third-party energy audit every 5 years and install innovative power-saving technology where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.

Finding: The City hereby finds that project impacts to greenhouse gas emissions are less than significant level with implementation of Mitigation Measure 4.2-2 and 4.2-3.

Biological Resources

Impact: Impact to Sensitive Species. California Brown Pelican (*Pelecanus occidentalis*).

Construction activities may disturb the California brown pelican, if present during such activities. However, construction will be achieved in approximately 12 phases extending over 6 years and will disturb small areas of the Marina at any one time, leaving available other open water areas for this species. In addition, there are no nesting sites within the vicinity of the proposed project activities. Therefore, due to the lack of nesting sites, and because construction is temporary and will be phased over 6 years and not impact the entire Marina at any one time, potential impacts to California brown pelicans are considered less than significant. However, to ensure that any potential impacts remain less than significant, mitigation has been proposed requiring a qualified biologist to monitor special-status waterbirds prior to any significant construction activities. Implementation of Mitigation Measure 4.3-1 would ensure that impacts to these species remain less than significant.

Due to the reduction of dock area, project implementation will result in an additional 2,600 sf of open-water foraging habitat for the endangered California brown pelican. This is considered a beneficial effect of project implementation.

- 4.3-1** Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that a qualified biologist has been retained and shall be on site to assess the roosting (and foraging) behavior of waterbirds at the Marina immediately prior to any major construction disturbance. In the event of an imminent threat to a special-status species, the monitor shall

immediately contact the Construction Manager. In the event the Construction Manager is not available, the monitor shall have the authority to redirect or halt construction activities if determined to be necessary.

Finding: The City hereby finds that impacts related to the endangered California brown pelican will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-1.

Impact: Impact to Sensitive Species. California California Least Tern (*Sterna antillarum browni*). Construction activities may disturb the California least tern, if present during such activities. However, construction will be achieved in approximately 12 phases extending over 6 years and will disturb small areas of the Marina at any one time, leaving available other open water areas for this species. The least tern may choose to avoid the immediate construction work area. Shallow water foraging areas for the least tern would be available in other areas of the Harbor, as construction will be phased at each of the eight basins at separate times. Further, the area affected by pile-driving noise would be a small portion of the Bay waters, and installation of the piles may or may not occur when the least terns are present. No individuals would be lost, and their populations would not be adversely affected by construction activities. Therefore, due to the phased construction plans and because of the temporary nature of construction activities, potential impacts to California least terns are considered less than significant due to the phased construction plans and the temporary nature of construction. However, to ensure that any potential impacts remain less than significant, mitigation has been proposed requiring a qualified biologist to monitor least terns and other special-status waterbirds prior to any significant construction activities. Implementation of Mitigation Measure 4.3-1 would ensure that impacts to these species remain less than significant.

Due to the reduction of dock area, project implementation will result in an additional 2,600 sf of open water foraging habitat for the endangered California least tern. This is considered a beneficial effect of project implementation.

See Mitigation Measure 4.3-1 above.

Finding: The City hereby finds that impacts related to the endangered California least tern will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-1.

Impact: Impact to Sensitive Species. Sea Turtles. Construction activities associated with the Marina basins would occur in the mid-region of Alamitos Bay, where reports from the Marine Department indicate that sightings of green sea turtles occur. In addition, dredge disposal barge activity entering and leaving Alamitos Bay would be transiting the area in which green sea turtles also enter and leave Alamitos Bay. Therefore, there is a potential that green sea turtles may be in the general project area when Marina renovations are occurring, phased over a 6-year period.

Although an occasional green turtle may be in Alamitos Bay at the time of Marina renovations, the likely potential for adverse impacts to an individual is low. Dredging, dock reconstruction, vessel movements, and construction of the temporary dock near the Long Beach Yacht Club could potentially result in a behavioral modification to this species that would include a likely change in swimming behavior to avoid excessive noise, turbidity, or the vessel movements. Sea turtles forage in Alamitos Bay outside the Marina basins due to the availability of larger, higher-quality eelgrass beds as compared to those in Basins 2, 4, and 6. No mortality would be expected to occur as a result of the proposed project, and no operational impacts to green sea turtles would occur as a result of normal Marina operations.

However, due to the potential for sea turtles to be present in the project area during the Marina renovation, Mitigation Measure 4.3-2 has been proposed, requiring a biologist to monitor the site during construction and be empowered to stop construction to avoid negative effects on sea turtles. Implementation of Mitigation Measure 4.3-2 would reduce potential construction impacts to sea turtles to a less than significant level.

4.3-2 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract in order to further reduce any potential impacts to green sea turtles:

- A qualified marine biologist shall be on site during the construction period to monitor the presence of endangered species. The on-site biological monitor shall have the authority to halt construction operations and shall determine when construction operations can proceed.
- Construction crews and work vessel crews shall be briefed on the potential for this species to be present and will be provided with identification characteristics of sea turtles, since they may occasionally be mistaken for seals or sea lions.
- In the event that a sea turtle is sighted within 100 meters of the construction zone, all construction activity shall be temporarily stopped until the sea turtle is safely outside the outer perimeter of construction.

The on-site biological monitor shall have the authority to halt construction operation and shall determine when construction operations can proceed.

- The biological monitor shall prepare an incident report of any green sea turtle activity in the project area and shall inform the construction manager to have his/crews be aware of the potential for additional sightings. The report shall be provided within 24 hours to the California Department of Fish and Game (CDFG) and the National Marine Fisheries Service (NMFS).
- In the event of a watercraft collision with a marine mammal or sea turtle the NMFS Stranding Coordinator shall immediately be contacted.

Finding: The City hereby finds that impacts related to the endangered sea turtles will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-2.

Impact: Impact to Marine Biological Resources and Eelgrass. Project-related dredging to depths of -10 ft MLLW in Basins 2, 4, and 6 would result in removing eelgrass and deepening the basins to depths beyond the normal depth ranges for eelgrass survival. Removal of this eelgrass through dredging will result in a long-term but mitigatable impact on EFH.

Dredging will remove approximately 0.03 ac (1,373 sf) of eelgrass. Project plans have avoided and minimized impacts to eelgrass to the maximum extent practicable, but in order to return the Marina to its original design depth, and provide safe navigation, some impacts to existing eelgrass will occur during dredging. The loss of eelgrass is considered a localized, significant impact that can be mitigated to a less than significant level with the successful transplantation of eelgrass within Alamitos Bay at a mitigation ratio of 1.2 to 1. Anticipated impacts from current surveys show that 0.03 ac (1,373 sf) of eelgrass will be removed, resulting in a need for 1,648 sf to be successfully transplanted. A 5-year monitoring program will be completed to ensure the survival of at least the minimum amount of eelgrass to be mitigated. The total eelgrass mitigation amount will be determined from preconstruction, postconstruction and control site surveys, according to the Southern California Eelgrass Mitigation Policy (NMFS 1991, as amended).

Based upon site surveys of where eelgrass occurs and does not occur in Alamitos Bay and on historical eelgrass survey information for Alamitos Bay, the City has identified a site at the northeast end of Marine Stadium to create an open water habitat for eelgrass mitigation. The proposed eelgrass mitigation site involves abandoning a portion of a City-owned storage yard. An area of 218 x 105 ft would be excavated to a depth of -2 to -3 ft MLLW. The existing rock revetment along Marine Stadium would be relocated to the eastern boundary of the site to allow the area to fill with water from the adjacent channel (see Figure 3.14 in Section 3.0, Project Description). A wave attenuator (nonaccessible dock with pilings) would

be installed to protect the habitat area and to delineate the edge of Marine Stadium, while allowing for sufficient tidal flushing of the habitat site.

Mitigation Measure 4.3-3, requiring 1,648 sf of eelgrass vegetation to be successfully transplanted in accordance with the SCEMP, is proposed to reduce potential impacts to eelgrass marine resources to a less than significant level. Additionally, Mitigation Measures 4.3-4 and 4.3-5 have been proposed to avoid potential impacts to marine biological resources from construction activities. Implementation of Mitigation Measures 4.3-3 through 4.3-5 will reduce impacts related to eelgrass and biological resources during construction to a less than significant level.

The proposed project also includes components that will benefit EFH, including the reduction in overwater coverage by 2,600 sf and the reduction in the total number of piles by 188. Reducing overwater coverage will reduce shading in the project area and result in a net increase in productivity. A reduction in the number of piles will reduce the fill area and expand uncovered benthic habitat. These are considered beneficial impacts related to the proposed project.

4.3-3 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall ensure that an Eelgrass Mitigation Plan has been included in the contract for construction. The Plan shall require that any direct losses to eelgrass will be mitigated at a ratio of 1.2:1 according to the Southern California Eelgrass Mitigation Policy (SCEMP) requirement. According to current surveys, eelgrass to be impacted by the project is 1,373 square feet (sf), which would result in 1,648 sf to be mitigated at the 1.2:1 mitigation ratio. As detailed in the SCEMP, the actual amount of eelgrass to be mitigated shall depend on preconstruction surveys, postconstruction surveys, and surveys at a control site at the appropriate time prior to the beginning of project activities. The preferred mitigation area is located adjacent to the northeast end of Marine Stadium on a City of Long Beach-owned storage site. A qualified biologist shall monitor the successful establishment of the eelgrass mitigation site for a period of 5 years, in accordance with the Southern California Eelgrass Mitigation Policy.

4.3-4 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall provide verification that the following provision has been included in the contract for project construction: that a qualified biologist has been retained to implement the following measures, which shall be incorporated during all phases of construction in order to minimize impacts on eelgrass and other biological resources:

- Impacts to eelgrass beds shall be avoided where practical and feasible. A project marine biologist shall mark the positions of eelgrass beds with buoys prior to the initiation of any construction to minimize damage to eelgrass beds outside the construction zone. To assist the construction crew in avoiding unnecessary damage to eelgrass, the project marine biologist shall meet with the construction crews prior to dredging to review areas of eelgrass to avoid and to review proper construction techniques.
- Barges and work vessels shall avoid impacts to eelgrass beds in the immediate vicinity of Basin 6-South. Barges and work vessels shall be operated in a manner to ensure that eelgrass beds are not impacted through grounding, propeller damage, or other activities that may disturb the seafloor. Such measures shall include speed restrictions, establishment of off-limit areas, and use of shallow draft vessels.
- A qualified marine biologist shall monitor the construction process on a weekly basis to ensure that all water quality best management practices (BMPs) are implemented and to assist the project engineer in avoiding and minimizing environmental effects to benthic communities, including eelgrass. Within 30 days after the project is completed, a post-construction marine biological survey shall be conducted to determine the extent of any construction impacts on eelgrass habitat. The survey report will be completed within 30 days and shall be submitted to the California Coastal Commission and the United States Army Corps of Engineers.

4.3-5

Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract. The construction contractor shall be responsible for ensuring that the following measures are implemented during all phases of construction in order to minimize impacts on biological resources:

- No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to tidal erosion and dispersion. Construction materials shall not be stored in contact with the soil. Any construction debris within the temporary cofferdam area shall be removed from the site at the end of each construction day.
- Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery or construction equipment or power tools into Alamitos Bay. Such measures include deployed oil booms and a silt curtain around the proposed construction zone at all times to minimize the spread of any accidental fuel spills, turbid construction-related water discharge, and debris. Other measures include training

construction workers on emergency spill notification procedures, proper storage of fuels and lubricants, and provisions for on-site spill response kits.

- All trash shall be disposed of in the proper trash receptacles at the end of each construction day. Any construction debris shall be removed from the site.
- During construction, floating booms shall be used to assist in containing debris discharged. Any debris discharged shall be removed as soon as possible but no later than the end of each day.
- If turbid conditions are generated during construction, including dredging or pile driving, a silt curtain shall be utilized to control turbidity. The City of Long Beach shall limit, to the greatest extent possible, the suspension of benthic sediments into the water column.
- Construction methods shall be used that are the least damaging to benthic sediments and organisms.
- Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery or construction equipment or power tools into Alamitos Bay. The City of Long Beach shall have adequate equipment available to contain such spills immediately.

Finding: The City hereby finds that impacts related to the eelgrass will be reduced to a less than significant level with implementation of Mitigation Measures 4.3-3, 4.3-4 and 4.3-5.

Impact: Impacts To Wildlife Movement and Nursery Sites. Areas that may be impacted by the proposed project are substantially disturbed and subject to frequent intense human activity under current conditions. Eelgrass beds provide nursery habitat for some species of invertebrates and fish. Impacts related to eelgrass habitat were previously addressed.

The project includes relocation of several trees to accommodate the restroom renovations. In addition, construction activities could cause the potential abandonment of nests by migratory birds. The great blue heron is considered a California Special Animal at colonial nesting sites such as Alamitos Bay. Construction activities associated with the proposed project may result in some temporary disruptions to the roosting activities of these species. In addition, the renovations to the restroom facilities and parking lot areas have the potential to cause a direct loss of nesting trees or the abandonment of nests in those trees. However, the great blue herons currently nesting within the Alamitos Bay Marina are considered a loose colony using multiple trees throughout the harbor for nesting and roosting. Although some of the great blue herons may be disturbed by construction activities, there are many trees within the

colony's existing area that could provide alternative nesting and roosting habitat. The great blue herons present in the project area are currently coexisting with Marina users and are accustomed to human intrusion and noise. However, to ensure that potential impacts to the great blue heron as well as other California species of concern listed above are reduced to a less than significant level, Mitigation Measure 4.3-6 has been proposed, restricting the removal of trees and vegetation during the nesting season and requiring surveys, as necessary, prior to construction. Implementation of Mitigation Measure 4.3-6 would ensure that potential impacts to migratory birds are reduced to a less than significant level.

4.3-6 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall ensure that the following provisions are incorporated into the final project plans and construction contract for the purpose of protecting nesting birds within the study area during construction:

- Tree and vegetation removal shall be restricted to outside the likely active nesting season (January 1–September 1) for those bird species present or potentially occurring within the project area. That time period is inclusive of most other birds' nesting periods, thus maximizing avoidance of impacts to any nesting birds. If construction must be completed during the breeding season listed above, surveys for nesting birds shall be conducted at least 15 days prior to construction. Should an occupied nest be detected, the City will consult with the California Department of Fish and Game (CDFG) to determine an appropriate means for reducing impacts to nesting birds prior to tree removal. If nesting birds are observed within the vicinity, a buffer from the nest shall be established. The size of the buffer is dependent on the species and shall be determined by a qualified biologist. The buffer shall be delineated by roping the boundaries of construction and shall remain in place until the nest is abandoned or the young have fledged.

Finding: The City hereby finds that impacts related to migratory birds will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-6.

Impact: Impacts Degrading the Quality of the Environment or Substantially Reducing the Habitat, Population, or Range of Fish, Wildlife, or Plant Species. Invasive Species. The potential spread of the *Caulerpa taxifolia* invasive species during construction and/or operation of the facilities is not anticipated since no *Caulerpa taxifolia* was present within the project area at the time project-specific surveys were conducted. However, although this species was not observed, a *Caulerpa taxifolia* algae survey will be required according to the NMFS Caulerpa Control Protocol prior to construction to confirm that this species is not present, as

outlined in Mitigation Measure 4.3-7. If this species is found, then protocols for the eradication of *Caulerpa taxifolia* will be implemented to remove this species from the project area.

4.3-7 The Marine Bureau Manager shall ensure that a field survey to investigate the presence of the invasive algae *Caulerpa taxifolia* is conducted 30 to 60 days prior to commencement of construction by qualified divers certified by the California Department of Fish and Game (CDFG) and National Marine Fisheries Service (NMFS) to conduct such surveys. The preconstruction *Caulerpa* surveys will be conducted according to the accepted criteria of the Southern California *Caulerpa* Action Team (SCCAT) for conducting surveys for the invasive algae and in accordance with the NMFS and CDFG *Caulerpa* survey protocols. In accordance with the recommendations of the SCCAT, and according to the NMFS *Caulerpa* Control Protocol (Version 3, adopted March 12, 2007 [NMFS 2007]), a survey must be conducted in harbor areas that may be disturbed. In areas that are expected to be free of *Caulerpa*, a 20 percent visual Surveillance Level survey is required prior to any dredging. The survey will also identify any other marine vegetation in the proposed construction area, including eelgrass. The Marine Bureau Manager, or his/her designee, will transmit the survey results via *Caulerpa* Survey Reporting Form to NMFS and the CDFG within 48 hours of completion of the survey. If *Caulerpa* is identified in the project area, the City, NMFS, and CDFG will be notified within 24 hours of completion of the survey. In the event that *Caulerpa* is detected, disturbance shall not be conducted until such time as the infestation has been isolated, treated, or the risk of spread from the proposed disturbing activity is eliminated in accordance with Section F of the *Caulerpa* Control Protocol.

Finding: The City hereby finds that impacts related to invasive species will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-7.

Impact: Cumulative Biological Resource Impacts. The cumulative study area for this project would be the project area, the Greater Alamitos Bay area, and Southern California coastal marine environs. The proposed project has the potential to result in a cumulative impact due to the loss of eelgrass habitat. However, Mitigation Measure 4.3-2, requiring successful transplanting of eelgrass, will reduce potential impacts to eelgrass habitat to a less than significant level. The creation of a specific eelgrass mitigation site will be beneficial to natural habitats and the special-interest species they support within Alamitos Bay as well as adjoining marine environments. Therefore, overall adverse impacts to eelgrass communities will not be cumulatively significant.

Impacts to all species and habitats as a result of project construction and implementation will be temporary. No other project effects on marine, estuary, or avian habitats will occur, nor will there be any contribution to area or regional cumulative effects on habitat or sensitive species. Therefore, the proposed project would not contribute to cumulative losses of sensitive species or habitat, and no significant cumulative biological impacts would occur as a result of implementation of the proposed project.

See Mitigation Measure 4.3-2 above.

Finding: The City hereby finds that impacts related to cumulative biological resource impacts will be reduced to a less than significant level with implementation of Mitigation Measure 4.3-2.

Geology and Soils

Impact: Seismic Considerations. The site is located approximately 0.6 mi northwest of the Newport-Inglewood Structural Zone, significant ground shaking or secondary seismic ground deformation effects could occur at the site should a major seismic event occur along the Newport-Inglewood Structural Zone or along other faults within the southern California region. However, due to the nature of the project being floating docks and slips, impacts to the dock facilities due to earthquakes are expected to be minimal. In addition, one of the project's primary objectives is to renovate the deteriorating Marina facilities in accordance with current codes and seismic requirements.

The project would incorporate current codes and seismic requirements in the replacement and/or renovation of the docks, dock bulkhead landings/platforms, pilings, Marina restrooms, parking lots, and sea wall repairs. Although compliance with these standard measures is anticipated to limit hazards from seismic ground shaking to less than significant levels, Mitigation Measure 4.5-1 has been included to ensure that potential seismic ground-shaking impacts are reduced to less than significant levels.

4.5-1 Prior to issuance of building permits, the Marine Bureau Manager shall demonstrate to the satisfaction of the Director of Development Services, or designee, that recommendations contained in the Geotechnical Evaluation prepared for the proposed project (Ninyo and Moore, February 2007) have been incorporated into final construction drawings. Design and grading construction shall be performed in accordance with the most current California Building Code in use by the City of Long Beach, the most current local grading regulations, and recommendations of the project geotechnical consultant.

Finding: The City hereby finds that impacts related to seismic ground shaking will be reduced to a less than significant level with implementation of Mitigation Measure 4.5-1.

Impact: Liquefaction. The Geotechnical Evaluation for the proposed project determined that due to the variability of the on-site soils, the potential for liquefaction that would vary across the site. The proposed project would be designed and implemented in accordance with the City's design standards and all applicable building codes, including the seismic requirements of the CBC and the recommended engineering design measures. Since no habitable structures would be constructed (other than the restroom structures), applicable regulations would primarily involve soil compaction and piling design requirements. Although compliance with these standards is anticipated to limit hazards from seismic liquefaction to less than significant levels, implementation of Mitigation Measure 4.5-1, requiring incorporation of engineering recommendations into final design plans, will ensure that potential seismic ground failure, including liquefaction hazards, are less than significant.

See Mitigation Measure 4.5-1 above.

Finding: The City hereby finds that impacts related to liquefaction will be reduced to a less than significant level with implementation of Mitigation Measure 4.5-1.

Impact: Lateral Spreading and Subsidence. The Geotechnical Evaluation determined that a seismically induced lateral spread of approximately 1–11 ft could occur during an earthquake event and that with implementation of the engineering design recommendations and compliance with the CBC, the proposed project is feasible. Therefore, Mitigation Measure 4.5-1, requiring compliance with the recommendations contained in the Geotechnical Evaluation, will ensure that potential impacts related to unstable soils are less than significant.

See Mitigation Measure 4.5-1 above.

Finding: The City hereby finds that impacts related to lateral spreading and subsidence will be reduced to a less than significant level with implementation of Mitigation Measure 4.5-1.

Impact: Expansive Soils. The soils underlying the project site include sand, clay, and silt. The clay material, which is considered expansive, ranges from very soft to hard silty clay and sandy clay. However, because groundwater levels are historically 8 ft bgs at the project site,

the soils are anticipated to remain relatively wet, which would reduce the potential effects of the expansive soils on site. In addition, the project primarily involves waterside construction; land side improvements are limited to shallow excavation of paved areas and construction of the restroom buildings, which are the only structural components of the project. Mitigation Measure 4.5-1, requiring compliance with the recommendations contained in the Geotechnical Evaluation, requires the City to review final design plans for structural engineering compliance and to approve the plans prior to the development of the structural components of the proposed project. Therefore, with implementation of Mitigation Measure 4.5-1, potential impacts related to hazards from geologic and soil conditions will be less than significant.

See Mitigation Measure 4.5-1 above.

Finding: The City hereby finds that impacts related to expansive soils will be reduced to a less than significant level with implementation of Mitigation Measure 4.5-1.

Impact: Cumulative Geology and Soils. The cumulative study area for Geology and Soils is the project site and the immediately adjacent properties that physically abut the project site. The study area is essentially the area that could be affected by proposed project activities and the areas affected by other projects whose activities could directly or indirectly affect the geology and soils of the proposed project site. The project site encompasses several areas throughout the harbor; however, the majority of the project site is isolated from areas of potential development. In addition, there are no other known activities or projects with activities that would affect the geology and soils at the project site (e.g., projects requiring significant structural blasting or drilling, high vibration activities, deep excavation).

Implementation of Mitigation Measure 4.5-1 ensures that the proposed project complies with recommendations in the Geotechnical Evaluation and that the project would have a less than significant impact on Geology and Soils. Therefore, with implementation of the proposed mitigation, the project's geological impacts are less than cumulatively considerable.

See Mitigation Measure 4.5-1 above.

Finding: The City hereby finds that impacts related to expansive soils will be reduced to a less than significant level with implementation of Mitigation Measure 4.5-1.

Hazards and Hazardous Materials

Impact: Hazardous Materials during Waterside Construction. The Alamitos Bay Marina construction program involves dredging Basins 2 through 7 to a target depth of -10 ft Mean Lower Low Water (MLLW). Basin 1 will be bisected and dredged to target depths ranging from -12 ft MLLW to -15 ft MLLW. The estimated total volume of dredged material to be removed from the seven basins is approximately 287,120 cy. The materials resulting from the proposed dredging activities in Basins 2–7 have been determined to be nonhazardous; as such, dredging activities in those basins will not pose a concern. In addition, all material proposed for dredging will be evaluated for ocean disposal suitability in accordance with federal and regional guidelines outlined in the Ocean Testing Manual (EPA/United States Army Corps of Engineers [Corps] 1991) and the Draft Regional Implementation Agreement for the Evaluation of Dredged Material for Ocean Dumping (Corps/EPA 1993). Dredging and disposal of dredged materials into waters of the United States are subject to the regulatory authority of the Corps under Section 404 of the federal Clean Water Act (CWA), Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research, and Sanctuaries Act. Impacts related to dredging in the Marina and disposal of dredged material at the LA-2 site would be less than significant with implementation of Mitigation Measure 4.7-1, under Hydrology and Water Quality.

See Mitigation Measure 4.7-1, below under Hydrology and Water Quality.

Testing of sediments in Basin 1 in 2009 confirmed that mercury levels exceeded acceptable thresholds for disposal at LA-2. An evaluation of Basin 1 sediments indicates that a high concentration of mercury was found within all areas of Basin 1 with the exception of the southeast and northwest corners. Because of the high mercury levels in Basin 1, approximately 25,504 cy would be required to be tested and disposed of at an appropriate State-certified landfill.

During dredge operations, Basin 1 would be isolated by a silt curtain to help maintain water quality. Clamshell/bucket-type dredging equipment would be used. The dredged material would be temporarily stockpiled in the construction staging area until it was loaded onto trucks. Plastic tarps and containment structures would be placed under and around the stockpile areas to prevent runoff back into Alamitos Bay. Additionally, dust will be minimized on site during the sediment evaporation process through application of a nontoxic soil stabilizer or watering, as required in Mitigation Measure 4.2-1, Air Quality.

See Mitigation Measure 4.2-1, Air Quality

Prior to disposal, dredge materials from Basin 1 must be tested to determine whether concentrations of mercury are considered hazardous by state and federal (RCRA) levels.

Mitigation Measure 4.6-1 will require that dredge materials be tested prior to disposal at a land side facility. Per state standards, any soluble constituent concentration exceeding the Title 22 STLC is classified as hazardous material. If results from additional testing indicate that levels of mercury within Basin 1 exceed the STLC for mercury at 0.2 mg/L, the dredge materials from Basin 1 would be considered hazardous under California's Title 22 regulations. In order to determine whether the sediments within areas of Basin 1 would be considered hazardous by federal standards under the RCRA, leaching potential would be required to be evaluated using the TCLP testing method prior to disposal. If results of the TCLP extract indicate concentrations of mercury that exceed the federal threshold of 0.2 mg/L, the sediment would be considered hazardous under federal guidelines.

If testing (as required by Mitigation Measure 4.6-1) indicates that concentrations of mercury within Basin 1 exceed state and federal (RCRA) levels, the dredge materials would be disposed of at a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) approved, Class I landfill. The closest Class I landfill facility is the Kettleman Hills Landfill located in Kings County on the Interstate 5 (I-5) corridor, north of the City of Bakersfield. In addition, a Human Health Risk Assessment, required by Mitigation Measure 4.6-2, will be conducted to evaluate the potential health risks for construction workers working on site from the exposure to potentially hazardous concentrations of mercury in dredge material.

In order to ensure that all materials being stored on site would not be accidentally released into the environment, soil stockpiles will be covered in accordance with the Soil Management Plan required in Mitigation Measure 4.6-3. After the loading, covering, and manifesting the trucks containing the impacted soils, the trucks destined for the Kettleman Hills Landfill will be routed. The implementation of Mitigation Measures 4.6-1, 4.6-2, and 4.6-3 would ensure that construction impacts related to the handling, routine transport, and disposal of potentially impacted sediments are less than significant.

4.6-1 Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach (City) shall conduct additional laboratory testing of the sediment materials from Basin 1. Additional testing shall be conducted prior to disposal of the contaminated soils to determine if concentrations of mercury exceed the Soluble Threshold Limit Concentration (STLC) for mercury at 0.2 milligrams per liter (mg/L) and are considered hazardous by State standards (California Code of Regulations [CCR], Title 22, Section 66261.1–66261.126), and/or are considered hazardous by federal standards (Resource Conservation Recovery Act [RCRA]), where mercury concentrations exceed the federal threshold of 0.2 mg/L, as determined from toxicity characteristic leaching procedure (TCLP) extract testing (TCLP method shall be determined by leaching potential).

- 4.6-2 Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach shall conduct a Human Health Risk evaluation to determine the level of exposure to potentially hazardous levels of mercury during construction activities.
- 4.6-3 Soil Management Plan: The Office of Environmental Health Hazard Assessment (OEHHA) shall review the dredge materials removal workplan and shall list any additional requirements. Development of the dredge materials workplan shall also be coordinated with the Southern California Dredged Material Management Team and the Los Angeles Region Contaminated Sediments Task Force. Implementation of the workplan shall be overseen by the OEHHA for compliance with local, State, and federal regulations. Any additional sampling or contaminant material removal shall be subject to these same regulations. As part of the soil management plan, all disposal material will be characterized prior to disposal at a State landfill site. All hazardous waste will be disposed of in a Class I landfill. All other soils or solid waste will be disposed of at an unclassified landfill. In addition, during construction activities of the potentially impacted soils on site, monitoring will be required by the South Coast Air Quality Management District (SCAQMD).

After removal of the contaminated materials from Basin 1 and during the drying process of these sediments/soils, a mixture of Simple Green and water (10:1) shall be lightly applied to the excavated sediments/soils. Simple Green accelerates the decomposition process and will have the overall result of shortening the duration of odor emissions.

Finding: The City hereby finds that impacts related to hazardous materials during waterside construction will be reduced to a less than significant level with implementation of Mitigation Measures 4.6-1 through 4.6-3.

Impact: Hazardous Materials during Landside Construction. The FirstSearch Environmental Database search indicated that two LUST sites and three State spill sites are located within 0.25 mi of the project site. These sites are currently undergoing remediation and may contribute to groundwater quality impacts underneath the project site. Although groundwater impacts may be present at the project site during construction activities, the proposed project does not require excavations below a depth of approximately 2 ft bgs. Therefore, it is unlikely that impacted groundwater will be accidentally released into the environment during the excavation and replacement of the existing parking lots. However, in the event that contaminated groundwater is encountered during grading or excavation activities, Mitigation Measure 4.6-4, requiring all construction subcontractors to comply with

the appropriate health and safety measures, is proposed. Implementation of Mitigation Measure 4.6-4 will help minimize potential health and safety risks for the City's contractors in the event that accidental release of impacted soil or groundwater occurs during construction activities to a less than significant level.

4.6-4 During all excavation activities, the Marine Bureau Manager shall ensure that all construction subcontractors comply with the appropriate health and safety measures required by the Occupational Safety and Health Administration (OSHA). In the event that groundwater is encountered during grading or excavation activities, all construction activities shall be terminated in the immediate area until the groundwater is investigated for potentially hazardous content. In the event that suspicious odors are observed in soil, construction shall also be terminated until the soil is properly characterized for hazardous waste content. Appropriate measures shall be taken in compliance with all applicable regulations for the characterization and disposal of hazardous materials.

Finding: The City hereby finds that impacts related to hazardous materials during landside construction will be reduced to a less than significant level with implementation of Mitigation Measure 4.6-4.

Impact: Asbestos-Containing Materials and Lead-Based Paints. Because the existing restroom structures that are proposed to undergo remodeling and/or demolition were constructed in the late 1950s and early 1960s, there is a potential for ACMs and/or LBPs to be present in existing building materials. Therefore, all building materials that will be remodeled or demolished during the proposed project shall be tested for ACMs and LBPs and appropriately removed prior to the start of such activities. The implementation of Mitigation Measures 4.6-5, 4.6-6, and 4.6-7 will help minimize potential health and safety risks associated with exposure to potential ACMs and LBPs and reduce potential impacts to less than significant levels.

4.6-5 Prior to the issuance of any demolition permits and at least 10 days prior to any demolition work for proposed improvements, the Marine Bureau Manager shall notify and submit fees to the South Coast Air Quality Management District (SCAQMD) in compliance with SCAQMD Rule 1403, Asbestos Emissions from Demolition/Renovation Activities. Contractors shall adhere to the requirements of SCAQMD Rule 1403 during all construction and demolition activities.

4.6-6 Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified asbestos consultant has conducted an asbestos survey of the existing concrete materials. If asbestos-containing material (ACM) is found, it shall be removed and disposed of by a licensed and certified asbestos abatement contractor in accordance with requirements outlined by the local county health department.

4.6-7 Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified lead-based paint (LBP) consultant has conducted LBP surveys in the areas where paint materials may be removed or disturbed on existing structures. If LBPs are found, they shall be removed and disposed of by a licensed and certified LBP contractor in accordance with requirements outlined by the local county health department.

Finding: The City hereby finds that impacts related to asbestos-containing materials and lead-based paint will be reduced to a less than significant level with implementation of Mitigation Measures 4.6-5 through 4.6-7.

Impact: Polychlorinated Biphenyl. Proposed replacement of the existing parking lot may include the disturbance or removal of existing transformer-mounted utility poles. Impacted soil or groundwater from leaking transformers containing PCBs, if present on site, may pose a concern to worker safety. In the event that these utility poles are disturbed or removed, implementation of Mitigation Measure 4.6-8 will help minimize potential health and safety issues from the accidental release of or exposure to PCBs in soil or groundwater and will reduce impacts to a less than significant level.

4.6-8 Prior to the issuance of any demolition permits, the City of Long Beach shall conduct the inspection of utility pole-mounted transformers within the project area for leaks. Leaking transformers shall be considered a potential for polychlorinated biphenyl (PCB) hazard unless tested and shall be handled accordingly. If the removal of utility poles is anticipated, all treated wooden poles may have a potential for creosote. Areas immediately surrounding the utility pole shall be tested and handled accordingly.

Finding: The City hereby finds that impacts related to asbestos-containing materials and lead-based paint will be reduced to a less than significant level with implementation of Mitigation Measure 4.6-8.

Impact: Hazardous Emissions within 0.25 Mile of an Existing or Proposed School.

Basin 7 of the project site is located approximately 0.25 mi south of Naples Elementary School; the other six basins are located within 1 mi of Naples Elementary School. However, as stated above, the uses proposed are similar to existing land uses on site and are not expected to introduce significant amounts of hazardous materials or waste. Mitigation Measures 4.6-1 through 4.6-8 have been proposed to ensure that any hazardous emissions, materials, or substances would not pose a potentially significant impact on an existing or proposed school. Compliance with Mitigation Measures 4.6-1 through 4.6-8 would reduce any hazardous waste impacts to a less than significant level.

See Mitigation Measures 4.6-1 through 4.6-8 above.

Finding: The City hereby finds that implementation of Mitigation Measures 4.6-1 through 4.6-8 will reduce potentially significant impacts related to hazardous materials to a less than significant level.

Impact: Cumulative Hazard Hazardous Waste Impacts. The cumulative study area for hazardous materials consisted of: (1) the area that could be affected by proposed project activities, and (2) areas on the proposed project site affected by other projects whose activities could directly or indirectly affect the presence or impact of hazardous materials. In general, only projects occurring adjacent to or very close to the project site are considered due to the limited potential impact area associated with release of hazardous materials into the environment. None of the identified cumulative projects are in close enough proximity to the proposed project site that they could be affected by proposed on-site project activities or directly or indirectly affect the presence or fate of hazardous materials on site. Therefore, project compliance with the applicable existing local, State, and federal hazardous materials regulations and implementation of Mitigation Measures 4.6-1 through 4.6-8, the project's impacts related to hazards and hazardous materials are less than cumulative considerable.

See Mitigation Measures 4.6-1 through 4.6-8 above.

Finding: The City hereby finds that implementation of Mitigation Measures 4.6-1 through 4.6-8 will reduce potentially significant cumulative impacts related to hazards and hazardous materials to a less than significant level.

Water Quality and Hydrology

Impact: Landside Construction. Construction activities associated with the land side improvements have the potential to impact water quality in Alamitos Bay. The potential impacts of construction activities on water quality focus primarily on sediments, turbidity, and pollutants that might be associated with sediments (e.g., phosphorus and legacy pesticides). The proposed land side improvements would be required to comply with all applicable federal, State, and regional regulations to protect water quality during construction as well as during the life of the project. Since the project site covers an area greater than one acre, a SWPPP is required. During construction, the City will adhere to the General Construction Permit and will utilize typical BMPs specifically identified in the SWPPP for the project in order to prevent construction pollutants from contacting storm water and to keep all products of erosion from moving off site into receiving waters. Mitigation Measures 4.7-1 through 4.7-3 have been included to ensure that potential waste discharge and water quality violations related to runoff during construction will be reduced to less than significant levels.

4.7-1 Prior to issuance of a grading permit, the Marine Bureau Manager shall demonstrate to the satisfaction of the Director of Long Beach Development Services, or his/her designee, that construction plans for the project include features meeting the applicable construction activity Best Management Practices (BMPs) and erosion and sediment control BMPs published in the *California Storm Water BMP Handbook—Construction Activity* or equivalent. The construction contractor shall be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to the City that includes the BMP types listed in the handbook or equivalent. The SWPPP shall be prepared by a civil or environmental engineer and will be reviewed and approved by the City Building Official prior to the issuance of any grading or building permits. The SWPPP shall reduce the discharge of pollutants to the maximum extent practicable using BMPs, control techniques and systems, design and engineering methods, and such other provisions as appropriate. A copy of the SWPPP shall be kept at the project site.

The SWPPP shall meet the requirements of the General Construction Permit and shall identify potential pollutant sources associated with construction activities; identify non-storm water discharges; develop a water quality monitoring and sampling plan; and identify, implement, and maintain BMPs to reduce or eliminate pollutants associated with the construction site. The BMPs identified in the SWPPP shall be implemented during project construction. The SWPPP Notice of Termination (NOT) shall be submitted to the State Water Resources Control Board (SWRCB) upon completion of construction and stabilization of the site.

- 4.7-2** Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall demonstrate to the Director of Long Beach Development Services, or their designee, that compliance with the provisions of the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Construction and Land Disturbance Activities*, and any subsequent permit as they relate to construction activities for the project has been obtained. This will include submission of the Permit Registration Documents, including a Notice of Intent (NOI), a risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the State Water Resources Control Board (SWRCB) at least 14 days prior to the start of construction.
- 4.7-3** Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall provide evidence that a Standard Urban Storm Water Mitigation Plan (SUSMP) for the project has been prepared in accordance with the Los Angeles County SUSMP and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit. The project SUSMP shall identify all of the Nonstructural and Structural Best Management Practices (BMPs) that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have impaired the Alamitos Bay. The SUSMP shall be reviewed and approved by the City of Long Beach Building Official prior to issuance of a grading permit.

Finding: The City hereby finds that implementation of Mitigation Measures 4.7-1 through 4.7-3 will reduce potentially significant impacts related to water quality during landside construction to a less than significant level.

Impact: Waterside Construction. Construction activities associated with the waterside improvements of the proposed project may impact water quality temporarily due to the impacts associated with the dredging activities, removal of the docks and piles, construction of the new docks and piles, and repair of the sea wall. As a result, the City would be required to obtain a Section 10 permit from the Corps for dredging and placement of piles and riprap in navigable waters, a Section 404 permit from the Corps for the discharge of dredged materials, and a Section 103 permit from the Corps for the transportation of dredged material for ocean disposal. In addition, the City would be required to obtain a RWQCB water quality certification for the federal permits listed above.

Further, a RWQCB water quality certification would specify methods for ensuring the protection of water quality during construction activities in Alamitos Bay. In addition, specific conditions would include the use of BMPs to minimize the discharge of construction

materials from on-land construction activities, control of floating debris, discharge of displaced water produced during construction of the concrete pilings to minimize discharge of pollutants to the Alamitos Bay, placement of fueling activities such that they would not affect water quality, and provision of spill containment and cleanup equipment to control potential accidental spills.

Although temporary water quality impacts related to construction and dredging in the water would be expected, impacts would be reduced to a less than significant level with implementation of Mitigation Measures 4.7-4 through 4.7-7.

- 4.7-4** Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that approval to initiate the City's contract with AES (to increase pumping rates) has been incorporated into project plans and will be implemented in the event that water quality standards are exceeded during construction activities associated with Basins 6-North and 6-South (Basins 6-N and 6-S). The construction contractor shall be responsible for notifying the Marine Bureau Manager in the event that increased flushing in the Bay is needed, should water quality remain impaired (i.e., water quality standards are exceeded) beyond 2 days after dredging in Basins 6-N or 6-S.
- 4.7-5** Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification that authorization has been obtained from: (1) the United States Army Corps of Engineers (Corps) under the Section 404 Permit program for the discharge of fill material into jurisdictional waters; (2) the Corps, under Section 10 of the Rivers and Harbors Act for the disposal of dredged material and placement of piles and riprap; and (3) the Corps, under Section 103 of the Marine Protection Research and Sanctuaries Act for the transportation of dredged material for ocean disposal. In addition, standard conditions of the Corps permits require Section 401 water quality certification by the Regional Water Quality Control Board (RWQCB). In order to obtain these authorizations, the City shall develop a mitigation plan subject to review and approval by the appropriate resource agencies (Corps, United States Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], California Department of Fish and Game [CDFG], and RWQCB).
- 4.7-6** Prior to the issuance of any construction permits, the Marine Bureau Manager shall demonstrate in the record that Best Management Practices (BMPs) for all dredging activities, as listed in Appendix F of this document, have been incorporated into project plans in order to reduce impacts to water quality to the maximum extent practicable. The construction contractor shall be

responsible for performing and documenting the application of BMPs identified in this document.

- 4.7-7** Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that a trash and debris containment boom has been incorporated into project plans and will be implemented during all dock removal and replacement activities in order to reduce impacts to water quality to the maximum extent practicable. The construction contractor shall be responsible for performing and documenting the application of the trash and debris containment boom.

Finding: The City hereby finds that implementation of Mitigation Measures 4.7-4 through 4.7-7 will reduce potential construction related water quality impacts to less than significant levels.

Impact: Cumulative Water Quality. The cumulative study area for hydrology and water quality impacts consists of: (1) affected areas where drainage or dredging disposal from proposed project activities could have an impact; and (2) areas in Alamitos Bay or the immediate area of the ocean near the mouth of Alamitos Bay that could be affected by drainage or tidal fluctuation, thereby affecting water quality conditions combined with other nearby project activities or operations.

Cumulative development in the Alamitos Bay Watershed is a continuation of the existing urban pattern of development that has already resulted in extensive modifications to watercourses in the watershed. Many of the watershed's watercourses have been channelized, and drainage systems have been engineered to respond to the urbanization that has occurred in the Long Beach area. Therefore, the cumulative analysis related to hydrology and water quality includes the project's combined effect with all potential projected development discharging to Alamitos Bay. Because cumulative hydrology and water quality impacts are caused by build out of properties that increase impervious area and pollutant loads, cumulative development is considered to be the build out of the Alamitos Bay Watershed over an extended time period.

The project is the rehabilitation of existing Marina dock and slip facilities and the continuation of existing Marina land uses consistent with the City's General Plan and the RWQCB Basin Plan. Implementation of the proposed project would not alter the on-site drainage pattern and would not increase on- or off-site erosion, or significantly contribute to impaired water quality in the region. Therefore, storm water flows will not be increased with project implementation and will be contained within an existing drainage system. In addition, as outlined in Mitigation Measures 4.7-1, 4.7-2, 4.7-3, and 4.7-5, the project is required to obtain appropriate permits, including a Section 404 Permit; incorporate Construction BMPs

as identified in a SWPPP; obtain an NPDES permit; and comply with the SUSMP requirements, as are other new construction projects in the cumulative study area. Compliance with these regional programs and the General Construction Permit constitutes compliance with programs intended to address cumulative hydrological and water quality impacts. Therefore, the project would not contribute to long-term cumulative impacts and may in fact have a positive impact on water quality due to the increased tidal prism (water volume) resulting from the proposed dredging activities.

Short-term water quality impacts would be limited to the immediate project area, since construction activities would generally be confined to the proposed construction corridor and individual basins within the Marina. Mitigation Measures 4.7-4 through 4.7-7 will further reduce potential impacts to water quality to less than significant levels. Therefore, with implementation of the proposed mitigation, the project's water quality impacts are less than cumulatively considerable.

See Mitigation Measures 4.7-1 through 4.7-7 above.

Finding: The City hereby finds that implementation of Mitigation Measures 4.7-1 through 4.7-7 will reduce potentially significant cumulative impacts related to water quality to a less than significant level.

Public Services and Utilities

Impact: Water Service – Long-Term Operational Impacts. The proposed project would implement improvements to the existing Marina facility, resulting in a reduction of approximately 321 boat slips and thereby reducing the number of boats requiring water service/supply. No additional facilities or capacities are being created by the proposed project, and demand for water from recreational users is not anticipated to increase.

The proposed project also includes replacing and/or renovating the 13 restrooms buildings within the Marina. The existing water and sewer lines will also be replaced due to age. Three restroom buildings would be remodeled and renovated in place, and 10 will be demolished and replaced in nearby locations with similar structures containing toilet, shower, and laundry facilities. The changes to the restroom facilities will add additional restroom fixtures such as showers and toilets to several restroom structures in the Marina. All of the restrooms will be equipped with low-flow faucets, showers, toilets, and laundry facilities (pursuant to Title 24 of the California Administrative Code) that would reduce the amount of water consumed by the fixtures. Mitigation Measure 4.10-1 has been included to ensure that water conservation measures such as low-flow and low-flush restroom fixtures are incorporated into the project design.

As a result of the reduction of total boat slips, the proposed project is not anticipated to increase Marina attendance and/or patterns of use. In addition, due to the use of low-flow restroom facilities (Mitigation Measure 4.10-1), the restroom component of the project would not result in a significant increase in water use. The project will not necessitate new or expanded water entitlements or infrastructure as significant increases in water demands would not result from the proposed project. Therefore, project impacts associated with an increase in water demand or an extension of supply infrastructure are less than significant.

4.10-1 Prior to the issuance of building permits, the Marine Bureau Manager shall demonstrate on the final construction plans that applicable interior and exterior water conservation measures have been incorporated into all aspects of this project. At a minimum, measures shall include low-flush toilets, low-flow faucets and shower heads, and the installation of efficient irrigation systems to minimize runoff and evaporation.

Finding: The City hereby finds that implementation of Mitigation Measure 4.10-1 will reduce potentially significant impacts related to water services to a less than significant level.

Impact: Sewer Services. The project would result in an overall loss of slips and would not result in an increase in capacity or the addition of new uses or additional facilities in the Marina. The proposed project would not change or intensify the existing recreation uses of the project site or increase Marina attendance and/or patterns of use.

As described previously, the proposed project includes replacing and/or renovating the restrooms in the Marina. The existing water and sewer lines will also be replaced due to age and capacity. The new 6 in diameter sewer laterals will connect from the restrooms to the existing City sewer mains. The new sewer lines will have the capacity to accommodate the anticipated maximum wastewater demand. The changes to the restroom facilities will add additional restroom fixtures such as showers and toilets to several restroom structures in the Marina. All of the restrooms will be equipped with low-flow faucets and toilets (pursuant to Title 24 of the California Administrative Code) that would reduce the amount of water consumed by the fixtures, thereby also reducing the amount of wastewater generated per fixture. Mitigation Measure 4.10-1 has been included to ensure that water conservation measures such as low-flow and low-flush restroom fixtures are incorporated into the project design. In summary, project-generated wastewater will not exceed the existing capacity of the sewer delivery system and will not require the construction of new sewer delivery facilities other than those to be constructed on site for the new restroom facilities. The proposed project would not exceed wastewater treatment requirements of the Los Angeles RWQCB or require the construction or expansion of the JWPCP facilities. Likewise, the

proposed project is not anticipated to result in a determination by the LACSD that inadequate capacity exists to serve the project in addition to existing commitments.

See Mitigation Measure 4.10-1 above.

Finding: The City hereby finds that implementation of Mitigation Measure 4.10-1 will reduce potentially significant impacts related to sewer services to a less than significant level.

Impact: Solid Waste Services – Short-Term Construction Impacts. The amount of the project's construction-related solid waste would be spread out over the anticipated 6 years of construction and is not anticipated to result in a significant impact to the capacity of LA-2 or the land side solid waste facilities. Prior to disposal of the contaminated dredge soils from Basin 1, Mitigation Measures 4.6-1 and 4.6-3 (as outlined in Section 4.6, Hazards and Hazardous Materials) require sediment testing and review and approval of a Soils Management Workplan (including requirements for disposal of all hazardous in a Class I landfill).

The proposed project will be required to incorporate the collection of recyclable materials into project design and to require contractors to reuse construction supplies where practicable or applicable to the extent feasible. Mitigation Measure 4.10-2 will assist the City in its effort to meet its waste reduction goals by facilitating recycling on site during construction and operation of the proposed project. Therefore, solid waste generated during construction of the proposed project would not result in significant impacts related to landfill capacity or prevent compliance with federal, State, and local statutes and regulations related to solid waste.

See Mitigation Measures 4.6-1 and 4.6-3 under Hazards and Hazardous Materials

4.10-2 Prior to the issuance of any demolition permit, a solid waste management plan for the proposed project shall be developed by the Marine Bureau, and submitted to the Environmental Services Bureau for review and approval. The plan shall identify methods to promote recycling and reuse of construction materials as well as safe disposal consistent with the policies and programs outlined by the City of Long Beach. The plan shall identify methods of incorporating source reduction and recycling techniques into project construction and operation in compliance with State and local requirements such as those described in Chapter 14 of the California Code of Regulations and Assembly Bill (AB) 939.

Finding: The City hereby finds that Mitigation Measure 4.10-2 will assist the City in its effort to meet its waste reduction goals. Project impacts related to compliance with federal, State, and local statutes and regulations for solid waste and impacts related to landfill capacity are less than significant.

Impact: Cumulative Water Impacts. The geographic area for the cumulative analysis for the supply of potable and reclaimed water is defined as the LBWD service territory. Because the proposed project would improve an existing facility, which includes installation of low-flow facilities, the project would not increase long-term demand for potable water or impact water supplies. In addition, implementation of Mitigation Measure 4.10-1, requiring water conservation measures to be incorporated into project plans, will reduce potential impacts related to water service to a less than significant level. Therefore, impacts on water services are less than cumulatively significant.

See Mitigation Measure 4.10-1 above.

Finding: The City hereby finds that cumulative project impacts related to water services are less than significant with implementation of Mitigation Measure 4.10-1.

Traffic and Circulation

Impact: Construction Related Traffic Impacts. The construction operation for the Marina rehabilitation project is anticipated to last for a period of 72 months over 12 phases (approximately 6 months per phase). Based on the estimated trip generation, the total daily construction-related trips is expected to be insignificant to traffic flows along the roadways. In addition, most truck trips would occur during the off-peak hours of the day, when ambient traffic is less. Therefore, construction of the proposed project would not cause an increase in traffic that is substantial in relation to the existing traffic load of the street system. In addition, construction traffic effects are temporary during the period of construction, and the number of construction workers and truck trips would vary depending on the specific construction activities. Although no adverse traffic impacts are anticipated, and no mitigation is required, several construction traffic recommendations are included as mitigation in order to minimize the effects of construction traffic on the local roadway system. Implementation of Mitigation Measure 4.12-1, requiring a Construction Traffic Management Plan, would minimize potential delays and conflicts related to construction traffic within the Marina. In addition, Mitigation Measure 4.12-2 will ensure that potential construction traffic impacts remain at a less than significant level.

- 4.12-1** Prior to the issuance of demolition or building permits, the Marine Manager shall develop a Construction Traffic Management Plan for review and approval by the City of Long Beach Traffic Engineer. The plan shall be designed by a registered Traffic Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes. The plan shall identify the routes that construction vehicles will use to access the site, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas. The plan shall also restrict construction trucks to no more than 19 during the a.m. peak hour for any one phase of the project, prohibit truck trips after 3:30 p.m., and require that a minimum of one travel lane in each direction on Marina Drive and 2nd Street be kept open during construction activities. The plan shall also require the City to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt.
- 4.12-2** Prior to the issuance of demolition or building permits, the Marine Bureau Manager shall, under the direction of the City of Long Beach Traffic Engineer, address the truck route and circulation effects of the Home Depot and/or the Second+PCH Project construction, should either of these projects be under construction in the vicinity of the project site during construction of the Alamitos Bay Marina Rehabilitation project. The coordination shall identify the construction routes, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas, and address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes.

Finding: The City hereby finds that Mitigation Measure 4.12-1 and 4.12-2 ensure that potential project impacts related to construction traffic are less than significant.

Impact: Cumulative Construction Related Traffic Impacts. Cumulative construction impacts could occur if the Second+PCH Project or the Home Depot Project are under construction at the same time as the proposed Marina Rehabilitation Project. Implementation of a construction traffic control measure requiring the City of Long Beach Traffic Engineer to address the truck route and circulation effects of the Home Depot Project and/or the Second+PCH Project construction traffic is warranted to ensure that potential cumulative construction traffic is addressed. This control measure is outlined as Mitigation Measure 4.12-2. Implementation of Mitigation Measure 4.12-2 will ensure that potential cumulative construction traffic is reduced to a less than significant level.

The proposed project would retain the existing marina recreation uses of the project site, and no intensification of uses would occur. Implementation of the Marina Rehabilitation Project would result in approximately 321 fewer slips, and no long-term operational traffic impacts are expected. Therefore, the traffic levels resulting from operation of the proposed project are not anticipated to change as a result of the proposed project, and no cumulative operational traffic impacts would occur.

See Mitigation Measure 4.12-2 above.

Finding: The City hereby finds that Mitigation Measure 4.12-2 reduced potential project impacts related to cumulative construction traffic to a less than significant level.

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

As previously stated, the Final EIR identified certain potentially significant effects that could result from the proposed project. The City finds for each of the significant or potentially significant impacts identified in this section, Section 4, based upon substantial evidence in the record, that changes or alterations have been required or incorporated into the proposed project that substantially lessen the significant effects as identified in the Final EIR,² however, even with adoption of the mitigation measures set forth below, project impacts are not reduced below a level of significant.

Air Quality

Impact: Construction Equipment Exhaust and Related Construction Activities.

Construction within the Marina has been split into 12 separate phases, each requiring up to 6 months to complete. Each of these phases has been further divided into multiple subphases, such as the removal of the existing gangways, dredging and pile removal, sea wall and riprap repair, and parking lot paving. The construction equipment/vehicle emissions would exceed the NO_x threshold during Phases 2 and 3, primarily due to the transport of contaminated dredge materials to an off-site landfill. Implementation of Mitigation Measure 4.2-1 would reduce the vehicle exhaust emissions during construction. However, the impact would remain significant and unavoidable for the duration of construction activities in Phases 2 and 3.

Mitigation Measure 4.2-1 would reduce the vehicle exhaust emissions during construction.

² CEQA Guidelines, Section 15091.

4.2-1 Prior to commencement of construction, the Marine Bureau Manager shall ensure that the final project plans and the construction contract include, but are not limited to, the following energy conservation and emission reduction measures:

Fugitive Dust Controls. The project construction contractor shall develop and implement dust-control methods that shall achieve this control level in a South Coast Air Quality Management District (SCAQMD) Rule 403 dust control plan, designate personnel to monitor the dust control program, and order increased watering, as necessary, to ensure a 90 percent control level. Their duties shall include holiday and weekend periods when work may not be in progress. Additional control measures to reduce fugitive dust shall include, but are not limited to, the following:

- Provide temporary wind fencing around sites being graded or cleared
- Cover truck loads that haul dirt, sand, or gravel or maintain at least 2 feet (ft) of freeboard in accordance with Section 23114 of the California Vehicle Code (CVC)
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site
- Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) as instantaneous gusts or when visible dust plumes emanate from the site and stabilize all disturbed areas
- Appoint a construction relations office to act as a community liaison concerning on-site construction activity, including resolution of issues related to particulate matter less than 10 microns in diameter (PM₁₀) generation
- Sweep all streets at least once a day using SCAQMD Rule 1186, 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water)
- Apply water three times daily, or nontoxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces or as needed to areas where soil is disturbed

Emission Controls for Nonroad Construction Equipment. Construction equipment shall meet the United States Environmental Protection Agency (EPA) Tier 4 nonroad engine standards, where feasible. The Tier 4 standards become available starting in 2012.

Best Management Practices (BMPs) for Construction Equipment. The construction contractor shall implement the following BMPs on construction equipment, where feasible, to further reduce emissions from these sources.

- Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps, as feasible
- Maintain equipment according to manufacturer specifications
- Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [ARB] regulation)
- Use of high-pressure fuel injectors on diesel-powered equipment
- Use of electricity from power poles rather than temporary diesel- or gasoline-powered generators

Construction Traffic Emission Reductions. The construction contractor shall implement the following measures to further reduce emissions from construction.

- Trucks used for construction (a) prior to 2015 shall use engines certified to no less than 2007 nitrogen oxide (NO_x) emissions standards and (b) in 2015 and beyond shall meet EPA 2010 emission standards.
- Provide temporary traffic control such as a flag person during all phases of construction to maintain smooth traffic flow
- Schedule construction activities that affect traffic flow on arterial systems to off-peak hours where possible
- Reroute construction trucks away from congested streets or sensitive receptor areas
- Provide dedicated turn lanes for movement of construction trucks and equipment on and off site
- Configure construction parking to minimize traffic interference
- Improve traffic flow by signal synchronization
- All vehicles and equipment will be properly tuned and maintained according to manufacturer specifications.
- Reduce traffic speeds on all unpaved roads to 15 mph or less

Emission Controls for Construction Tugboats. All tugboats used in construction shall meet the EPA Tier 2 marina engine standards, and if feasible, use construction tugs that meet the EPA Tier 3 marine engine standards. The Tier 3 standards become available starting in 2009.

Construction Tugboat Home Fleeting. The construction contractor shall require all construction tugboats that home fleet in the San Pedro Bay Ports (SPBP) to (a) shut down their main engines, and (b) refrain from using auxiliary engines at dock or to use electrical shore power, if need be.

Finding: The City hereby finds that the proposed project would have significant unavoidable short-term construction air quality impacts after implementation of all feasible mitigation measures. Mitigation Measure 4.2-1 would reduce the vehicle exhaust emissions during construction; however, even with implementation of the mitigation measures, construction equipment/vehicle emissions during construction would exceed the SCAQMD established daily thresholds for NO_x during Phases 2 and 3. Therefore, short-term construction impacts related to NO_x emissions will be a significant unavoidable adverse impact. The City finds that this impact is acceptable based on the inclusion of mitigation, the overall inability to mitigate the cumulative impacts despite inclusion of mitigation, the construction requirements of the proposed project, benefits of the improvements associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Impact: Cumulative Air Quality Impacts. Construction emissions associated with the project would exceed the SCAQMD threshold for NO_x. Construction of the project would contribute cumulatively to the local and regional air pollutants, together with other projects under construction. The project would result in significant construction-related air quality impacts. Thus, it is anticipated that these additional emissions would result in significant cumulative air quality impacts.

Finding: The City hereby find that potential cumulative air quality impacts resulting from construction-related NO_x emissions remain significant unavoidable adverse. It is not feasible to reduce the cumulative effects from construction emissions below the significance thresholds. All reasonable and feasible measures have been included in the EIR. The City finds that this impact is acceptable based on the inclusion of mitigation, the overall inability to mitigate the short term impacts despite inclusion of mitigation, benefits associated with the proposed project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

Noise

Impact: Construction Noise Impacts. Construction of the proposed project improvements would result in a temporary periodic increase in existing ambient noise levels in the project area. Due to the proximity between construction activities and the existing sensitive

receptors, project-related construction activities would result in a significant noise impact that would be intermittent and temporary over the term of the project construction phases. Adherence to the City's noise regulations and implementation of Mitigation Measures 4.9-1 through 4.9-5 will reduce construction noise impacts to sensitive receptors; however, the construction noise impacts would remain significant and unavoidable due to intermittent high levels of noise and the disturbance that noise will have on nearby residents and the public using outdoor recreation open space.

- 4.9-1** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirements are printed on all final project plans: Consistent with the City of Long Beach (City) Noise Ordinance, construction activity that produces loud or unusual noise that could impact a reasonable person of normal sensitivity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and federal holidays, and between 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities shall occur on Sundays.
- 4.9-2** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: during construction and demolition, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- 4.9-3** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 4.9-4** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- 4.9-5** Prior to issuance of a grading permit, the Director of Parks, Recreation, and Marine shall hold a community preconstruction meeting in concert with the Construction Contractor to provide information regarding the construction schedule. The construction schedule information shall include the duration of each construction activity and the specific location, days, frequency, and duration of the pile driving that will occur during each phase of the project

construction. Public notification of this meeting shall be undertaken in the same manner as the Notice of Availability mailings for this Draft Environmental Impact Report (EIR).

Finding: Implementation of Mitigation Measures 4.9-1 through 4.9-5 will reduce construction related noise impacts; however, it is infeasible to completely avoid this significant effect because short-term construction noise is inherent in the construction of the project, and the location of the near-by sensitive receptors is fixed. Due to the location of existing sensitive receptors, significant unavoidable adverse impacts will remain.

The City finds that the construction related noise impacts that will result from implementation of the proposed project are acceptable based on the City's inclusion of mitigation for project impacts, the overall inability to mitigate the impacts despite inclusion of mitigation, benefits of the improvements associated with the project, the objectives established for the proposed project, and specific overriding considerations described in the Statement of Overriding Considerations.

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

The analysis in the Final EIR determined that the following effects of the proposed project are not significant and changes or alterations to the proposed project are not required. The following facts indicate that these potential impacts are not significant and no mitigation is required.

Aesthetics

Impact: Substantial Adverse Effect on a Scenic Vista or Substantial Degradation of Existing Visual Character or Quality of the Site and its Surroundings. During construction of the proposed project, views of the restroom renovations, pilings, and dock replacement would be visible from areas within and adjacent to the project site. However, any visual impact resulting from construction of the proposed project would be temporary. Post-construction views of the Marina Basins from the adjacent land uses would be similar to the existing views and consist of newly renovated docks, restroom buildings and parking areas that would be considered a visual improvement from the existing setting.

Postconstruction views of the proposed open space/habitat mitigation site would consist of a reduced amount of fenced storage area, an increased amount of marine waters, the wave attenuator, and a shift in the riprap to the northeast. Because of the distance from the proposed site, impacts to views from across (on the west side of) Marine Stadium of the site would be less than significant. In addition, the proposed open space/habitat mitigation site

would not substantially degrade the existing visual character or quality of the site and its surroundings. The proposed open space/habitat mitigation site would not result in a change in the visual character of the area surrounding the north end of Marine Stadium. Therefore, any impact to visual resources resulting from construction or operation of the proposed project is less than significant.

Impact: Substantial Damage to Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway. According to Caltrans, portions of SR-1 (or PCH) are designated as an Eligible State Scenic Highway. Views of the project site from PCH consist of intermittent and obstructed distant views of the vessels docked at the Marina. No other State scenic highways are located in the vicinity of the proposed project. Any impact to views of the project site from PCH would be temporary construction impacts, and the visual character of the project site seen from PCH would remain the same as the existing views.

The closest historical resource to the project site is Marine Stadium, which is located to the north of the Marina, outside of the project boundaries, and not within view of the portion of PCH designated as an Eligible State Scenic Highway. The project also will not impact any other scenic resources such as trees or rock outcroppings. Therefore, visual impacts resulting from the proposed project to any State Scenic Highway would be less than significant.

The City's General Plan, Scenic Routes Element, designates Ocean Boulevard, located on the southwestern side of the project site on the Alamitos Bay Peninsula, a City-designated Scenic Route. General views from Ocean Boulevard consist of views of the Marina, marine facilities, marine recreation facilities, beach side residential along Ocean Boulevard, sandy beaches on both sides of Ocean Boulevard, and views of the Long Beach Harbor to the south.

During construction of the proposed project, views of the restroom renovation in place, pilings, and dock replacement would be visible from Ocean Boulevard. However, any visual impact resulting from construction of the proposed project would be temporary. Postproject construction views of Basin 7 from Ocean Boulevard would be similar to the existing views and consist of newly renovated restroom facilities, docks, and marine pilings, and would be considered a visual improvement from the existing setting. The proposed project would not result in a change in visual character to the scenic route of Ocean Boulevard. Therefore, any impact to visual resources resulting from construction or operation of the proposed project is less than significant.

Impact: Creation of a New Source of Substantial Light or Glare. The proposed project site is currently illuminated with nighttime lighting on the existing docks and adjacent Marina facilities for safety purposes. Low-level lights line each of the docks and illuminate the restroom facilities in each of the basins. The proposed project would include replacement

of the existing lighting on the docks and inside and outside of the restroom facilities. The replacement lighting would be similar to the existing lighting and would consist of low-intensity lighting meeting current City security and Municipal Code standards, with minimal spillover to the surrounding uses. The replacement of lighting associated with the proposed project would not create a substantial new source of light or glare affecting day or nighttime views in the area or illuminate areas outside the project boundary. In addition, the replacement lighting would not increase the intensity of light to sensitive viewers such as residents in the surrounding area due to the distance and intervening uses between residences and the Marina.

Although the project may result in a greater number of larger boats being berthed in the Marina, there is no quantifiable method to determine whether more nighttime boating activities would occur or lead to additional light in the Marina. However, lighting associated with recreational boats is generally low level safety lighting and is not expected to significantly increase with project implementation. Therefore, visual impacts relating to light or glare are less than significant.

Impact: Cumulative Aesthetic Impacts. The cumulative study area for aesthetic impacts is limited to the immediately adjacent area within view of the project site. As discussed above, the proposed project will not significantly alter the visual character of the immediate area or vicinity, as the land use will continue to be a Marina. In addition, the proposed improvements, including the habitat mitigation site, are compatible in character with the surrounding area. There are no known visual incompatibilities between the proposed project and planned future projects located in the surrounding area.

Project lighting will be similar to the existing lighting and would consist of low-intensity lighting meeting current City security standards, with minimal spillover to the surrounding uses and not contribute to a significant cumulative impact. Therefore, the contribution of the proposed project to potential cumulative visual/aesthetic impacts in the study area is less than significant.

Air Quality

Impact: Long-Term Project-Related Emissions Impacts. The proposed project would not result in any significant increase in emissions from long-term on-site stationary sources and would have minimal change in the off-site vehicle trips. Rehabilitation of the Alamitos Bay Marina would reduce the number of boat slips from 1,967 to 1,646. Because the proposed project would result in fewer slips and would have minimal additional off-site vehicle trips, if any, no significant CO contributions would occur in the project vicinity. Therefore, no CO “hot spots” are expected, and modeling of CO emissions is not necessary. The project’s air quality impacts are less than significant because there would be no increase in stationary or mobile source emissions.

Impact: Air Quality Management Plan Consistency. The AQMP uses the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on local General Plans, projects that are deemed consistent with the General Plan are found to be consistent with the AQMP. The proposed project would not result in any population growth and is consistent with the City's General Plan. In addition, the proposed project is not expected to result in any increase in long-term regional air quality emissions. Therefore, the project will not conflict with the AQMP, and no significant impact will result with respect to implementation of the AQMP.

Impact: Cumulative Air Quality Impacts. The cumulative study area for air quality is the SCAB. Projected emissions of criteria pollutants as a result of the proposed project are expected to be below the emissions thresholds established for the region. Cumulative emissions are part of the emission inventory included in the AQMP for the project area. Therefore, there would be no cumulatively considerable net increase of the criteria pollutants that are in nonattainment status in the Basin.

The project would not result in increases in long-term operational emissions because capacity of the Marina would not be increased with the proposed project, and no additional boats would be added to the Marina. Therefore, the project would not contribute cumulatively to long-term local and regional air quality degradation.

GHG emissions are considered for their potential to contribute to GCC. There will be no ongoing increase in contribution to global warming because there are no on-site stationary sources, and there is essentially no increase in the number of vehicular trips coming to and from the project site. Therefore, the proposed project's contribution to GCC in the form of GHG emissions is limited to construction equipment/vehicle emissions. The project will not result in a new, ongoing source of GHG emissions; therefore, the project's contribution to cumulative GHG emissions and GCC is less than significant.

Biological Resources

Impact: Sensitive Species. Work vessels transiting to and from Alamitos Bay Marina could collide with marine mammals (and sea turtles), or could expose these species to contaminants and interfere with foraging. However, marine mammals are mobile and are generally capable of avoiding boat traffic, especially at the slow speeds the vessels will likely be moving. Also, marine mammals in the local waters have likely habituated to vessel traffic since vessels commonly transit in and out of the harbor. Vessel operators are also trained to recognize the presence of marine mammals and avoid collisions, which reduces the potential for adverse impacts.

A total of 620 concrete production piles averaging 15 inches in diameter will be driven into the sediments. Pile extraction and pile driving will still result in the production of some underwater noise and vibrations within Alamitos Bay that marine mammals may be capable of sensing. The initiation of pile driving could potentially result in a minor startle response from nearby marine mammals, and they would be expected to either move away from or avoid the immediate vicinity. Over time, marine mammals would acclimate to the noise.

If pinnipeds or cetaceans were present in Alamitos Bay, they would likely be located nearer to the entrance of the Alamitos Bay entrance channel (nearer to Basin 5) than within the other Alamitos Bay Marina basins. Although they would likely be able to “sense” pile-driving noise, the magnitude and intensity of the source sounds are unlikely to result in any significant changes in behavior. Such types of sounds and their intensity levels are common throughout the range in which these marine mammals live.

Noise from dredging activities would occur for an average of 50 days out of each 6-month construction phase and would be spread out over a 6-year period. Similar to pile driving, the dredging work would be conducted in different locations and at different times. The measured sound exposure levels of a clamshell dredge are estimated to range between 75–88 A-weighted decibels (dBA) at 50 ft. Animals have been observed flushing from dredging sites at a sound exposure level of less than 100 dBA, and it is possible that marine mammals may modify their behavior as a result of the noise produced by the pile-driving and dredging operations (NMFS 2009). However, similar to pile-driving noise, marine mammals are not expected to occur within the immediate areas of construction, and dredging operations are not expected to result in significant noise effects on marine mammals.

Juvenile California halibut are found in many areas of Alamitos Bay, and they will potentially be present within the Marina basins. During pile installation, any juveniles in the immediate area of pile-driving activity will swim to areas outside the immediate impacted zone. No mortality is anticipated as a result of construction activities.

Impact: Project Operation on Riparian Habitat or Other Sensitive Natural Community. The land side portion of the project site is currently developed with parking lots and restroom facilities and is sparsely landscaped with nonnative landscape and ornamental vegetation. Because the proposed project does not increase capacity, long-term operations at the renovated Marina would result in conditions similar to the existing setting and would not have impacts on wildlife or habitat from ongoing Marina operations.

Impact: Local Policies and Ordinances. The proposed project would be constructed within an existing Marina that contains ornamental landscaping and nonnative vegetation. The City’s Department of Parks, Recreation, and Marine has an adopted Tidelands Area Tree Trimming policy that provides guidelines and procedures for trimming trees within the

Tidelands area. The guidelines contained in the policy restrict tree trimming within 100 ft of any tree containing an active nest or nesting activity during the period from January 15 to September 1. Although the project site is located within the Tidelands area identified in the pending policy, the procedures are intended for tree trimming activities. The proposed project does not include tree trimming; however, the renovations to the restroom facilities as currently planned would result in the removal of some ornamental trees. In accordance with the City's Municipal Code, Chapter 14.28, a ministerial permit from the Director of Public Works would be required before the removal of any trees on City-owned property. The tree removal permit would be obtained prior to any demolition or construction activities. Landscape ornamental trees require replacement on a 1:1 basis, per the City's Tree Removal Ordinance. Therefore, impacts related to this issue are less than significant.

Impact: Adopted Habitat Conservation Plans. The proposed project is located within the Coastal Pelagics Species and the Pacific Coast Groundfish Fishery FMPs. Three Pacific Groundfish FMP species, the leopard shark, California sculpin, and *Sebastes* spp. have been reported within Alamitos Bay, each with very low occurrences; all three are expected to be rare within Marina habitat due to a lack of suitable habitat. Because the potential for Pacific Groundfish species to be present within the Alamitos Bay Marina project area is low, impacts to these species are less than significant.

Northern anchovy is the only Coastal Pelagics FMP species known to occur within Alamitos Bay. Project activities that could affect the northern anchovy include increased water turbidity caused by the demolition and replacement of docks and bulkheads and dredging activities proposed for the project. These impacts could result in the northern anchovy temporarily avoiding the project areas and a minimal potential for mortality of larval anchovy. An increase in the suspended sediment load would temporarily increase the exposure of these species to potentially harmful levels of contaminants and clog their gills, resulting in a reduced ability to feed.

The numbers of northern anchovy within individual Marina basins of Alamitos Bay are not expected to be a major part of the northern anchovy population. The majority of the anchovy population is expected to occur both in the main water body of Alamitos Bay and outside of Alamitos Bay, in San Pedro Bay, at depths greater than 12 ft. Based upon these determinations, the proposed Marina Rehabilitation Project is unlikely to have adverse effects on populations of the northern anchovy species. Therefore, impacts to identified FMP species are less than significant.

Impact: Marina Construction Activities–Dredging Operations on the Benthic Community. Dredging will result in the temporary loss (mortality) of all benthic infauna and epibenthic species within the dredge footprint. The affected species are typical of bay and estuarine environments in Southern California and are dominated by species adapted to

constant environmental stresses. Following the completion of dredging, benthic invertebrates will begin the recolonization process. Within 1–3 years, the benthic community in the dredge zone would be expected to recover to preimpact levels of species diversity and abundance, assuming successful recruitment and recolonization and assuming water quality and adequate flushing are maintained. Therefore, no long-term reductions in the amount of benthic soft-bottom habitat or populations of benthic invertebrates would occur as a consequence of dredging, and project impacts are considered less than significant.

Impact: Marina Construction Activities–Dredging Operations on Water Column Biota–Plankton. Living in bays and harbors, with constant sources of turbidity from runoff and other sources, this community of marine organisms has acclimated, to some degree, to turbid conditions that might arise from pile removal and replacement. Increased turbidity will temporarily reduce the amount of submarine light levels, resulting in a short-term reduction of plankton productivity. Because plankton drift with the currents and turbidity is expected to be localized, there will be only short-term, less than significant impacts to the plankton community.

The reduction in dock surface area by 2,600 sf will have a beneficial impact on open water areas within the Marina basins by reducing the amount of shading and allowing a greater amount of light to reach and penetrate the water's surface. Consequently, there will be a greater surface area of unshaded open water that will locally increase plankton production within each Marina basin. No long-term impacts to the plankton due to construction activities are expected.

Impact: Marina Construction Activities–Dredging Operations on Fishes. There may be limited direct mortality of open water (schooling) fishes due to dredging. Water column fishes will avoid the immediate work area due to an increase in underwater pressure and noise levels from work equipment, but may be attracted to biofouling debris that is removed from piles that settles on the harbor floor. No mortality of bottom-dwelling species such as gobies is anticipated due to the mobile nature of fishes.

Secondary impacts of increased water turbidity due to dredging on fishes will be less than significant. A greater than ambient suspended sediment load related to higher turbidity may temporarily reduce the ability of both visual foraging fishes (i.e., surfperch and halibut) and planktivores (i.e., topsmelt, anchovy, juvenile surfperch, and juvenile sciaenid). Phasing of the dock and pile replacement over 6 years will allow fish to find sources of food on nearby hard substrata not affected by turbidity. Due to the mobile nature of fishes, they will avoid areas of turbidity and find other sources of food.

Turbidity and water column-dissolved oxygen concentrations would temporarily be affected due to the resuspension of organically enriched sediments. These impacts would

physiologically stress the fish in the area and result in their movement out of the area to feed. Because fish will likely move out of the immediate zone of turbidity, their exposure to elevated levels of contaminants is expected to be minimal. Turbidity will return to ambient levels upon cessation of construction activities. Overall, potential impacts arising from dredging will result in less than significant impacts to the fish community.

Impact: Potential Eelgrass Habitat. Potential eelgrass habitat as defined by the Southern California Eelgrass Mitigation Policy (SCEMP, as amended 1991) defines potential eelgrass habitat as “areas where eelgrass would normally be expected to occur but where no vegetation currently exists. Factors to be considered in delineating potential habitat areas include appropriate circulation, light, sediment, slope, salinity, temperature, dissolved oxygen, depth, proximity to eelgrass, history of eelgrass coverage, etc.” It should be noted that there is no conclusive scientific basis for why eelgrass grows in some locations and not in others. It can be attributed to a combination of any of the environmental conditions listed above.

For the purpose of the EIR analysis, “potential eelgrass habitat” is defined as unshaded, unvegetated soft-bottom sediments within the depth range known to support eelgrass in Alamitos Bay Marina, meeting associated abiotic factors (i.e., water temperature, light, salinity) within basins where eelgrass may be expected (based on the historic or current presence of vegetation).

Because no dredging has occurred in the Marina, the depth levels in the basins are a result of shoaling over the past 50 years. Therefore, historically there was no eelgrass present within the Marina. However, because shoaling over the years has resulted in depths 8 ft and less, depth-suitable habitat areas have been created. Eelgrass surveys conducted in 2007 and 2008 by CRM are the only known eelgrass surveys conducted within the Marina Basins, and those surveys indicated that eelgrass was present only Basins 2, 4, and 6.

Therefore, it can be presumed that eelgrass can be expected to occur only within Marina Basins 2, 4, and 6 due to the defined environmental conditions considered conducive to supporting eelgrass. Further, because eelgrass vegetation only exists in seven fairways within these basins, those seven fairways are considered to be the only areas where depth suitable habitat exists.

During preparation of an Initial Study/Mitigated Negative Declaration for the proposed project, comments were received from the CDFG and NMFS indicating that “potential eelgrass habitat” should be included in the project impacts. During coordination conducted with the CDFG, and based on surveys in the Bay indicating that depth limit for eelgrass was approximately -8 MLLW, the City was directed to survey all soft-bottom habitat within the affected basins that was less than 8 ft deep.

The amount of soft-bottom habitat was subsequently calculated (CRM 2008) for areas meeting the following conditions in the Alamitos Bay Marina: within the project's dredging footprint; water depths less than -8 ft MLLW; where no shading occurs; and fairways where eelgrass already exists but is currently unvegetated (Basins 2, 4, and 6). The area mapped under these parameters was calculated to be 1.47 ac. However, CRM's remote video surveys in October 2008 concluded that each of the areas mapped in 2007 was still vegetated with eelgrass, but that there was no observable increase in areal cover, and eelgrass had not colonized in any other areas in the Marina.

Therefore, based on these two (and only available) surveys indicating that eelgrass has not increased in cover or colonized in any other areas, and because eelgrass would not historically have been expected to occur in the Marina due to the depths required to maintain navigation, no potential eelgrass habitat is considered to be present within the areas impacted by proposed dredging. Therefore, impacts to potential eelgrass habitat are less than significant.

Impact: Marina Construction Activities on Intertidal and Subtidal Hardscape Plants and Invertebrates. The removal of docks and dock pilings will result in an initial loss of biofouling (pile dwelling) associated flora and fauna on each of the 808 piles and the 476,839 sf of dock space. Because the Marina redevelopment will occur over several phases, losses will be site-specific and will not occur throughout the harbor at the same time, limiting the overall impact to a particular area within each phase over a 6-year period. Some of the biofouling cover will be dislodged during the pile removal process, creating a zone of organic debris on the harbor bottom in the immediate vicinity of the docks. However, most of the biofouling organisms will be removed and transported off site to a proper disposal area, eliminating a significant localized impact related to an accumulation of decaying organic material on the harbor seafloor. Removal of the pilings is unlikely to result in the release of a significant amount of contaminants; most contaminants present on the pilings would be bound up within the tissues of the organisms being removed.

Once the new piles and docks are reinstalled, they will be recolonized by similar types of organisms that were initially removed. The conceptual project plans include removal of 808 piles to be replaced by 620 concrete piles, averaging 15 inches in diameter. The process of recolonization will begin immediately upon placement; however, reestablishment of mature communities on the 620 new piles will be phased over a period of 1–6 years. Therefore, removal and replacement of pilings and docks will have a temporary but less than significant impact on the biofouling community. There are no sensitive species associated with the piling community that would be impacted by Marina renovations. Furthermore, the reduction in dock surface area by 2,600 sf will have a beneficial impact on open water areas within the Marina basins by reducing the amount of shading and allowing a greater amount of light to reach and penetrate the water's surface.

Repairs made to the 8,250 linear feet of seawall and riprap will result in short-term reductions of hard-bottom associated species such as mussels, barnacles, limpets, sea squirts, and algae. Marine organisms will begin to repopulate the seawall and riprap upon completion of seawall repairs, with no expected long-term impacts to hard-bottom benthic algae, invertebrate, or fish populations. Consequently, seawall repairs will have a temporary but less than significant impact on these resource groups. All repairs will be made within the existing footprint of the hardscape of the riprap and will not impact soft-bottom ESH habitat.

Cultural Resources

Impact: Impacts to Historic Resources. Marine Stadium is a historic resource and located adjacent to the project boundaries. Marine Stadium is listed on the California Register of Historical Resources (California Register), the California Historical Landmarks (CHL; No. 1014), and the California Points of Historical Interests (PHI; No. 19-186115). The basis for these designations is the stadium's history as the official rowing site of the 1932 Olympic Games. It was also the location of several other Olympic trials in the years following the 1932 event, and is the only water body constructed specifically for rowing events.

Subsequent to the 1932 Olympic Games, Marine Stadium underwent a series of changes. The most significant of these was construction of the Second Street Bridge in 1955. Construction of the bridge changed the dimensions of the stadium, effectively eliminating it from consideration as a rowing venue for the 1984 Olympic Games. The northern end of the stadium has also been reconfigured since the 1932 Olympic Games, when it was filled for the formation of Marina Vista Park. The area surrounding Marine Stadium no longer retains integrity of setting; extensive alterations have been made to the environment that existed at the time of the 1932 Olympic Games for which the resource is significant. Due to this lack of integrity, Marine Stadium was determined to be ineligible for the National Register by the United States Army Corps of Engineers during its evaluation of the property in 1990.

Also as a result of the series of changes, and lack of integrity, the boundaries for Marine Stadium have changed. As it is defined in the City's Municipal Code (16.08.150 Marine Stadium East; 16.08.160 Marine Stadium West), Marine Stadium proper extends from 50 feet (ft) northwest of the centerline of the Second Street Bridge. This area is not within the project improvement area, and therefore will not be affected by the project's proposed Marina improvements. Improvements are included for the boat slips in Basins 1–7; it should be specifically noted that Basins 3 and 4 are located southeast of the bridge and are not within the boundaries of Marine Stadium. Although the eelgrass mitigation area will affect the current configuration of Marine Stadium, it is located outside of the boundaries of Marine Stadium as it existed during the 1932 Olympic Games and does not contribute to the eligibility of Marine Stadium. Therefore, direct impacts to Marine Stadium are less than significant.

Impact: Impacts to Archeological Resources. The cultural resources record search concluded that there are no recorded archaeological resources located within the project boundaries. Further, the presence of prehistoric cultural material is unlikely because the improvements would be located in areas that were previously disturbed or dredged. Dredging that would occur along with the proposed project would not be deeper than the original Marina design depths and/or original basin depths. Similarly, the land side improvements include revitalizing the restroom facilities and parking lots, are located within existing developed and previously graded areas. Ground disturbance in the parking lot areas is anticipated to be less than 2 ft deep and will also be conducted within areas that have been previously disturbed and graded. Therefore, no native soil will be disturbed and as such, the project is not anticipated to impact any archaeological resources, and impacts are less than significant.

Impact: Impacts to Paleontological Resources. The proposed project components are within previous dredge and/or fill areas and depths. Therefore, implementation of the proposed project would not disturb sensitive paleontological soils. Hence, the proposed project would not directly or indirectly destroy a unique paleontological resource, site or unique geologic feature.

Impact: Impacts to Human Remains. Human remains are unlikely to be located in the project area due to previous disturbance of project area soils and waters. However, in the unlikely event that human remains are encountered during construction activities, State Health and Safety Code Section 7050 requires ground disturbance to stop and the County Coroner be notified immediately. Adherence to existing standard construction regulations, including State Health and Safety Code Section 7050.5, would reduce potential impacts to less than significant levels.

Impact: Cumulative Impacts to Cultural Resources. The proposed project would not adversely affect any cultural resources. Likewise, the cumulative effects of the proposed project are less than significant as no resources exist on the project site, and the proposed project will not contribute to the cumulative effects of other past, present, or reasonably foreseeable future projects related to undiscovered archaeological and paleontological resources.

Geology and Soils

Impact: Septic Tanks or Alternative Wastewater Disposal Systems. The proposed project would utilize the existing sewer system. The project does not include the use of septic tanks or alternative methods for disposal of wastewater into the subsurface soils.

Impact: Landslides. The project area is surrounded by flat developed areas, and site topography is relatively level; therefore, the possibility of a seismically induced landslide is not possible. Additionally, the site is not located near any known historical landslides. According to the California Department of Conservation's Seismic Hazard Zones Map for the *Long Beach, Seal Beach, and Los Alamitos, California* quadrangles, the project area does not fall within any earthquake-induced landslide zones. Therefore, impacts from slope instability and/or landslides are not expected and are less than significant.

Impact: Erosion Potential. Construction of the proposed project includes excavation of land side soils to develop the open space/habitat mitigation site, minor grading of land side soils associated with repaving of parking areas, trenching for utilities, and reconstruction of the restrooms.

The project would be subject to the Storm Water Pollution Prevention Plan (SWPPP) requirements for erosion and sedimentation control during construction. Best management practices (BMPs) would be undertaken to control runoff and erosion from any earthmoving activities such as excavation and compaction. With implementation of these standard control measures, soil erosion potential related to construction activities will be reduced to less than significant levels.

Operation of the Marina facilities would not create a potential for soil erosion because the primary use of the project is for waterside recreation in the harbor waters. The repaving of the parking lot areas and reconstruction/remodeling of the restrooms would not result in any increase in or new impervious areas; the existing landscaped islands within the parking lot areas would not be removed or altered in size. Therefore, long-term operations on site would not result in any soil erosion impacts.

Hazards and Hazardous Materials

Impact: Hazardous Materials during Operation. The uses on site postproject would remain the same as under current conditions, substantial changes to the operational characteristics and types of potentially hazardous materials present on site are not anticipated. Likewise, the regulations and BMPs related to water quality and boat maintenance activities will not change. The Long Beach Marina Environmental Policies, as well as the requirements to retain the Clean Marina Certification, prohibit certain activities that could contribute to poor water quality. This includes prohibiting boat and engine rebuilding, hull painting, and other major repairs, as well as restrictions for sanding, painting, and the use of chemicals on a boat while the boat is moored at the Marina. Owners and contractors are required to follow policies that specify proper methods of in-water boat maintenance and require contractors to be registered and carry identification for any in-water

repairs or maintenance services. Therefore, impacts related to the use of hazardous materials under operational conditions are less than significant.

Hydrology and Water Quality

Impact: Waste Discharge into Marina Waters. Marina operations and boater activities have the potential to significantly impair water quality in the long term if BMPs that are listed in the Long Beach Marina Environmental Policies are not implemented by boaters and Marina employees. The proposed project will ultimately result in the loss of approximately 321 slips. This loss of slips has the potential to result in an improvement over existing water quality since fewer boats will be berthed in the Marina. The Marina's live-aboard policy is that no more than 10 percent of the Marina (slips) can be issued live-aboard permits, and boats must be 30 ft or longer. The existing number of live-aboards is approximately 88 and is currently restricted by the limited utilities. Although the overall number of permits would be reduced with fewer slips, the Marina anticipates that approximately 75 additional live-aboard permits may be issued once the Marina upgrades are completed. Although there could potentially be more live-aboards, there is no reason to expect that this would cause improper use of the Marina that could lead to degraded water quality. In addition, because the City is a participant in the Clean Marina Program, each Marina patron is educated by the City on proper disposal/containment of hazardous materials/practices that may impair water quality. Therefore, long-term impacts to water quality from Marina activities are less than significant.

Impact: Alteration to Flushing Rate within Alamitos Bay. Dredging the basins to original design depths and/or original basin depths (generally to -10 Mean Lower Low Water [MLLW]) will result in an increase in the volume of water (tidal prism) within the Marina. This increase in the Marina's tidal prism could potentially provide for greater flushing of Marina waters, thereby potentially increasing the water quality in the Marina. Likewise, the increased tidal prism is important for maintaining access for boats utilizing the Marina. Long-term effects of dredging activities would be beneficial and would potentially result in an improvement of existing water quality due to increased tidal flushing.

Land Use

Impact: Physically Divide an Established Community. The proposed project would renovate the existing Marina facilities and enhance the existing recreational boating facilities within Alamitos Bay. In addition, the proposed project would develop an eelgrass habitat area on the northeast shore of Marine Stadium. The Marina is an existing recreational/open space use that would continue with implementation of the proposed project. The new habitat area would convert a portion of City-owned storage area to a habitat area adjacent to Marine Stadium. This change is limited to a small portion of the project site. Therefore, the

proposed project would not divide an established community or disrupt the existing physical arrangement of the surrounding area. Hence, impacts related to this issue would not occur.

Impact: Conflict with Existing Land Uses at Alamitos Bay Marina. Existing on-site facilities include 13 restrooms, parking, boat slips, and associated Marina facilities. The proposed project involves improvements to the existing amenities within the Marina, and would not involve changes to, or conflicts with, the existing land uses within the project area. The project is specifically intended to upgrade and extend the useful life of the existing Marina uses; herefore, project implementation would not result in land use conflicts within the project area.

Impact: Conflict with Existing Adjacent Land Uses. The land uses and intensity of uses on the project site will remain generally the same after implementation of the Marina improvements. The only change in use involves development of the open space/habitat mitigation site, which would convert a City-owned storage area (located adjacent to Marine Stadium's northeast shore) to an eelgrass habitat mitigation area. The development of the open space/eelgrass habitat area would be consistent with the existing low-intensity uses and would complement the marine environment of Marine Stadium and the open space/recreational uses to the adjacent north, which contain walking trails.

Because there are no new uses being proposed other than the eelgrass mitigation site, and because the proposed project would not alter the Marina's physical recreational environment, the proposed project would not result in any adverse impacts to adjacent properties. Conversely, the proposed project is anticipated to benefit the surrounding area as the recreation and open space environment of the Marina would be improved and enhanced in the numerous ways detailed above. Therefore, significant land use impacts to adjacent properties would not occur with implementation of the project.

Impact: Compatibility with Land Use Plans. The project site is under the land use planning and regulatory jurisdiction of the City and the CCC. The Marina is owned and operated by the City, which has the primary authority for development, maintenance, and operation of uses within the Marina. The City's Marine Bureau is responsible for the daily operations within the Marina. The proposed renovations to the existing Marina facilities are intended to enhance the public's access and recreational opportunities provided within the Marina and are a continuation of existing land uses, consistent with existing land use plans, policies, and regulations. The proposed project is consistent with all applicable land use plans and policies, and impacts are therefore less than significant.

Impact: Conflict with Any Applicable Habitat Conservation Plan or Natural Community Conservation Plan. There are no adopted HCPs or NCCPs applicable to the project site; therefore, the proposed project would not result in impacts or be in conflict to an adopted HCP or NCCP.

Impact: Cumulative Land Use Impacts. The land use patterns around the project site have been long-established with recreational, open space, residential, and small areas of commercial development. The proposed project involves improvements to an existing Marina, and the immediate area surrounding the project is largely built out. The proposed project would not increase boater activity, vehicle trips to the Marina, or additional recreational use of the project area amenities. Because the Marina activities would not increase and the land uses within the Marina would remain the same, the contribution of the proposed project to potential cumulative land use compatibility effects with other projects in the study area is less than significant.

Noise

Impact: Long-Term Operational Noise Impacts. Rehabilitation of the Alamitos Bay Marina would reduce the number of boat slips. Therefore, it is not expected that the proposed project would increase the number of vehicle trips on local roadways or boats using the docks. The proposed project would not result in any long-term noise impacts.

Impact: Airport Noise Impacts. The project site is located approximately 6 miles south of Long Beach Airport. The project will not create any new noise-sensitive land use or add any sensitive users. Therefore, no impacts related to aircraft noise would occur as a result of the project.

Impact: Short-Term Construction-Related Vibration Impacts. The primary source of vibration during construction would be generated by the proposed pile driving. The closest pile-driving activities to a sensitive receptor would occur during Phase 12 at a distance of 100 ft from the nearest residence. Using Equation 9 and Table 17 from the Caltrans *Transportation and Construction-Induced Vibration Guidance Manual* (Jones & Stokes, June 2004), it was estimated that the vibration level at these residences would be 0.08 inches per second (in/sec). This construction vibration level would exceed the 0.02 in/sec threshold of perception. However, this level would be below the 0.1 in/sec annoyance threshold, below which there is virtually no risk of resulting in architectural damage to normal buildings. Therefore, the proposed project would not result in any significant vibration impacts.

Impact: Exposure of Sensitive Land Uses along the Haul Truck Routes. Land uses involving sensitive receptors located along the proposed haul truck routes such as residences, parks, and schools would be exposed to noise levels of up to 86 dBA L_{max} at a distance of 50 ft. Project construction during Phases 2 and 3 is expected to require 1,435 truck trips to remove dredge material from Basin 1 over a 12-month period, or an average of approximately three truck trips per hour. The trucks would depart from the staging areas on Marina Drive and be routed north on Marina Drive, east on 2nd Street, and north on Studebaker Road. This route traverses primarily commercial areas and does not affect any sensitive receptors. Furthermore, the addition of three truck trips per hour to the local roadways would not result in a perceptible change in traffic noise.

Removal of excavated soils from the open space/habitat mitigation during Phase 1A is estimated to require 585 truck loads over 33 days, or an average of approximately 9 trucks trips per hour. Trucks from the open space/habitat mitigation site will be routed west on Eliot Street, west on Colorado Street, north on Park Avenue, and east on Seventh Street. There are residential uses along this haul route, and there will be short-term intermittent high noise levels associated with trucks passing by from the project site. However, the addition of nine truck trips per hour to the local roadways would not result in a perceptible change in traffic noise. Additionally, because the length of construction for each of these phases is limited, construction truck noise is a short-term impact and will cease once construction of each phase is completed. Therefore, the noise from haul trucks traveling along local roadways is less than significant.

Impact: Cumulative Noise Impact. Noise from construction of the proposed project and the cumulative projects would be localized to each project site and would not combine to create a cumulative noise impact. In addition, pile driving, which will be the noisiest activity on site, does not occur with any cumulative projects. Although there will be short-term intermittent high noise levels associated with trucks passing by from the project site, the increase in traffic flow on the surrounding roads due to construction traffic is expected to be small.

The proposed project would not increase the Marina or open space uses of the project site and is not anticipated to lead to an increase in the number of visitors or vehicles to the project area. Therefore, the long-term ambient noise levels associated with increased traffic are not anticipated to change as a result of the proposed project, and the proposed project would not contribute to off-site cumulative noise impacts from other planned and future projects. Therefore, impacts related to operational noise would be less than cumulatively significant.

Public Services

Impact: Result in Substantial Adverse Physical Impacts Associated with the Provision of New or Physically Altered Governmental Facilities or the Need for New or Physically Altered Governmental Facilities.

- **Police Protection.** The proposed project is not anticipated to result in an increase in calls for police services or require additional personnel to maintain acceptable service ratios, response times, or other performance objectives. Similarly, the project will not require new or expanded police facilities.
- **Fire Services.** The project does not include residential units, public facility buildings, or other structures that would increase the existing fire hazards on site. Therefore, the project is not anticipated to result in an increase in calls for emergency fire services.
- **Schools.** The proposed project will not increase demand or negatively impact capacity in the LBUSD. Specifically, the available capacity of the schools in the vicinity of the proposed project will not be affected by the project. Therefore, the proposed project would not create a need to expand or construct new school facilities to maintain acceptable service levels.
- **Libraries.** The proposed project will not result in an increase of population in the project area that would result in increased demands on the existing library facilities.

Impact: Water Supplies– Short-Term Construction Impacts. The project’s demolition and construction activities are not expected to have any adverse impacts on the existing water system or availability of water supplies. In addition, water required during land side construction activities would be limited to the construction phase associated with these improvements. Therefore, impacts associated with short-term construction activities are less than significant.

Impact: Solid Waste – Long-Term Operational Impacts. The proposed project would implement facility improvements to the existing Marina and would not result in an increase in capacity or provide a new use that would generate additional solid waste. Conversely, the proposed project would result in the loss of approximately 321 boat slips, which may result in less solid waste generated on site. Therefore, because the existing land use will not change, and because implementation of the proposed project is not anticipated to increase the amount of solid waste generated, solid waste impacts due to operation of the proposed project are less than significant.

Impact: Storm Water Drainage. Storm water runoff on the docks will continue to discharge directly into the Marina, similar to existing conditions. There is no significant change in the impervious area within the project site since the proposed project involves repaving of existing surfaces and no increase in the landscaped areas. Because the surface areas of the parking lots are not increasing, no increase in storm water runoff is expected. The proposed project includes the replacement of existing storm drain catch basins within the parking areas, but does not create additional demands for storm water drainage. Therefore, impacts related to new or expanded storm water facilities are less than significant.

Cumulative Public Service Impacts.

- **Police and Fire Protection.** The proposed project would retain the existing open space and recreation uses on the project site. The project would not result in additional calls for police or fire services. The planned future land use projects, as listed in the DEIR, are generally improvements to existing facilities, infill residential projects, or new commercial developments. These future projects will likely include specific features designed to reduce impacts on police and fire protection services and may be assessed additional mitigation measures specific to the given project's impacts. The need for additional services associated with cumulative growth will be addressed by the City through the annual budgeting process when budget adjustments may be made to meet changes in service demand. Therefore, the combined cumulative impact associated with the project's incremental effect and the effects of other projects in the area is less than significant.
- **Schools.** The proposed project would retain the existing recreation and open space uses of the project site. The proposed project does not involve the construction of residential units or include components that would create additional jobs in the project area. As such, the proposed project will not increase demand or negatively impact capacity in the LBUSD. Likewise, the project will not contribute to an adverse direct or cumulative impact to schools.
- **Libraries.** The proposed project will not result in population or jobs growth in the City, and therefore is not expected to have a significant impact on the provision of library services in the City of Long Beach or the area surrounding the project site. Any increase that does result from implementation of the proposed project would be incidental and not cumulatively considerable because library services would not be adversely impacted by the improvements that would be provided by the proposed project.
- **Sewer.** The geographic area for the cumulative analysis for sewer treatment is defined as the LACSD service territory. The LACSD projects that its existing and programmed wastewater treatment capacity will be sufficient to accommodate the growth forecasted by SCAG within its service area. The proposed project does not increase capacity and is consistent with SCAG projections for the City of Long Beach and the County of Los Angeles. Therefore, impacts on wastewater/sewer services are less than cumulatively significant.
- **Solid Waste.** The project's impacts related to solid waste, when coupled with solid waste generated by planned and future projects, is less than cumulatively significant.

Recreation

Impact: Increased Demand on Existing On-Site Facilities. These project components would improve the physical condition of the existing recreational facility and increase the Marina's value as a recreational resource by making the facility better suited to meet existing needs and future boating trends. The proposed project would result in a decrease in capacity and would not increase demand on existing facilities within the Marina. Therefore, because the proposed project would not increase capacity and is not anticipated to increase use of the existing on-site facilities, impacts related to the increased demand on, or capacity of, those existing facilities are less than significant.

Impact: Increased Demand for Parks and Recreation Facilities and Services. The proposed project does not include residential development or other factors that will increase demand on City Department of Parks, Recreation, and Marine services and facilities beyond its capacity. In addition, the proposed project will not preclude the use of any existing recreation facilities in the project vicinity. The project will provide additions/enhancements to the existing recreational facilities on the project site. Therefore, there are no adverse impacts related to increased demand on existing parks and recreation facilities.

Impact: Operational (Long-Term) Impacts on Recreation Facilities. The proposed project would result in improvements to the existing recreation facilities on site. The primary goal of the proposed project is to renovate the docks and slips, seawall, utilities, parking areas, and restroom facilities that are in a physical state of decline, thereby extending the Marina's useful life and improving safety for recreational users. The Marina has not been completely dredged since its original opening; the proposed dredging of the Basins will greatly increase navigation and safety, as well as contribute to better water quality conditions due to the increased depths and tidal flushing. Planned improvements, including filters installed in the storm water basins, will also contribute to better water quality conditions. Additionally, the project encourages recreation and boating use by providing upgraded ADA-compliant facilities, increasing accessible coastal recreation opportunities.

Although the number of slips would decrease, the proposed project would not adversely impact other recreational opportunities in the project area. The proposed project would eliminate the historic and present vacancy trends in the 20 ft and under slip category and meet the demand for larger slips. By designing the Marina for long-term trends in the boating industry, recreational boating will be encouraged. In addition, all current customers in the Marina will continue to have a slip once the proposed project is implemented. Therefore, no long-term impacts related to operation of the Marina will occur.

Impact: California Coastal Act Policies. The proposed project is consistent with the intent of the California Coastal Act policies. The project consists of the improvement of the existing water-oriented recreational and visitor serving facilities within the Marina. In

addition, the proposed project would further increase public recreational opportunities by providing facilities that satisfy ADA requirements. Therefore, impacts are less than significant.

Impact: City of Long Beach General Plan, Open Space and Recreation Element. The proposed project is consistent with the Element's objectives and policies because the project would continue and enhance the existing recreation and open space uses within the project site. Specifically, the proposed project would renovate the existing Marina facilities, thereby enhancing the existing recreational boating facilities to continue meeting the recreation needs of existing and future residents. Implementation of the proposed project would make the project site (which is a recreation area) environmentally friendly and sustainable, and protect the existing recreation resource. The proposed project does not change the existing types of recreational and/or open space on site. The existing Marina-related recreation uses have been ongoing at the site for 50+ years, and the proposed project would therefore be consistent with the existing marine and water-related recreational uses on site. In addition, the project encourages boating use by providing upgraded ADA facilities in response to the diverse recreation interests of the citizens. Therefore, no adverse impacts would result.

Impact: The City Department of Parks, Recreation and Marine Strategic Plan. There are several Strategies in the City's Department of Parks, Recreation and Marine Strategic Plan that are applicable to the proposed project. The proposed project is consistent with the Plan's Strategies because the project would continue and improve the existing recreation uses within the project site. The project would improve and modernize the condition of the Marina and its supporting infrastructure; would dredge the Marina's basins to the original design depths and/or original basin depths to provide safe navigation throughout the Marina; provide upgraded ADA compliant facilities to improve the level of safety and access at the facility; and would extend the useful life of the facilities, including active, passive, and educational experiences. Therefore, no significant impacts would occur.

Impact: Cumulative Recreation Impacts. Implementation of the proposed project will result in the enhancement of the existing public recreation space and amenities within the project area. The project would significantly improve the recreation amenities while maintaining all the existing uses on the project site. The project would result in an increase in the quality of the recreation uses on site.

The planned future projects, as listed in the DEIR, are generally improvements to existing developments or facilities, residential projects, or commercial development. There are no known incompatibilities between the proposed project and planned future projects that would result in adverse cumulative recreation impacts. Conversely, three of the planned future

projects involve improvements to recreation and open space lands that would result in a cumulative benefit or overall enhancement of existing recreation facilities.

Therefore, the proposed project would not contribute to adverse cumulative impacts related to recreation when it is combined with other foreseeable projects that are planned or expected to occur in Long Beach or the region.

Traffic and Circulation

Impact: Results in Inadequate Parking Capacity. The City of Long Beach Zoning Ordinance requires that not less than 0.75 parking spaces per boat slip be maintained for noncommercial boat slips. Therefore, applying this ratio to the 1,967 existing slips in the Marina would require a minimum of 1,476 parking spaces. Currently there are 2,515 spaces in the Marina basin parking lots, which exceed the City's parking requirement by 1,039 spaces.

Because the project will reduce the total number of slips in the Marina by 321, it would also require 241 fewer parking spaces using this same parking ratio. After project completion, there would be a requirement of 1,235 spaces. The proposed project, however, would result in the addition of 9 parking spaces, for a total supply of 2,524 spaces. Based on the proposed number of slips, 23 Americans with Disabilities Act (ADA) accessible parking spaces are required and will be provided. The overall number of spaces provided at project completion exceeds the City's requirements by 1,289 spaces, and no impacts related to parking would occur with implementation of the proposed project.

Impact: Hazardous Design Features/Incompatible Uses. Several comments received at the scoping meeting and during the NOP review period raised concerns regarding safety as it specifically relates to the proposed design of Basins 3 and 4, which would result in a narrowing of the Marina Channel between these two Basins. The concerns center on the perceived existing and potential conflict between the multiple recreational activities in Alamitos Bay and include, but are not limited to, rowing, kayaking, small boat and novice sailing, paddle boarding, larger vessel sailing, and motorized boating.

The existing Marina Channel has a design width of approximately 330 ft from dock to dock, but an effective navigable width of approximately 291 ft due to the side-tie boats at the ends of the docks. The proposed project includes an extension of docks from Basins 3 and 4 into Marina Channel that would result in a loss of 35 ft of the overall Channel width. Therefore, the encroachment from the project improvements would result in a final Marina Channel width of 295 ft.

Based on the Department of Boating and Waterways (DBAW) Guidelines of Marina Berthing Facilities (July 2005), the minimum recommended width for an interior channel

(such as the Marina Channel) is 75 ft at the bottom of the channel. In addition, the width of a fairway is required to be 1.75 multiplied by the length of the longest boat that will be berthed perpendicular to the fairway. As an example, the longest boat accommodated in Basins 3 or 4 is planned to be 70 ft, which means the fairway accommodating the 70 ft boat must be 122.5 ft wide (70 x 1.75). Applying this recommendation of fairway width to the Marina Channel, the appropriate design width should be at least 122.5 ft. Because the Marina Channel would be 295 ft wide under the proposed project design, the width of the Channel is considered consistent with DBAW design guidelines and suitable for effective navigation.

Because the proposed project would result in fewer slips and capacity is not being increased, implementation of the project would not significantly increase congestion in the Marina or Marina Channel. Although the increased number of larger boats could affect maneuverability, the risk of accidents between the multiple users within the Bay is impacted by several factors, including vessel size and maneuverability; vessel speed; the effects of wind, waves, and currents; and the amount of traffic congestion. Assuming that the design width of the Marina Channel exceeds all design standards, the safety of competing users is contingent upon common sense and rules of the road. All recreational users in the Bay waters are responsible to be aware of the basic navigational rules (e.g., maintain a safe speed at all times so that action can be taken to avoid collisions; vessels under power should alter their course to starboard so that each will pass to the port side of each other; the sailing vessel that has the wind on the port side shall keep out of the way of the other; boats shall keep to the starboard side of narrow channels whenever safe and practicable; motorboats shall keep out of the way of sailing vessels or human-powered craft where courses involve the risk of collision).

Because the final design width is consistent with Marina standards, safe and efficient navigation of the Marina Channel should be achievable with the 35 ft reduction in width. Safety impacts resulting from the encroachment of the docks in Basins 3 and 4 are therefore less than significant.

SECTION 6: FEASIBILITY OF PROJECT ALTERNATIVES

Project Alternatives

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

project alternatives that were considered and analyzed in the EIR and summarizes the consistency of these alternatives with the objectives of the proposed project.

Alternative 1: No Project/No Development. Consistent with Section 15126.6(e) of the CEQA Guidelines, the No Project/No Development Alternative is the existing condition of the project site at the time the NOP was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved. This alternative will evaluate circumstances under which the project does not proceed. Alternative 1 does not include any improvements or changes to the dock and slip facilities, seawall repairs, upgrading of the existing restroom structures, or repaving of the parking areas within the Marina. In addition, Alternative 1 would not include the habitat mitigation site or the temporary/long dock. However, this alternative does include maintenance dredging in the Basin fairways, but the sediment removed would most likely be reduced since the docks and pilings would not be removed for replacement. The dredging is considered to be a necessary and reasonably foreseeable maintenance activity for the existing Marina in order to allow continued navigation of the channels and fairways.

Consistency with Project Objectives. The No Project/No Development Alternative would not achieve the project objectives. The aging and deteriorating docks and slip facilities would not be replaced, and recreational boating would not be enhanced. Maintenance costs and safety concerns would continue to increase. The goals of the Alamitos Bay Master Plan would not be implemented, and the overall environmental and recreational improvements associated with the project would not be realized. Moreover, the objectives contained in the City's Open Space and Recreation Element in the Department of Parks, Recreation, and Marine Departmental Strategic Plan would not be furthered. For example, without ADA improvements, the required access to the Marina's recreation resources for handicapped and disadvantaged residents would not be implemented, and the Marina condition, infrastructure, amenities, and safety would not be improved. Finally, the slip vacancies for smaller slips and waiting lists for larger slips would not be addressed or rectified.

Feasibility/Finding. The No Project/No Development Alternative would require maintenance dredging at some point in order to allow continued navigation of the Marina channels and fairways. Therefore, some contaminated sediments from Basin 1 would still require removal by truck to a land side facility. This alternative does not eliminate the significant and unavoidable air quality impacts associated with the proposed project. In addition, the project objectives would not be achieved with the No Project/No Development Alternative, and none of the project benefits would be realized.

Alternative 2: Reduced Project Alternative. Alternative 2 is the Reduced Project Alternative, which would eliminate the restroom rehabilitations and the parking lot repaving components of the project, including the associated land side ADA improvements. In addition, due to input received during the public scoping process regarding the narrowing of the Marina Channel between Basins 3 and 4, fewer docks and slips would be constructed in Basin 4 under the Reduced Project Alternative, thereby resulting in fewer slips overall. Alternative 2 is intended to update the Marina's water side facilities in compliance with ADA and DBAW standards. This alternative includes dock renovations, seawall repairs, and maintenance dredging as planned in all seven basins, with the exception that the layout of Basin 4 would include fewer slips and would not extend as far into the channel. Alternative 2 would include the habitat mitigation site and the temporary dock (relocated to the northwest to allow use of an existing gangway), but would not include the long dock. This alternative would result in an overall greater loss of slips as compared to the proposed project layout.

Consistency with Project Objectives. The Reduced Project Alternative would achieve some, but not all, of the project objectives. The aging and deteriorating docks and slip facilities would be replaced, and recreational boating would be enhanced. However, because this alternative would result in a greater loss of smaller slips than the proposed project, it would potentially reduce the overall recreational opportunities for small boat owners and users when compared to the proposed project.

The goals of the Alamitos Bay Master Plan to remodel the restrooms and bring them up to current standards, and the objectives contained in the City's Open Space and Recreation Element related to modernizing the Marina condition, infrastructure, and amenities would not be fully implemented with the Reduced Project Alternative. In addition, ADA access to the restroom facilities for handicapped and disadvantaged residents would not be implemented.

Feasibility/Finding. The Reduced Project Alternative would eliminate rehabilitation of the restroom facilities, parking lot repaving, land side ADA access improvements, construction of the long dock, and would reduce the dock area and number of slips in Basin 4. Although several components are eliminated with the Reduced Project Alternative, impacts related to aesthetics, biological resources, cultural/historic resources, geology and soils, hazardous materials, land use, and public services and utilities would be similar to the proposed project for this alternative.

Compared to the proposed project, recreational impacts are slightly greater for Alternative 2, the Reduced Project Alternative, due to the lack of ADA access at the restroom and parking facilities and the overall greater loss of slips as compared to the proposed project.

Construction-related hydrology and water quality impacts would be fewer than those under the proposed project because construction activities would be reduced. Conversely, operational water quality impacts would be greater than the proposed project because storm drain filters would not be included. Operational traffic and circulation impacts would be similar to the proposed project, while construction-related traffic impacts would be reduced when compared to the proposed project. However, with mitigation these impacts were less than significant for the proposed project.

Similar to the proposed project, this alternative would require removal of contaminated dredge materials to a land side facility. Therefore, the Reduced Project Alternative would not eliminate the significant and unavoidable adverse air quality impacts associated with the proposed project.

Although Alternative 2 would reduce the duration of the construction operations and would eliminate some pile driving, construction noise would remain significant and adverse under Alternative 2, similar to the proposed project.

Alternative 3: On-Site Dry Stack Storage Alternative. The On-Site Dry Stack Storage Alternative, is intended to implement all of the necessary components of the proposed project and create an on-site dry stack storage system to minimize the loss of smaller slips. This alternative includes complete dock renovations, seawall repairs, basin dredging, restroom building and parking lot rehabilitations, and ADA improvements associated with the proposed project. Alternative 3 would also include the habitat mitigation site and the temporary/long dock. Similar to Alternative 2, this alternative would reduce the distance that the docks extend from Basin 4 into the Marina Channel, thereby resulting in fewer slips in Basin 4 and a greater loss of slips overall. However, an on-site storage area would be created in the Basin 3 parking lot adjacent to the Marina Shipyard.

Although no formal plans have been developed at the time this EIR was prepared, the conceptual idea for the dry stack storage facility includes a three-boat-high rack storage unit able to accommodate up to 150 small boats. The overall height could be up to 30 ft, depending on the size of boats to be accommodated. For similar dry stack units, the boats are moved on and off the rack system by a specialized marine forklift. Boats would then be lowered into the water at the southwest end of the shipyard, adjacent to Basin 3.

Consistency with Project Objectives. The On-Site Dry Stack Storage Alternative would achieve all of the project objectives. The aging and deteriorating docks and slip facilities would be replaced, and recreational boating would be enhanced. Although this alternative would result in a greater loss of smaller slips than the proposed project, it includes a dry stack storage facility for up to 150 small boats and would therefore partially offset the loss of slips. The On-Site Dry Stack Storage Alternative therefore increases overall

recreational opportunities for small boat owners and users and results in fewer recreational impacts when compared to the proposed project.

Feasibility/Finding. The On-Site Dry Stack Storage Alternative would eliminate some slips in Basin 4 but would include a dry stack storage facility for up to 150 small boats. Impacts related to aesthetics, biological resources, cultural/historic resources, geology and soils, hazardous materials, hydrology and water quality, land use, public services and utilities, and traffic would be similar to the proposed project for this alternative.

Although there is an overall greater loss of slips with this alternative as compared to the proposed project, recreational impacts are reduced under the On-Site Dry Stack Storage Alternative due to the provision of on-site small boat storage for up to 150 boats.

Similar to the proposed project, this alternative would require removal of contaminated dredge materials to a land side facility. Therefore, construction air quality impacts would still occur, and the On-Site Dry Stack Storage Alternative would not eliminate the significant and unavoidable adverse air quality impacts associated with the proposed project.

Although Alternative 3 would reduce the duration of the construction operations and would eliminate some pile driving in Basin 3, construction noise would remain significant and adverse under Alternative 3, similar to the proposed project.

Findings Regarding Alternatives

Environmentally Superior Alternative. The No Project/No Development Alternative would be environmentally superior to the proposed project on the basis of the lack of physical impacts that would occur with the No Project/No Development Alternative. If there were no changes to the existing conditions on the site, there would be no potential impacts associated with construction-related traffic, noise, or air emissions. However, because maintenance dredging would be a reasonably foreseeable activity required to maintain navigable channels and fairways, the No Project/No Development Alternative would include construction vehicle trips to dispose of contaminated dredge materials at a land side facility. Therefore, the No Project/No Development Alternative would not eliminate the proposed project's significant and unavoidable air quality impacts. Overall, however, the No Project/No Development Alternative is considered environmentally superior because the physical impacts associated with this Alternative are significantly less than the proposed project and other alternatives.

The CEQA Guidelines require that if the environmentally superior alternative is the No Project Alternative, "the EIR also identify an environmentally superior alternative among the other alternatives" (CEQA Guidelines Section 15126.6(e)(2)). The Environmentally Superior

Alternative, in terms of direct physical effects on the environment, is Alternative 2, the Reduced Project Alternative.

Alternative 2 would eliminate construction activities associated with the proposed project's land side improvements (rehabilitation of the restroom facilities, parking lot repaving, and ADA access improvements), as well as eliminating construction of the long dock and reducing the dock area and number of slips in Basin 4. Therefore, direct physical effects on the environment as a result of construction would be reduced as compared to the proposed project.

Overall, the Reduced Project Alternative reduces the amount and duration of the construction activities and potential impacts of the proposed project. The Reduced Project Alternative would result in reduced overall construction impacts for cultural resources, geology and soils, hazardous materials, hydrology/water quality, and traffic compared to the proposed project because the improvements to land side facilities would not occur with this alternative. Impacts related to these environmental topics would still result in less than significant impacts, as would the proposed project.

Alternative 2 includes some maintenance dredging, which would be required in order to maintain safe navigation throughout the Marina, and to continue the Marina's use as a recreational facility. Therefore, the removal of some contaminated material from Basin 1 would still occur and would require construction vehicle trips to dispose of contaminated dredge materials at a land side facility. Therefore, the Reduced Project Alternative would, like the proposed project, result in significant and unavoidable air quality impacts. Additionally, although Alternative 2 would reduce the duration of construction operations and would eliminate some pile driving, construction noise would remain significant and adverse under Alternative 2, similar to the proposed project.

Alternative 2 would not increase the energy efficiency that would occur with the renovation of restrooms under the proposed project. Therefore, this alternative would not contribute to a reduction in greenhouse gas (GHG) emissions and would have incrementally greater impacts when compared to the proposed project. In addition, ADA access to the restroom facilities for handicapped and disadvantaged residents would not be implemented.

The Reduced Project Alternative would achieve some, but not all, of the project objectives. The aging and deteriorating docks and slip facilities would be replaced, and recreational boating would be enhanced. However, because this alternative would result in a greater loss of smaller slips than the proposed project, it would potentially reduce the overall recreational opportunities for small boat owners and users when compared to the proposed project. Further, the goals of the Alamitos Bay Master Plan to remodel the restrooms and bring them up to current standards, and the objectives contained in the City's Open Space and Recreation Element related to modernizing the Marina condition, infrastructure, and amenities, would not be fully implemented with the Reduced Project Alternative. The

restroom facilities and parking areas would continue to deteriorate, and the costs associated with continued maintenance would continue to rise.

Findings Regarding Rejection of the Environmentally Superior Alternative. The City finds that the Reduced Project Alternative meets the project objectives, but not to the same extent as the proposed project. The Reduced Project Alternative would result in a greater loss in the number of smaller boat slips, would not increase the energy efficiency that would occur with the renovation of restrooms under the proposed project, and ADA access to the restroom facilities for handicapped and disadvantaged residents would not be implemented. Therefore, this alternative would not realize goals of the Alamitos Bay Master Plan to remodel the restrooms and bring them up to current standards, and the objectives contained in the City's Open Space and Recreation Element related to modernizing the Marina. These benefits would not be realized with the Reduced Project Alternative.

The Reduced Project Alternative would still result in significant construction-related air quality emission impacts. Also, due to the existing locations of sensitive receptors and type of construction, the Reduced Project Alternative would still result in significant and unavoidable construction noise impacts. Therefore, the Reduced Project Alternative results in reduced (over a shorter period of time) significant, unavoidable adverse effects compared to the proposed project.

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

SECTION 7: GENERAL FINDINGS

1. The plans for the project have been prepared and analyzed so as to provide for public involvement in the planning and CEQA processes.
2. Comments regarding the Draft EIR received during the public review period have been adequately responded to in written Responses to Comments included in the Final EIR.

3. To the degree that any impacts described in the Final EIR are perceived to have a less than significant effect on the environment or that such impacts appear ambiguous as to their effect on the environment as discussed in the Draft EIR, the City has responded to key environmental issues and has incorporated mitigation measures to reduce or minimize potential environmental effects of the proposed project to the maximum extent feasible.

EXHIBIT "B"

**STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
ALAMITOS BAY MARINA REHABILITATION PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT
CITY OF LONG BEACH
(STATE CLEARINGHOUSE NO. 2008041028)**

STATEMENT OF OVERRIDING CONSIDERATIONS

INTRODUCTION

The California Environmental Quality Act (CEQA) requires a public agency to balance the benefits of a proposed project against its unavoidable, adverse environmental impacts in determining whether to approve the project.

Section 15093 of the State CEQA Guidelines provides the following:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final Environmental Impact Report (FEIR) but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its actions based on the FEIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) 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. This statement does not substitute for, and shall be in addition to, findings required pursuant to section 15091.

PROJECT SIGNIFICANT IMPACTS

As discussed in the Findings of Fact, the project will result in significant unavoidable impacts related to construction air quality, cumulative air quality, and construction noise impacts.

Air Quality

Impact: Construction Equipment Exhaust and Related Construction Activities. Air quality impacts would occur during construction of the proposed project from soil disturbance and construction equipment exhaust. Major sources of emissions during construction include exhaust emissions generated by construction vehicles, primarily due to

the transport of contaminated dredge materials to an off-site landfill. Construction equipment/vehicle emissions would exceed the South Coast Air Quality Management District (SCAQMD) established daily thresholds for nitrogen oxides (NO_x) during Phases 2 and 3 of project construction. Implementation of mitigation measures would reduce the vehicle exhaust emissions during construction; however, even with implementation of the mitigation measures, the daily NO_x would be exceeded; therefore, construction emissions would result in significant construction-related air quality impacts.

Impact: Cumulative Air Quality Impacts. Construction of the project would contribute cumulatively to the local and regional air pollutants, together with other projects under construction. The project would result in significant construction-related air quality impacts pertaining to NO_x emissions. Thus, it is anticipated that these additional NO_x emissions would result in significant cumulative air quality impacts.

Noise

Impact: Construction Noise Impacts. Construction of the proposed project improvements would result in a temporary periodic increase in existing ambient noise levels in the project area. Due to the proximity between construction activities and the existing sensitive receptors, project-related construction activities would result in a significant noise impact that would be intermittent and temporary over the term of the project construction phases. Adherence to the City's noise regulations and implementation of Mitigation Measures will reduce construction noise impacts to sensitive receptors; however, the construction noise impacts would remain significant and unavoidable due to intermittent high levels of noise and the disturbance that noise will have on nearby residents and the public using outdoor recreation open space.

OVERRIDING CONSIDERATIONS

The City of Long Beach (City) finds that notwithstanding the disclosure of the above significant unavoidable impacts, there are specific overriding environmental, social, and other reasons for approving the proposed project. Those reasons are as follows:

1. The proposed project would renovate and replace the deteriorating Marina facilities that are 50+ years old
2. The proposed project would expand recreational boating opportunities in keeping with the current and future demands of the boating public for larger slips
3. The proposed project would restore the Marina's original and/or design depths by dredging the basins to ensure safe navigation and adequate access for the boating public

4. The proposed project would provide necessary Marina repairs through surface repaving of parking areas, repairs to basin seawalls where required, upgrading of utility facilities, and complete renovations to the 13 restroom buildings Satisfy Americans with Disabilities Act (ADA) requirements for access to the Marina facilities and docks
5. The proposed project would enhance the level of safety for boaters
6. The proposed project would extend the useful life of the Marina
7. The proposed project would provide slips/layout designs in accordance with Department of Boating and Waterways (DBAW) standards
8. The proposed project would improve and enhance the recreation amenities within the marina, and would also implement many of the goals of the Alamitos Bay Master Plan and the Department of Parks, Recreation, and Marine Departmental Strategic Plan
9. Significant and unavoidable air quality and noise impacts resulting from construction of the proposed project would be limited to the temporary construction phase of the proposed project. Construction (short-term) air quality and noise impacts will be substantially reduced with implementation of the mitigation measures.

On balance, the City finds that there are specific considerations associated with the proposed project that serve to override and outweigh the project's significant environmental impacts and the existence of an environmentally superior alternative that meets some of the project objectives. Therefore, the significant unavoidable environmental impacts associated with the proposed project and the City's decision not to adopt the environmentally superior project alternative are considered acceptable

EXHIBIT “C”

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

7.1 MITIGATION MONITORING REQUIREMENTS

Public Resources Code Section 21081.6 (enacted by the passage of Assembly Bill 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- I. The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.
- II. The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.
- III. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- IV. Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the responsible agency or agency having jurisdiction over natural resources affected by a

project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

7.2 MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21081.6. It describes the requirements and procedures to be followed by the City of Long Beach to ensure that all mitigation measures adopted as part of the proposed Alamitos Bay Marina Rehabilitation Project will be carried out as described in this EIR.

Table 7.A lists each of the mitigation measures specified in this EIR and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.1 AESTHETICS</p>		
<p>No potentially significant impacts were identified, and no mitigation is required.</p>		
<p>4.2 AIR QUALITY</p>		
<p>4.2-1 Prior to commencement of construction, the Marine Bureau Manager shall ensure that the final project plans and the construction contract include, but are not limited to, the following energy conservation and emission reduction measures:</p> <p>Fugitive Dust Controls. The project construction contractor shall develop and implement dust-control methods that shall achieve this control level in a South Coast Air Quality Management District (SCAQMD) Rule 403 dust control plan, designate personnel to monitor the dust control program, and order increased watering, as necessary, to ensure a 90 percent control level. Their duties shall include holiday and weekend periods when work may not be in progress. Additional control measures to reduce fugitive dust shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Provide temporary wind fencing around sites being graded or cleared • Cover truck loads that haul dirt, sand, or gravel or maintain at least 2 feet (ft) of freeboard in accordance with Section 23114 of the California Vehicle Code (CVC) • Install wheel washers where vehicles enter and exit unpaved roads 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to commencement of construction</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site</p> <ul style="list-style-type: none"> • Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) as instantaneous gusts or when visible dust plumes emanate from the site and stabilize all disturbed areas • Appoint a construction relations office to act as a community liaison concerning on-site construction activity, including resolution of issues related to particulate matter less than 10 microns in diameter (PM₁₀) generation • Sweep all streets at least once a day using SCAQMD Rule 1186, 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water) • Apply water three times daily, or nontoxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces or as needed to areas where soil is disturbed <p>Emission Controls for Nonroad Construction Equipment. Construction equipment shall meet the United States Environmental Protection Agency (EPA) Tier 4 nonroad engine standards, where feasible. The Tier 4 standards become available starting in 2012.</p>		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Best Management Practices (BMPs) for Construction Equipment. The construction contractor shall implement the following BMPs on construction equipment, where feasible, to further reduce emissions from these sources.</p> <ul style="list-style-type: none"> • Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps, as feasible • Maintain equipment according to manufacturer specifications • Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [ARB] regulation) • Use of high-pressure fuel injectors on diesel-powered equipment • Use of electricity from power poles rather than temporary diesel- or gasoline-powered generators <p>Construction Traffic Emission Reductions. The construction contractor shall implement the following measures to further reduce emissions from construction.</p> <ul style="list-style-type: none"> • Trucks used for construction (a) prior to 2015 shall use engines certified to no less than 2007 nitrogen oxide (NO_x) emissions standards and (b) in 2015 and beyond shall meet EPA 2010 		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>emission standards.</p> <p>Provide temporary traffic control such as a flag person during all phases of construction to maintain smooth traffic flow</p> <ul style="list-style-type: none"> • Schedule construction activities that affect traffic flow on arterial systems to off-peak hours where possible • Reroute construction trucks away from congested streets or sensitive receptor areas • Provide dedicated turn lanes for movement of construction trucks and equipment on and off site • Configure construction parking to minimize traffic interference • Improve traffic flow by signal synchronization • All vehicles and equipment will be properly tuned and maintained according to manufacturer specifications. • Reduce traffic speeds on all unpaved roads to 15 mph or less <p>Emission Controls for Construction Tugboats. All tugboats used in construction shall meet the EPA Tier 2 marina engine standards, and if feasible, use construction tugs that meet the EPA Tier 3 marine engine standards. The Tier 3 standards become available starting in 2009.</p>		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Construction Tugboat Home Fleeting. The construction contractor shall require all construction tugboats that home fleet in the XXX (SPBP) to (a) shut down their main engines, and (b) refrain from using auxiliary engines at dock or to use electrical shore power, if need be.</p>		
<p>4.2-2 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings include the following building design energy conservation measures:</p> <p>Green Building Design for Restroom Buildings: Incorporate measures from the Leadership in Energy and Environmental Design (LEED) certification program and other green building guidelines that reduce greenhouse gas (GHG) emissions through either development density/design and/or energy conservation. The LEED for Retail–New Construction and LEED for Commercial Interiors programs developed by the United States Green Building Council are good sources for identifying measures and examples of energy conservation measures, including the following:</p> <ul style="list-style-type: none"> • Meet or exceed Title 24 requirements • Incorporate ENERGY STAR-rated windows • Incorporate ENERGY STAR-rated space heating and cooling equipment 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of building permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<ul style="list-style-type: none"> • Incorporate hot water systems that are energy efficient • Incorporate ENERGY STAR-rated light fixtures • Incorporate ENERGY STAR-rated appliances • Install/operate renewable electric generation systems, as appropriate and economically feasible 		
<p>4.2-3 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings of the building operations and maintenance plan include, but are not limited to, the following energy conservation measures:</p> <ul style="list-style-type: none"> • Compact Fluorescent Light Bulbs: All interior building lighting shall use compact fluorescent light bulbs. Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs. • Energy Audits: Conduct a third-party energy audit every 5 years and install innovative power-saving technology where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use. 	City of Long Beach Marine Bureau Manager	Prior to issuance of building permits

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.2-4 Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings and the construction contract indicate that no more than 1 acre (43,560 square feet) of parking lot pavement area shall be under construction for replacement at any one time during each phase of the project.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of building permits</p>
<p>4.2-5 During all phases of demolition, dredging, and construction, the Marine Bureau Manager shall ensure that the contract to construct complies with the following rules for construction and operation to minimize the air quality impacts from the proposed project. The following measures are required and will reduce or minimize air pollutants generated by construction vehicles and equipment and fugitive dust emissions associated with earthmoving or excavation operations, or other soil disturbances, as identified in South Coast Air Quality Management District (SCAQMD) Rules 402 and 403. The following measures shall be printed on all final plans and drawings associated with the project:</p> <p>During earthmoving or excavation operations, fugitive dust emissions shall be controlled by regular watering or other dust-preventive measures using the following procedures:</p> <ul style="list-style-type: none"> • All material excavated shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Ongoing during all phases of demolition, dredging, and construction</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>work is done for the day.</p> <ul style="list-style-type: none"> • All earthmoving or excavation activities shall cease during periods of high winds (i.e., winds greater than 20 miles per hour [mph] averaged over 1 hour). • All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. • The area disturbed by earthmoving or excavation operations shall be minimized at all times. <p>After earthmoving or excavation operations, fugitive dust emissions shall be controlled using the following measures:</p> <ul style="list-style-type: none"> • Portions of the construction area to remain inactive longer than a period of 3 months shall be revegetated and watered until cover is grown. • All active portions of the construction site shall be watered to prevent excessive amounts of dust. <p>At all times, fugitive dust emissions shall be controlled using the following procedures:</p>		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<ul style="list-style-type: none"> • On-site vehicle speed shall be limited to 15 mph. • Road improvements shall be paved as soon as feasible, watered periodically, or chemically stabilized. <p>At all times during the construction phase, ozone precursor emissions from mobile equipment shall be controlled using the following procedures:</p> <ul style="list-style-type: none"> • Equipment engines shall be maintained in good condition and in proper tune according to manufacturer's specifications. • On-site mobile equipment shall not be left idling for a period longer than 60 seconds. <p>Outdoor storage piles of construction materials shall be kept covered, watered, or otherwise chemically stabilized with a chemical wetting agent to minimize fugitive dust emissions and wind erosion.</p>		
<p>4.3 BIOLOGICAL RESOURCES</p>		
<p>4.3-1 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that a qualified biologist has been retained and shall be on site to assess the roosting (and foraging) behavior of waterbirds at the Marina immediately prior to any major construction disturbance. In the event of an imminent threat to a special-status species, the monitor shall immediately contact the Construction</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the start of any construction or dredging activities</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Manager. In the event the Construction Manager is not available, the monitor shall have the authority to redirect or halt construction activities if determined to be necessary.</p> <p>4.3-2 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract in order to further reduce any potential impacts to green sea turtles:</p> <ul style="list-style-type: none"> • A qualified marine biologist shall be on site during the construction period to monitor the presence of endangered species. The on-site biological monitor shall have the authority to halt construction operations and shall determine when construction operations can proceed. • Construction crews and work vessel crews shall be briefed on the potential for this species to be present and will be provided with identification characteristics of sea turtles, since they may occasionally be mistaken for seals or sea lions. • In the event that a sea turtle is sighted within 100 meters of the construction zone, all construction activity shall be temporarily stopped until the sea turtle is safely outside the outer perimeter of construction. The on-site biological monitor shall have the authority to halt construction operation and shall determine when 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the start of any construction or dredging activities</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>construction operations can proceed.</p> <p>The biological monitor shall prepare an incident report of any green sea turtle activity in the project area and shall inform the construction manager to have his/crews be aware of the potential for additional sightings. The report shall be provided within 24 hours to the California Department of Fish and Game (CDFG) and the National Marine Fisheries Service (NMFS).</p>		
<p>4.3-3 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall ensure that an Eelgrass Mitigation Plan has been included in the contract for construction. The Plan shall require that any direct losses to eelgrass will be mitigated at a ratio of 1.2:1 according to the Southern California Eelgrass Mitigation Policy (SCEMP) requirement. According to current surveys, eelgrass to be impacted by the project is 1,373 square feet (sf), which would result in 1,648 sf to be mitigated at the 1.2:1 mitigation ratio. As detailed in the SCEMP, the actual amount of eelgrass to be mitigated shall depend on preconstruction surveys, postconstruction surveys, and surveys at a control site at the appropriate time prior to the beginning of project activities. The preferred mitigation area is located adjacent to the northeast end of Marine Stadium on a City of Long Beach-owned storage site. A qualified biologist shall monitor the successful establishment of the eelgrass mitigation site for a period of 5 years, in accordance with the Southern California Eelgrass Mitigation Policy.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the start of any construction or dredging activities</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.3-4 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall provide verification that the following provision has been included in the contract for project construction: that a qualified biologist has been retained to implement the following measures, which shall be incorporated during all phases of construction in order to minimize impacts on eelgrass and other biological resources:</p> <ul style="list-style-type: none"> • Impacts to eelgrass beds shall be avoided where practical and feasible. A project marine biologist shall mark the positions of eelgrass beds with buoys prior to the initiation of any construction to minimize damage to eelgrass beds outside the construction zone. To assist the construction crew in avoiding unnecessary damage to eelgrass, the project marine biologist shall meet with the construction crews prior to dredging to review areas of eelgrass to avoid and to review proper construction techniques. • Barges and work vessels shall avoid impacts to eelgrass beds in Basins 2 and 4. Barges and work vessels shall be operated in a manner to ensure that eelgrass beds are not impacted through grounding, propeller damage, or other activities that may disturb the seafloor. Such measures shall include speed restrictions, establishment of off-limit areas, and use of shallow draft vessels. • A qualified marine biologist shall monitor the construction process on a weekly basis to ensure that all water quality best management 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any demolition or construction permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>practices (BMPs) are implemented and to assist the project engineer in avoiding and minimizing environmental effects to benthic communities, including eelgrass. Within 30 days after the project is completed, a post-construction marine biological survey shall be conducted to determine the extent of any construction impacts on eelgrass habitat. The survey report will be completed within 30 days and shall be submitted to the California Coastal Commission and the United States Army Corps of Engineers.</p>		
<p>4.3-5 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract. The construction contractor shall be responsible for ensuring that the following measures are implemented during all phases of construction in order to minimize impacts on biological resources:</p> <ul style="list-style-type: none"> • No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to tidal erosion and dispersion. Construction materials shall not be stored in contact with the soil. Any construction debris within the temporary cofferdam area shall be removed from the site at the end of each construction day. • Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery or 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any demolition or construction permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>construction equipment or power tools into Alamitos Bay. Such measures include deployed oil booms and a silt curtain around the proposed construction zone at all times to minimize the spread of any accidental fuel spills, turbid construction-related water discharge, and debris. Other measures include training construction workers on emergency spill notification procedures, proper storage of fuels and lubricants, and provisions for on-site spill response kits.</p> <ul style="list-style-type: none"> • All trash shall be disposed of in the proper trash receptacles at the end of each construction day. Any construction debris shall be removed from the site. • During construction, floating booms shall be used to assist in containing debris discharged. Any debris discharged shall be removed as soon as possible but no later than the end of each day. • If turbid conditions are generated during construction, including dredging or pile driving, a silt curtain shall be utilized to control turbidity. The City of Long Beach shall limit, to the greatest extent possible, the suspension of benthic sediments into the water column. • The City shall implement all the requirements of the Department of the Army Permit and the RWQCB WQC, This includes the anticipated dredging water quality monitoring plan set forth by the 		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>RWQCB.</p> <ul style="list-style-type: none"> Construction methods shall be used that are the least damaging to benthic sediments and organisms. <p>Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery or construction equipment or power tools into Alamitos Bay. The City of Long Beach shall have adequate equipment available to contain such spills immediately.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any demolition or construction permits</p>
<p>4.3-6 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall ensure that the following provisions are incorporated into the final project plans and construction contract for the purpose of protecting nesting birds within the study area during construction:</p> <ul style="list-style-type: none"> Tree and vegetation removal shall be restricted to outside the likely active nesting season (January 1–September 1) for those bird species present or potentially occurring within the project area. That time period is inclusive of most other birds’ nesting periods, thus maximizing avoidance of impacts to any nesting birds. If construction must be completed during the breeding season listed above, surveys for nesting birds shall be conducted at least 15 days prior to construction. Should an occupied nest be detected, the City will consult with the California Department of Fish and Game 	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any demolition or construction permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>(CDFG) to determine an appropriate means for reducing impacts to nesting birds prior to tree removal. If nesting birds are observed within the vicinity, a buffer from the nest shall be established. The size of the buffer is dependent on the species and shall be determined by a qualified biologist. The buffer shall be delineated by roping the boundaries of construction and shall remain in place until the nest is abandoned or the young have fledged.</p>		
<p>4.3-7 The Marine Bureau Manager shall ensure that a field survey to investigate the presence of the invasive algae <i>Caulerpa taxifolia</i> is conducted 30 to 60 days prior to commencement of construction by qualified divers certified by the California Department of Fish and Game (CDFG) and National Marine Fisheries Service (NMFS) to conduct such surveys. The preconstruction <i>Caulerpa</i> surveys will be conducted according to the accepted criteria of the Southern California <i>Caulerpa</i> Action Team (SCCAT) for conducting surveys for the invasive algae and in accordance with the NMFS and CDFG <i>Caulerpa</i> survey protocols. In accordance with the recommendations of the SCCAT, and according to the NMFS <i>Caulerpa</i> Control Protocol (Version 3, adopted March 12, 2007 [NMFS 2007]), a survey must be conducted in harbor areas that may be disturbed. In areas that are expected to be free of <i>Caulerpa</i>, a 20 percent visual Surveillance Level survey is required prior to any dredging. The survey will also identify any other marine vegetation in the proposed construction area,</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>30 to 60 days prior to commencement of any construction</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>including eelgrass. The Marine Bureau Manager, or his/her designee, will transmit the survey results via <i>Caulerpa</i> Survey Reporting Form to NMFS and the CDFG within 48 hours of completion of the survey. If <i>Caulerpa</i> is identified in the project area, the City, NMFS, and CDFG will be notified within 24 hours of completion of the survey. In the event that <i>Caulerpa</i> is detected, disturbance shall not be conducted until such time as the infestation has been isolated, treated, or the risk of spread from the proposed disturbing activity is eliminated in accordance with Section F of the <i>Caulerpa</i> Control Protocol.</p>		
4.4 CULTURAL AND HISTORIC RESOURCES		
No potentially significant impacts were identified and no mitigation is required.		
4.5 GEOLOGY AND SOILS		
<p>4.5-1 Prior to issuance of building permits, the Marine Bureau Manager shall verify that recommendations contained in the Geotechnical Evaluation prepared for the proposed project (Ninyo and Moore, February 2007) have been incorporated into final construction drawings. Design and grading construction shall be performed in accordance with the most current California Building Code in use by the City of Long Beach, the most current local grading regulations, and recommendations of the project geotechnical consultant.</p>	City of Long Beach Marine Bureau Manager	Prior to issuance of building permits

Table 7.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for Mitigation Measure
4.6 HAZARDS AND HAZARDOUS MATERIALS			
4.6-1	<p>Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach (City) shall conduct additional laboratory testing of the sediment materials from Basin 1. Additional testing shall be conducted prior to disposal of the contaminated soils to determine if concentrations of mercury exceed the Soluble Threshold Limit Concentration (STLC) for mercury at 0.2 milligrams per liter (mg/L) and are considered hazardous by State standards (California Code of Regulations [CCR], Title 22, Section 66261.1-66261.126), and/or are considered hazardous by federal standards (Resource Conservation Recovery Act [RCRA]), where mercury concentrations exceed the federal threshold of 0.2 mg/L, as determined from toxicity characteristic leaching procedure (TCLP) extract testing (TCLP method shall be determined by leaching potential).</p>	<p>City of Long Beach/City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any permits allowing dredging in Basin 1</p>
4.6-2	<p>Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach shall conduct a Human Health Risk evaluation to determine the level of exposure to potentially hazardous levels of mercury during construction activities.</p>	<p>City of Long Beach/ City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of any permits allowing dredging in Basin 1</p>
4.6-3	<p>Soil Management Plan: The Office of Environmental Health Hazard Assessment (OEHHA) shall review the dredge materials removal workplan and shall list any additional requirements. Implementation of the workplan shall be overseen by the OEHHA</p>	<p>City of Long Beach/ The Office of Environmental Health Hazard</p>	<p>Prior to issuance of any permits allowing dredging in Basin 1/ prior to</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>for compliance with local, State, and federal regulations. Any additional sampling or contaminant material removal shall be subject to these same regulations. As part of the soil management plan, all disposal material will be characterized prior to disposal at a State landfill site. All hazardous waste will be disposed of in a Class I landfill. All other soils or solid waste will be disposed of at an unclassified landfill. In addition, during construction activities of the potentially impacted soils on site, monitoring will be required by the South Coast Air Quality Management District (SCAQMD).</p> <p>After removal of the contaminated materials from Basin 1 and during the drying process of these sediments/soils, a mixture of Simple Green and water (10:1) shall be lightly applied to the excavated sediments/soils. Simple Green accelerates the decomposition process and will have the overall result of shortening the duration of odor emissions.</p>	<p>Assessment (OEHHA)</p>	<p>disposal of Basin 1 sediments at a State landfill site</p>
<p>4.6-4 During all excavation activities, the Marine Bureau Manager shall ensure that all construction subcontractors comply with the appropriate health and safety measures required by the Occupational Safety and Health Administration (OSHA). In the event that groundwater is encountered during grading or excavation activities, all construction activities shall be terminated</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Ongoing during all excavation and grading activities</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>in the immediate area until the groundwater is investigated for potentially hazardous content. In the event that suspicious odors are observed in soil, construction shall also be terminated until the soil is properly characterized for hazardous waste content. Appropriate measures shall be taken in compliance with all applicable regulations for the characterization and disposal of hazardous materials.</p>		
<p>4.6-5 Prior to the issuance of any demolition permits and at least 10 days prior to any demolition work for proposed improvements, the Marine Bureau Manager shall notify and submit fees to the South Coast Air Quality Management District (SCAQMD) in compliance with SCAQMD Rule 1403, Asbestos Emissions from Demolition/Renovation Activities. Contractors shall adhere to the requirements of SCAQMD Rule 1403 during all construction and demolition activities.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of any demolition permits and at least 10 days prior to any demolition work for proposed improvements</p>
<p>4.6-6 Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified asbestos consultant has conducted an asbestos survey of the existing concrete materials. If asbestos-containing material (ACM) is found, it shall be removed and disposed of by a licensed and certified asbestos abatement contractor in accordance with requirements outlined by the local county health department.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of any demolition permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.6-7 Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified lead-based paint (LBP) consultant has conducted LBP surveys in the areas where paint materials may be removed or disturbed on existing structures. If LBPs are found, they shall be removed and disposed of by a licensed and certified LBP contractor in accordance with requirements outlined by the local county health department.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of any demolition permits</p>
<p>4.6-8 Prior to the issuance of any demolition permits, the City of Long Beach shall conduct the inspection of utility pole-mounted transformers within the project area for leaks. Leaking transformers shall be considered a potential for polychlorinated biphenyl (PCB) hazard unless tested and shall be handled accordingly. If the removal of utility poles is anticipated, all treated wooden poles may have a potential for creosote. Areas immediately surrounding the utility pole shall be tested and handled accordingly.</p>	<p>City of Long Beach/City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of any demolition permits</p>
<p>4.7 HYDROLOGY AND WATER QUALITY</p>		
<p>4.7-1 Prior to issuance of a grading permit, the Marine Bureau Manager shall verify that construction plans for the project include features meeting the applicable construction activity Best Management Practices (BMPs) and erosion and sediment control BMPs published in the <i>California Storm Water BMP Handbook—Construction Activity</i> or equivalent. The construction contractor</p>	<p>City of Long Beach Marine Bureau Manager/City Building Official</p>	<p>Prior to the issuance of any grading permit</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>shall be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to the City that includes the BMP types listed in the handbook or equivalent. The SWPPP shall be prepared by a civil or environmental engineer and will be reviewed and approved by the City Building Official prior to the issuance of any grading or building permits. The SWPPP shall reduce the discharge of pollutants to the maximum extent practicable using BMPs, control techniques and systems, design and engineering methods, and such other provisions as appropriate. A copy of the SWPPP shall be kept at the project site.</p> <p>The SWPPP shall meet the requirements of the General Construction Permit and shall identify potential pollutant sources associated with construction activities; identify non-storm water discharges; develop a water quality monitoring and sampling plan; and identify, implement, and maintain BMPs to reduce or eliminate pollutants associated with the construction site. The BMPs identified in the SWPPP shall be implemented during project construction. The SWPPP Notice of Termination (NOT) shall be submitted to the State Water Resources Control Board (SWRCB) upon completion of construction and stabilization of the site.</p>		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.7-2 Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall demonstrate to the Director of Long Beach Development Services, or their designee, that compliance with the provisions of the <i>National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Construction and Land Disturbance Activities</i>, and any subsequent permit as they relate to construction activities for the project has been obtained. This will include submission of the Permit Registration Documents, including a Notice of Intent (NOI), a risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the State Water Resources Control Board (SWRCB) at least 14 days prior to the start of construction.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of demolition and grading permits</p>
<p>4.7-3 Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall provide evidence that a Standard Urban Storm Water Mitigation Plan (SUSMP) for the project has been prepared in accordance with the Los Angeles County SUSMP and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit. The project SUSMP shall identify all of the Nonstructural and Structural Best Management Practices (BMPs) that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to issuance of demolition and grading permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>impaired the Alamitos Bay. The SUSMP shall be reviewed and approved by the City of Long Beach Building Official prior to issuance of a grading permit.</p> <p>4.7-4 Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that approval to initiate the City's contract with AES (to increase pumping rates) has been incorporated into project plans and will be implemented in the event that water quality standards are exceeded during construction activities associated with Basins 6-North and 6-South (Basins 6-N and 6-S). The construction contractor shall be responsible for notifying the Marine Bureau Manager in the event that increased flushing in the Bay is needed, should water quality remain impaired (i.e., water quality standards are exceeded) beyond 2 days after dredging in Basins 6-N or 6-S.</p>	<p>City of Long Beach Marine Bureau Manager/ Construction Contractor</p>	<p>Prior to the issuance of any construction permits</p>
<p>4.7-5 Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification that authorization has been obtained from: (1) the United States Army Corps of Engineers (Corps) under the Section 404 Permit program for the discharge of fill material into jurisdictional waters; (2) the Corps, under Section 10 of the Rivers and Harbors Act for the disposal of dredged material and placement of piles and riprap; and (3) the Corps, under Section 103 of the Marine Protection Research and</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of any construction permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>Sanctuaries Act for the transportation of dredged material for ocean disposal. In addition, standard conditions of the Corps permits require Section 401 water quality certification by the Regional Water Quality Control Board (RWQCB). In order to obtain these authorizations, the City shall develop a mitigation plan subject to review and approval by the appropriate resource agencies (Corps, United States Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], California Department of Fish and Game [CDFG], and RWQCB).</p> <p>4.7-6 Prior to the issuance of any construction permits, the Marine Bureau Manager shall demonstrate in the record that Best Management Practices (BMPs) for all dredging activities, as listed in Appendix F of this document, have been incorporated into project plans in order to reduce impacts to water quality to the maximum extent practicable. The construction contractor shall be responsible for performing and documenting the application of BMPs identified in this document.</p>	<p>City of Long Beach Marine Bureau Manager/ Construction Contractor</p>	<p>Prior to the issuance of any construction permits</p>
<p>4.7-7 Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that a trash and debris containment boom has been incorporated into project plans and will be implemented during all dock removal and replacement activities in order to reduce impacts to water quality to the maximum extent practicable. The construction</p>	<p>City of Long Beach Marine Bureau Manager/ Construction Contractor</p>	<p>Prior to the issuance of any construction permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
contractor shall be responsible for performing and documenting the application of the trash and debris containment boom.		
4.8 LAND USE		
No potentially significant impacts were identified, and no mitigation is required.		
4.9 NOISE		
4.9-1 Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirements are printed on all final project plans: Consistent with the City of Long Beach (City) Noise Ordinance, construction activity that produces loud or unusual noise that could impact a reasonable person of normal sensitivity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and federal holidays, and between 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities shall occur on Sundays.	City of Long Beach Marine Bureau Manager	Prior to the issuance of any permit/Ongoing during construction activities
4.9-2 Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: during construction and demolition, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Long Beach Marine Bureau Manager/ Construction Contractor	Prior to the issuance of any permit/Ongoing during construction activities
4.9-3 Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the project contractor shall place all stationary	City of Long Beach Marine Bureau Manager	Prior to the issuance of any permit

Table 7.A: Mitigation and Monitoring Reporting Program

	Mitigation Measures	Responsible Party	Timing for Mitigation Measure
4.9-4	<p>construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</p> <p>Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</p>	City of Long Beach Marine Bureau Manager/ Construction Contractor	Prior to the issuance of any permit
4.9-5	<p>Prior to issuance of a grading permit, the Director of Parks, Recreation, and Marine shall hold a community preconstruction meeting in concert with the Construction Contractor to provide information regarding the construction schedule. The construction schedule information shall include the duration of each construction activity and the specific location, days, frequency, and duration of the pile driving that will occur during each phase of the project construction. Public notification of this meeting shall be undertaken in the same manner as the Notice of Availability mailings for this Draft Environmental Impact Report (EIR).</p>	Director of Parks, Recreation, and Marine/ Construction Contractor	Prior to issuance of any grading permit

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.10 PUBLIC SERVICES AND UTILITIES</p> <p>4.10-1 Prior to the issuance of building permits, the Marine Bureau Manager shall demonstrate on the final construction plans that applicable interior and exterior water conservation measures have been incorporated into all aspects of this project. At a minimum, measures shall include low-flush toilets, low-flow faucets and shower heads, and the installation of efficient irrigation systems to minimize runoff and evaporation.</p>	<p>City of Long Beach Marine Bureau Manager</p>	<p>Prior to the issuance of building permits</p>
<p>4.10-2 Prior to the issuance of any demolition permit, a solid waste management plan for the proposed project shall be developed by the Marine Bureau, and submitted to the Environmental Services Bureau for review and approval. The plan shall identify methods to promote recycling and reuse of construction materials as well as safe disposal consistent with the policies and programs outlined by the City of Long Beach. The plan shall identify methods of incorporating source reduction and recycling techniques into project construction and operation in compliance with State and local requirements such as those described in Chapter 14 of the California Code of Regulations and Assembly Bill (AB) 939.</p>	<p>City of Long Beach Department of Parks, Recreation, and Marine/City of Long Beach Environmental Services Bureau</p>	<p>Prior to the issuance of any demolition permit</p>
<p>4.11 RECREATION</p> <p>No potentially significant impacts were identified, and no mitigation is required.</p>		

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>4.12 TRAFFIC AND CIRCULATION</p> <p>4.12-1 Prior to the issuance of demolition or building permits, the Marine Manager shall develop a Construction Traffic Management Plan for review and approval by the City of Long Beach Traffic Engineer. The plan shall be designed by a registered Traffic Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes. The plan shall identify the routes that construction vehicles will use to access the site, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas. The plan shall also restrict construction trucks to no more than 19 during the a.m. peak hour for any one phase of the project, prohibit truck trips after 3:30 p.m., and require that a minimum of one travel lane in each direction on Marina Drive and 2nd Street be kept open during construction activities. The plan shall also require the City to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt.</p>	<p>City of Long Beach Marine Bureau Manager/City of Long Beach Traffic Engineer</p>	<p>Prior to the issuance of demolition or building permits</p>
<p>4.12-2 Prior to the issuance of demolition or building permits, the Marine Bureau Manager shall, under the direction of the City of Long Beach Traffic Engineer, address the truck route and circulation effects of the Home Depot and/or the Second+PCH Project construction, should either of these projects be under construction in the vicinity of the project site during construction of the</p>	<p>City of Long Beach Marine Bureau Manager/City of Long Beach Traffic Engineer</p>	<p>Prior to the issuance of demolition or building permits</p>

Table 7.A: Mitigation and Monitoring Reporting Program

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
Alamitos Bay Marina Rehabilitation project. The coordination shall identify the construction routes, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas, and address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes.		

**CITY OF LONG BEACH**

DEPARTMENT OF DEVELOPMENT SERVICES

333 W. Ocean Boulevard Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

December 17, 2009

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California**RECOMMENDATION:**

Certify an Environmental Impact Report and approve a Resolution with a Statement of Overriding Considerations; recommend approval of a Site Plan Review and Local Coastal Development Permit for rehabilitation of the Alamitos Bay Marina basins 1-7 located on the Peninsula, Naples Island, Marina Pacifica and Marina Drive. (District 3)

APPLICANT: City of Long Beach
c/o Mark Sandoval - Department of Parks, Recreation and Marine
205 Marina Drive
Long Beach, CA 90803
(Application No. 0801-08)

DISCUSSION

The project site is comprised of seven basins that form the Alamitos Bay Marina: basins 1, 2, and 3 on Marina Drive, basin 4 on Naples Island, basins 6N and 6S in Marina Pacifica at the southern edge of the Los Cerritos Channel near Marine Stadium, and basins 5 and 7 on the Peninsula. Basin 8 located on the north side of the Los Cerritos channel is not a part of this project (Exhibit A - Location Map). Surrounding land uses are primarily residential, but also include commercial development, marine related uses, and public beaches.

The proposed project implements the Alamitos Bay Master Plan adopted in 2001, by renovating the marina and enhancing the existing recreational boating facilities. Specific improvements, which will be installed in a twelve-phase program extending over six years, include the following:

- Dredging the marina basin of approximately 272,000 cubic yards of sediment down to original depths
- Replacing and/or upgrading thirteen restrooms and sewer and water lines (ten new restrooms and three remodels)
- Providing ADA compliant facilities
- Repairing sea walls - 8,250 linear feet
- Dock and piling replacement
- Replace parking lot pavement
- Reconfiguring boat slip size, and number from 1,967 to 1,646 slips, for a loss of approximately 321 slips

These improvements will encourage boating by providing upgraded American with Disabilities Act (ADA) compliant facilities, upgraded restrooms, and dredged basins for safer navigation.

A number of public meetings have been held to discuss the proposed project since 2007, including a Planning Commission study session October 1, 2009 (Exhibit B-list of public meetings). The City is also working with existing Alamitos Bay customers to ensure that no one will be forced out of the marina due to construction. The City has fewer customers than slips and is also installing a temporary dock adjacent to basin 4 during construction. Two construction staging areas are proposed off Marina Drive.

The proposed project is within various zoning districts and oversight jurisdictions. The following table provides an overview:

BASINS	ZONING	CITY/STATE JURISDICTION AREA
1, 2 and 3	Long Beach Marina Planned Development District (PD-4), subarea 2	State
4	Park (P)	City/State*
5	Park (P)/Alamitos Bay	State
6N and 6S	Southeast Area Planned Development District (SEADIP, PD-1) subarea 31	City/State*
7	Park (P)	State

* City jurisdiction area is limited to review of improvements on land only. The attached Coastal Zone map shows the areas within City permit jurisdiction and those within the State permit jurisdiction area (Exhibit C - Coastal Map).

Site Plan Review is required for the existing 805-square-foot restroom located off Appian Way in basin 4. This facility will be replaced with a 1,367-square-foot restroom with a laundry area in approximately the same location. The new restroom has a sloped roof with a ridge height of 18 feet 3 inches and a midpoint height of 13 feet and 6 inches. The restroom will be constructed of concrete masonry block (CMU) painted light blue with a dark gray dimensional composition shingle roof. The parking lot will be repaired or replaced as needed and restriped. The number of parking spaces will be reduced from 329 spaces to 299 spaces. A new boat hoist and boat storage area will be created along the northern portion of the parking lot and a temporary dock along the southern edge of basin 4 near the Long Beach Yacht Club for use during the renovations. Associated improvements include sidewalk repairs, parking lot improvements, and bike lockers attached to the restroom building (Exhibit D-Plans & Photographs). The proposed bathroom building in basin 4 is a new design from the Department of Parks, Recreation and Marine that will be used throughout the marina areas of the City. The proposed blue and white colors are compatible with the marine setting and the concrete block is a durable material for use in coastal areas.

A Local Coastal Development Permit is required for property located within the City's permit jurisdiction area. This area includes all improvements landward of the seawall in basin 4 and a portion of the improvements in basins 6S and 6N located at the northern portion of the Marina Pacific Mall west of Pacific Coast Highway. All other basins and any construction over the water are under the jurisdiction of the California Coastal Commission. The restrooms in basin 6N and 6S will be remodeled providing ADA accessible facilities. Other improvements include parking lot paving, new parking spaces, and a trash enclosure.

In summary, the proposed project will allow upgraded restrooms with laundry and ADA compliant facilities, a deeper harbor for safe navigation, and larger boat slips. Associated improvements include new trash enclosures, parking lot improvements, and fencing. These improvements are expected to benefit users of the marina and increase recreational boat use. Staff also finds that the proposed project is consistent with the goals, objectives and provisions of the Local Coastal Development Plan (Exhibit E - findings and conditions).

Environmental Impact Report SCH No. 2008041028 identifies mitigation measures to address potential impacts from the project. These measures are included in the conditions of approval and address construction noise, traffic impacts, water conservation measures, and habitat replacement for sea plants.

PUBLIC HEARING NOTICE

Notices of public hearing were distributed on November 24, 2009, in accordance with Chapter 21.21 (Administrative Procedures) of the Zoning Regulations. In addition, a public notice was placed in the Press Telegram and Grunion Gazette. As of the date of preparation of this report, no responses were received.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementation of the California Environmental Quality Act (CEQA), Environmental Impact Report SCH No. 2008041028 was prepared and is attached for your review (Exhibit F- EIR).

Respectfully submitted,



CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:lf

- Exhibit A - Location Map
- Exhibit B - List of Public Meetings
- Exhibit C - Coastal Zone Map
- Exhibit D - Plans & Photographs
- Exhibit E - Findings and Conditions of Approval
- Exhibit F - Environmental Impact Report SCH 2008041028

SITE PLAN REVIEW FINDINGS

- A. THE DESIGN IS HARMONIOUS, CONSISTENT AND COMPLETE WITHIN ITSELF AND IS COMPATIBLE IN DESIGN, CHARACTER AND SCALE, WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED; AND**

The design of the new one-story 1,367 square foot restroom in basin 4 is consistent with the character of the park and adjacent marina. The concrete building will be painted light blue with white trim and have a sloped roof with dark grey dimensional shingles. The building will provide restrooms, showers, and laundry facilities for boat owners. The building and colors will be compatible with other structures in the coastal area.

- B. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES OR SPECIFIC PLAN REQUIREMENTS, PD GUIDELINES OR THE GENERAL PLAN; AND**

The project is located in the Park zone. The proposed restroom building is designed and finished to blend with the marine environment. The proposed marina improvements comply with the Local Coastal Plan by providing upgrades to existing recreational facilities. The proposed upgrades and construction of new restrooms for ADA compliance aims to keep these facilities up to date and provide handicap access. The improvements will provide much needed upgrades to the existing boat owner facilities that are nearly 50 years old.

- C. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE DESIGN IS POSSIBLE; AND**

Any mature trees that are removed during construction shall be maintained and relocated on site.

- D. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THE ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT; AND**

The public improvements include repairs to damaged sidewalks and compliance with ADA requirement for accessibility to provide safe pedestrian access to and around the sites.

- E. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT).**

Not applicable.

LOCAL COASTAL DEVELOPMENT PERMIT

1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND

A positive finding can be made for this item.

The proposed project conforms to the Local Coastal Program (LCP). The use and administration of Alamitos Bay listed in the Local Coastal Plan under the Waterlands Resource Management Plan (RMP), pages III R-1 to R-18, and R19-R34. The Resource Management Plan provides processes to implement the Coastal Act to assure public access to coastal and tide-waterland activities, and among other issues, to establish a balance between public use of waterland and private use of surrounding urban areas.

The Resources Management Plan seeks to address that the use-mix is optimized and to ensure that larger boats do not drive out smaller boats, swimmers and recreational users of the bay. The bay is a public amenity to be enjoyed by the public and not a narrow spectrum of users. The slip size and mix will be reviewed and approved by the California Coastal Commission. The plan references that large boat usage should be reviewed to ensure swimming, small sailing boats, and other users of moderate scale are not displaced. Conflict of uses should be minimized. Uses should be primarily recreational with commercial uses limited to support of recreation.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THE SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

A positive finding can be made for this item.

Chapter 3 of the Coastal Act deals with the public's right to use of beach and water resources for recreational purposes. The chapter provides the basis for state and local governments to require beach access dedication and to prohibit development, which restricts public access to the beach and/or water resources.

The seven basins that form the Marina front on Alamitos Bay and the Los Cerritos Channel. The proposed development is for the construction of a new ADA complaint restroom for boat owners in basin 4 on Naples Island and associated parking lot improvements, the remodel of the restrooms in basin 6N and 6S and associated parking lot improvements located on the north side of Marina Pacifica adjacent to the Los Cerritos Channel, and the remodel of the restrooms in basin 7 on the Peninsula in order to provide ADA compliant restroom facilities. The project also includes the installation of a temporary dock on Naples near the Long Beach Yacht Club. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. The proposed improvements will provide upgraded facilities for boat owners and the general public which is expected to benefit the public and increase water related recreational opportunities.

**LOCAL COASTAL DEVELOPMENT PERMIT
SITE PLAN REVIEW
CONDITIONS OF APPROVAL (Alamitos Bay Marina)
Case No. 0801-08
Date: February 2, 2010**

1. This permit and all development rights hereunder shall **terminate three years** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
3. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
4. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Director of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
5. The Director of Development Services is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
6. Site development, including landscaping, shall conform to the approved plans on file in the Director of Development Services. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
7. Prior to the issuance of a building permit, the applicant must depict all **utility apparatus**, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any

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front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Planning and Building.

8. Prior to the issuance of a building permit, the applicant must submit **complete landscape and irrigation plans** for the discretionary approval of the Director of Development Services. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees.
9. Where feasible, all landscaped areas shall be planted with **drought tolerant plant materials**. All landscaped areas shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
10. All landscaped areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of city officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council.
11. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
12. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
13. Any graffiti found on site must be removed within 24 hours of its appearance.
14. All parking areas serving the site shall provide appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent or abutting residential buildings or neighborhoods pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Chief of Police.
15. All **rooftop mechanical equipment** shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services and Building prior to the issuance of a building permit.

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16. Adequately sized **trash enclosure(s)** shall be designed and provided for this project as per Section 21.46.080 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the lot.
17. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured. Please contact Ken Huang at 562-570-6423 for details. Please see TAC comments dated December 5, 2007.
18. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.
19. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
20. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit. Please see contact Joe Bayudan at (562) 570-7086 for assistance.
21. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
22. The Director of Development Services is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
23. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
 - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water material being excavated and stockpiled.
 - c. Water grading and cover materials being transported.
 - d. Maintain grading and construction equipment in proper tune.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during stage II smog alerts (ozone more than or equal to 0.35 ppm.)

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24. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
25. Prior to issuance of a building permit, the applicant shall submit a lighting and security plan to the satisfaction of the Police Department. Please contact David Marander (562) 570-7285 for assistance.
26. Please contact Larry Oaks of the Water Department for sewer and water line information at (562) 570-2382. .
27. The applicant shall comply with the following conditions to the satisfaction of the Director of Public Works. For additional information regarding off-site improvements, contact the Plan Check Coordinator, Jorge Magaña, at (562) 570-6678.
 - A. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.
 - B. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.
 - C. The Developer shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
 - D. The Developer shall provide for the resetting to grade of existing manholes, pullboxes, and meters in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.
 - E. The Developer shall submit grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes for review and approval by the Director of Development Services and the Director of Public Works prior to approval of the map and/or release of any building permit.
 - F. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the developer or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the

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State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 266-7500 or visit their website for complete instructions at www.waterboards.ca.gov/stormwtr/construction.html Left-click on the Construction General Permit 99-08-DWQ link.

G. The Developer shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at existing bus stops. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.

H. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.

I. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.

J. All traffic control device installations, including pavement markings within the parking lots, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

28. The applicant shall comply with the following condition to the satisfaction of Long Beach Gas and Oil Department. Please contact Mike Zukoski for details at (562) 570-2038 for assistance.

- There will be demolition of existing rest-room buildings. This will require a "demo permit". Please ensure that LBGO is contacted before the demolition is started to have the gas service line cut and abandoned at the main line. There is a charge for this.
- If the new rest-rooms are to have gas service, you will need to have a new service line run from the existing main. Please make sure to schedule this well in advance.
- If the new rest-rooms will be LEED Certified LBGO can provide a \$1,000 credit per building toward the costs of installing the new service lines
- LBGO does not permit the gas meter to be visible / accessible by the public. Therefore; there will need to be a meter cabinet or meter enclosure. Requirements for both are on the LBGO Website.
- The gas meter should be located on the side of the building closest to the existing gas main.
- When removing and replacing AC paving please work with LBGO to ensure that our valve covers are properly set and accessible.

29. The applicant shall obtain a permit from the California Coastal Commission for all development within the State permit jurisdiction area.

30. The existing tenants of the marina shall not be evicted during construction of the marina and not charged a rate higher than the rate the renter occupied prior to construction. If live aboard renters are displaced they shall be relocated to a space that has restrooms facilities that are a similar distance as their current rental space.

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31. If relocation of the Farmer's Market is necessary, the applicant shall obtain approval from the California Coastal Commission (Permit #5-06-87).
32. The applicant shall comply with the following conditions to the satisfaction of the Director of Development Services:
 - The use of chain link fencing is prohibited except for temporary fencing used during construction.
 - If exterior public telephones remain or are installed a Public Accessible Telephone (PAT) permit shall be obtained.
 - The parking lot shall be landscaped in compliance with Chapter 21.42 of the Zoning Code. This section requires parking lot trees at a rate of one 24" box size canopy tree for each four (4) open parking spaces with a minimum of one tree for every one hundred feet of a row or double row of parking spaces. Substitutions may be made per Chapter 21.42.040D.
 - All existing parking lot planters and trees within the planters shall be maintained and protected in place during construction. Any trees that are removed shall be relocated within the same parking lot and/or replaced at an equivalent size.
 - An adequate number of trash enclosures shall be maintained for marina live aboard tenants.
 - All parking lot striping shall conform to Chapter 21.41 of the Long Beach Municipal Code.
33. If necessary, the applicant shall apply for a Certificate of Appropriateness for any alteration to Marine Stadium, a designated Historic landmark.
34. The applicant shall install any missing street trees at a rate of one 24" box size street trees for every 25' of street frontage to the satisfaction of the Director of Public Works.
35. The developer must comply with all the mitigation measures of the applicable Environmental Review (EIR 01-08). These mitigation measures, if applicable, must be printed on all plans submitted for plan review.

7.A Mitigation and Monitoring Reporting Program

4.1.1 AESTHETICS

No potentially significant impacts were identified, and no mitigation is required.

4.1.2 AIR QUALITY

- 4.2-1 Prior to commencement of construction, the Marine Bureau Manager shall ensure that the final project plans and the construction contract include, but are not limited to, the following energy conservation and emission reduction measures:

Fugitive Dust Controls. The project construction contractor shall develop and implement dust-control methods that shall achieve this control level in a South Coast Air Quality Management District (SCAQMD) Rule 403 dust control plan, designate personnel to monitor the dust control program, and order increased watering, as necessary, to ensure a 90 percent control level. Their duties shall include holiday and

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weekend periods when work may not be in progress. Additional control measures to reduce fugitive dust shall include, but are not limited to, the following:

- Provide temporary wind fencing around sites being graded or cleared
- Cover truck loads that haul dirt, sand, or gravel or maintain at least 2 feet (ft) of freeboard in accordance with Section 23114 of the California Vehicle Code (CVC)
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site
- Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) as instantaneous gusts or when visible dust plumes emanate from the site and stabilize all disturbed areas
- Appoint a construction relations office to act as a community liaison concerning on-site construction activity, including resolution of issues related to particulate matter less than 10 microns in diameter (PM10) generation
- Sweep all streets at least once a day using SCAQMD Rule 1186, 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water)
- Apply water three times daily, or nontoxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces or as needed to areas where soil is disturbed

Emission Controls for Nonroad Construction Equipment. Construction equipment shall meet the United States Environmental Protection Agency (EPA) Tier 4 nonroad engine standards, where feasible. The Tier 4 standards become available starting in 2012.

Best Management Practices (BMPs) for Construction Equipment.

The construction contractor shall implement the following BMPs on construction equipment, where feasible, to further reduce emissions from these sources.

- Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps, as feasible
- Maintain equipment according to manufacturer specifications
- Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [ARB] regulation)
- Use of high-pressure fuel injectors on diesel-powered equipment
- Use of electricity from power poles rather than temporary diesel- or gasoline-powered generators

Construction Traffic Emission Reductions. The construction contractor shall implement the following measures to further reduce emissions from construction.

- Trucks used for construction (a) prior to 2015 shall use engines certified to no less than 2007 nitrogen oxide (NOx) emissions standards and (b) in 2015 and beyond shall meet EPA 2010 Emission standards.
- Provide temporary traffic control such as a flag person during all phases of construction to maintain smooth traffic flow
- Schedule construction activities that affect traffic flow on arterial systems to off-peak hours where possible

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- Reroute construction trucks away from congested streets or sensitive receptor areas
- Provide dedicated turn lanes for movement of construction trucks and equipment on and off site
- Configure construction parking to minimize traffic interference Improve traffic flow by signal synchronization
- All vehicles and equipment will be properly tuned and maintained according to manufacturer specifications.
- Reduce traffic speeds on all unpaved roads to 15 mph or less

Emission Controls for Construction Tugboats. All tugboats used in construction shall meet the EPA Tier 2 marina engine standards, and if feasible, use construction tugs that meet the EPA Tier 3 marine engine standards. The Tier 3 standards become available starting in 2009.

Construction Tugboat Home Fleeting. The construction contractor shall require all construction tugboats that home fleet in the **XXX** (SPBP) to (a) shut down their main engines, and (b) refrain from using auxiliary engines at dock or to use electrical shore power, if need be.

- 4.2-2** Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings include the following building design energy conservation measures:

Green Building Design for Restroom Buildings: Incorporate measures from the Leadership in Energy and Environmental Design (LEED) certification program and other green building guidelines that reduce greenhouse gas (GHG) emissions through either development density/ design and/or energy conservation. The LEED for Retail–New Construction and LEED for Commercial Interiors programs developed by the United States Green Building Council are good sources for identifying measures and examples of energy conservation measures, including the following:

- Meet or exceed Title 24 requirements
- Incorporate ENERGY STAR-rated windows
- Incorporate ENERGY STAR-rated space heating and cooling equipment
- Incorporate hot water systems that are energy efficient Incorporate ENERGY STAR-rated light fixtures
- Incorporate ENERGY STAR-rated appliances
- Install/operate renewable electric generation systems, as appropriate and economically feasible

- 4.2-3** Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings of the building operations and maintenance plan include, but are not limited to, the following energy conservation measures:

- **Compact Fluorescent Light Bulbs:** All interior building lighting shall use compact fluorescent light bulbs. Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs.

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- **Energy Audits:** Conduct a third-party energy audit every 5 years and install innovative power-saving technology where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.
- 4.2-4** Prior to issuance of building permits, the Marine Bureau Manager shall ensure that the final construction drawings and the construction contract indicate that no more than 1 acre (43,560 square feet) of parking lot pavement area shall be under construction for replacement at any one time during each phase of the project.
- 4.2-5** During all phases of demolition, dredging, and construction, the Marine Bureau Manager shall ensure that the contract to construct complies with the following rules for construction and operation to minimize the air quality impacts from the proposed project. The following measures are required and will reduce or minimize air pollutants generated by construction vehicles and equipment and fugitive dust emissions associated with earthmoving or excavation operations, or other soil disturbances, as identified in South Coast Air Quality Management District (SCAQMD) Rules 402 and 403. The following measures shall be printed on all final plans and drawings associated with the project:

During earthmoving or excavation operations, fugitive dust emissions shall be controlled by regular watering or other dust-preventive measures using the following procedures:

- All material excavated shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
- All earthmoving or excavation activities shall cease during periods of high winds (i.e., winds greater than 20 miles per hour [mph] averaged over 1 hour).
- All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by earthmoving or excavation operations shall be minimized at all times.

After earthmoving or excavation operations, fugitive dust emissions shall be controlled using the following measures:

- Portions of the construction area to remain inactive longer than a period of 3 months shall be revegetated and watered until cover is grown.
- All active portions of the construction site shall be watered to prevent excessive amounts of dust.

At all times, fugitive dust emissions shall be controlled using the following procedures:

- On-site vehicle speed shall be limited to 15 mph.
 - Road improvements shall be paved as soon as feasible, watered periodically, or chemically stabilized.

At all times during the construction phase, ozone precursor emissions from mobile equipment shall be controlled using the following procedures:

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- Equipment engines shall be maintained in good condition and in proper tune according to manufacturer's specifications.
- On-site mobile equipment shall not be left idling for a period longer than 60 seconds.

Outdoor storage piles of construction materials shall be kept covered, watered, or otherwise chemically stabilized with a chemical wetting agent to minimize fugitive dust emissions and wind erosion.

4.2 BIOLOGICAL RESOURCES

4.3-1 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that a qualified biologist has been retained and shall be on site to assess the roosting (and foraging) behavior of waterbirds at the Marina immediately prior to any major construction disturbance. In the event of an imminent threat to a special-status species, the monitor shall immediately contact the Construction Manager. In the event the Construction Manager is not available, the monitor shall have the authority to redirect or halt construction activities if determined to be necessary.

4.3-2 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract in order to further reduce any potential impacts to green sea turtles:

- A qualified marine biologist shall be on site during the construction period to monitor the presence of endangered species. The on-site biological monitor shall have the authority to halt construction operations and shall determine when construction operations can proceed.
- Construction crews and work vessel crews shall be briefed on the potential for this species to be present and will be provided with identification characteristics of sea turtles, since they may occasionally be mistaken for seals or sea lions.
- In the event that a sea turtle is sighted within 100 meters of the construction zone, all construction activity shall be temporarily stopped until the sea turtle is safely outside the outer perimeter of construction. The on-site biological monitor shall have the authority to halt construction operation and shall determine when construction operations can proceed.

The biological monitor shall prepare an incident report of any green sea turtle activity in the project area and shall inform the construction manager to have his/crews be aware of the potential for additional sightings. The report shall be provided within 24 hours to the California Department of Fish and Game (CDFG) and the National Marine Fisheries Service (NMFS).

4.3-3 Prior to the start of any construction or dredging activities, the Marine Bureau Manager shall ensure that an Eelgrass Mitigation Plan has been included in the contract for construction. The Plan shall require that any direct losses to eelgrass will be mitigated at a ratio of 1.2:1 according to the Southern California Eelgrass Mitigation Policy (SCEMP) requirement. According to current surveys, eelgrass to be impacted by the

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project is 1,373 square feet (sf), which would result in 1,648 sf to be mitigated at the 1.2:1 mitigation ratio. As detailed in the SCEMP, the actual amount of eelgrass to be mitigated shall depend on preconstruction surveys, postconstruction surveys, and surveys at a control site at the appropriate time prior to the beginning of project activities. The preferred mitigation area is located adjacent to the northeast end of Marine Stadium on a City of Long Beach-owned storage site. A qualified biologist shall monitor the successful establishment of the eelgrass mitigation site for a period of 5 years, in accordance with the Southern California Eelgrass Mitigation Policy.

4.3-4 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall provide verification that the following provision has been included in the contract for project construction: that a qualified biologist has been retained to implement the following measures, which shall be incorporated during all phases of construction in order to minimize impacts on eelgrass and other biological resources:

- Impacts to eelgrass beds shall be avoided where practical and feasible. A project marine biologist shall mark the positions of eelgrass beds with buoys prior to the initiation of any construction to minimize damage to eelgrass beds outside the construction zone. To assist the construction crew in avoiding unnecessary damage to eelgrass, the project marine biologist shall meet with the construction crews prior to dredging to review areas of eelgrass to avoid and to review proper construction techniques.
- Barges and work vessels shall avoid impacts to eelgrass beds in Basins 6N and 6S. Barges and work vessels shall be operated in a manner to ensure that eelgrass beds are not impacted through grounding, propeller damage, or other activities that may disturb the seafloor. Such measures shall include speed restrictions, establishment of off-limit areas, and use of shallow draft vessels.
- A qualified marine biologist shall monitor the construction process on a weekly basis to ensure that all water quality best management practices (BMPs) are implemented and to assist the project engineer in avoiding and minimizing environmental effects to benthic communities, including eelgrass. Within 30 days after the project is completed, a post-construction marine biological survey shall be conducted to determine the extent of any construction impacts on eelgrass habitat. The survey report will be completed within 30 days and shall be submitted to the California Coastal Commission and the United States Army Corps of Engineers.

4.3-5 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall verify that the following measures have been incorporated into the final project plans and construction contract. The construction contractor shall be responsible for ensuring that the following measures are implemented during all phases of construction in order to minimize impacts on biological resources:

- No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to tidal erosion and dispersion. Construction materials shall not be stored in contact with the soil. Any construction debris within the temporary cofferdam area shall be removed from the site at the end of each construction day.
- Reasonable and prudent measures shall be taken to prevent all discharge of fuel

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or oily waste from heavy machinery or construction equipment or power tools into Alamitos Bay. Such measures include deployed oil booms and a silt curtain around the proposed construction zone at all times to minimize the spread of any accidental fuel spills, turbid construction-related water discharge, and debris. Other measures include training construction workers on emergency spill notification procedures, proper storage of fuels and lubricants, and provisions for on-site spill response kits.

- All trash shall be disposed of in the proper trash receptacles at the end of each construction day. Any construction debris shall be removed from the site.
- During construction, floating booms shall be used to assist in containing debris discharged. Any debris discharged shall be removed as soon as possible but no later than the end of each day.
- If turbid conditions are generated during construction, including dredging or pile driving, a silt curtain shall be utilized to control turbidity. The City of Long Beach shall limit, to the greatest extent possible, the suspension of benthic sediments into the water column.
- The City shall implement all the requirements of the Department of the Army Permit and the RWQCB WQC, This includes the anticipated dredging water quality monitoring plan set forth by the RWQCB.
- Construction methods shall be used that are the least damaging to benthic sediments and organisms.

Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery or construction equipment or power tools into Alamitos Bay. The City of Long Beach shall have adequate equipment available to contain such spills immediately.

4.3-6 Prior to issuance of any demolition or construction permits, the Marine Bureau Manager shall ensure that the following provisions are incorporated into the final project plans and construction contract for the purpose of protecting nesting birds within the study area during construction:

- Tree and vegetation removal shall be restricted to outside the likely active nesting season (January 1–September 1) for those bird species present or potentially occurring within the project area. That time period is inclusive of most other birds' nesting periods, thus maximizing avoidance of impacts to any nesting birds. If construction must be completed during the breeding season listed above, surveys for nesting birds shall be conducted at least 15 days prior to construction. Should an occupied nest be detected, the City will consult with the California Department of Fish and Game (CDFG) to determine an appropriate means for reducing impacts to nesting birds prior to tree removal. If nesting birds are observed within the vicinity, a buffer from the nest shall be established. The size of the buffer is dependent on the species and shall be determined by a qualified biologist. The buffer shall be delineated by roping the boundaries of construction and shall remain in place until the nest is abandoned or the young have fledged.

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4.3-7 The Marine Bureau Manager shall ensure that a field survey to investigate the presence of the invasive algae *Caulerpa taxifolia* is conducted 30 to 60 days prior to commencement of construction by qualified divers certified by the California Department of Fish and Game (CDFG) and National Marine Fisheries Service (NMFS) to conduct such surveys. The preconstruction *Caulerpa* surveys will be conducted according to the accepted criteria of the Southern California *Caulerpa* Action Team (SCCAT) for conducting surveys for the invasive algae and in accordance with the NMFS and CDFG *Caulerpa* survey protocols. In accordance with the recommendations of the SCCAT, and according to the NMFS *Caulerpa* Control Protocol (Version 3, adopted March 12, 2007 [NMFS 2007]), a survey must be conducted in harbor areas that may be disturbed. In areas that are expected to be free of *Caulerpa*, a 20 percent visual Surveillance Level survey is required prior to any dredging. The survey will also identify any other marine vegetation in the proposed construction area, including eelgrass. The Marine Bureau Manager, or his/her designee, will transmit the survey results via *Caulerpa* Survey Reporting Form to NMFS and the CDFG within 48 hours of completion of the survey. If *Caulerpa* is identified in the project area, the City, NMFS, and CDFG will be notified within 24 hours of completion of the survey. In the event that *Caulerpa* is detected, disturbance shall not be conducted until such time as the infestation has been isolated, treated, or the risk of spread from the proposed disturbing activity is eliminated in accordance with Section F of the *Caulerpa* Control Protocol.

4.4 CULTURAL AND HISTORIC RESOURCES

No potentially significant impacts were identified and no mitigation is required.

4.5 GEOLOGY AND SOILS

4.5-1 Prior to issuance of building permits, the Marine Bureau Manager shall verify that recommendations contained in the Geotechnical Evaluation prepared for the proposed project (Ninyo and Moore, February 2007) have been incorporated into final construction drawings. Design and grading construction shall be performed in accordance with the most current California Building Code in use by the City of Long Beach, the most current local grading regulations, and recommendations of the project geotechnical consultant.

4.6 HAZARDS AND HAZARDOUS MATERIALS

4.6-1 Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach (City) shall conduct additional laboratory testing of the sediment materials from Basin 1. Additional testing shall be conducted prior to disposal of the contaminated soils to determine if concentrations of mercury exceed the Soluble Threshold Limit Concentration (STLC) for mercury at 0.2 milligrams per liter (mg/L) and are considered hazardous by State standards (California Code of Regulations [CCR], Title 22, Section 66261.1–66261.126), and/or are considered hazardous by federal standards (Resource Conservation Recovery Act [RCRA]), where mercury concentrations exceed the federal threshold of 0.2 mg/L, as determined from toxicity characteristic leaching procedure (TCLP) extract testing (TCLP method shall be determined by leaching potential).

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4.6-2 Prior to issuance of any permits allowing dredging in Basin 1, the City of Long Beach shall conduct a Human Health Risk evaluation to determine the level of exposure to potentially hazardous levels of mercury during construction activities.

4.6-3 Soil Management Plan: The Office of Environmental Health Hazard Assessment (OEHHA) shall review the dredge materials removal workplan and shall list any additional requirements. Implementation of the workplan shall be overseen by the OEHHA for compliance with local, State, and federal regulations. Any additional sampling or contaminant material removal shall be subject to these same regulations. As part of the soil management plan, all disposal material will be characterized prior to disposal at a State landfill site. All hazardous waste will be disposed of in a Class I landfill. All other soils or solid waste will be disposed of at an unclassified landfill. In addition, during construction activities of the potentially impacted soils on site, monitoring will be required by the South Coast Air Quality Management District (SCAQMD).

After removal of the contaminated materials from Basin 1 and during the drying process of these sediments/soils, a mixture of Simple Green and water (10:1) shall be lightly applied to the excavated sediments/soils. Simple Green accelerates the decomposition process and will have the overall result of shortening the duration of odor emissions.

4.6-4 During all excavation activities, the Marine Bureau Manager shall ensure that all construction subcontractors comply with the appropriate health and safety measures required by the Occupational Safety and Health Administration (OSHA). In the event that groundwater is encountered during grading or excavation activities, all construction activities shall be terminated in the immediate area until the groundwater is investigated for potentially hazardous content. In the event that suspicious odors are observed in soil, construction shall also be terminated until the soil is properly characterized for hazardous waste content. Appropriate measures shall be taken in compliance with all applicable regulations for the characterization and disposal of hazardous materials.

4.6-5 Prior to the issuance of any demolition permits and at least 10 days prior to any demolition work for proposed improvements, the Marine Bureau Manager shall notify and submit fees to the South Coast Air Quality Management District (SCAQMD) in compliance with SCAQMD Rule 1403, Asbestos Emissions from Demolition/Renovation Activities. Contractors shall adhere to the requirements of SCAQMD Rule 1403 during all construction and demolition activities.

4.6-6 Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified asbestos consultant has conducted an asbestos survey of the existing concrete materials. If asbestos-containing material (ACM) is found, it shall be removed and disposed of by a licensed and certified asbestos abatement contractor in accordance with requirements outlined by the local county health department.

Part 3 to Exhibit A

- 4.6-7** Prior to the issuance of any demolition permits, the Marine Bureau Manager shall provide evidence that a certified lead-based paint (LBP) consultant has conducted LBP surveys in the areas where paint materials may be removed or disturbed on existing structures. If LBPs are found, they shall be removed and disposed of by a licensed and certified LBP contractor in accordance with requirements outlined by the local county health department.
- 4.6-8** Prior to the issuance of any demolition permits, the City of Long Beach shall conduct the inspection of utility pole-mounted transformers within the project area for leaks. Leaking transformers shall be considered a potential for polychlorinated biphenyl (PCB) hazard unless tested and shall be handled accordingly. If the removal of utility poles is anticipated, all treated wooden poles may have a potential for creosote. Areas immediately surrounding the utility pole shall be tested and handled accordingly.

4.7 HYDROLOGY AND WATER QUALITY

- 4.7-1** Prior to issuance of a grading permit, the Marine Bureau Manager shall verify that construction plans for the project include features meeting the applicable construction activity Best Management Practices (BMPs) and erosion and sediment control BMPs published in the *California Storm Water BMP Handbook— Construction Activity* or equivalent. The construction contractor shall be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to the City that includes the BMP types listed in the handbook or equivalent. The SWPPP shall be prepared by a civil or environmental engineer and will be reviewed and approved by the City Building Official prior to the issuance of any grading or building permits. The SWPPP shall reduce the discharge of pollutants to the maximum extent practicable using BMPs, control techniques and systems, design and engineering methods, and such other provisions as appropriate. A copy of the SWPPP shall be kept at the project site.

The SWPPP shall meet the requirements of the General Construction Permit and shall identify potential pollutant sources associated with construction activities; identify non-storm water discharges; develop a water quality monitoring and sampling plan; and identify, implement, and maintain BMPs to reduce or eliminate pollutants associated with the construction site. The BMPs identified in the SWPPP shall be implemented during project construction. The SWPPP Notice of Termination (NOT) shall be submitted to the State Water Resources Control Board (SWRCB) upon completion of construction and stabilization of the site.

- 4.7-2** Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall demonstrate to the Director of Long Beach Development Services, or their designee, that compliance with the provisions of the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Construction and Land Disturbance Activities*, and any subsequent permit as they relate to construction activities for the project has been obtained. This will include submission of the Permit Registration Documents, including a Notice of Intent (NOI), a risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the State Water Resources Control Board (SWRCB) at least 14 days prior to the start of construction.

Part 3 to Exhibit A

- 4.7-3** Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall provide evidence that a Standard Urban Storm Water Mitigation Plan (SUSMP) for the project has been prepared in accordance with the Los Angeles County SUSMP and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit. The project SUSMP shall identify all of the Nonstructural and Structural Best Management Practices (BMPs) that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have impaired the Alamitos Bay. The SUSMP shall be reviewed and approved by the City of Long Beach Building Official prior to issuance of a grading permit.
- 4.7-4** Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that approval to initiate the City's contract with AES (to increase pumping rates) has been incorporated into project plans and will be implemented in the event that water quality standards are exceeded during construction activities associated with Basins 6-North and 6-South (Basins 6-N and 6-S). The construction contractor shall be responsible for notifying the Marine Bureau Manager in the event that increased flushing in the Bay is needed, should water quality remain impaired (i.e., water quality standards are exceeded) beyond 2 days after dredging in Basins 6-N or 6-S.
- 4.7-5** Prior to issuance of demolition and grading permits, the Marine Bureau Manager shall provide evidence that a Standard Urban Storm Water Mitigation Plan (SUSMP) for the project has been prepared in accordance with the Los Angeles County SUSMP and the Municipal National Pollutant Discharge Elimination System (NPDES) Permit. The project SUSMP shall identify all of the Nonstructural and Structural Best Management Practices (BMPs) that will be implemented as part of the project in order to reduce impacts to water quality to the maximum extent practicable by addressing typical land use pollutants and pollutants that have Sanctuaries Act for the transportation of dredged material for ocean disposal. In addition, standard conditions of the Corps permits require Section 401 water quality certification by the Regional Water Quality Control Board (RWQCB). In order to obtain these authorizations, the City shall develop a mitigation plan subject to review and approval by the appropriate resource agencies (Corps, United States Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], California Department of Fish and Game [CDFG], and RWQCB).
- 4.7-6** Prior to the issuance of any construction permits, the Marine Bureau Manager shall demonstrate in the record that Best Management Practices (BMPs) for all dredging activities, as listed in Appendix F of this document, have been incorporated into project plans in order to reduce impacts to water quality to the maximum extent practicable. The construction contractor shall be responsible for performing and documenting the application of BMPs identified in this document.
- 4.7-7** Prior to the issuance of any construction permits, the Marine Bureau Manager shall provide verification in the record that a trash and debris containment boom has been incorporated into project plans and will be implemented during all dock removal and replacement activities in order to reduce impacts to water quality to the maximum extent practicable. The construction

Part 3 to Exhibit A

4.8 LAND USE

No potentially significant impacts were identified, and no mitigation is required.

4.9 NOISE

- 4.9-1** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirements are printed on all final project plans: Consistent with the City of Long Beach (City) Noise Ordinance, construction activity that produces loud or unusual noise that could impact a reasonable person of normal sensitivity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and federal holidays, and between 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities shall occur on Sundays.
- 4.9-2** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: during construction and demolition, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- 4.9-3** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- 4.9-4** Prior to the issuance of any permit, the Marine Bureau Manager shall demonstrate that the following requirement is printed on all final project plans: the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- 4.9-5** Prior to issuance of a grading permit, the Director of Parks, Recreation, and Marine shall hold a community preconstruction meeting in concert with the Construction Contractor to provide information regarding the construction schedule. The construction schedule information shall include the duration of each construction activity and the specific location, days, frequency, and duration of the pile driving that will occur during each phase of the project construction. Public notification of this meeting shall be undertaken in the same manner as the Notice of Availability mailings for this Draft Environmental Impact Report (EIR).

4.10 PUBLIC SERVICES AND UTILITIES

- 4.10-1** Prior to the issuance of building permits, the Marine Bureau Manager shall demonstrate on the final construction plans that applicable interior and exterior water conservation measures have been incorporated into all aspects of this project. At a minimum, measures shall include low-flush toilets, low-flow faucets and shower heads, and the installation of efficient irrigation systems to minimize runoff and evaporation.

Part 3 to Exhibit A

4.10-2 Prior to the issuance of any demolition permit, a solid waste management plan for the proposed project shall be developed by the Marine Bureau, and submitted to the Environmental Services Bureau for review and approval. The plan shall identify methods to promote recycling and reuse of construction materials as well as safe disposal consistent with the policies and programs outlined by the City of Long Beach. The plan shall identify methods of incorporating source reduction and recycling techniques into project construction and operation in compliance with State and local requirements such as those described in Chapter 14 of the California Code of Regulations and Assembly Bill (AB) 939.

4.11 RECREATION

No potentially significant impacts were identified, and no mitigation is required.

4.12 TRAFFIC AND CIRCULATION

4.12-1 Prior to the issuance of demolition or building permits, the Marine Manager shall develop a Construction Traffic Management Plan for review and approval by the City of Long Beach Traffic Engineer. The plan shall be designed by a registered Traffic Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes. The plan shall identify the routes that construction vehicles will use to access the site, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas. The plan shall also restrict construction trucks to no more than 19 during the a.m. peak hour for any one phase of the project, prohibit truck trips after 3:30 p.m., and require that a minimum of one travel lane in each direction on Marina Drive and 2nd Street be kept open during construction activities. The plan shall also require the City to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt.

4.12-2 Prior to the issuance of demolition or building permits, the Marine Bureau Manager shall, under the direction of the City of Long Beach Traffic Engineer, address the truck route and circulation effects of the Home Depot and/or the Second+PCH Project construction, should either of these projects be under construction in the vicinity of the project site during construction of the Alamitos Bay Marina Rehabilitation project. The coordination shall identify the construction routes, the hours of construction traffic, traffic controls and detours, and off-site vehicle staging areas, and address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes.



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

<input type="checkbox"/> Zoning Administrator	on the <u>17</u> day of <u>December 20 09</u>
<input checked="" type="checkbox"/> Planning Commission	
<input type="checkbox"/> Cultural Heritage Commission	
<input type="checkbox"/> Site Plan Review Committee	

Appellant(s): LAURENCE B GOODHUE

Project Address: _____

Reasons for Appeal: See Attached RZ PERMID USE BRIEF

Your appellant herein respectfully requests that Your Honorable Body **reject** the decision and Approve Deny this application.

	Appellant 1	Appellant 2
Name:	<u>LAURENCE B GOODHUE</u>	
Address:	<u>US PO BOX 14464</u>	
City/ZIP:	<u>LONG BEACH, CA 90803</u>	
Phone:	<u>323 474-4416</u>	
Signature:	<u>[Signature]</u>	
Date:	<u>12/18/09</u>	

Attach additional sheets if necessary for further appellants.

Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).

(Staff Use Only Below This Line)

Received by: JR App. No.: 0801-08 Filing Date: 12/18/09

Materials Required: Plans Photographs Special Materials

Fee: \$56.83 Fee Paid Project (receipt) No.: 53595

Staples Copy Center #164

From: commonsense-sayssavthefence@fastmail.fm
[cacewood8@fastmail.fm] **Sent:** Mon 12/28/2009 10:43 AM
To: Staples Copy Center #164
Cc: *[Handwritten signature]*
Subject: : APPEAL OF PLANNING COMMISSION ACTION RE ALAMITOS BAY MARINA PROJECT
Attachments:

HARD COPY OF REVISED FIRST PAGE:HAND DELIVERED DECEMBER 28,2009

Date: Mon, 28 Dec 2009 08:39:26 -0800

Subject : APPEAL OF PLANNING COMMISSION ACTION RE ALAMITOS BAY MARINA PROJECT

EXECUTIVE SUMMARY

This stakeholder supports re building and repair of the Alamitos Bay Marina which has been allowed to fall into such disrepair as a result of management uncertified,unschooled, untrained and untrustworthy in critical aquatic and maritime issues There is full support for a plan contained within the foot print which existed PRIOR to the clandestine "midnight" construction of slips which impregnate the ACTIVE TRANSIT WATER WAYS OF THESE INLAND WATERWAYS OF THE UNITED STATES.

This stakeholder DOES NOT SUPPORT ANY PLAN THAT:

- 1.Negatively impacts the environment as projected plan does.
- 2.Eviscerates terra firma designated for rowing shell trailers as the projected plan does.
- 3.Further constricts already congested transit lane
- 4.Presents maritime navigational hazards
- 5.Yields no benefit to(circa 2000) stakeholders who actively ply the water ways in or on:

- .Canoes
- .Kqyaks
- .Dragon boats
- .Paddle boarders
- .Rowing shells
- .Small power boats-and larger
- .Small sail boats -and larger

Who use such waters ways for active transit into and out of said waters in pursuit of permitted aquatic and boating activity for daily training and special permitted events.

6. Is at war with:
 - A.City and State Land Mark Statues as the projected plan is.
 - B.The California Coastal Act as the projected plan is.

Provides benefit but to a small number of boaters so they can liquor up at the end of day of boating at their yacht club.

What now follows is:

PREFACE

Detailed breakdown of each of the above points

Suggested alternative for Basin Four

Review of the process;

1.Chroniced by local media showing solid opposition to the plan.

2.Evidence the process has been comprised by lack of notice and number of public

input meetings-voted on,agreed to, and published.

NOTE: Any and all objections raised in scoping meetings;MAC Meetings and Planning Commission are herewith renewed.

Appellant is:

Rower

Sailor

Windsurfer

Twice elected president of Long Beach Rowing Association during which time it founded the Long Beach Junior Rowing Program - now Long Beach Junior Crew.

Life Member of CSULB Crew Organization

Contributing author to City of Long Beach and California State Landmark Statues.

The above spans a quarter century perspective

--

cacrewood8@fastmail.fm





"commonsense-sayssavthefence@fastmail.fm"
<cacrewood8@fastmail.fm>

To Jill.Griffiths@longbeach.gov
cc
bcc

11/20/2009 12:55 PM
Please respond to
commonsense-sayssavthefence@fastmail.fm

Subject Fwd: NOVEMBER 20,2009: COMES NOW THESE
COMMENTS-SANS PREFACE ON THE DRAFT EIR
RELEASED ON OCTOBER 8,2009FOR:PROPOSED
ALAMITOS BAY MARINA BAY MARINA REHABILITATION
PROJECT:

P R E F A C E

This, occasion would seem to be appropriate and proper for asserting as a principle, in which the rights and interests of all who use these inland water ways of the United States are involved, that said waters are not to be considered or used for any other purpose than: active transit or permitted racing of recreational boating activities, or practicing relating thereto. In so stating it is noted and embraced that some stake holders (those engaging in motorized boat racing might offer financial prizes). Umbrage is not taken over such offerings. Indeed, the presence of such has been a fixture in this venue, created for the rowing events of the Xth Olympiad and have co existed, in harmony, with all stake holders since the opening of the venue.

It is therefore owed, in the interest of amicable relations and candor existing among and between all, including convening authorities, to hold: transit waterways with docks or slips can be viewed in no other light than as an impediment to common sense, maritime safety--and as a manifestation of an unfriendly disposition--toward all other stakeholders, including those who have come on line since the Xth Olympiad, who presence is acknowledged, appreciated and welcomed.

SOME SPELL CHECK--NOTE THERE MIGHT BE A HALF PAGE BLANK SPACE BEFORE THE EXECUTIVE SUMMARY

P-8-1
Duplicate
of P-5



EXECUTIVE SUMMARY

- 1. All comments, concerns and objections raised and set forth in the draft DEIR are renewed.
- 2. Attached to this working draft are:
 - A. Copies of working notes compiled in 1931 from the City of Long Beach so titled:

LOCATION OF PROPOSED
 Start & Finish Line
 at Olympic Rowing Course
 G(or 6)-56167 (it is unknown to me if it is a G
 or 6-but my sense
 is the City Surveyors of today can discern such
 from the rest of data

West Notes
 Frigon ^ (with a-across the top of the ^
 Morton Chain- Feb, 11 1932
 Ehrhardt "

It would appear to me the above might have been a then work in progress vis a via a date of Apr 26 32.

In addition to the lexicon of surveyors there are actual sketches of both the FINISH and START with the position of the street Toledo.

THE THRUST OF THAT CONTAINED IN #2---goes to establish and confirm that the START LINE OF THE 1932 OLYMPIC WAS AS IS DEPICTED IN THE DRAWINGS IN THE DRAFT EIR-which was brought into



4

issue by the consultant's statement in the text following the DRAWINGS the start was at a on a point which ran across the water on a line that is where the Davies Bridge now stands.

The world's foremost authority of the subject, ARCHIMEDES, demonstrates with mathematical certainty, the start could not have been at the Davies Bridge. The course would have run out of aqua at circa the 1700 meter mark; boats-at the then given stroke rate, run aground, impaled on a barb wire fence-and or run aground at Colorado Street.

It is my understanding the City of Long Beach is working to determine what needs to be done to perfect what ever mis communication in records led the consultants to declare war on ARCHIMEDES.

3. Though it would appear the Manager of the Marine Bureau now has an an and understanding of the City and State Land Mark Statues whose aegis prohibits impregnation of the 2000 meter course- it would appear he still fails to understand:

A. The aegis applies also to the water ways within the venue in chief particularly the water-fair ways which are used for transit into and out of the 2000 meeter race course as as well as the waters of Alamitios Bay which are used for additional practice and training as so referenced in the moving paperwork for the Land Mark Statues.

B. Perhaps more striking is the aegis which flows from the California Coastal Act which prohibits elimination, reduction or removal of facilities designed to support recreational small boating activities.

C. Said water ways(A & B) are not a PARKING LOT for boats!!!!!!

4. The proposed Long Dock with a water line circa but 70 feet shorter than the United States Virginia Class Submarine; one third the water line of RMS Queen Mary; so long that if it has wheels, Laura Richardson would be driving it, rendering as much damage as the press reports the Representative does to her neighborhood. Said damage would be to the marine habitat impacted by loss of sun light.

More to the point: The very existence of the groin across from the LBYC points to the lack of maritime issues such as, current, surge, tides, wakes wind. Boats using the said long dock would suffer the same ravages of nature the boats in Basin Three would were they not protected by the groin.

Given the amount of PUBLIC WATERS THE LONG DOCK WOULD CONSUME--IT RAISES SERIOUS QUESTIONS

P-8-1



VISA VIA THE NATURE OF THE PRIVATE CLUB---no matter how commendable its mission.

- 5. The area targeted for mitigation at the entrance to Boathouse Lane is spoken for; currently used for dry boat storage and small boating support components. Said terra firma.

IT SHOULD BE NOTED THE SUPPLY DEMAND CRUNCH OF DRY STORAGE SPACE IS BROUGHT INTO VERY SHARP- VERY SHARP FOCUS BY:

- A. The looming -but yet to be determined- sale date the City's Oil Property lot-on the east side of Boat House Lane. That lot has been used for dry boat storage--INCLUDING THE 12 Rowing Shell Trailers as well as boats from other stakeholders--as well as City Marina equipment.

- B. The rulings of the California Coastal Commission-continuing and enhancing its protections for dry boat storage et al.

- 6. Folly of the dubious double proposed double slips for basin 4 is underscored by the continuing problems such double slips continue to present in the downtown marina.

- 7. The good people of LBYC must step up to the plate and take ownership of the good job they have done and recognize that their INN is full. They must plan for establishing a base in the downtown Marina for their boat parking lots. They can not T bone their boats into the transit water ways EXCEPT ON THE DATES FOR SPECIAL EVENTS---WHICH ALL STAKEHOLDERS WELCOME AND SUPPORT AND WILL GLADLY ADJUST TO FOR THE DURATION OF THE SPECIAL EVENT.

THUS CONCLUDES THE EXECUTIVE SUMMARY OF MY CONCERNS RELATIVE TO PLANS SET FORTH IN THE DEIR

NOW AS TO THE ELEPHANT IN THE ROOM

THE SPECTER OF THE ENTIRE PLAN BEING REJECTED BY THE COURTS

The currency of the conclusions, data, projections, statements set forth by the Marine Bureau contained in the DEIR, are highly suspect-as are any set forth by the those of any consultants--to the extent the latter rely upon any data from the Marine Bureau.

As indicated in my comments in the DEIR of October 8, 2009, a review of the public record strongly suggests there is a culture of deceit, deception, lies running unchecked which most would view as the indication of the presences of a congenital, habitual, pathological or polished liar more than taints the currency of information flowing



6

from the Marine Bureau.

It is striking to note that pattern continues as evidence by the public record of what unfolded at the November 12, 2009 Marine Advisory Commission which is herewith attached (in exhibits to this response). It is a clear case of, yet again the Manager of the Marine Bureau lying in an effort to push through his ENLARGED FOOT PRINT--absence which the plan could have, long ago been approved.

Additionally, an entirely new element has been injected by said Marine Bureau Manager-- the attempted extortion of one stakeholder in an attempt to silence another stakeholder into approving the plan---which the latter, in addition to a wide spectrum of stakeholders had, with sound reason, steadfastly opposed.

In sum the Manager of the Marine Bureau advocated THROWING THE WATER SKIING COMMUNITY UNDER THE BUS by reducing their already limited access to limited waters (circa 800 meters) available to them but 9 hours a day and giving it to the rowing community which has circa six(6) miles of water 16 hours a day.

Equally disturbing a major PROCESS ISSUE unfolded at the November 12, 2009 meeting: The MAC, without public noticed decided to CANCEL a second special community outreach meeting which it had at its March 12, meeting decided to hold. (see attached exhibit--a well well chronicled article by the noted reporter Doug Krikorian of the Press Telegram.

Clearly the Marine Advisory Commission has not had the opportunity to demonstrate it has the capacity to render due diligence. Nor has the public been afforded the opportunity to address the issue--to the extent the Commission had decided at the March 12, 2009 meeting was required in order to allow the Commission to render an intelligent decision involving a matter so so seminal--so lasting.

All of the above are fertile grounds for a trier of fact to dis allow the City's Work product; remanding it back to day one and starting the process over as was done in the Home Depot case.

THE ABOVE IS BEING E-MAILED TO CITY THIS AM
THE REFERENCED EXHIBITS WILL BE DELIVERED IN HARD COPY FORMAT GIVEN THE SIZE OF SOME OF THE SURVEYING DRAWING AND NOTE SHEETS.

Laurence B. Goodhue
Long Beach
California



7

LAURENCE GOODHUE

LETTER CODE: P-8

RESPONSE P-8-1

Comment letter P-8 is a duplicate of Comment letter P-5. See Responses P-5-1 through P-5-10.

8

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P-10-1 Duplicate



9

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so seminal-so lasting.

All of the above are fertile grounds for a trier of fact to dis
allow the City's Work product;
remanding it back to day one and starting the process over as was
done in the Home Depot case.

P-10-1
Duplicate

THE ABOVE IS BEING E-MAILED TO CITY NOVEMBER 22,2009
THE REFERENCED EXHIBITS WERE DELIVERED IN HARD COPY FORMAT
ON FRIDAY NOVEMBER 20,2009 WITH HARD COPIES TO ISA ON NOVEMBER
20,2009
HARD COPY OF EXHIBITS WERE ALSO DELIVERED AND MAILED GIVEN 11X17
FORMAT

Laurence B. Goodhue
Long Beach
California

--
cacrewood8@fastmail.fm

--
cacrewood8@fastmail.fm

Staples Copy Center #164

From: commonsense-sayssavthefence@fastmail.fm
[cacrewood8@fastmail.fm] **Sent:** Thu 12/24/2009 11:35 AM
To: Staples Copy Center #164
Cc:
Subject: Fwd: RE: NO. 2:NET LOSS OF 245 SLIPS!!!!-does this represent loss of smaller boats t9o make room for the larger >>>
Attachments:

----- Original message -----

From: "Chuck Posner" <cposner@coastal.ca.gov>
To: cacrewood8@fastmail.fm
Date: Wed, 27 Feb 2008 08:53:26 -0800
Subject: RE: NO. 2:NET LOSS OF 245 SLIPS!!!!-does this represent loss of smaller boats t9o make room for the larger >>>

Thanks Larry - The City's proposed reduction in the number of smaller slips is definitely an issue of concern. In other projects the Commission has required marinas to maintain the current ratio of short/long slips. There are a number of other issues that will need to be addressed as well (e.g., eelgrass beds, birds nests, parking, access, dry boat storage, pump-outs, water quality, disposal of dredged matter, etc...).

Charles R. Posner
Coastal Program Analyst
California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802
(562) 590-5071
cposner@coastal.ca.gov

-----Original Message-----

From: cacrewood8@fastmail.fm [<mailto:cacrewood8@fastmail.fm>]
Sent: Tuesday, February 26, 2008 10:02 PM
To: Chuck Posner
Subject: RE: NO. 2:NET LOSS OF 245 SLIPS!!!!-does this represent loss of smaller boats t9o make room for the larger >>>

1. Case No. 0802-01; 5255 Paoli Way (3rd District)

The City's Parks, Recreation & Marine Department is proposing to remove approximately 1,500 linear feet of chain link fence between Paoli Way and La Verne Avenue, and the removal and replacement of approximately 1,850 linear feet of chain link fence between La Verne Avenue and Marine Stadium's south entrance gate. The existing short block wall running the span of Marine Stadium would remain. The replacement fence would not exceed a total of 8' in height, block wall included.

This Local Coastal Development Permit request will be heard by the

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Zoning Administrator at a future date.

17. Case No. 0801-08; Alamitos Bay Marina (3rd District)

The City's Parks, Recreation, & Marine Department is proposing a number of improvements to the existing Marina, including (1) dredging of the Marina basin seafloors down to the original design depths; (2) replacing and/or upgrading 13 restrooms and their associated water and sewer lines; (3) repairing the sea wall where necessary to reestablish the rock revetment along the slope to the basin floor; (4) complete dock and piling replacement; and (5) replacing the pavement in the parking lots.

The basis for the dredging is to remove accumulated materials that prevent safe passage throughout the Marina. The anticipated dredge quantity is approximately 185,000 cubic yards of sediment.

There are currently 1,967 existing slips in the Marina. The proposal calls for the installation of 1,722 slips, resulting in a net loss of 245 slips. In addition, the project would remove approximately 808 existing piles and install 1,245 new piles to support the new dock system, which would be ADA compliant. 8

Implementation of the project is anticipated to be accomplished in a 12-phase program extending over approximately six years. The primary construction staging area will be located in the Marina parking lot along Marina Drive. A temporary dock to accommodate displaced boats would be located adjacent to the parking lot of the Long Beach Yacht Club (Naples Island).

The Initial Study found that the project may have a significant effect on the environment unless mitigation is included. With mitigation incorporated, potential environmental effects would be reduced to less than significant levels. Therefore, the City has determined that a Mitigated Negative Declaration is the appropriate environmental documentation to be prepared for this project.

The application received by the Planning Bureau has been deemed incomplete. A complete listing of required entitlements will appear in a future edition of this bulletin. LF

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Comments on the Draft Environmental Impact Report for the Alamos Bay Marina Rehabilitation Project

I. The Project Description in DEIR Fails to Fully Disclose the Elimination of 591 Small Boat Slips

The Notice of Preparation for this project did not disclose that any slips would be eliminated. The DEIR states that the new marina will have 321 fewer slips. DEIR p. 3-5. However, it does not disclose that a significant number of large slips to be added and that a huge number of small slips are to be eliminated by the proposed project. Instead of forthrightly disclosing in the DEIR text that a major shift to larger slips is proposed, the magnitude of this shift is seen only through careful analysis of the data provided in tables of the DEIR.

The DEIR acknowledges that during the 1999 Alamos Bay Master Plan process it was found that: "Popular opinion was that the Marina should continue to be recognized as a small craft marina and as such should include slips as small as 20 ft." (DEIR p. 3-2, emphasis added.) The DEIR then states that city staff consulted with Coastal Commission staff around 1999 concerning appropriate slip mix for the rebuilt marina. The text then recites the various percentages of various size slips of the proposed marina without reference to the existing percentages. (*ibid.*) As a result, the DEIR gives the impression that little change is proposed and that the marina will remain a "small craft marina." This is a false impression. In fact, the project proposes an enormous decrease in 20 to 30 foot slips and a corresponding increase in larger slips.

One has to calculate their own table from data from DEIR Table 3.B to fully understand the true magnitude of the drastic changes in slip mix that are proposed. These changes are summarized in the following table:

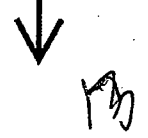
ALAMITOS BAY MARINA SLIP SIZES

	20'	25'	30'	35'	40'	45'	50'	55'	60'	70'	80'+
Existing	445	369	429	238	278	92	62	4	21	14	17
Proposed	165	242	245	312	368	112	133	4	37	12	16
Change	(280)	(127)	(184)	74	90	20	71	0	16	(2)	(1)
Slip Fee /month	\$164	\$257	\$370	\$471	\$585	\$689	\$788	\$930	\$1014	\$1262	\$1535+

P-20-1

Source: Slip size from Table 3.B; current 2009 slip fees provided by ABM staff and attached hereto as Attachment A.

From the table above can it be seen that the proposed marina will eliminate 280 20' slips, 127 25' slips and 184 30' slips for a total loss of 591 small slips 30 feet and under, while adding 268 slips of 35 feet and larger. The DEIR text should have forthrightly disclosed this significant change away from a small boat marina. Because it does not, the project description does not accurately describe the true project.



**Comments on the Draft Environmental Impact Report
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Because larger slips occupy more space than small slips the overall number of slips available will be reduced by 321 slips, from 1,967 existing to 1,646 new slips. The DEIR asserts the reduction in slips is not an adverse impact on recreation because, through a two-year attrition program that has prohibited new marina customers owning small boats from occupying those slips proposed for elimination that have been vacated, the number of marina current marina customers has been reduced to only 1,430. (DEIR p. 3-6.) The DEIR states that current marina customers will be provided with a slip after the rebuild, even if the slip is too large for the boat. (DEIR p. 3-5). What is not explicitly acknowledged is that once current small-boat customers leave and their vacated larger slips are subsequently occupied by boats the size of the new slips, new customers with small boats will not have a place in the new marina.

P-20-1

"An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185. The EIR should be revised to provide fair notice to recreational boaters that a large number of small slips are being eliminated and the project description should be recirculated for public comment.

**II.
Reducing the Number of Small Slips Constitutes a
Significant Adverse Impact Upon Recreational Opportunities**

The DEIR finds no adverse impacts on recreation (DEIR pp. 1-79 - 1-80) even though the project will eliminate 591 small slips and a total of 321 slips overall. This conclusion of the DEIR misperceives the function of a public marina and coastal policy. As discussed more fully below, California Coastal Act statutory policy promotes "increased recreational boating use" for all (not merely serving current customers and aggressively emptying small slips through attrition) and especially seeks to protect "lower cost . . . recreational facilities."

By reducing the overall number of slips and greater reducing the number of inexpensive small boat slips, the current project design constitutes a significant adverse impact upon recreational boating. The EIR should be revised to disclose this impact and discuss measures to mitigate or avoid this impact.

A. The Proposed Slip Mix Will Not Serve the Existing Demand for Small Slips

Marina spokespersons have stated that the slip mix proposed for the rebuild is based upon the marina's waiting list. However, the summary sheet of the marina's waiting list obtained from ABM staff (and attached hereto as Attachment B) does not support the proposed slip mix. Instead, a review of current occupancy figures show a greater demand for small slips and lesser demand for many of the larger slip sizes.

P-20-2

A reasonable measure of demand for slips would be the current long-term occupancy + persons on the waiting list + boats occupying a slip on a month-to-month basis. The table below, taken from information on Attachment B, shows that the proposed slip mix would not serve currently existing demand for 20', 25' or 30' slips - a total shortfall of 308 small slips - and would build 145 slips of 35' and 40' for which there is NO current demand shown on the waiting list:

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SLIP OCCUPANCY AND DEMAND BY SLIP SIZE

Slip Size	20'	25'	30'	35'	40'	45'	50'	55'	60'	70'	80'+
Occupied	180	186	364	222	238	87	85	1	15	12	14
Temporary	47	70	23	7	13	3	4	0	2	3	2
Waiting list	27	36	27	32	23	37	48	0	56	16	18
Total slip demand	254	292	414	261	274	127	137	1	73	31	34
Proposed slips	165	242	245	312	368	112	133	4	37	12	16
Unmet Demand	89	50	169	-	-	15	4	-	39	19	31
Excess slips	-	-	-	51	94	-	-	3	-	-	-

P-20-2

Source: "Slip Status, October 31, 2009" from ABM records attached hereto as Attachment B. ("Occupied" slips are leased on a long-term lease and guaranteed a slip after the rebuild. "Temporary" slips are month-to-month subject to termination at will and have no right to a slip after the rebuild under current marina policy. "Total slip demand" equals "Occupied" + "Temporary" + "Waiting List." "Excess slips" are slips for which there is no demand shown.)

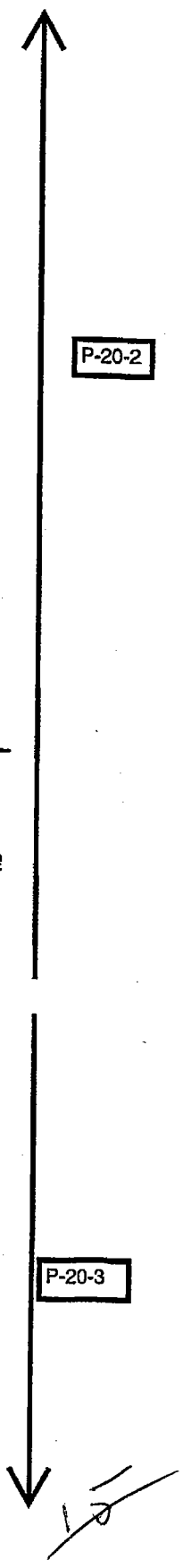
The above data almost certainly understates the demand for small slips. It is notable that (for slips less than 90') the longest wait shown on the ABM waiting list is for the 25' slips which have not been available since the year 2000. Those seeking 20' slips have been waiting almost as long - since 2003. In contrast, the wait for 40', 45' and 50' slips has been shorter - since 2008, 2007 and 2006, respectively. Moreover, seeing the long wait for the 20' and 25' slips has likely discouraged more new small boat owners from adding their names to the waiting list over time.

B. Small Boat Owners Have Been Actively Forced Out of the Marina Through an "Attrition Program" and the Demolition of Small Slips

Under the marina's two-year-old "attrition" program (see DEIR p. 3-6), marina staff has held back from long-term rental a total of 513 slips of 20', 25' and 30' length, while only 79 slips of sizes 35' and larger have been held back. (See ABM, "Held for Rebuild" line in "Slip Status, October 31, 2009.") Indeed, as a part of the "attrition" program, 189 of the 20' slips in Basin 2 already have been demolished. As shown in the photo on Attachment C of these comments, slips #857 through #1046 on Gangways 23, 24 and 25 in Basin 2 have been demolished, leaving unused empty gangways.

P-20-3

This attrition program aimed squarely at smaller slips has almost certainly reduced the number of occupied small slips (and new additions to the small boat waiting list) far below that which



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would have occurred if those small slips had been held open on an equal basis with the larger slips. In a recent interview with a local boating organization, Alamitos Bay Marina management admitted that small boat owners were being discouraged from locating in the marina and that the existing demand for 20' slips would not be met by the proposed slip mix:

Q. Why were the slips, and their revenue, ripped out of Basin 2 when it was obvious that the rebuild start was going to be delayed?

A: The fingers that were stripped were all 20-foot fingers. We moved all of the vessels on those docks to other parts of the marina so we could vacate those docks and create long docks, which will be used for storing displaced vessels during the rebuild. The reason we have so many 20-foot vacancies is because we are eliminating so many in the rebuild. To be specific, we had 445 20-foot slips in the marina. We have 186 filled with permanent customers. We will have only 165 20-foot slips after the rebuild, so at this point, we have 21 more 20-foot customers than we will have 20-foot slips. As a result, we are holding 20-foot slips open instead of permanently renting them and creating a larger differential. We do, however, rent all of the slips we are holding open on a temporary basis. At the present time, we are generating about \$700,000 a year on the temporary slip rental program, which does help to keep the slips fees a little lower.

(Source: <http://www.lbmboa.org/documents/SandovalQA.pdf>, emphasis added).

It is important to note that the marina's slip fees were recently reformed to charge for slips on a square foot basis. As a result, the cost of small slips decreased significantly and the cost of larger slips increased significantly. One can reasonably assume that if the marina were to widely advertise these lower small slip rates, many more smaller 20' - 30' slips could be leased now and in a rebuilt marina and many more would now be on the marina's waiting list.

It is a violation of CEQA to begin implementation of a project prior to completion of CEQA review. See *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, (it was a CEQA violation to evict tenants prior to CEQA review of the proposed demolition of a residential building).

The EIR should be revised to disclose the 20' slips that have already been demolished and explain why it was appropriate to conduct this demolition and attrition program (with a corresponding loss of marina revenue from slip rents) prior to completion of the CEQA process, public review, or project approval. The EIR should include a discussion of mitigation measures for this demolition, as discussed below.

C. The Project Design Includes Only Power Boat Slips. Reducing the Number of Slips that Can be Constructed

The DEIR indicates that all slips will be built to DBAW powerboat standards, which require wider slips than the DBAW requirement for sailboat slips. From a walk through of Alamitos Bay Marina it appears that approximately 60% of the boats are sailboats. The EIR should be revised to analyze the number of slips that could be added in the footprint if half of the slips were sized for sailboats. This would mitigate the loss of slips from the proposed project.

**Comments on the Draft Environmental Impact Report
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III.

**The DEIR Fails to Adequately Analyze Impacts Upon
Other Small Boaters and the Historic Olympic Rowing Course**

**A. The Traffic Section Only Analyzes Minimum Channel Widths Needed for
Navigation. Not the Dimensions Needed for a Competitive Rowing Course**

The DEIR fails to acknowledge the public controversy concerning the proposed expansion of the marina footprint that will impact the competitive rowing course used in the 1932 Olympics, used for training for other Olympics and currently used today for rowing practice and competitions. The enlarged marina footprint as shown in the DEIR would result in a narrowing of the channel and loss of open water for all boaters, including canoeists, kayakers, powerboats and sailboats, as well as competitive rowers.

Although this controversy over the competitive rowing course has been the subject of a number of *seriatim* private meetings between marina staff and various stakeholders, at least one public meeting, and press coverage, *the DEIR fails to discuss it at all*. Instead, the DEIR buries the issue in the "traffic" section of the DEIR, explaining only that the marina will still meet the minimum DBAW navigation standards for *channel width*. DEIR p. 4.12-9.

P-20-5

Plainly minimum DBAW standards are *not* the issue. *The issue is whether the new marina design will prevent continued use of the standard 2,000 meter rowing course of Marine Stadium*. This 2,000 meter rowing course was used in the 1932 Olympics. A modified 2,000 meter course (modified because the north end of Marine Stadium had been filled in) was used for the rowing and canoeing trials for the 1968 Olympics. The DEIR contains no discussion of the 2,000 meter rowing course or how the project will impact the rowing course.

**B. The Historic Resources Section of the DEIR Avoids Discussion of Rowing
Course Impacts by Improperly Redefining Marine Stadium Boundaries**

The DEIR refused to discuss impacts on the the 2,000 meter rowing course in the cultural/historic resources discussion on grounds the rowing course purportedly "retains no original integrity and does not contribute to the [historic] eligibility of Marine Stadium." DEIR p. 4.4-6. The DEIR reaches this conclusion based upon the 1955 construction of the Second Street bridge over the rowing course. The DEIR asserts that the bridge construction irretrievably changed the rowing course and destroyed its historic integrity. DEIR p. 4.4-5. Therefore, the historic resources discussion in the DEIR omits any discussion of project impacts upon the rowing course south of the Second Street Bridge.

However, in the Cultural/Historic Resources Report in Appendix D of the DEIR the reader learns that in 1992, *decades after construction of the bridge*, the Long Beach City Council, through adoption of Resolution C-25635, *designated the Marine Stadium rowing course as a California Historical Landmark*. See Appedix D of the appendices to the DEIR. The documentation supporting the City Council's historic designation stated, in relevant part: "When updating the venue for the subsequent [1968] Olympic Trials, there was a modification in the site which *shifted the starting line from what is now the second street bridge to its present position, near the Long Beach Yacht Club*." See "*Historic Resources Inventory*" in Appendix D of the DEIR

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appendices. Thus, the historic designation plainly included recognition of the reconfigured rowing course south of the Second Street Bridge and abutting Basin 4.

Finding it an inconvenient fact that the historic Marine Stadium rowing course boundaries protruded into the project area of the marina rebuild, the EIR consultant *actively sought to change the boundaries of official state landmark designation* of the Marine Stadium rowing course. See DEIR Appendix D, pp. 21-22. The EIR consultant asserted that the historic boundaries were not "clearly defined" in the historic application and that Long Beach Municipal Code definitions (plainly adopted for other purposes) should be substituted for the historic boundaries adopted by the City Council. (*Ibid.*)

This discussion in DEIR Appendix D simply ignores the quote above from the historic application recognizing that the rowing course had been moved south of the Second Street Bridge near the Long Beach Yacht Club. It also ignored the fact that the City Council's 1992 resolution designating the historic landmark status *included the boundaries of Marine Stadium as defined through a legal description of metes and bounds*. An EIR consultant cannot properly trump such an official City Council resolution officially defining the Marine Stadium boundaries - - the Council plainly meant to include the *entire* rowing course in its designation. The EIR consultant's action attempting to change the historic landmark's boundaries constitutes project advocacy and creates improper bias in the cultural/historic analysis.

The EIR should be revised show the Marine Stadium historic boundaries as adopted by the City Council. It should provide a complete review of impacts upon the Marine Stadium 2,000 meter competitive rowing course and an analysis of how the Basin 4 components of the proposed project that protrude into the existing channel would impact the rowing course. Because this analysis was improperly excluded from the DEIR by the EIR consultant it should be recirculated for public review and comment.

C. The New "Compromise" Plan for Basin 4 Requires Public Review

The ABM staff held a public meeting on the rowing course impacts issue on October 22, 2009. At this meeting members of the general public learned of various prior meetings between the marina staff, rowing interest groups, and the Long Beach Yacht Club concerning the Yacht Club's desire to expand its slips and long dock into existing open water in the channel. Rowing groups had asserted that allowing the Yacht Club to construct new slips and a long dock that would protrude into the channel would obstruct competitive rowing events. At the October 22nd meeting it was learned that a proposed compromise plan had been negotiated between these two conflicting interest groups and marina staff. A new design for Basin 4 (occupied by boats owned by members of the Long Beach Yacht Club) was shown on a screen that memorialized the compromise and showed changes in the extent that new Basin 4 slips and the new long dock would protrude into the channel. *This new design is not included in the DEIR and the project description of the DEIR is inadequate for that reason.*

In the public comment period of the October 22 meeting, it became apparent that a number of rowers were not satisfied with the compromise plan and did not want any change to the existing current marina footprint abutting the channel. It also became apparent that the interests of casual small boaters, including the large great number of kayakers and other small boaters who use this channel to circumnavigate Naples Island, apparently had been left out of the private meetings where the proposed Basin 4 compromise was negotiated.



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Plainly, this key issue should have been discussed in the DEIR. The EIR must be revised to show the 2,000 meter rowing course and the new Basin 4 proposed "compromise" design. It should show the dimensions of the new marina plan and discuss whether there are any conflicts between use of the 2,000 meter course, the concurrent use of the channel by other (non-rowing) boaters during competitive rowing events, and the marina design. This new analysis should be provided for additional public comment.

P-20-7

IV.

The Proposed Project Does Not Comply with Coastal Act Policies

A. Relevant Provisions of the California Coastal Act

The following statutory provisions of the California Public Resources Code will govern the Coastal Commission's review of this proposed project:

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and *recreational opportunities shall be provided for all the people* consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (Italics added.)

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. (Italics added.)

Section 30224 of the Coastal Act states:

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land. (Italics added.)

Section 30234 of the Coastal Act states:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and *recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided.* Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry. (Italics added.)

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In Table 4.A the DEIR finds that the proposed project complies with these and other Coastal Act policies. As discussed below, it does not.

B. The Proposed Slip Mix Eliminates Lower Cost Recreational Facilities

The DEIR wholly ignores the economic impacts of the proposed elimination of 591 small slips on boaters, including the low- or average-income boater. The discussion should have been included in an analysis of compliance with Coastal Act Section 30213, requiring the provision and protection of "lower cost recreational facilities." However, this is the entire text of the discussion of Section 30213 that appears in the DEIR:

"The proposed project includes renovations to several publicly accessed areas and walkways within the Marina. In addition, the project does not remove or preclude the use of passive recreational activities currently available in the Marina, such as sightseeing, and ensures that public access to low-cost recreational facilities is protected and enhanced. Therefore, the proposed project is consistent with Coastal Act Section 30213." DEIR p. 4.8-14.

Thus the DEIR fails to even broach the subject of the costs of boating and whether the proposed project will reduce the availability of "lower cost recreational opportunities."

The costs of boating by boat size have been estimated below by sampling from current classified ads in two local boating periodicals (attached hereto as Attachments D and E). As shown in the table below, the costs of an entry level (18 to 25 foot) boat is relatively affordable. However, as boat sizes increase, the cost of boating escalates exponentially. Moving from a 26'-30' to a 31'-35' sailboat increases the purchase cost by about 70%. A power boater making a similar size increase finds purchase costs, on average, more than double. New boats, of course, are often many multiples of the used boat costs shown below. Slip fees also increase rapidly with slip size, as shown below:

ESTIMATED COST OF USED BOATS

Length (ft)	Average Asking Price		Slip Fee
	Sail	Power	
18 - 25	\$7,500	\$17,000	\$164.45 (20') / \$256.95 (25')
26 - 30	\$24,750	\$28,000	\$370.00 (30')
31 - 35	\$41,900	\$60,000	\$471.60 (35')
36 - 40	\$60,200	\$122,000	\$584.65 (40')
41 - 50	\$133,000	\$172,000	\$688.55 (45') / \$787.90 (50')

Source: Calculated from classified ads, Nov. 13-26, 2009 The Log, pp. 49-50 (Attachment D); Flying Cloud Yachts classified ad in Dec. 2009 Yachts for Sale, pp. 22-23 (Attachment E; slip fee schedule provided by Alamitos Bay Marina staff (Attachment A)).

Raising the costs of boating and reducing the number of small boat slips conflicts directly with California Coastal Act Section 30213 policy: "Lower cost visitor and recreational facilities shall



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be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred."

Decreasing the number of overall slips conflicts with Coastal Act Section 30224 policy that promotes additional slips: "Increased recreational boating use of coastal waters shall be encouraged . . . by . . . providing additional berthing space in existing harbors"

The proposed project does not conform with either of these policies. The proposed project only enhances recreational opportunities for larger sailboats and powerboats by creating additional larger slips. It reduces the recreational opportunities for all other boaters by reducing the overall number of slips and greatly reducing the number of small slips. These conflicts between the proposed project and Coastal Act policies must be fully acknowledged and discussed in the EIR.

The stated justification in the DEIR for the change of slip mix is essentially that City staff had discussed appropriated slip mix with Coastal Commission staff around 10 years ago. (See DEIR pp. 3-5, 4.11-3.) Whatever Coastal Commission policy may have existed 1999 is no longer relevant. Only last month the Coastal Commission modified the plan for the proposed Dana Point Marina renovation, including a "no net loss" of slips policy or, if that was infeasible, a loss of no more than 155 slips. Moreover, the Commission required for Dana Point that the average slip length not exceed 32 feet. (See The Log, Oct. 16-29, 2009, p. 19.) The instant Alamos Bay proposal eliminates 321 slips and increases the average size of Alamos Bay slips from the current 31.25 feet to 35.8 feet after the rebuild, well above the limits imposed by the Coastal Commission at Dana Point.

P-20-8

Attachment B provides slip sizes for all three of the City of Long Beach municipal marinas. This proposed project, combined with the Downtown and Rainbow Marinas, would reduce the number of slips sized 30' and under available in all Long Beach municipal marinas from 49% to 37%. If only 165 20' slips are built in the new Alamos Bay marina, then 20' slips would constitute only 5% of all slips in the three Long Beach municipal marinas because there are no longer any 20' slips in the Downtown or Rainbow marinas. Similarly this project would result in a reduction of the number of 25' slips to only 8% of all slips in the three Long Beach marinas -- there are only nine 25' slips in the Shoreline Marina and none in Rainbow Harbor. These small boat slip percentages do not meet the needs of small boat owners in the Long Beach area, including lower-income boaters. Boaters generally start with a small boat and then, after time and growth in income, then often buy a bigger boat. Where will the next generation of boaters come from if slips for entry-level boats are no longer available?

C. Were the 189 Twenty Foot Slips Demolished Without Permits?

As discussed above, 189 of the 445 20' slips in the Alamos Bay Marina have been demolished in order to permanently remove 20' boats, leaving empty gangways. A review of Coastal Commission agendas posted on the Internet does not reveal any application for, or the granting of, any Coastal Development Permit for this demolition activity.

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Did the City obtain City permits for this demolition?

Did the City obtain Coastal Development permits for this demolition?

If not, why not?

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V.

The DEIR Fails to Adequately Discuss GHG Impacts

A. The Failure to Quantify GHG Boat and Auto Emissions

The DEIR concludes states the project will have a less than significant cumulative impact as a result of greenhouse gases (GHGs) emitted by boats berthed at the marina because no additional boats or slips would be added. DEIR p. 4.2-43. It is unclear how the DEIR reaches this conclusion, because in an earlier discussion it is admitted that the project will result in larger boats, but the EIR consultant then refuses to quantify operational emissions, asserting:

"[I]t would be speculative to forecast the usage patterns or engine efficiencies of the larger boats, similar to trying to predict the types of cars that utilize a given parking lot or the length of time that they would be parked. Therefore, it is too speculative to indicate that the change in the number or size of Marina slips would result in a change in contributions to GHG emissions, either positive or negative." DEIR p. 4.2-37

As the EIR consultant knows (or should now), it is quite possible to calculate reasonable estimates of the emissions from boats and cars. EPA, CARB and SCAQMD do this type of analysis all the time. The construction emission calculations included in Appendix B of this DEIR are far more complicated than any quantification of boating emissions would have been.

If the marina were to be rebuilt using the same slip mix, with no increase in larger slips, then it could be permissible to conclude that the project will have no GHG impacts and omit quantification of those emissions. However, the proposed project results in many more large boats than presently operate at the marina. With more large boats, it can be reasonably assumed that overall operational emissions in the marina will increase, just as replacing small cars with a slightly smaller number of SUVs would be expected to result in greater emissions.

The EIR should be revised to include a reasonable quantitative estimate of operational emissions from boats and cars.

In order to reduce future operational emissions, the EIR should include discussion of mitigation measures that would reduce future operational emissions of GHG gases. For example, the marina staff should consider giving preferences on the waiting list and/or reduced slip fees for boats with lower emissions, including but not limited to:

- electric boats (e.g. Duffys)
- clean diesel powerboats and sailboats
- small powerboats and sailboats with clean 4-stroke outboards
- boats with diesel-electric or other low-emissions propulsion systems

The EIR should discuss these and other mitigation measures for operational GHG emissions.

Finally, Assembly Bill 32 requires an 80% reduction in 1990 GHG levels by 2050 in California. Recreational boating needs to be a part of these GHG reductions. This marina project is designed for at least a 40-50 year life, if not longer. The marina should include policies that will reduce GHG emissions over time. How does the marina rebuild design allow for future compliance with AB 32 goals?

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B. Green Design Elements Should Be Included in the Restroom Design

The project includes renovation of 13 marina restrooms. These restrooms should be designed to LEEDS standards. In addition, because the Southern California climate is so mild, the restrooms should be designed to utilize natural light and have a large amount of natural ventilation. The existing restrooms in the marina, with tiny windows and little ventilation waste large amounts of energy when the heating systems are turned on in the winter and become stifling in the summer. It should be possible to eliminate natural gas powered air and water heating systems in the new restrooms with passive solar design and solar water heating systems. Ample windows that can be opened for maximum ventilation would make the restrooms much more comfortable in the summer. White roofs on the restrooms would reduce the albedo. The EIR should include discussion of these measures to reduce energy consumption and GHG emissions from use of the restrooms.

P-20-11

**VI.
The Discussion of Pile Driving Noise Impacts Should Be Expanded**

The DEIR indicates that in the marina rebuild 808 piles will be removed and will be replaced by 620 new piles. DEIR p. 3-7. The EIR does not provide any discussion of why all of the piles must be replaced. The EIR should be revised to explain whether any existing piles can be reused, or if not, why not.

The DEIR states that pile driving will cause significant noise impacts to residences near the marina. DEIR p. 4-9-10. Some residences are as close as 100' from the construction area. DEIR p. 4-7. However, the noise impact section of the DEIR fails to provide a map of the residences affected, a description of the duration of the noise impacts, or a diagram showing the contours of the noise impacts. Such information is normally provided in EIRs when significant noise impacts are found.

P-20-12

The EIR should be revised to provide a diagram showing the areas within significant noise impact contours from pile driving and the duration (in number of days) that the noise will be experienced from the pile driving activity. The mitigation listed in the DEIR -- restricting operations before 7 am and after 7 pm -- may not be sufficient where residences are located very close to the pile driving. More restrictive noise mitigation should be discussed.

**VII.
The EIR Should Be Revised to Include a Better
Alternative Project that Mitigates the Loss of Small Boat Slips**

The EIR should be revised to include discussion of two project design alternatives to mitigate the loss of the 591 small boat slips.

The first alternative is obvious and now should be included in the EIR:

P-20-13

- a rebuild of the marina with the current slip mix, while meeting ADA and other relevant new requirements.



23

Comments on the Draft Environmental Impact Report for the Alamitos Bay Marina Rehabilitation Project

The EIR also should be revised to include a second alternative:

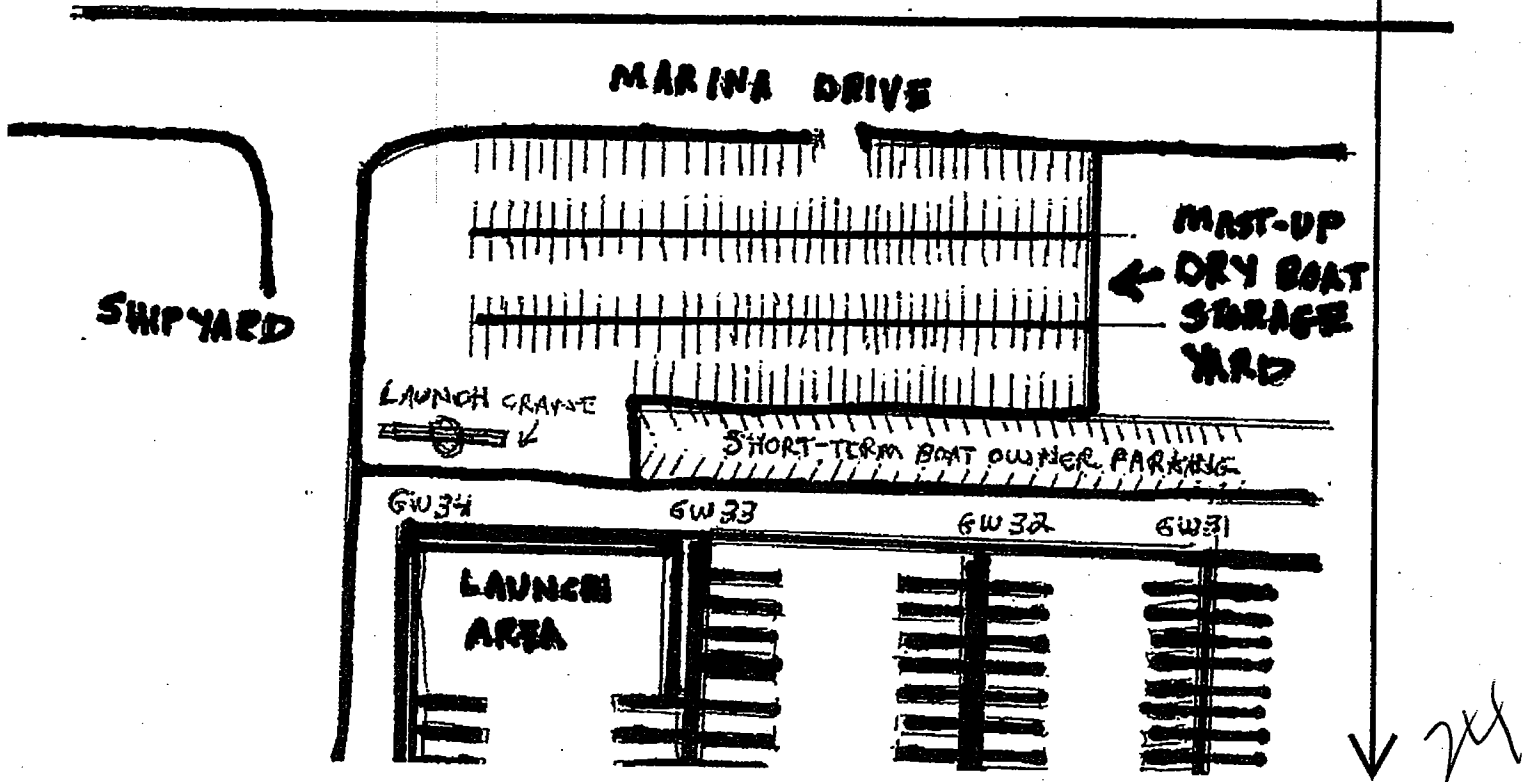
- a rebuild of the marina with a mix of slightly larger slips, complying with all ADA and other requirements, with the loss of small slips mitigated by creation of an equal number of substitute dry boat storage spaces for small 20', 25' and 30' boats.

Dry storage could be created to replace any small slips eliminated in the rebuild. The creation of substitute dry storage would respond to the mandate of Coastal Act Section 30234 which provides, in relevant part that, that "[e]xisting . . . recreational boating harbor space shall not be reduced unless . . . adequate substitute space has been provided." (italics added.) Provision of this dry storage could help mitigate the premature demolition of the 189 20' slips and elimination of 25' and 30' slips in the rebuild.

The recent Coastal Commission review of the Dana Point Marina rebuild indicated there is a strong demand for dry storage in Southern California. The March 11, 2009 "Marina del Rey Slip Sizing Study" prepared by Noble Consultants similarly found that "[t]he use of dry boat storage should be maximized throughout Marina del Rey" because more boats of 30' and under were being placed on trailers and dry storage could be used to still meet demand for small boats. (See: <http://beaches.co.la.ca.us/BandH/DeptInfo/MdRSlipPricingreport032309.pdf>, pp. 1-3, italics added.) The Long Beach municipal marinas are somewhat unique among Southern California marinas in their failure to provide any substantial areas for dry storage. This should be remedied in the marina rebuild if small slips are to be eliminated.

As noted in the DEIR, the marina has large areas of surplus parking. Part of this excess parking area could be utilized to provide new dry storage for sailboats. The parking area adjacent to the Naples Shipyard would be a prime location for such a dry storage area. The Shipyard could be contracted to operate the launching crane (or cranes). This new dry storage area, located south of the Second Street Bridge, would allow sailboats to have mast-up storage. A conceptual design for this dry storage area is shown in the rough diagram below:

CONCEPTUAL PLAN FOR MAST-UP DRY STORAGE AREA



**Comments on the Draft Environmental Impact Report
for the Alamitos Bay Marina Rehabilitation Project**

A second dry storage area for small power boats (that are not constrained by the height of the Second Street Bridge) could be located by expanding the existing storage yard in Marine Stadium. In the unlikely situation that the demand for replacement dry storage proved to be lower than the number of small slips that are being eliminated, the dry storage area could be easily down-sized. (This is not true of the ugly stacked dry storage building concept discussed and rejected in the DEIR.)

The provision of dry storage would have air quality benefits because many trailer-towing trips would be eliminated, reducing air emissions by towing vehicles. Adding new dry storage areas would mitigate the loss of slips for small boaters, increase City project revenues and promote Coastal Act policies.

The EIR should be revised to include discussion of this alternative.

Thank you for your consideration of these comments.

Dated: November 21, 2009

Very truly yours,

William L. Waterhouse

William L. Waterhouse



P-20-13

LONG BEACH MARINA SLI

<u>Slip Size</u>	<u>2009 Fee</u>
20	\$ 164.45
25	256.95
30	370.00
35	471.60
40	584.65
45	688.55
50	787.90
55	929.50
60	1,014.00
70	1,262.90
80	1,534.70
90	1,829.30
100	2,146.70
110	2,487.00
120	2,850.10

ATTACHMENT A

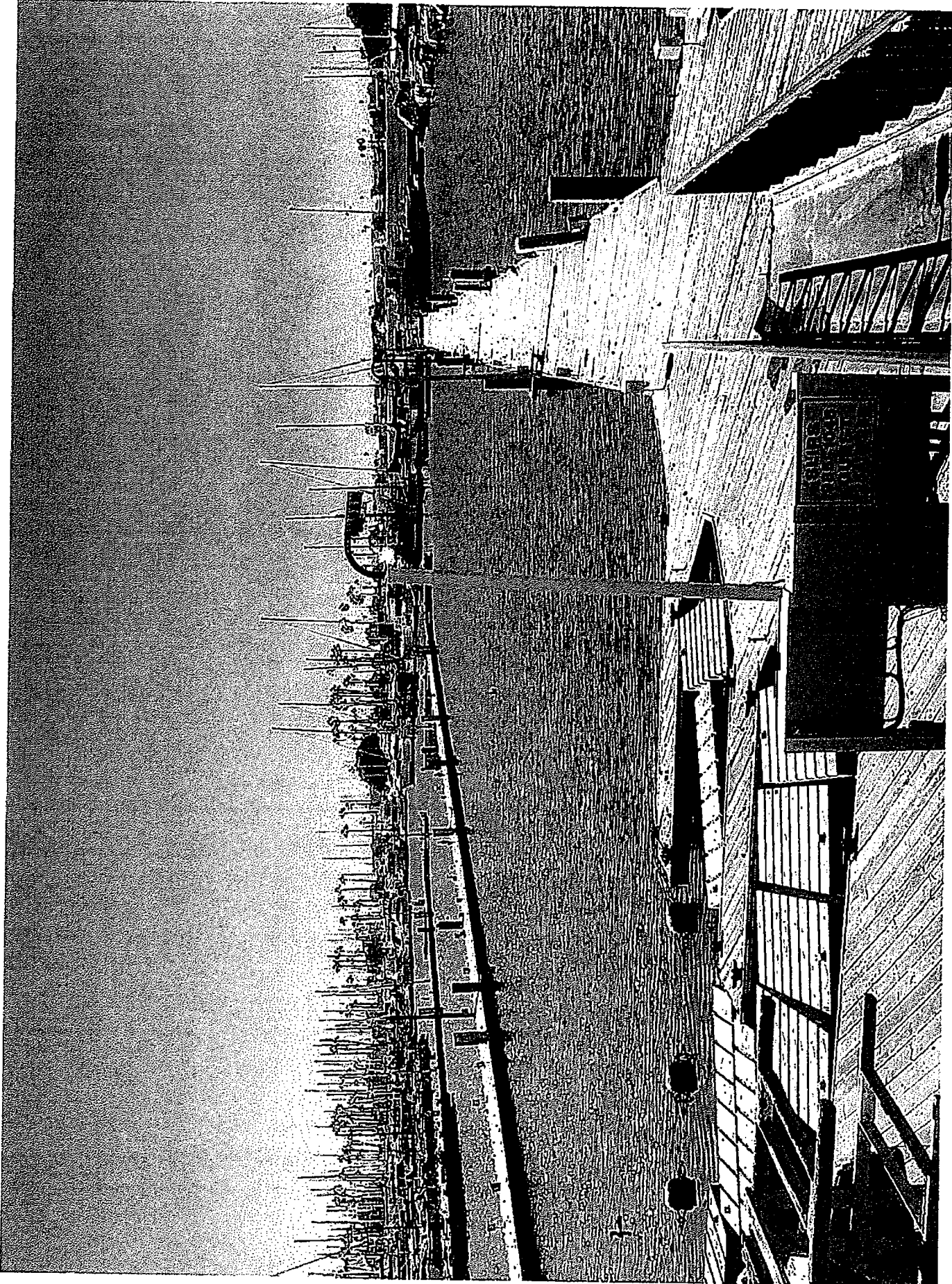
26

Slip Status
October 31, 2009

SLIP SIZE	20-Feet	25-Feet	30-Feet	35-Feet	40-Feet	45-Feet	50-Feet	55-Feet	60-Feet	70-Feet	80-Feet	TOTAL
SHORELINE MARINA:												
Current Slips	0	9	503	436	387	144	77	1	35	0	0	1,592
Filled Currently	0	7	488	415	378	142	74	1	31	0	0	1,536
Held for Guest/Impounds	0	0	14	16	8	0	2	0	1	0	0	42
Available	0	2	1	5	0	2	1	0	3	0	0	14
RAINBOW MARINA:												
Current Slips	0	0	45	13	19	10	0	0	0	0	0	89
Filled Currently	0	0	41	13	17	10	0	0	0	0	2	83
Held For Guest	0	0	4	0	2	0	0	0	0	0	0	6
Available	0	0	0	0	0	0	0	0	0	0	0	0
ALAMITOS BAY MARINA:												
Current Slips	445	369	429	238	278	94	90	1	21	15	16	1,996
Filled Currently	180	186	364	222	238	87	85	1	15	12	13	1,403
Held For Rebuild	265	183	65	16	40	7	5	0	5	3	3	592
Available	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL ALL MARINAS												
Current Slips ***	445	378	977	687	684	248	167	2	56	15	18	3,677
Filled Currently	180	193	893	650	633	239	159	2	46	12	15	3,022
Held for Rebuild	265	183	65	16	40	7	5	0	5	3	3	592
Held for Guest/Impound	0	0	18	16	11	0	2	0	1	0	0	48
Available	0	2	1	5	0	2	1	0	4	0	0	15
Waiting List*												
Waiting List Date	27	36	27	32	23	37	48	0	56	16	7	309
ABM Proposed New**	165	242	245	312	368	112	133	4	37	12	5	1,635
Temporary Slips Assigned ***	47	70	23	7	13	3	4	0	2	3	1	173

*There are an additional 11 customers on the waiting list for 90' vessels and larger, waiting list date Dec-87
 ** Also, 4ea 90', 4ea 100', 2ea 110' and 1ea 120' slips, for a total of 1646 slips. These numbers are from the 30% plans.
 *** There is one (1) additional Temporary Slip assignment of a 100' Vessel
 **** There is one (1) additional 100' slip in the current ABM configuration, which is filled.

27



ATTACHMENT C

28

TO PLACE AN AD CALL THE LOG CLASSIFIED TO PLACE AN AD CALL THE LOG

Trailerable Boats

1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

Powerboats

1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

Powerboats

1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

Powerboats

1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

Powerboats

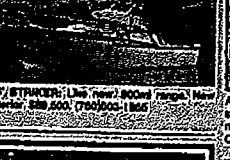
1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

Powerboats

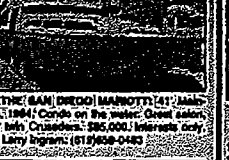
DONATE
VESSELS • VEHICLES • LAND
1-800-810-1010
1-888-630-1212



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833



18' BOSTON WHALER OUTRAGE, 1982... Call Mark (310) 801-0833



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833



38' MEDITERRANEAN EXPRESS, 2002... Call Mark (310) 801-0833



1994 BAYLINER 20' CRUISER... Call Mark (310) 801-0833

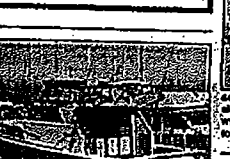


62' STRIKER SPORTFISHER, 1986... Call Mark (310) 801-0833

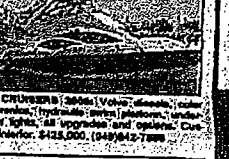
18' MONTEREY BOW RIDER, 1999... Call Mark (310) 801-0833



32' LUNDA, 1989... Call Mark (310) 801-0833



40' CONCORDE SF, 1971... Call Mark (310) 801-0833

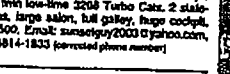


47' CRUISER, 2000... Call Mark (310) 801-0833

40' TOLLYCRAFT SPORTFISHER, 1989... Call Mark (310) 801-0833

21' DUFFY, 2003... Call Mark (310) 801-0833

32' GRAND BANKS TRAWLER, 1972... Call Mark (310) 801-0833



40' BAYLINER, 2000... Call Mark (310) 801-0833



40' BERTRAM, 1989... Call Mark (310) 801-0833

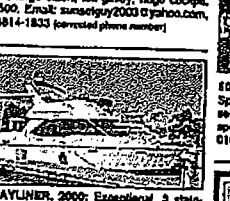
DONATE
Boats - Vehicles - Land
www.thecarandexperts.com
501 (615) South Camp #1714-943-1600



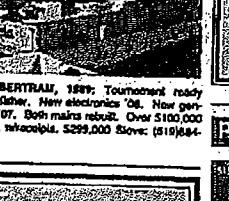
48' BAYLINER CRUISE, 2002... Call Mark (310) 801-0833



54' SILVERTON APT-CABIN, 1993... Call Mark (310) 801-0833



40' BAYLINER, 2000... Call Mark (310) 801-0833



53' CARVER VOYAGER, 2000... Call Mark (310) 801-0833

Partnerships



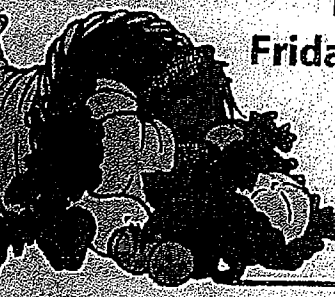
43' HUNTER, 1996... Call Mark (310) 801-0833

EARLY HOLIDAY DEADLINE!

The Log Classified Ad Deadline for the November 27th issue is **Friday, November 20th at 5PM.**

The Log Newspaper offices will be closed Thursday & Friday, November 26th & 27th in celebration of the Thanksgiving Holiday.

To place an ad call the experts at 1-800-887-1615



53' CARVER VOYAGER, 2000... Call Mark (310) 801-0833



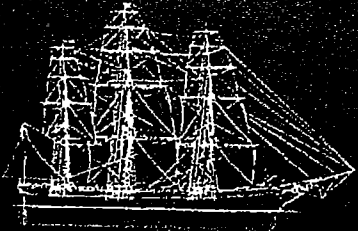
50' WOODEN VESSEL... Call Mark (310) 801-0833

SHARE USE of a like new 40' trawler... Call Mark (310) 801-0833

UNIQUE BOATING OPPORTUNITY... Call Mark (310) 801-0833

WANTED: Balboa Island resident... Call Mark (310) 801-0833

THE LOG Classified works! To place an ad call the experts at 1-800-887-1615

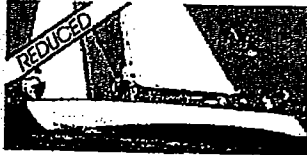


Flying Cloud Yachts

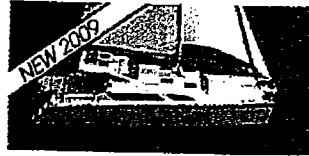
6400 Marina Drive, Long Beach, CA 90803 • FAX 562-594-0710

E-mail: flyingcloud@verizon.net

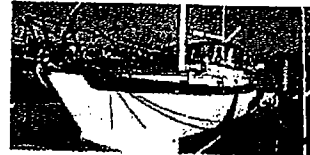
(562) 594-9716



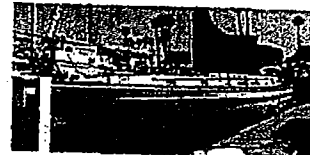
50' Cheoy Lee Lapworth '61. Strip planked wood construction, vastly upgraded, superb condition, turn key. \$200,000.



The Gemini 105Mc. Fully equipped. Offers speed, three private cabins, 27hp diesel +++. \$162,500. \$149,997.



48' Mariner Center Cockpit Ketch '81. 3 stateroom layout. Transferable slip to qualified buyer. \$135,000. \$145,000.



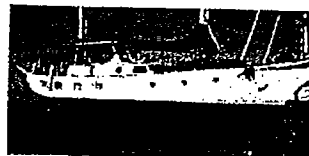
44' Gulfstar Center Cockpit Sloop '81. Perkins 4-154. New dark blue canvas, new batteries. Large aft cabin w/transom windows. Great price @ \$104,500. \$94,900.



257' Bowman C/C Cutter Ketch '78. Designed by Holman & Pye, built in England. Fast & comfortable passagemaker. 9 sails. Under 100 hrs. SMOH on 110hp Perkins. Newly palated decks. \$218,900. \$199,000.



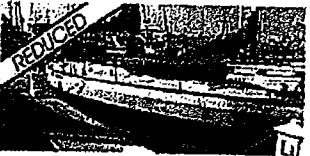
54' Irwin C/C Cutter '88. Yanmar diesel, electric winches for boom furl & headsail, watermaker, A/C. Washer/dryer, solar panels, new sails. Upgrades galore! Priced for quick sale @ \$220,000.



49' Steel Garden Ketch '69. Very good condition & proven world cruising. Too much to list. Call for appt. \$179,000.



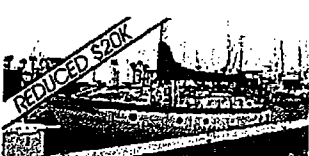
47' Choy Catamaran '02. Ready to cruise the South Pacific today. Everything as new, fully equipped. \$395,000.



46' Eriksen 46C Sloop '73. Flush deck, Bruce King designed - rare C model - world class cruiser. 2 staterooms, large salon, Perkins diesel. \$89,900. \$79,900.



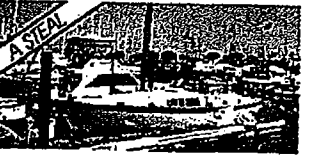
43' Hans Christian Ketch '81. Extensive upgrades. \$165,000. Also 38' and 33' Hans Christians. All well equipped. Call for details.



43' Spindrift Pilothouse Cutter '81. Large, stout, Ron Amy designed, sailing cruiser. Possible trade for small trawler. \$99,900. \$79,900.



42' Catalina's 2 strms., full electronics, dodger, bimini, dinghy davits, Novurania dinghy w/25hp OB. \$125,000. Also a '89 w/genset & watermaker @ \$99,000.



42' Irwin Center Cockpit Sloop '76. 2 staterooms + 2 heads. Tons of upgrades, call for details, will sell quickly @ \$74,500.



40' Morgan/North American Sloop '79. Perkins diesel, almost everything is new, tons of upgrades! \$49,000. \$45,000 FIRM.



40' Catalina 400 MKII '02. Two private staterooms, twin wheels, 56hp Yanmar diesel, full electronics, A/C, 8kw genset. Too many upgrades to list. \$179,000.



CF 37 Choate Sloop '75. Full interior. Wheel steering, fast & strong. Hull & deck LP '02 - dark blue. 2 boat owner must sell. Call for details. \$35,000.



36' Cal Cruising '69. Built by Jensen. These well built Cal's offer great cruisability for little money. \$22,900.



35' Hunter Sloop '87. Nice family boat. Low hours on Yanmar diesel, walk-thru transom, new standing rig '02. \$39,900. \$34,500.



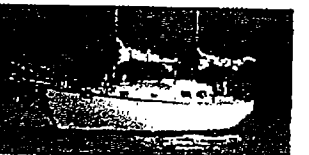
34' Catalina '89. Full batten main, refurling. New headstay '08. Cabin heater, radar, dodger. Very nice condition. \$46,900.



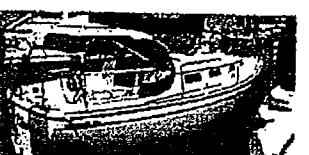
34' Gemini 105MC '05. 3 available: '05, '08, '00. From \$119,000. Call for details.



31' Pacific Seacraft Cutter '78. Yanmar diesel. If you are willing to put in some sweat equity you will have a nice pocket cruiser. Newport mooring may be purchased separately. \$37,000.



31' Mariner Ketch '71. Comfortable, solid and well cared for classic cruiser. Perfect for single handing or the whole family. \$29,900.



Pearson 303 '85. Yanmar diesel, dodger, tabernackled mast. Clean and ready to cruise. \$27,500.



30' Catalina Mark III '94. Shows like new, Universal diesel, dodger, autopilot, elec. anchor windlass. Should sell quick @ \$44,000.

Please check our website for many more listings: www.flyingcloudyachts.com

ATTACHMENT 2/1/09

31

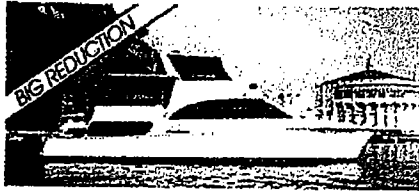
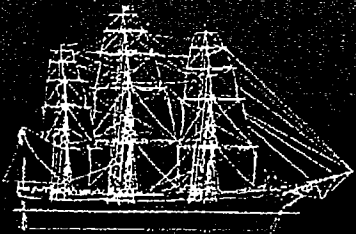
Flying Cloud Yachts

6400 Marina Drive, Long Beach, CA 90803 • FAX 562-594-0710

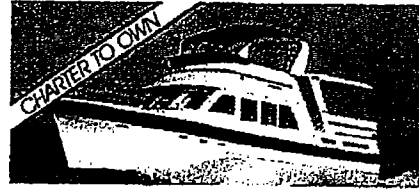
E-mail: flyingcloud@verizon.net



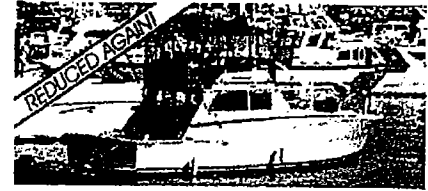
(562) 594-9716



48' Ocean Cockpit MY '94. Beautiful boat. 3 staterooms, low hours on twin Detroit 6V71TT's. Walker Air Steps, full 'tronics, 10kw genset, AC & heat. New canvas & teak glass enclosures on FB and sundeck. Many upgrades. Priced for a quick sale @ ~~\$179,900~~ \$159,900.



48' Jefferson Sundeck MY '87. Twin Cats, Naiad stabilizers, 2 stms. + ofc. Air/heat, new electronics. Big discount for cash buyer. Call for details.



40' Viking SF '75. Repowered with 300hp Cummins in '90, exceptionally clean, 11' hardbottom Caribe RIB. ~~\$99,900~~ \$89,500.



41' Bayliner 4085 Avanti Sunbridge Express '98. Under 500 original hours. Full electronics, generator, air, dinghy davit, Caribe. Near Bristol condition. Owner wants offers!



41' Trojan Aft Cabin MY w/ FB '72. Beautiful mahogany planked hull, completely refastened in '02. Enclosed bridge deck, dual helms, lots of upgrades! Great family boat, owner wants offer! Asking \$78,000.



42' Californian LRC '86. Well respected LRC w/ twin 3208 Cats, loads of upgrades. Exceptional condition in & out! \$120,000.



40' Egg Harbor Sedan '79. 6-71's w/340 original hours. New genset w/10 hrs., Beautiful condition, a must see. 2 boat owner. \$115,000.



38' Chris Craft 392 Convertible '88. Under 700 original hours on 3208TA Cats. New T-top with full enclosure. 2 bait systems. beautiful condition! ~~\$129,900~~ \$114,000.



37' Bayliner 3788 MY '97. Only 450 hours on twin 714hp Mercruisers. Yacht came from fresh water 4 years ago. Beautiful condition in & out. Air/heat. Many upgrades. A steal @ \$74,000.



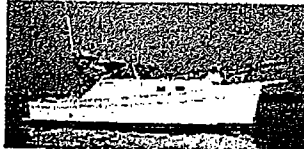
37' Cruisers Inc. '03. Twin Mercruisers w/ only 80 hrs. Has all the bells and whistles and shows as new. Owner's cabin aft w/full size bathtub. ~~\$199,900~~ \$179,900.



34' Bayliner 3488 Command Bridge '02. Only 300 hours on 260hp Mercruisers. AC/heat, Avon RIB dinghy with 5hp 4-stroke OB. ~~\$129,900~~ \$99,980.



34' Hill Marine Trawler '78. New 2004 Ford Lehman 140hp, new 2004 6kw Northern Lights, refastened in 2002. \$29,900.



34' Malship Pilot Express '03. Only 50 hrs. on Yanmar 370hp diesel. Furuno radar, color GPS plotter, autopilot. Shows as new. Great deal, buy it now. \$165,000. Sistership.



34' Sea Ray Express '89. Only 688 hours on twin Mercruisers. You won't find a nicer one. Bristol condition in & out. Full cockpit enclosure. Priced for quick sale. \$48,500.



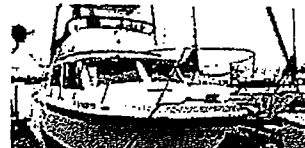
33' Egg Harbor '91. Twin 454's, low hours, genset, A/C, ready to fish! \$62,500.



32' Bayliner 3268 MY '94 with T-Hinos, full 'tronics, FB enclosure, new propane stove. \$67,900. Also a '93 with hardtop and new interior. \$64,000.



32' Bayliner 3258 '00. 2 staterooms, dual helms, low hours. Clean & ready for Catalina! ~~\$22,900~~ \$21,900.



32' Uniflite Sport Fish '75. Tw. 350hp Crusaders FWC. Ready for fishing. Radar, fishfinder, cockpit 9'4" x 76", 2 bait bags, 10 rod holders. Precision outriggers. A very good buy @ \$24,000.



30' Tollycraft FB Sedan '78. Twin Chevy's. Complete refurb. Beautiful interior - a must see! \$34,500.



38' Glassmar Sportfish '78. Single Cummins diesel fishing at only 530 hours since major overhaul. Dependable & economical. New bottom paint. \$22,000.



29' Luhrs SF Tournament '89. Offshore fishing at an affordable price! 60 sq. ft. cockpit, tuna tower, twin Crusaders. ~~\$36,900~~ \$29,995.



23' Bayliner 2252 '99. On trailer at our display. Call for details. \$17,900.



20' Sea-Doo Speedster '06. Twin 310hp Rotax Jet engines. Seats 7 for a fast & fun ride up to 70 mph. Hull is red. Price includes trailer. \$29,000.

Please check our website for many more listings: www.flyingcloudyachts.com

ATTACHMENT E 7-1-09

32

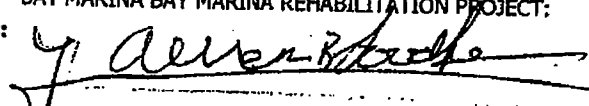
Staples Copy Center #164

From: commonsense-sayssavthefence@fastmail.fm
 [cacrewood8@fastmail.fm] **Sent:** Thu 11/19/2009 11:12 AM

To: Staples Copy Center #164

Cc: Jill.Griffiths@longbeach.gov

Subject: COMES NOW THESE COMMENTS ON THE DRAFT EIR RELEASED ON OCTOBER 8,2009FOR:PROPOSED ALAMITTS BAY MARINA BAY MARINA REHABILITATION PROJECT:

Attachments: 

Subject: COMES NOW THESE COMMENTS ON THE DRAFT EIR RELEASED ON OCTOBER 8,2009FOR:PROPOSED ALAMITTS BAY MARINA BAY MARINA REHABILITATION PROJECT:

LSA
L&A ASSOCIATES, INC.

NOV 20 2009

RECEIVED
IRVINE

LSA
L&A ASSOCIATES, INC.

NOV 20 2009

RECEIVED
IRVINE

This is a working draft, which will be herewith submitted. If time permits a revised version will be submitted with complete spell check. The intent is to have this working draft in the hands of the consultant as well as the City by close of business November 20, 2009-absent no for sure what the weekend of November 20-22 will bring.

EXECUTIVE SUMMARY

1. All comments, concerns and objections raised and set forth in the draft DEIR are renewed.
2. Attached to this working draft are:
 - A. Copies of working notes compiled in 1931 from the City of Long Beach so titled:

LOCATION OF PROPOSED

Start & Finish Line
 at Olympic Rowing Course
 G(or 6)-56167 (it is unknown to me if it is a G or 6-but my sense is the City Surveyors of today can discern such from the rest of data

West Notes

Frigon ^ (with a-across the top of the ^
 Morton Chain- Feb, 11 1932
 Ehrhardt "

It would appear to me the above might have been a then work in progress via a via a date of Apr 26 32.

In addition to the lexicon of surveyors there are actual sketches of both the FINISH and START with the position of the street Toledo.

THE THRUST OF THAT CONTAINED IN #2--goes to establish and confirm that the START LINE OF THE 1932 OLYMPIC WAS AS IS DEPICTED IN THE DRAWINGS IN THE DRAFT EIR-which was brought into issue by the consultant's statement in the text following the

P-12-1
Duplicate



33

LAURENCE GOODHUE

LETTER CODE: P-11

RESPONSE P-11-1

The comment is a note regarding the preface attached to other submitted comment letters. The comment does not contain any substantive comments or questions about the analysis in the DEIR. Because the comment does not address environmental issues, no further response is necessary.

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DRAWINGS the start was at a point which ran across the water on a line that is where the Davies Bridge now stands.

The world's foremost authority of the subject, ARCHIMEDES, demonstrates with mathematical certainty, the start could not have been at the Davies Bridge. The course would have run out of aqua at circa the 1700 meter mark; boats at the then given stroke rate, run aground, impaled on a barb wire fence-and or run aground at Colorado Street.

It is my understanding the City of Long Beach is working to determine what needs to be done to perfect what ever mis communication in records led the consultants to declare war on ARCHIMEDES.

3. Though it would appear the Manager of the Marine Bureau now has an an and understanding of the City and State Land Mark Statues whose aegis prohibits impregnation of the 2000 meter course- it would appear he still fails to understand:

A. The aegis applies also to the water ways within the venue in chief particularly the water-fair ways which are used for transit into and out of the 2000 meeter race course as well as the waters of Alamitios Bay which are used for additional practice and training as so referenced in the moving paperwork for the Land Mark Statues.

B. Perhaps more striking is the aegis which flows from the California Coastal Act which prohibits elimination, reduction or removal of facilities designed to support recreational small boating activities.

C. Said water ways(A & B) are not a PARKING LOT for boats!!!!!!

4. The proposed Long Dock with a water line circa but 70 feet shorter than the United States Virginia Class Submarine; one third the length of RMS Queen Mary; so long that if it has wheels, Laura Richardson would be driving it, rendering as much damage as the press reports the Representative does to her neighborhood. Said damage would be to the marine habitat impacted by loss of sun light.

More to the point: The very existence of the groin across from the LBYC points to the lack of maritime issues such as, current, surge, tides, wakes, (wind. Boats using the said long dock would suffer the same ravages of nature the boats in Basin Three would were they

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Handwritten number 35

not protect by the groin.

Given the amount of PUBLIC WATERS THE LONG DOCK WOULD CONSUME--IT RAISES SERIOUS QUESTIONS VISA VIA THE NATURE OF THE PRIVATE CLUB---no matter how commendable their mission.

- 5. The area target for Marine Stadium at the entrance to Boathouse Lane is poken for;currently used for dry boat storage and small boating support components.Said terra firma.

IT SHOULD BE NOTED THE SUPPLY DEMAND CRUNCH OF DRY STORAGE SPACE IS BROUGHT INTO VERY SHARP- VERY SHARP FOCUS BY:

A.The looming -but yet to be determined- sale date the City's Oil Property lot-on the east side of Boat House Lane.That lot has been used for dry boat storage--INCLUDING THE 12 Rowing Shell Trailers as well as boats from other stakeholders--as well as City Marina equipment.

B.The rulings of the California Coastal Commission-continuing and enhancing its the protections for dry boat storage et al.

- 6. Folly of the dubious double proposed double slips for basin 4 is underscored by the continuing problems such double slips continue to present in the downtown marina.

- 7. The good people of LBYC must step up to the plate and take ownership of the good job they have done and recognize that their INN is full.They must plan for establishing a base in the downtown Marina for their boat parking lots. They can not T bone their boats into the transit water ways EXCEPT ON THE DATES FOR SPECIAL EVENTS---WHICH ALL STAKEHOLDERS WELCOME AND SUPPORT AND WILL GLADY ADJUST TO FOR THE DURATION OF THE SPECIAL EVENT.

THUS CONCLUDES THE EXECUTIVE SUMMARY OF MY CONCERNS RELATIVE TO PLANS SET FORTH IN THE DEIR

NOW AS TO THE ELEPHANT IN THE ROOM

THE SPECTER OF THE ENTIRE PLAN BEING REJECTED BY THE COURTS

The currency of the conclusions,data,projections,statements set forth by the Marine Bureau contained in the DEIR,are highly suspect-as are any set forth by the those of any consultants--to the extent the latter rely upon any data from

P-12-1 Duplicate



26

the Marine Bureau.

As indicated in my comments in the DEIR of October 8,2009,a review of the public record strongly suggests there is a culture of deceit,deception,lies running unchecked which most would view as the indication of the presences of a congenital,habitual, pathological or polished liar more than taints the currency of information flowing from the Marine Bureau.

It is striking to note that pattern continues as evidence by the public record of what unfolded at the November 12,2009 Marine Advisory Commission which is herewith attached (in exhibits to this response).It is a clear case of,yet again the Manager of the Marine Bureau lying in an effort to push through his ENLARGED FOOT PRINT--absence which the plan could have,long ago been approved.

Additionally,an entirely new element has been injected by said Marine Bureau Manager-- the attempted extortion of one stakeholder in an attempt to silence another stakeholder into approving the plan--which the latter,in addition to a wide spectrum of stakeholders had,with sound reason,steadfastly opposed.

In sum the Manager of the Marine Bureau advocated THROWING THE WATER SKIING COMMUNITY UNDER THE BUS by reducing their already limited access to limited waters(cira 800 meters) available to them but 9 hours a day and giving it to the rowing community which has circa six(6) miles of water 16 hours a day.

Equally disturbing a major PROCESS ISSUE unfolded at the November 12,2009 meeting:The MAC,without public noticed decided to CANCEL a second special community outreach meeting which it at its March 12,meeting decided to hold.(see attached exhibit-a well well chronicled article by the noted reporter Doug Krikorian of the Press Telegram.

Clearly the Marine Advisory Commission has not had the opportunity to demonstrate it has the capacity to render due diligence.Nor has the public been afforded the opportunity to address the issue--to the extent the Commission had decided at the March 12,2009 meeting was required in order to allow the Commission to render an intelligent decision involving a matter so so seminal-so lasting.

P-12-1 Duplicate



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All of the above are fertile grounds for a trier of fact to disallow the City's Work product; remanding it back to day one and starting the process over as was done in the Home Depot case.

THE ABOVE IS BEING E-MAILED TO CITY THIS AM
THE REFERENCED EXHIBITS WILL BE DELIVERED IN HARD COPY FORMAT GIVEN
THE SIZE OF SOME OF THE
SURVEYING DRAWING AND NOTE SHEETS.

Laurence B. Goodhue
Long Beach
California

--
cacrewood8@fastmail.fm



P-12-1
Duplicate

30

Staples Copy Center #164

From: commonsense-sayssavthefence@fastmail.fm
 [cacrewood8@fastmail.fm] **Sent:** Thu 11/19/2009 11:55 AM

To: Staples Copy Center #164

Cc: Gill.Griffiths@longbeach.gov

Subject: EXHIBIT FOR RESPONSE OF LAURENCE B. GOODHUE TO DRAFT DEIR ON MARINA REBUILD;GOES TO ISSUE OF LACK OF CURRENCY OF CITY POSITION

Attachments:

----- Original message -----

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>
To: cacrewood8@fastmail.fm
Date: Sun, 15 Nov 2009 11:57:18 -0800
Subject: Fwd: SEE DRAFT LETTER TO LOS ANGELES COUNTY GRAND JURY AND CALIFORNIA STATE BAR:: YET FURTHER PROOF OF THE FOSTER DE LONG CULTURE OF EMBRACING WHAT THE PUBLIC RECORDS STRONGLY SUGGESTS IS EITHER A CONGENITAL,HABITUAL OR PATHOLIGOCAL LIAR---see latest

LSA
LSA ASSOCIATES, INC.

NOV 20 2009

RECEIVED
IRVINE

P-12-2
Duplicate



----- Original message -----

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>
To: robert.shannon@longbeach.gov, tom.reeves@longbeach.gov
Cc: larry.allison@presstelegram.com, paul.eakins@presstelegram.com, letters@thedistrictweekly.com
Date: Sat, 14 Nov 2009 20:51:33 -0800
Subject: SEE DRAFT LETTER TO LOS ANGELES COUNTY GRAND JURY AND CALIFORNIA STATE BAR:: YET FURTHER PROOF OF THE FOSTER DE LONG CULTURE OF EMBRACING WHAT THE PUBLIC RECORDS STRONGLY SUGGESTS IS EITHER A CONGENITAL,HABITUAL OR PATHOLIGOCAL LIAR---see latest

NOTE TO CALIFORNIA STATE BAR:

Attached you will find a copy of a letter (e-mail) to the City Auditor for the City of Long Beach.

Please know that the entire pattern of the referenced corruption,deceit,dishonesty,strongly suggesting a culture that embraces and encourages what many would vies as congenital,habitual,pathological or polished liars.

All of the above-and what is listed below has unfolded before and brought to the attention of the Long Beach:

- 1.City Attorney.
- 2.City Prosecutor

If my understanding is correct tour august body granted them the right to hang out their shingle and practice law. .

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Among the questions the above-and that listed below gives rise to is:
1.Are they still allowed to practice law in this State.
2.Given the above-and what is list below-WHY?
3.Do you have any data relative to those within your body who have a propensity to succumbe to premature,prolonged senior moments.

Can your body recommend a credible retired Jurist** professor of Ethics or Law who might appear before our City Council and give a lecture on ethics and honesty which seems to so elude your licensees--with consequences as outlined in the attached letter to the City Auditor.

Respectfully,

Laurence B. Goodhue
Long Beach,
California
90803

**someone of the caliber of the late Justice Eagleson--who is probably turning in his grave at what is so hobbling our City.

----- Original message -----

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>
To: laura.doud@longbeach.gov
Cc: cacrewood8@fastmail.fm
Date: Sat, 14 Nov 2009 20:11:27 -0800
Subject: DRAFT LETTER TO LOS ANGELES COUNTY GRAND JURY AND CALIFORNIA STATE BAR:: YET FURTHER PROOF OF THE FOSTER DE LONG CULTURE OF EMBRACING WHAT THE PUBLIC RECORDS STRONGLY SUGGESTS IS EITHER A CONGENITAL,HABITUAL OR PATHOLIGOCAL LIAR---see latest

P-12-1
Duplicate

NOTE TO MS LAURA DOUD:CITY AUDITOR CITY OF LONG BEACH:

It will be my request to the above to agencies to investigate the reference culture of: corruption;deceit;dishonesty outlined below.The reference patten has been been unfolding since December 21,2007---STARTING AT ONE HOUR BEFORE THE CRACK OF DAWN!!!!6:11AM!!!!is when the first of this disturbing pattern of lies of Mr.Mark Sandoval began--well memorialized in his e-mail to the California Coastal Commission,

Circa 22 months later November 12,2009---Mr.Sandoval lies still continue---as a review of the public record and a well chronicled article in the Press Telegram's seasoned reporter Doug Krikorkian clearly reveal.

The above two bookend another series of five plus lies all captured in e-mails,letters,and on tape,including testimony at Planning Commmison-which as you know is



Handwritten initials or signature, possibly 'LO' or 'LS', located at the bottom right of the page.

given under oath!!!!

All of these have been brought to the attention of City Council; Mayor Foster, City Manager Pat West; Director of PRM, Phil Hester. It should be noted Councilman Gary De Long was personally present at a community meeting when Mr. Sandoval lied--and like the Mayor was provided the copy of the e-mail that proved the lie of Mr. Sandoval.

The impact of the culture of such corruption of truth, deceit, lies which strongly suggest anyone engaging in, or embracing such. is a congenital, habitual, pathological, or polished liar is brought into sharp focus by the well reasoned mis trust the public has in the referenced public officials most recently manifested by the refusal of the public to pass the City's small parcel tax or the even smaller parcel tax by LBUSD.

Given, your limited resources my suggestion is the best course of action for your office is to let the Los Angeles County Grand Jury and California State Bar complete what ever review they elect to do and you focus on a complete review of the Marine Bureau-from top to bottom-with particular emphasis on the pending Alamitos Bay Marina Rebuild Plan: Let me suggest that your review include, but note be limited examination of:

- 1. All revenue streams.
- 2. Vacancy rates.
- 3. All expenditures.
- 4. Cost of any and all studies with correlative study the results of such.

P-12-2 Duplicate



----- Original message -----

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>
 To: commonsense-sayssavthefence@fastmail.fm, mayor@longbeach.gov, pat.west@longbeach.gov, phil.hester@longbach.gov, district3@longbeach.gov, larry.allision@presstelegram.com, letters@thedistrictweekly.com, doug.krikorian@presstelegram.com
 Date: Thu, 12 Nov 2009 22:07:32 -0800
 Subject: Re: YET FURTHER PROOF OF THE FOSTER DE LONG CULTURE OF EMBRACING WHAT THE PUBLIC RECORDS STRONGLY SUGGESTS IS EITHER A CONGENITAL, HABITUAL OR PATHOLIGOCAL LIAR---see latest

On Thu, 12 Nov 2009 20:18 -0800,
 "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>

Handwritten signature or initials.

wrote:

- > November 12,2009 Marine Advisory Commission---he with a record of lying
- > to-but not limited to
- > 1.The California Coastal Commission(in e-mail)
- > 1.The City Council(letter)
- > 3.Zoning Officer
- > 4.Planning Commission(under oath on tape)
- >
- > LIED AGAIN TO THE MAC ON THE PUBLIC RECORD NOVEMBER 12,2009---
- >
- > IS IT ANY WONDER PEOPLE DID NOT PASS THE CITY'S PUNEY \$104.00 parcel
- > tax.
- > IS IT ANY WONDER PEOPLE DOD NOT PASS THE LBUD"S \$98.00 TAX:
- >
- > PEOPLE SEE WHAT FOSTER AND DE LONG EMBRACE AND STAND
- > FOR---COGENITAL,HABITUAL,PATHOLOGICAL LYING THE
- > MO OF THE CURRENT LEADERSHIP!!!!
- >
- >
- >
- >

> TO WIT:

> At the March 12,2009 Marine Advisory Commission held in the Main Dinning Room

- > on the Second Floor of the LBJC--well chronicled by the Press Telegram's
- > Doug Krikorian the following took place:
- >
- > Mr.Sandoval asked for a up or down vote on the dubious not well received
- > Marina
- > Re Build plan-whose details-were roundly rejected by a wide number of
- > people
- > on the full spectrum of the boating community-who supported the needed
- > up grades
- > and repairs of dock-which poor management had allowed to fall into dis
- > repair---
- > BUT WITH SOUND REASON OBJECTED TO AN ENLARGED FOOTPRINT IN THE
- > WATER----during
- > a special evening outreaevh meeting circa 10 days before held at the
- > Pete Archer
- > Rowing Center(that meeting was also well Chronicled by the Doug
- > Krikorian)
- >
- > When Mr. Sandoval made his request on March 12,2009;The Chair,the good
- > Mr. Brad Whyte
- > folded his hands and said:
- >
- > "NO!!!"
- >
- > "We have been talking about this in committee and have decided we need
- > more input.We
- > need to find someone that supports this plan"
- >
- > A discussion ensued among the Commission has to how many more public
- > out reach meetings
- > there would be.Some member suggested one more meeting.The chair opined



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P-12-3

- > that at least two
- > more were needed. The Commission voted and approved two more with
- > date, location to be
- > announced as soon as a venue could be determined.
- >
- > The Chair one would probably be held at Rogers and the second in City
- > Council Chambers.
- >
- > The first of the two meetings location and date was announced in early
- > fall--only to
- > have to be rescheduled because staff did not do its
- > homework. Unfortunately--some people
- > did not get the notice of date change--and showed up on the
- > previously announced date--and
- > were scheduled to be out of town on October 22--the date of the first
- > of the two outreach
- > meetings the Commission had voted on to hold.
- >
- > Today, when reminded of the announcement and vote of the Commission ie
- > there would be two
- > more outreach meetings--MR.SANDOVAL DENIED SUCH FACTS--Stating MAC had
- > decided on two
- > more meeting PRIOR to the March 12 meeting held on the 2nd
- > floor---where the Chair=in presence
- > of the Press Telegram reporter--along with other in attendance REFUSED
- > MR SADOVAL's REQUEST TO
- > MOVE FORWARD WITH THE PLAN.
- >
- > The public record reflects the intent of the Commission was to hold two
- > more meetings, specific
- > location being suggested--one for each locations. THOUGH CERTAINLY THE
- > LOCATIONS MIGHT BE SUBJECT
- > TO CHANGE--the number may not....IT IS IMPORTANT TO NOTE EVEN AT
- > TODAY'S DAYTIME MEETING THE PUBLIC
- > STATED TIME MEETINGS ARE ALL THAT MANY MAY ATTEND....
- >
- > KEEP IN MIND WE ARE TALKING ABOUT A PROJECT THAT WILL LAST FOR 50
- > YEARS....ANOTHER 30 = days will
- > not rock the boat....and will avoid the specter or being remanded back
- > by the Courts--like Home
- > Depot.....
- >
- > will in a moment click over thoughts relative to needed changes on the
- > MAC

S cleared back 11/19/09

cacrewood8@fastmail.fm

cacrewood8@fastmail.fm

13

LAURENCE GOODHUE

LETTER CODE: P-12

RESPONSE P-12-1

The comment is a duplicate of Comment Letter P-5. See Responses P-5-2 through P-5-10.

RESPONSE P-12-2

The comment is a duplicate of Comment Letter P-6. See Response P-6-1.

RESPONSE P-12-3

The comment is a duplicate of text contained in Comment Letter P-6. See Response P-6-1.

SPORTS

presstelegram.com
Tuesday 02/10/09 **B**

A Sig-Alert on Long Beach's waterfront

Hell hath no fury like a woman rower scorned.

Or at least not one who believes that a good portion of the Alamitos Bay waterway where the rowers train and compete between the Davies Bridge on Second Street and the Long Beach Yacht Club — a stretch also used by kayakers, canoeists, paddleboarders, dragon boaters, swimmers, sail boaters, small boaters, big



DOUG KRIKORIAN

boaters — is going to be narrowed up to 90 feet if the city of Long Beach has its way.
Indeed, Joan Van Blom, a

three-time Olympic rower who at the 1976 Montreal Games became the first American female to medal in the sport when she earned a silver in the single scull, is normally a soft-spoken, mild-mannered person of exemplary composure.
But when she called to voice her complaints about the Marine Bureau's proposed expansion of boat slips and docks in the basins three and

four sections of Alamitos Bay, I couldn't believe this was the same sweet, gentle, even-tempered lady I'd interviewed on occasions across the years.
Well, actually, she was, but this version of Joan Van Blom, albeit still maintaining



Van Blom

a dignified demeanor, was steadfast in her objections, firm in her complaints and resolute in her outrage.
"Long Beach designates itself as the 'Aquatic Capital of the World,' and yet it would like to take away two acres of waterway that would cause horrible crowding and even be quite dangerous," says Van Blom, who resides with her husband, four-time Olympic rowing competitor

John Van Blom, in Belmont Heights.
"This definitely will take away needed racing and practice lanes, and will have a negative effect on the four rowing entities that use them on a regular basis — the Long Beach Rowing Association, the Long Beach Junior Crew, the Long Beach State men and women rowing teams

DOUG/B6

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DOUG

FROM PAGE B1

and the California Adapted Rowing Program for the physically challenged.

But it's just not the rowing community that will be impacted. It's all the other people who use the waterway. You take away almost 100,000 square feet of water, and there are, suddenly, going to be safety issues because everyone is going to be all bunched up in a dramatically smaller area."

The sporting world is spinning crazily out of control.

Manny Ramirez haughtily declines a two-year, \$45 million contract offer from the Dodgers — and then, of course, dutifully declines a one-year \$25 million offer from the same team. A 6-foot, 245-pound Pittsburgh Steeler linebacker named James Harrison returns an interception 100 yards in the Super Bowl with no time left in the first half and bounds into the end zone for what turned out to be a game-deciding touchdown. Alex Rodriguez, aka A-Rod, has a pejorative new nickname — A-Roid. And now the Aquatic Capital of the World apparently would like to extend docks on a popular waterway — and even build a new one next to the Long Beach Yacht Club — even though, according to Joan Van Blom, it will cause a Sig-Alert among those who frequent the waterway.

I asked the Long Beach mayor, Bob Foster, his thoughts on the matter, and he said he was unaware of it. "I'll look into it, and get

back to you," he promises.

"From our perspective we're designing the marina to cover up space that isn't use at this time," says Mark Sandoval, manager of Long Beach's marinas and beaches who's overseeing the proposed project. "It's not something they (the rowers) have access to anyway."

Joan Van Blom disagrees. "We feel violated and ignored," says Van Blom. "We understand it's being done to raise more money for the city. But aren't there other ways they can raise money?"

Well, for sure, one way for those sophisticated economists at City Hall who invested \$25.8 million with Lehman Brothers a week before it filed for bankruptcy to be slightly more careful in their next brilliant foray — eh, fally — into the esoteric world of high finance.

Joan Van Blom also wonders about the legality of Sandoval's plan, considering Marine Stadium long ago was designated an historic landmark because of its having been the rowing venue for the 1932 Olympics in Los Angeles.

"We've had a firm look into that, and we've been told that the historic designation doesn't extend beyond the Davies Bridge," says Sandoval.

To which Joan Van Blom counters: "In 1993, Marine Stadium was designated by the city as a Long Beach historic site in the same form that it was at that time. And that includes the Alamitos Bay waterway they now want to change."

Mark Sandoval insists those opposed to his plan will have an opportunity to voice their

objections.

"Before we do anything we must have approval from the Planning and Coastal Commissions," says Sandoval.

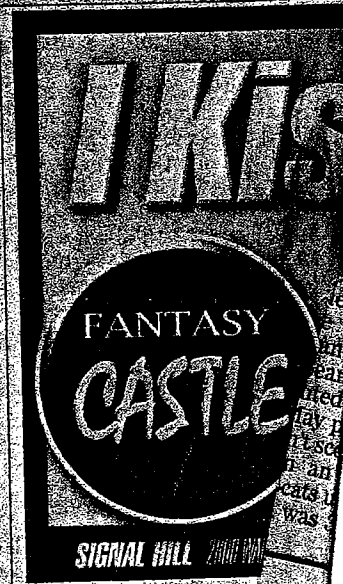
And Joan Van Blom promises that she and a lot of other people will bombard members of those august agencies with their opinions.

"You would think that Long Beach would be doing everything within its power to make sure there continues to be enough room for those who use the Alamitos Bay waterway," says Van Blom, who still competes in masters rowing events and is a lifetime member of the Long Beach Rowing Association because of her Olympic involvement.

"I'm really disheartened that we're facing the prospect of losing so much space. It's just not right. It really angers me."

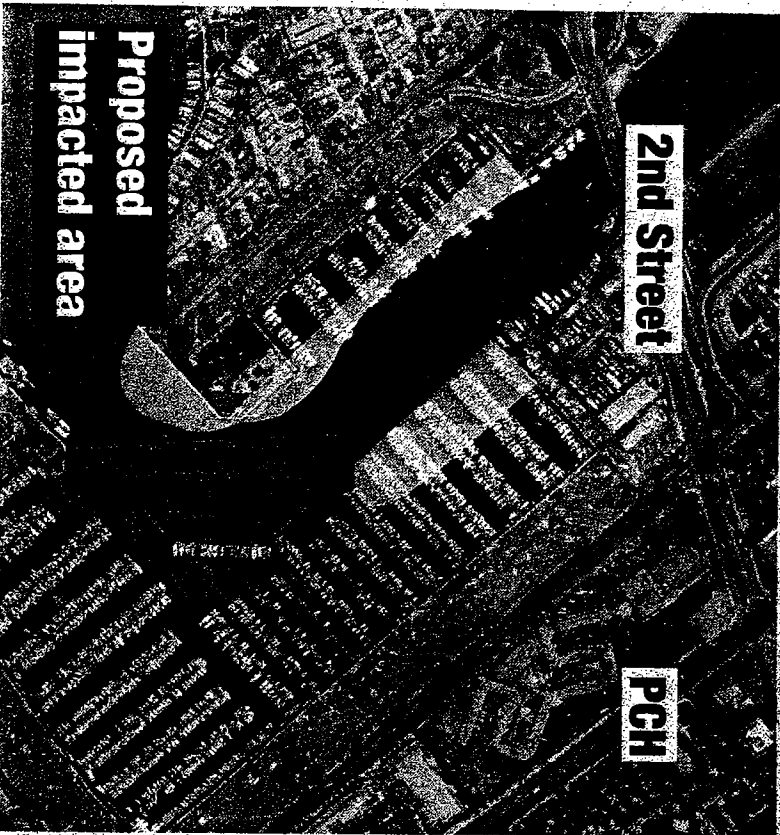
No kidding.

doug.krikorian@presstolegram.com



48

Alamitos Bay Marina rebuilding plan draws fire



MEETING: Recreational users fear waterways will become more congested.

By Phillip Zonkel
Staff Writer

LONG BEACH — A standing-room-only crowd of around 100 people voiced safety concerns and opposition to a proposal for a massive rebuild of Alamitos Bay Marina at a meeting Monday night.

The Marine Advisory Commission's proposal already has been rejected by the Long Beach Rowing Association, said Mark Sandoval, Long Beach Marine Bureau manager, during the public comment session at the Pete Archer Rowing Center.

Sandoval said Tuesday that he supports the proposal.

The \$88 million project — which may begin construction later this year or in early 2010 and be completed by 2014 — would rebuild the docks and boat slips in basins 1 to 7 and the restrooms, Sandoval said.

Everything from the street into the water will be replaced," he said. The project has received a \$21 mil-

lion loan from the California Department of Boating and Waterways, but is short \$67 million, Sandoval said.

If approved by the advisory commission, the project will move on to the city's planning commission and city council before reaching the California Coastal Commission, which could reject the development permit request.

The marina must be rebuilt because it has an obsolete 50-year-old design, and a newly designed marina will accommodate users' needs for the next 40 to 50 years, Sandoval said.

But critics of the plan asked whose needs are being accommodated.

The marina needs repair, but the plan proposed by the advisory commission creates a safety problem, particularly the expansion of docks and boat slips around the Long Beach Yacht Club, which will narrow the public waterway by 90 feet, they said.

That part of the channel, which stretches between the Davies Bridge on Second Street and the Long Beach Yacht Club, was the site of the 1932 Olympic Games rowing competition.

It is six lanes across and a popular practice and recreational spot for rowers, kayakers, canoeists, paddleboarders, boaters and swimmers.

As a result, the area is a congested waterway and expanding the docks and boat slips will cause a "huge, huge safety issue," said Keith Johnson, president of the board of directors of Long Beach Junior Crew, a local youth rowing club. "We are being squeezed out of the water." Sandoval, who didn't address safety issues mentioned by members of the audience, said the advisory commission didn't have an option to build anywhere else and the proposal takes into account the "competing demands from various interests."

Third District Councilman Gary DeLong, who was at the meeting, said Tuesday that he had not decided whether he would support the proposal.

"I have to hear lots of points of view," he said. We will have to see how it plays out."

The advisory commission is set to make a recommendation at its March 12 meeting at the Yacht Club, 6201 E. Applian Way, at 2:30 p.m.

phillip.zonkel@presstelegram.com,
562-499-1258

Proposed
impacted area

Source: Google Earth, longbeachrowing.org

3/1/09

55

with this maritime moments and held off a deta

will hold a book signing under the LBYC burgee !!!!

FYI: On Hogens sh navigati an involving win

3-12-09



DOUG KRIKORIAN

Attorney has a problem with it,my view is Petert

g.The issues turn on public maritime and

a on nautical engineering dynamics

the world,his views on such.

LBG

The Great Waterway Debate continues

From: To: ca Date: Subje Long l March Edition Section Page: 1

telegram.com>

In the latest chapter of the Long Beach Rowers vs. Mark Sandoval in what has become known as the Great Alamos Bay Waterway Debate

The Great Waterway Debate continues

Article Text:In the latest chapter of the Long Beach Rowers vs. Mark Sandoval in what has become known as the Great Alamos Bay Waterway Debate, well, nothing of note can be reported except I found out that one member of the Marine Advisory Commission belongs to the Long Beach Yacht Club. "You're wasting your time coming here today," Sandoval told me before Thursday's 2:30 meeting got underway at the LBYC's second-story banquet room in which the Marine Advisory Commission was supposed to announce its non-binding recommendations about Sandoval's controversial \$88 million (!!!) dream known stirringly as the Alamos Bay Rebuild Project. "Why?" I wanted to know. "I believe the Marine Advisory Commission is going to have a couple of more public meetings before it makes a decision," he said. And, presto, Mark Sandoval turned out to be on target. The Marine Advisory Commission's chairman, a Mr. Bradley Whyte, announced that his august albeit pruned down body - it has only six members because the brilliant Long Beach mayor, Bob (Bananas) Foster, for some unfathomable reason has failed to fill three vacancies - would render a verdict after listening "to other stakeholders with views slightly different than that of the rowers." The other stakeholders, of course, are the big boaters like, well, Mr. Bradley

50

~~B. F. H. K. S.~~

HOW THE HELL

DOES CONSTRUCTING WATERWAY - HELP

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Whyte, who has resided with his wife in a 42-foot yacht at the Shoreline Marina for the past 14 years. "Oh, I know where you stand on this issue," I kidded Mr. Whyte, an affable gentleman with a sense of humor befitting that of a salesman, which he is. "Oh no, I have a totally open mind on this issue," he asserted. "I'm a rower myself. You come to my boat, and you'll see a scull on it." Being a true investigative reporter, I do plan to take Mr. Whyte up on his offer, but I'll be sneaky and won't tell him when I'll show up just to make sure there really is a scull aboard his vessel. Mr. Whyte does admit, though, he would like a more fair and balanced turnout at the next public gatherings that haven't been scheduled, meaning he would like to hear from a lot of people who aren't angry about Sandoval's proposal to narrow the waterway between the Second Street Davies Bridge and the LBYC up to 35 feet, according to Sandoval's calculations, or 90 feet, according to the rowers' calculations. "But if narrowing the waterway and sticking a new dock besides the LBYC like Sandoval proposes eliminates rowers' lanes and poses serious safety issues, why narrow the waterway?" I asked Mr. Whyte. "I want to find out myself what impact it will have on the waterway," he replied. Good. I do, too, and just can't wait to attend the next two meetings of this thickening drama that was pretty tame Thursday compared to the tense atmosphere that pervaded in the first showdown staged last week at the Peter Archer Rowing Center. In that one, one person after another got up and informed Mark Sandoval in no uncertain terms that he was committing a heinous maritime disaster. This one was quite docile, as Mark Sandoval even showed he is quite an environmentalist, as he displayed a box overflowing with letters to his office that I'm sure weren't exactly praising his work. "Please, don't waste paper ... save the trees," he pleaded. "If you want to protest, do it through e-mail." I asked Bradley Whyte if there was anyone on his panel who belonged to the Long Beach Yacht Club, expecting no one to be since anyone who would be in clear conflict of interest. But damned did one gentleman, a Mr. Peter Hogensen, raise his hand. "I didn't even know that," said Mr. Whyte. Should Peter Hogensen now recuse himself from this affair, since, after all, the Long Beach Yacht Club stands to benefit from Mark Sandoval's plan. I have no idea, although I must admit, even though Thursday's meeting was at the LBYC, the only side that was doing any protesting was that of the rowers. "Wouldn't it be nice after 20 years on the job that your legacy would be that you helped a lot of young kids in rowing?" one guy told Sandoval, whose extraordinarily poofed-up gray hair seemed to stand up even straighter at this comment. There were, as always, some unusual remarks from a few of the 40 or 50 people who were present, like the one from the lady wanting to know the status of kite-flying instruction on the beach and another one from a person saying the entire Alamitos Bay marinas should be down-sized. "Can't you do your project without narrowing the waterway between the Davies Bridge and the Yacht Club?" I asked Sandoval. "I have other stakeholders like dragon boaters that I have to pay attention to," he said. "This is just not about the rowers." Maybe so, but the rowers are the only ones so far to have articulated their position... No matter what unfolds in the Big West Tournament in which his team opens play tonight, Long Beach State coach Dan Monson already has done an extraordinary job of reviving the 49ers' men's basketball program. How will it do this weekend? "If we sustain our focus, I think we'll do well," says Monson. "If we don't we'll get beat. It's that simple." What isn't simple to explain has been the 49ers' tendency in recent weeks to lose their concentration, which they did in the agonizing closing

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moments of last Saturday's one-point loss (76-75) to UC Santa Barbara when they committed three turnovers in a row that resulted in their squandering a four-point lead. "We've played good enough in spurts, but we haven't been able to sustain it now for almost two months," says Monson. "We haven't won back-to-back games since the middle of January. "Why? I think it's a combination of things. One, youth (Monson starts four freshmen). Two, changing the culture of the program. It's a process and doesn't happen overnight. We haven't learned to go for the jugular yet. And, three, talent. There's just not that much separating us from our Big West opponents. Our margin of error is thin." Monson says he's warned his team what will happen if it continues its recent flameouts. "We're going to have to play hard and keep focused for 40 minutes," he says. "I told them if we don't and we let down for three or four minutes, our season will be over..." I have a hunch the 49ers will heed Dan Monson's warning, and will wind up winning the Big West Tournament... Mary Hegarty was a class act, and becomes the latest Long Beach State women's basketball coach unable to duplicate the success of Joan Bonvicini, who set a standard at the school that probably never again will be matched. Glenn McDonald and Dallas Bolla endured the same fate as Hegarty, who was informed the other day by Vic Cegles that her contract would not be renewed. You hate to see anyone lose a job in this tough financial climate, especially a person who worked at it as hard as Hegarty, whose teams have been plagued by injuries the past couple of bleak seasons... Gentleman Gene Rotondo, owner of Legends, claims his establishment has just put up the largest commercial non-theater TV screen in Southern California. "It's a 20 footer, and it's huge," says Rotondo proudly... Kobe Bryant has left me shaking my noggin in awe so many times across the years that it's become a routine event, but his 18-point fourth quarter eruption Wednesday night against Ron Artest and the Houston Rockets was something to behold... We all know Ron Artest is a kucklehead, but how stupid was it of him to ignite Kobe Bryant in that final quarter with his non-stop trash drive?... Hope Phil Jackson continues to start Trevor Ariza, as he did against the Rockets and Thursday night against San Antonio, instead of the Teacher's Pet, Luke Walton... I'm going to rush out and buy the Manny Ramirez book so I can get his innermost thoughts on everyday life... I'm also waiting anxiously for Ned Colletti's book so I can find out how a guy can blow millions and millions of dollars for his boss - think Andruw Jones and Jason Schmidt - and still retain his job. Ol' Mustache Ned has become my new idol... Manny Pacquiao says he is willing to fight Juan Manuel Marquez for a third time - and it well might happen if Pacquiao gets past Ricky Hatton on May 2 in Las Vegas. Their previous matches were classics - the first a draw, the second a split decision to Pacquiao - and I'm sure another would be the same, since both men are at their peak. Marquez certainly was in his recent ninth-round knockout of tough Juan Diaz, and we all know what Pacquiao did to Oscar De La Hoya... The ol' Downey Flash, Johnny Ortiz, is picking Hatton to upset Pacquiao. "Hatton is a strong, natural 140-pounder who I think can smother Pacquiao the way he did Kostya Tszyu," says Ortiz, who thinks Pacquiao's impalement of De La Hoya was an aberration due to De La Hoya's dramatic weight loss... Rossmoor native Kevin (Brother of Dennis) Lamp says the big bash being staged Saturday night at Frisco's is for people from his old Los Alamitos neighborhood - and that the restaurant already has received 125 RSVPs. The Muhammad Ali impersonator and one-time Long Beach State pitcher says a band will play 1970s music, and the \$35 fee will include

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4.12.4.2 Potentially Significant Impacts

No potentially significant impacts were identified. Although no mitigation is required, Mitigation Measure 4.12-1 is included to ensure that construction traffic impacts associated with implementation of the project would be less than significant throughout each phase of the project.

Comments:

Section 4.12 is supposed to be about traffic, transportation and circulation but says nothing about the impacts on boat traffic and circulation of the proposed docks and tied-up boats extended into the existing open waterway. Docks extended into areas which are now open waterways will impact boat traffic, transportation and circulation. The narrowing of Marine Stadium would force power boat traffic from the Davies Launch Ramp and human powered traffic into narrower channels. Eastbound traffic would be squeezed at the approach to the Davies Bridge all the way out to the east end of the 2000 meter long Marine Stadium. This squeezing would continue around the corner and then southbound past the Long Beach Yacht Club toward the wider part of Alamitos Bay.

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4.7.7 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Implementation of Mitigation Measures 4.7-1 through 4.7-7, described above, would reduce potential project and cumulative hydrology and water quality impacts to less than significant levels. Therefore, there are no significant unavoidable adverse impacts of the proposed project related to hydrology and water quality.

Comments:

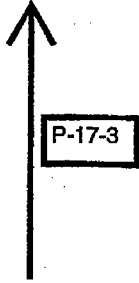
A new dock is proposed in the north-south channel adjacent to the Long Beach Yacht Club. This channel is relatively narrow compared to the wider part of Alamitos Bay to the south. Much of this channel is bounded on both sides by seawalls so wakes and waves in this channel are reflected from seawalls rather than being dissipated. As a result the water in this channel is often rougher than the water anywhere else in Alamitos Bay. When a southerly wind is blowing the rough water is worse as wind and waves are funneled northward through this channel from the wider area of Alamitos Bay. This funneling action would be aggravated by the installation of a dock. With boats attached to this proposed dock the width of the channel would be decreased approximately 10%. As the wind would run through this narrowed canyon of boats and seawalls the wind's speed could conceivably increase 10% with the wind's drag on the water increasing as the square of the wind's velocity. Larger wind waves would result and such waves increase the difficulties of navigating small human powered craft. This coupled with the new complexity of seeing and avoiding yachts rapidly northbound on the west side of this channel while obscured by the new dock and attendant boats would make the corner at the existing east-west dock and the proposed north-south dock a safety hazard for small boaters approaching from the west.

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Before this north-south dock is approved, an analysis should be conducted on the resulting effects on waves in this channel. This analysis should be accompanied by simulated views at this corner showing the proposed dock and attached boats from the standpoints of a racing yacht approaching from the south and a human powered boat approaching from the west. Considering the effects of the wind and waves on the large boat and the abilities of the two navigators to see each other, a determination should be made to find out if the two boats would be able to see and then avoid each other.



If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy & Don Bogart'.

Judy and Don Bogart

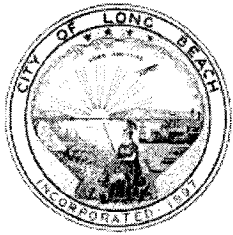
e-mail: jdbogart@self-serv.net

Home phone: 562 439-3119

Handwritten initials or a signature, possibly 'JS' or similar, located in the bottom right corner of the page.

***Alamitos Bay Marina Rebuild
Public Meeting Timeline***

May 10, 2007	Marina Rebuild Presentation to Marine Advisory Commission (MAC) at Monthly Meeting
May 24, 2007	Presentation to Alamitos Bay Marina Liveboards
July 24, 2007	Presentation to the Long Beach Marina Boat Owners' Association
September 13, 2007	Presentation at Councilman DeLong's Monthly Lunch
January 10, 2008	Presentation of Tidelands Bond/ABM Rebuild to Belmont Shores Resident's Association
January 17, 2008	Presentation of Tidelands Bond/ABM Rebuild at Councilman DeLong's Monthly Lunch
February 13, 2008	Presentation of Tidelands Bond/ABM Rebuild to the Belmont Heights Residents' Association
March 18, 2008	Presentation to The Women's Sailing Association
February 12, 2009	Marina Rebuild Presentation to Monthly MAC Meeting (Rowing Stakeholders Present)
March 2, 2009	Public Meeting at Rowing Center (MAC requested)
March 12, 2009	MAC Monthly Meeting – Follow-up Presentation regarding rebuild plan, held at LBYC
April 22, 2009	Presentation to the Naples Residents' Association
May 28, 2009	EIR Scoping Meeting
October 1, 2009	Planning Commission - Study Session on Rebuild
October 22, 2009	Public Meeting at Wilson High School (MAC requested)



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February 2, 2010

**REHABILITATION OF THE ALAMITOS BAY MARINA
BASINS 1-7 (Peninsula, Naples Island, Marina
Pacifica and Marina Drive)**

**FINAL ENVIRONMENTAL IMPACT REPORT
(EXHIBIT D)**

**A SCANNED IMAGE OF THE AGENDA ITEM
ATTACHEMENTS ARE AVAILABLE IN LEGISTAR INSITE AT
<http://longbeach.legistar.com/calendar.aspx>**

OR

PLEASE CONTACT

THE LONG BEACH CITY CLERK DEPARTMENT AT

**(562) 570-6101
(562) 570-6789 (FAX)
cityclerk@longbeach.gov**