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RESOLUTION NO. RES-23-0080

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT (“EIR 03-20”) FOR THE GENERAL PLAN NOISE ELEMENT PROJECT IN THE CITY OF LONG BEACH (STATE CLEARINGHOUSE NO. 2019050009), HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND STATE AND LOCAL GUIDELINES; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO

WHEREAS, the City of Long Beach has proposed to update the Noise Element of the General Plan (“Project”) involving an update to the City’s original 1975 Noise Element as well as the corresponding Long Beach Municipal Code amendment to the City’s Noise Ordinance to bring it into conformance with the updated Noise Element and the 2019 General Plan Land Use Element, respectively. The Long Beach General Plan Noise Element was first adopted in 1975, and the Noise Ordinance was last updated in 1977. Since then, the City’s physical makeup, population, and regional context, and the regulatory guidance around noise has changed significantly. The proposed Noise Element update will replace the existing 1975 document and provide a tailored approach to noise policies and land use, recognizing characteristics of the City’s mixed-use, urban environment and major transportation corridors; and

Said Project is more fully described in the Final Environmental Impact Report (“FEIR”) for the General Plan Noise Element (State Clearinghouse No. 2019050009), a copy of which FEIR, including the complete proposed Project description, is incorporated herein by this reference as though set forth in full, word for

1 word; and

2 WHEREAS, Project implementation will require certification of the Final
3 FEIR; and

4 WHEREAS, an Initial Study was prepared in accordance with CEQA which
5 concluded that an Environmental Impact Report would be the appropriate level of review
6 in accordance with the California Environmental Quality Act (CEQA) and CEQA
7 Guidelines section 15161; and

8 WHEREAS, the City began an evaluation of the proposed project by issuing
9 a Notice of Preparation (NOP) for a FEIR, which report was circulated from May 17, 2019
10 to June 17, 2019. A Notice of Completion was prepared and filed with the State Office of
11 Planning and Research initially on March 23, 2021; and

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

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

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

21 WHEREAS, the City Council has reviewed and considered the information
22 in, and the comments to, the DEIR and responses thereto, and the FEIR at a duly noticed
23 City Council meeting held on June 6, 2023, at which time evidence, both written and oral,
24 was presented to and considered by the City Council; and

25 WHEREAS, the City Council has read and considered all environmental
26 documentation comprising the FEIR, including the DEIR, comments and the responses to
27 comments, and errata (if any) included in the FEIR, and has determined that the FEIR
28 considers all potentially significant environmental impacts of the Project and is complete

1 and adequate, and fully complies with all requirements of CEQA and the State CEQA
2 Guidelines; and

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

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

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

9 Section 2. The FEIR is adequate and provides good faith disclosure of
10 available information on the Project, and all reasonable and feasible alternatives thereto,
11 and has been completed in compliance with CEQA and the State CEQA Guidelines.

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

15 Section 4. Pursuant to Public Resources Code Section 21081 and State
16 CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the
17 CEQA Findings of Fact regarding the Final Environmental Impacts for the General Plan
18 Noise Element as shown on the attached Exhibit "A", which document is incorporated
19 herein by reference as though set forth in full, word for word.

20 Section 5. Pursuant to State CEQA Guidelines section 15091(e), the
21 record of proceedings relating to this matter has been made available to the public at,
22 among other places, City Hall, Department of Development Services, 3rd Floor, 333 W.
23 Ocean Boulevard, Long Beach, California, and at the new City Hall, Department of
24 Development Services, 411 W. Ocean Boulevard, 3rd Floor, Long Beach, California, and
25 is, and has been, available for review during normal business hours.

26 Section 6. The information provided in the various staff reports submitted
27 in connection with the Project, the corrections and modifications to the DEIR, and the
28 FEIR made in response to comments and any errata which were not previously re-

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802

1 circulated, and the evidence presented in written and oral testimony at the public hearing,
2 do not represent significant new information so as to require further re-circulation of the
3 FEIR pursuant to Public Resources Code Section 15088.5.

4 Section 7. This resolution shall take effect immediately upon its adoption
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City
7 Council of the City of Long Beach at its meeting of June 6, 2023,
8 by the following vote:

9
10 Ayes: Councilmembers: Zendejas, Duggan, Supernaw, Kerr, Saro,
11 Uranga, Austin.

12
13
14 Noes: Councilmembers: None.

15
16 Absent: Councilmembers: Allen.

17
18 Recusal(s): Councilmembers: Ricks-Oddie.

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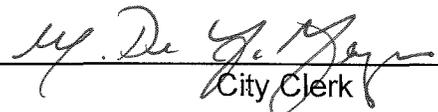
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City Clerk

**FINDINGS OF FACT IN SUPPORT OF FINDINGS FOR THE
FINAL ENVIRONMENTAL IMPACT REPORT**

**FOR THE
CITY OF LONG BEACH NOISE ELEMENT AND NOISE ORDINANCE
(CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT,
MUNICIPAL CODE AMENDMENT AND GENERAL PLAN AMENDMENT)
STATE CLEARINGHOUSE NO. 2019050009**

I. BACKGROUND

Public Resources Code (PRC) Section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by the California Environmental Quality Act (CEQA) “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Agencies demonstrate compliance with Section 21002’s mandate by adopting findings before approving projects for which Environmental Impact Reports (EIRs) are required. (See PRC § 21081, subd. (a); *State CEQA Guidelines*, § 15091, subd. (a).) The approving agency must make written findings for each significant environmental effect identified in an EIR for a proposed project and must reach at least one of three permissible conclusions. The first possible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (*State CEQA Guidelines*, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding” and that “[s]uch changes have been adopted by such other agency or can and should be adopted by such other agency.” (*State CEQA Guidelines*, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (*State CEQA Guidelines*, § 15091, subd. (a)(3).)

Agencies must not adopt a project with significant environmental impacts if feasible alternatives or mitigation measures would substantially lessen the significant impacts. PRC Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” *State CEQA Guidelines* Section 15364 adds “legal” considerations as another indicia of feasibility. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of “feasibility.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.) Further, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) An agency need not, however, adopt *infeasible* mitigation measures or alternatives. (*State CEQA Guidelines*, § 15091,

subds. (a), (b).) Further, environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

Notably, Section 21002 requires an agency to “substantially lessen or avoid” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 (“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”); *Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles* (1986) 177 Cal.App.3d 300, 309 (“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”).)

CEQA requires that the Lead Agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (*State CEQA Guidelines*, § 15091, subds. (a), (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors*, *supra*, 52 Cal.3d at p. 576.)

The City of Long Beach (City) City Council, as the decision-making body of the CEQA Lead Agency, has determined that based on all the evidence presented, including, but not limited to, the Final EIR, written and oral testimony given at meetings and hearings on the project, and submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the project are: (1) less than significant and do not require mitigation. The City Council has further determined that the project would not result in any significant unavoidable adverse impacts.

A. PROJECT SUMMARY

The proposed project is the adoption of a new General Plan Noise Element, which would replace the City’s existing 1975 Noise Element. As required by Section 65302 of the California Government Code, the Noise Element is a required element of a City’s General Plan. The proposed Noise Element includes strategies and policies intended to provide protection for land uses, as identified in the Land Use Element (LUE), from excessive noise and vibration sources, as well as to implement the vision of a healthy, livable noise environment in the City.

The topics of noise and vibration are introduced with a discussion of the function of a Noise Element and its role within other planning and regulatory frameworks, the community engagement involved in shaping the element, and concepts for implementing the vision of the element. The Noise Element also includes information related to noise fundamentals, such as the characteristics of sound, measurement of sound and definitions of acoustical terms, physiological effects of exposure to noise, and common sound levels and their noise sources.

As part of the Noise Element, the City has established 16 strategies related to noise, which would aid review of future projects and their associated environmental impacts. In addition to the 16 strategies, the proposed Noise Element contains numerous policies that work together to achieve the goals of creating a healthy, livable community with the equitable distribution of noise, minimizing exposures to excessive noise, and allowances for elements necessary for a dynamic, growing city. These citywide policies aim to provide a holistic and comprehensive guide for the City, whereas future projects facilitated by project approval would provide a refined direction for distinct areas within the City.

Chapter 5 of the proposed Noise Element includes a Noise Plan, which addresses strategies and policies related to six topic areas describing sources of existing noise and vibration: (1) PlaceType Characteristics and Land Use Compatibility; (2) Mobility, including vehicular noise, rail, aircraft, and watercraft; (3) Construction; (4) Special Events; (5) Environmental Justice and Social Equity; and (6) Noise Management.

Chapter 6.0 of the proposed Noise Element includes implementation measures (comprised of tools and strategies), which are intended to be used to effectively implement the goals and policies contained in the Noise Plan. Implementation tools consist of the City's regulatory processes, such as zoning regulations, the Noise Ordinance which is being updated as part of this project, development review, building and housing codes, CEQA compliance, City noise procedures and management, interagency coordination, and enforcement. The implementation strategies summarize goals and policies from the Noise Plan and identify the responsible City departments and general timeframes for completion. Periodic progress reports will be prepared every two to three years to ensure that the City is adhering to implementation strategies outlined in the Noise Element.

The City of Long Beach Noise Ordinance is contained in Title 8, Health and Safety, Chapter 8.80, Noise, of the City's Municipal Code. Chapter 8.80, Noise, establishes exterior and interior noise limits for the generation of sound within the City. The maximum noise levels vary based on the receiving land use type and the cumulative duration of noise.

Several amendments to the Noise Ordinance would be included as part of the proposed project. A Project Design Feature (PDF) is a specific component of the proposed project that has been incorporated in the project design to reduce potential environmental effects. This PDF is a part of the proposed project and does not constitute a mitigation measure. It is, however, included in this Draft EIR because it is intended to reduce potential project impacts. If applicable, PDFs are also described in the relevant sections of Chapter 4.0 for reduction of environmental effects of the proposed project. PDFs are not included for each environmental topic.

B. ENVIRONMENTAL REVIEW PROCESS

In conformance with CEQA, the *State CEQA Guidelines*, and the City of Long Beach policies regarding the implementation of CEQA, the City conducted an extensive environmental review of the proposed project.

- The City determined that an EIR would be required for the proposed project and issued a Notice of Preparation (NOP) on May 17, 2019. The City also conducted a public scoping meeting on May 30, 2019, to present the proposed project and to solicit input from interested parties regarding environmental issues that should be addressed in the EIR. Section 2.2 of the Draft EIR describes the issues identified for analysis in the Draft EIR through the NOP and the public scoping process. Section

2.4, Effects Found Not to Be Significant, identifies environmental issues that were considered, but for which no adverse impacts were identified during scoping. As such, these environmental issues were not discussed in the Draft EIR.

The City prepared a Draft EIR, which was made available for a 45-day public review period, from March 23, 2021 to May 6, 2021. Due to a noticing oversight, and in order to ensure that all interested parties had sufficient time to review, the public review period was extended from May 6, 2021 to June 14, 2021. On April 30, 2021, a notice of extension of the public review period was sent to the project distribution list and updated on the City's website. The City prepared a Final EIR, including the Responses to Comments to the Draft EIR and this Findings of Fact. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments, text errata to the Draft EIR, and appended documents. The Responses to Comments were distributed to commenting parties at least 10 days prior to the first public hearing held on the project at the March 2, 2023 Planning Commission meeting.

C. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the City in conjunction with the proposed project;
- All written comments submitted by agencies or members of the public during the public review comment period on the NOP;
- The Final EIR for the proposed project;
- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- The Mitigation Monitoring and Reporting Program (MMRP) (Project Design Features);
- The reports and technical memoranda included or referenced in the Response to Comments;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR;
- The Resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto;
- Matters of common knowledge to the City, including but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code (PRC) Section 21167.6(e).

D. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions related to the project are located at the City of Long Beach City Hall, 411 West Ocean Boulevard, 3rd Floor, Long Beach, California 90802. The City's Development Services Department is the custodian of the administrative record for the proposed project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the City's Development Services Department. This information is provided in compliance with PRC Section 21081.6(a)(2) and *State CEQA Guidelines* Section 15091(e).

II. FINDINGS OF FACT

This section provides a summary of the proposed project's impacts, as identified in the Final EIR, that would have no impact or less than significant impact without mitigation. The project would not require any mitigation. The proposed project does not have any significant and unavoidable impacts.

A. ENVIRONMENTAL EFFECTS THAT WERE DETERMINED NOT TO BE POTENTIALLY AFFECTED BY THE PROPOSED PROJECT

As a result of the IS that was circulated with the NOP by the City on May 17, 2019, the City determined, based upon the threshold criteria for significance, that the proposed project would not result in significant potential environmental impacts in several areas; therefore, the City determined that these potential environmental effects would not be evaluated further in the EIR. Based upon the environmental analysis documented in Chapter 2.0 of the Final EIR, no substantial evidence has been submitted to or identified by the City that indicates that the proposed project would have an impact on the following environmental areas:

Aesthetics: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or developments that would result in impacts to scenic vistas. The project would not result in changes to height or density of land uses, and consequently, the project would not impact views of scenic resources in the planning area. As a result of implementation of the proposed project, the existing scenic quality of the planning area would remain unchanged and sources of light and glare in the planning area would remain the same as existing conditions. Each future discretionary project within the City would be evaluated individually and project-specific mitigation would be proposed as needed. For these reasons, approval of the proposed project would not result in substantial adverse impacts to aesthetics. Therefore, this issue was not evaluated further in the Draft EIR.

Agriculture/Forestry Resources: The planning area is almost entirely developed and is not used for agricultural or forestry purposes. No properties within the planning area are designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance nor are there areas zoned for agricultural or forestry uses. Further, there are no areas protected by a Williamson Act contract. As such, implementation of the proposed project would not result in environmental changes that could result in the conversion of farmland to nonagricultural use or the conversion of forest land to non-forest use. Furthermore, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not

include or facilitate any physical improvements or development that would result in impacts to agricultural and forestry resources. Therefore, this issue was not evaluated further in the Draft EIR.

Air Quality: The planning area includes the entirety of the City of Long Beach, which is part of the South Coast Air Basin (Basin). The Basin includes all of Orange County and portions of Los Angeles, Riverside, and San Bernardino Counties. Air quality within the Basin is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD and the Southern California Association of Governments (SCAG) adopted the *2016 Air Quality Management Plan (2016 AQMP)* in March 2017. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would conflict with the 2016 Air Quality Management Plan (AQMP), result in an exceedance of SCAQMD criteria pollutant emission thresholds, result in increased short- or long-term emissions, or generate odors within the planning area. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Biological Resources: In its existing setting, the planning area is almost entirely developed and is located in an urban area of Los Angeles County. These urban areas do not contain mapped habitat for any sensitive biological species as identified on local/regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS). Although the majority of the planning area is urban in nature, the City contains a number of open space areas (e.g., El Dorado Regional Park, the Los Angeles and San Gabriel Rivers, Los Cerritos Wetlands, beaches along the Pacific Ocean shoreline, rights-of-way, marinas, bays, riparian habitat, and wetlands) that have the potential to support sensitive biological resources. However, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to biological resources. Existing habitat and species would not be affected as a result of implementation of the proposed project.

According to the National Wetlands Inventory managed by the USFWS, although the majority of the planning area is urban in nature, the planning area does contain riparian habitat that has the potential to support sensitive biological resources; however, the planning area does contain State and federally protected wetlands that have the potential to support sensitive biological resources. As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to biological resources.

The Migratory Bird Treaty Act (MBTA) and California Fish and Game Code 3503 protect most native bird species from destruction or harm. This protection extends to individuals, as well as any part, nest, or eggs of any bird listed as migratory. Most native North American bird species are on the MBTA list. Implementation of the proposed project would not result in impacts related to interference with the movement of species within wildlife corridors. As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to biological resources.

The City of Long Beach Municipal Code (Ordinance C-7642) regulates the care and removal of trees on public property and is intended to preserve and protect the community's urban forest and to promote the health and safety of City trees. The City's Municipal Code requires that a municipal permit from the City of Long Beach Director of Public Works be obtained prior to the removal of trees on City-owned property. The City's Tree Maintenance Policy also requires a 1:1 replacement ratio and payment of a fee that is equivalent to a City-approved 15-gallon tree. Implementation of the proposed project would not conflict with the City's tree preservation policies. As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to biological resources.

There are no adopted Habitat Conservation Plans (HCP), Natural Communities Conservation Plans (NCCP), or other similar plans within the City.

For the reasons stated above, the proposed project would not result in significant impacts to biological resources. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Cultural and Tribal Cultural Resources: Implementation of the proposed project would not cause a substantial change in the significance of a historical, archaeological, or tribal cultural resource. CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project's Lead Agency (PRC Section 21084.1 and *State CEQA Guidelines* Section 15064.5[a]). The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to historical resources.

The City's General Plan Land Use Element aims to minimize potential impacts to unknown archaeological resources through compliance with applicable federal, State, and local guidelines. In its existing setting, the planning area is almost entirely developed and is located in an urban area of Los Angeles County. Consequently, much of the planning area has been previously disturbed as a result of past construction activities in the City. As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to archaeological resources. Similarly, the proposed project would not disturb any human remains.

For the reasons stated above, the proposed project would not result in significant impacts to cultural resources. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Energy: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would require energy consumption. As such, the proposed project would not result in an environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources because the project would not require energy consumption, nor would it conflict with state or local plans for renewable energy or energy efficiency. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Geology and Soils: Given the City's location in the seismically active area of Southern California, portions of the planning area are located within a Fault Zone, as designated by the California Department of Conservation (DOC) and United States Geological Survey (USGS). According to the City's General Plan Seismic Safety Element (1988), the most prominent fault zone in the City is the Newport-Inglewood Fault Zone, which transverses the City from the northwest to the southeast. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development. Future individual projects subject to discretionary approval would be required to be consistent with City requirements established in the Seismic Safety Element and would be required to comply with current applicable building codes. As such, implementation of the proposed project would not expose people or structures to substantial adverse effects related to the risk of loss, injury, or death involving the rupture of a known earthquake fault, strong seismic ground shaking, or seismic related failure (e.g., liquefaction or landslides).

As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts related to substantial soil erosion, unstable soils, expansive soils, or soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. Compliance with applicable building codes in effect at the time future projects are proposed and preparation of site-specific geology and soils engineering studies would ensure that future projects would not result in impacts related to substantial soil erosion, unstable soils, expansive soils, or soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

In its existing setting, the planning area is almost entirely developed and is located in an urban area of Los Angeles County. Consequently, much of the planning area has been previously disturbed as a result of past construction activities in the City. As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would impact paleontological resources. As a result of implementation of the proposed project, the existing paleontological setting would remain unchanged.

For the reasons stated above, the proposed project would not result in significant impacts to geology and soils. Any future discretionary project within the City would be evaluated individually, and project specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Greenhouse Gas Emissions: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would directly or indirectly generate GHG emissions or conflict with any plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Hazards and Hazardous Materials: Hazardous materials are chemicals that could potentially cause harm during an accidental release or mishap, and are defined as being toxic, corrosive, flammable, reactive, and an irritant or strong sensitizer. Hazardous substances include all chemicals regulated under the United States Department of Transportation "hazardous materials" regulations and the United States Environmental Protection Agency (EPA) "hazardous waste" regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials is affected by the type of substance, the quantity used or managed, and the nature of the activities and operations. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would involve the transport, use, or disposal of hazardous materials; create a hazard to the public or the environment through the release of hazardous materials; emit hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of any school; result in a significant impact related to a known hazardous materials site pursuant to Government Code Section 65965.5, and therefore, would not create a significant hazard to the public or the environment; interfere with air traffic patterns, conflict with established Federal Aviation Administration (FAA) flight protection zones, or conflict with building height standards established by the FAA for structures on and adjacent to the Long Beach Airport; interfere with an adopted emergency response plan or emergency evacuation plan; nor expose people or structures to a significant risk of loss, injury, or death from wildland fires. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Further, future individual projects subject to discretionary approval would be required to comply with all policies set forth in the City's Emergency Operations Plan and the General Plan Public Safety Element (1978). Therefore, this issue was not evaluated further in the Draft EIR.

Hydrology and Water Quality: The City is subject to the requirements of the *Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach* (City of Long Beach MS4 Permit), Order No. R4-2014-0024, NPDES No. CAS004003. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in the violation of water quality standards or waste discharge requirements. Further, future projects would be designed to implement Storm Water Prevention Plans, Construction Best Management Practices (BMPs), Low Impact Development (LID) Plans, and other mitigation, where necessary, to mitigate adverse impacts related to water quality standards or waste discharge requirements.

The City is highly urbanized, with infrastructure in place to accommodate future development projects. Approximately 60 percent of the City's existing water supply consists of groundwater extracted

from the local Central Basin of the Los Angeles groundwater basin, with the remaining 40 percent consisting of imported water purchased from the Metropolitan Water District of Southern California.

As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in the depletion of groundwater supplies or interference with groundwater recharge. Additionally, implementation of the proposed project would not result in the alteration of existing drainage patterns or alterations to the course of a stream or river. The proposed project does not include or facilitate physical improvements that would be at risk of inundation in the event of flood, tsunami, or seiche events. Lastly, the proposed project addresses the noise environment in the City and does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

For the reasons stated above, the proposed project would not result in significant impacts to hydrology and water quality. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Land Use Planning: Physically divide an established community. The approval of the proposed project is considered a policy/ planning action and does not include or facilitate any physical improvements that would result in the division of any established communities. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Mineral Resources: According to the City's General Plan Conservation Element (1973), the mineral resources within the City have historically consisted of oil and natural gas. However, over the last century, oil and natural gas extractions have diminished as the resources have become increasingly depleted. Although extraction operations continue, they are on a reduced scale as compared to past historic levels. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in the loss of availability of a known mineral resource of value. As a result of project implementation, availability of existing mineral resources and locally important mineral resource recovery sites would remain unchanged. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Population and Housing: In its existing condition, the City is urbanized and includes a range of housing types and land uses that provide housing and employment opportunities to its residents. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development and would not directly or indirectly induce substantial unplanned population growth. No physical improvements are proposed as part of the project, and therefore, no new homes, businesses, roads, or other infrastructure would be constructed within the City as a result of project implementation. As a result of project implementation, no existing people or housing would be displaced, and the construction of replacement housing would not be necessary. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Public Services: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that may require fire protection services, police protection services, or school services. Additionally, implementation of the proposed project would not result in an increase in the use of existing neighborhood and regional parks, recreational facilities, or other public facilities. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, implementation of the proposed project would not necessitate the need for new fire, police, school, parks and recreation, or other public facilities. Therefore, this issue was not evaluated further in the Draft EIR.

Recreation: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to recreational facilities. Additionally, implementation of the proposed project would not result in an increase in the use of existing neighborhood and regional parks or recreational facilities. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, implementation of the proposed project would not result in impacts to park and recreation. Therefore, this issue was not evaluated further in the Draft EIR.

Transportation: Conflicts with *State CEQA Guidelines* Section 15064.3 subdivision (b); Changes in the exposure to hazards due to a design feature; and inadequate emergency access: The proposed project is considered a policy/planning action and does not include or facilitate any physical improvements or development. Additionally, the proposed project is not considered a land use or transportation project as defined by *State CEQA Guidelines* Section 15064.3 subdivision (b). As such, the implementation of the proposed project would result in less than significant impacts related to conflicts with *State CEQA Guidelines* Section 15064.3 subdivision (b), changes in the exposure to hazards due to a design feature, and inadequate emergency access. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Tribal Cultural Resources: As discussed in Section 2.4.5, Cultural Resources, the proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the *State CEQA Guidelines* or PRC Section 5020.1(k) because the project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance. As a planning/policy action, the proposed project does not include or facilitate any physical improvements or development that would result in impacts to historical resources.

The proposed project would be required to comply with Assembly Bill (AB) 52 and Senate Bill (SB) 18 regarding tribal consultation. In compliance with AB 52 and SB 18, letters were distributed to the following local Native American tribal representatives on April 1, 2020:

- Gabrieleno Band of Mission Indians – Kizh Nation, Andrew Salas
- Gabrieleno/Tongva San Gabriel Band of Mission Indians, Anthony Morales

- Gabrieleno Tongva Indians of California Tribal Council, Robert Dorame
- Gabrieleno/Tongva Nation, Sandonne Goad
- Gabrieleno-Tongva Tribe, Charles Alvarez
- Soboba Band of Luiseno Indians, Joseph Ontiveros
- Torres Martinez Desert Cahuilla Indians, Michael Mirelez
- Gabrielino-Tongva Tribe, Linda Candelaria

The letters are included as Appendix C of this Draft EIR. The letters provide each tribe the opportunity to request consultation with the City regarding the project. In compliance with AB 52, tribes have 30 days from the date of receipt of notification to request consultation on the project. SB 18 mandates that tribes receive 45 days from the date of receipt of notification to request consultation on the project. No responses from tribal representatives were received during the consultation period. As such, the tribal consultation process is considered closed.

As stated previously, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements that would result in impacts to tribal cultural resources.

For the reasons stated above, the proposed project would not result in significant impacts to tribal cultural resources. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

Utilities/Service Systems: The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Implementation of the project would not require water usage or wastewater generation, and does not include any utility improvements related to water or wastewater. Similarly, as a policy/planning action, the project does not include or facilitate any physical improvements or development that would generate solid waste. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. As such, impacts to utilities and service systems would be less than significant. Therefore, this issue was not evaluated further in the Draft EIR.

Wildfire: In its existing setting, the planning area is almost entirely developed and is located in an urban area of Los Angeles County. California Department of Forestry and Fire Protection (CAL FIRE) publishes maps that predict the threat of fire in individual counties in the State. Local responsibility areas and State or federal responsibility areas are classified as either very high fire hazard severity zones (VHFHSZ) or non-VHFHSZ based on factors including fuel availability, topography, fire history, and climate. The planning area is not located in or near a State Responsibility Area and does not include land classified as VHFHSZ as defined by CAL FIRE.¹ The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions

and do not include or facilitate any physical improvements or development that would result in exacerbated wildfire risk. Any future discretionary project within the City would be evaluated individually, and project-specific mitigation would be proposed as needed. Therefore, this issue was not evaluated further in the Draft EIR.

B. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO BE LESS THAN SIGNIFICANT

The Draft EIR included a discussion of impacts that were not scoped out during the Initial Study. As such, the Draft EIR analyzed potential environmental impacts related to three topical categories: Land Use and Planning, Noise, and Transportation. The Draft EIR identified certain less than significant effects that could result from implementation of the proposed project. No mitigation is required to reduce or avoid such impacts because those impacts would not exceed relevant thresholds of significance.

LAND USE AND PLANNING

Impact. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The main documents guiding development and regulating land uses in the City are the City's General Plan and Zoning Ordinance. The City recently updated its Land Use Element with an entirely new LUE that guides future development in the City through the year 2040. Approval of the proposed project is the adoption of the General Plan Noise Element, which is considered a policy/planning action and does not include or facilitate any physical improvements. However, Government Code Section 65300.5 requires the various components of a General Plan to be internally consistent and provide a compatible statement of policies. The City's new LUE establishes land uses by PlaceTypes throughout the planning area, and the proposed Noise Element presents information related to existing and projected noise contours that could impact land uses. Therefore, a consistency analysis was included in the EIR to demonstrate the project's consistency with the new LUE. Additionally, analysis will be provided showing the proposed project's consistency with the City's Zoning Ordinance. Land use impacts associated with the consistency between the project and City's General Plan and Zoning Ordinance have been addressed in the EIR and no mitigation is required.

The proposed Noise Element includes policies and strategies to protect sensitive receptors from stationary noise sources and encourage land use compatibility. Strategy No. 1 applies site planning and other design standards to reduce noise impacts, especially within the Founding and Contemporary Neighborhoods, Multifamily Residential—Low and Moderate, and Neighborhood-Serving Centers and Corridors – Low and Moderate PlaceTypes. Policies N 1-1 through N 1-9 integrates noise considerations into the land use planning process to prevent new noise conflicts, requires noise attenuation measures to be incorporated into all development and redevelopment of sensitive receptors, and ensures that project site design and function minimize noise. In addition, any new noise-generating sources would be subject to compliance with Chapter 8.80, Noise (including the amendments proposed as part of the project), which sets exterior and interior noise standards for the various land uses within the City. The proposed project includes amendments to the Noise Ordinance to update the boundaries of the Noise Districts and add Mixed Use as a land use type in existing Table A in Section 8.80.160 and Table C in Section 8.80.170 of the City's Municipal Code; these amendments would establish exterior and interior noise standards for this land use type and better reflect and be consistent with the recently adopted LUE PlaceTypes.

For the reasons cited above and as detailed in Table 4.1.3 of the Draft EIR, the proposed project would be consistent with the applicable goals and policies outlined in the City's General Plan. Furthermore, the proposed project would be consistent with applicable airport land use plans because development under the proposed Noise Element would be required to evaluate potential noise impacts associated with discretionary development and ensures compatibility with the noise environment under the airport land use plans. Upon approval of the proposed project, these amendments would result in project consistency with the City's Municipal Code. Additionally, the proposed amendments would ensure consistency between the proposed Noise Element and the City's Municipal Code. To ensure that the proposed project complies with and would not conflict with or impede the City's Municipal Code, including the Noise Ordinance, the proposed project includes Project Design Feature 4.1.1, which requires the implementation of a program to amend the Municipal Code to ensure that changes facilitated by the adopted Noise Element are consistent with the Municipal Code. All inconsistencies between the Noise Element and Municipal Code are required to be resolved through text amendments within 36 months following project approval. Therefore, with incorporation of Project Design Feature PDF 4.1.1, the proposed project would be consistent with the City's General Plan, airport land use plans, and Municipal Code. No mitigation is required.

Impact: Cumulative Land Use and Planning Impacts. As defined in Section 15130 of the State CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for land use. The cumulative impact area for land use for the proposed project is the planning area. Several development projects are approved and/or pending within the City. Each of these projects, as well as all proposed discretionary development in the City, would be subject to its own General Plan consistency analysis and would be reviewed for consistency with adopted land use plans and policies. For this reason, cumulative impacts associated with inconsistency of future development with adopted plans and policies would be less than significant.

Implementation of the proposed project would not conflict with applicable land use documents and would achieve consistency with PlaceTypes established by the recently adopted LUE. The proposed project includes amendments to the Noise Ordinance, including updates to the boundaries of the noise districts and amendments to Table A in Section 8.80.160 and Table C in Section 8.80.170 of the City's Municipal Code, to better reflect and be consistent with PlaceTypes established by the LUE. As such, project implementation would reduce cumulative project impacts related to any inconsistencies with the City's General Plan. The project would also address potential inconsistencies with the City's Noise Ordinance (as outlined in Project Design Feature PDF No. 4.1.1), which would reduce cumulative project impacts related to potential Municipal Code inconsistencies to a less than significant level. Further, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered a policy/ planning actions and do not include or facilitate any physical improvements that would potentially result in cumulatively considerable impacts. Therefore, land use impacts associated with the proposed project would be considered less than cumulatively significant, and no mitigation would be required.

NOISE

Impact: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The proposed project involves the adoption of the

General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development. The proposed project does not result in any changes to the maximum construction noise criteria or the allowable hours of construction. Construction activities considered under the proposed Noise Element would occur throughout the planning period to the horizon year of 2040. While construction activities associated with future development could result in substantial temporary or periodic increases in ambient noise levels at development sites throughout the City, activities as part of future projects would be subject to compliance with the Noise Ordinance to ensure that noise impacts from construction sources are reduced.

The proposed Noise Element and amendments to the Noise Ordinance also include strategies and policies that are intended to protect sensitive receptors from stationary noise sources and encourage land use compatibility. Additionally, the proposed project includes amendments to the Noise Ordinance to better reflect and be consistent with the recently adopted LUE PlaceTypes. Finally, although the proposed project does not change the exterior and interior noise standards for the various land uses, the boundaries of the Noise District have been updated to better align with higher intensity, mixed-use PlaceTypes in the LUE and to add Mixed Use as a land use type in the Noise District tables found in Long Beach Municipal Code Sections 8.80.160 and 8.80.170. Therefore, implementation of the proposed project, which includes no physical development, would not expose persons to noise levels in excess of applicable standards, and impacts would be less than significant.

Future development projects may include the installation or creation of new stationary sources of noise or could include the development of new sensitive land uses in the vicinity of existing noise sources. The proposed Noise Element includes policies and strategies to protect sensitive receptors from stationary noise sources and encourage land use compatibility. In addition, any new noise-generating sources would be subject to compliance with Chapter 8.80, Noise (including the amendments proposed as part of the project), which sets exterior and interior noise standards for the various land uses within the City. The proposed project includes amendments to the Noise Ordinance to update the boundaries of the Noise Districts and add Mixed Use as a land use type in existing Table A in Section 8.80.160 and Table C in Section 8.80.170 of the City's Municipal Code; these amendments would establish exterior and interior noise standards for this land use type and better reflect and be consistent with the recently adopted LUE PlaceTypes.

Implementation of the proposed project is not anticipated to result in increased railroad operations within the City. However, the TOD PlaceType included in the LUE allows future multi-family developments to be located along the Metro Blue Line fixed rail route. Locating multi-family developments near the light-rail corridor could expose sensitive land uses to operational rail noise. The proposed Noise Element includes policies that would reduce the potential for developments near the light rail corridor to expose sensitive land uses to operational rail noise. The proposed Noise Element includes policies and strategies that would ensure future development projects incorporate site planning and project design strategies to protect sensitive receptors from stationary noise sources in excess of acceptable levels. Therefore, implementation of the proposed project, which includes no physical development, would not expose persons to noise levels in excess of applicable standards, and impacts would be less than significant. No mitigation would be required.

Finally, potential sources causing a permanent increase in ambient noise include noise resulting from increased traffic on roadways in the planning area. It is projected that traffic volumes on some streets within the City would increase due to the growth envisioned under the recently approved LUE. This increase in traffic volumes would result in increased traffic noise levels compared to existing conditions. The significance criteria define a significant impact to occur if the project would result in a substantial (3 dBA or greater) permanent increase in ambient noise levels in the project vicinity above levels existing without the project. For traffic noise to increase by 3 dBA, traffic volumes would have to double. As noted in Section 4.2.4, Existing Environmental Setting, noise increases of 3 dBA or more are generally considered to be the smallest increases in noise levels readily perceptible in suburban or urban outdoor environments. The Noise and Vibration Impact Analysis (LSA 2019) prepared for the LUE and UDE General Plan Amendment EIR determined that the traffic noise increase under the recently adopted LUE would be up to 2.1 dBA, which is considered less than the threshold of perceptibility for humans (i.e., 3 dBA). Therefore, traffic noise regulated under the proposed project would not be readily perceptible in suburban or urban outdoor environments.

The Draft EIR included detailed future traffic noise contours included in the proposed Noise Element. The noise contours would be used as a guide for establishing a pattern of land uses that minimizes the exposure of community residents to excessive noise. The future noise contours presented in the proposed Noise Element are consistent with assumptions made in the LUE and the Mobility Element. Additionally, the proposed Noise Element would include allowable interior and exterior noise exposure levels from transportation sources for various land uses proposed by the Noise Element. These allowable noise exposure levels from transportation sources are intended to be used as a guide to establish a pattern of land uses that minimizes exposure of residents to excessive noise. Adherence to allowable interior and exterior noise exposure levels from transportation sources identified in Table 3.1 of the Draft EIR would ensure that noise impacts resulting from transportation sources would be less than significant.

This increase in traffic volumes would result in increased traffic noise levels compared to existing conditions. However, the analysis for the LUE and UDE General Plan Amendment EIR determined that traffic noise regulated under the proposed project would not be readily perceptible in suburban or urban outdoor environments. Additionally, Strategy Nos. 6 through 8, included in the proposed Noise Element, are aimed at managing traffic-related noise. Therefore, implementation of the proposed project would not allow the exposure of persons to noise levels in excess of applicable standards, and impacts would be less than significant. No mitigation would be required.

Impact: Generation of excessive groundborne vibration or groundborne noise levels. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development. However, future construction activities considered by the proposed Noise Element could result in the generation of ground-borne vibration. As such, vibration impacts are described below.

As previously described, common sources of ground-borne vibration and noise include trains and construction activities such as blasting, pile driving, and operating heavy earthmoving equipment. Typically, the main effect of ground-borne vibration and noise is to cause annoyances for occupants of nearby buildings. Future construction activities could result in the generation of ground-borne vibration.

However, Chapter 8.80 of the City's Noise Ordinance would continue to limit the operation of any device that creates vibration, including pile driving, that is above the vibration perception threshold. Any future construction activities would be required to comply with the Noise Ordinance requirements. Therefore, future construction activities would not result in the exposure of sensitive receptors to excessive ground-borne vibration or noise levels.

The proposed Noise Element also includes policies and strategies that protect sensitive receptors from vibration in excess of acceptable levels including Strategy No. 12, which minimizes construction noise and vibration levels in residential areas and other locations near noise-sensitive uses where possible. Therefore, implementation of the proposed project would not expose persons to excessive ground-borne vibration and/or ground-borne noise levels, and impacts would be considered less than significant. No mitigation would be required.

Impact: Expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted.

As previously described, aircraft noise in the City of Long Beach is primarily related to aircraft operations at Long Beach Airport, Los Angeles International Airport, and John Wayne Airport. Long Beach Airport is located centrally within the City, approximately 3 miles northeast of downtown.

As stated in Section 16.43.050 of the Municipal Code, it is the goal of the City that Incompatible Property in the vicinity of the Airport shall not be exposed to noise above 65 dBA CNEL. The proposed Noise Element includes Strategy No. 10, which requires measures to minimize the adverse effects of aircraft-related noise. The proposed Noise Element also includes Policy N 10-1, which ensures that new development can be made compatible with the noise environment by using noise/land use compatibility standards and the airport noise contour maps as guides to future planning and development decisions. Further, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would have the potential to expose people residing or working in the project area to excessive noise levels. Therefore, the proposed project would not result in the exposure of sensitive receptors to excessive noise levels from aircraft noise sources. No mitigation measures are required.

Impact: Cumulative Noise Impacts. As defined in the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects. A cumulative noise or vibration impact would occur if multiple sources of noise and vibration combine to create impacts in close proximity to a sensitive receptor. Therefore, the cumulative area for noise impacts is the planning area and any sensitive receptors within the planning area. However, as noted above, the proposed project is a policy/planning action and does not include or facilitate any physical improvements or development that would result in noise or vibration. Cumulative growth within the City could result in temporary or periodic increases in ambient noise levels at development sites throughout the City. However, construction-related noise would be temporary and would no longer occur once construction of individual future projects is completed. In addition, future construction activities would be subject to compliance with the City's Noise Ordinance and proposed amendments to the City's Noise Ordinance to ensure that noise impacts from construction sources are reduced. In addition, the proposed Noise Element includes strategies and policies that would reduce construction noise impacts. Strategy No. 12 minimizes construction noise and vibration levels in

residential areas and other locations near noise-sensitive uses where possible. Policies N 12-1 through N 12-7 include measures to reduce construction noise at the sources, reduce noise conflicts, limit the allowable hours for construction activities near sensitive uses, establish noise level standards based on PlaceType as part of the City's Municipal Code, and encourage construction best practices that reduce noise. Because implementation of the proposed project does not result in any physical construction activities that would produce noise, the proposed project would not be considered to have a cumulatively considerable contribution to the total noise environment in the City.

The proposed project would not create a cumulatively considerable contribution to regional noise conditions as it does not include any physical improvements or development. For traffic noise to increase by 3 dBA, traffic volumes would have to double. Implementation of the proposed project would not impact traffic volumes and would not generate a significant impact under cumulative noise conditions. Additionally, implementation of the proposed Noise Element strategies and policies would require the City to consider noise and land use compatibility issues when evaluating individual future development proposals. Additionally, the future noise contours and allowable interior and exterior noise exposure levels from transportation sources for various land uses included in the proposed Noise Element as described above are intended to be used as a guide to establish a pattern of land uses that minimizes exposure of residents to excessive noise.

For the reasons stated above, implementation of the proposed project would not result in a substantial cumulative increase in noise. Further, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would potentially result in cumulatively considerable impacts. Therefore, noise impacts associated with the proposed project would be considered less than cumulatively significant, and no mitigation would be required.

TRANSPORTATION

Impact: Would the project conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in impacts to traffic. The City of Long Beach General Plan Mobility Element and the Los Angeles County Congestion Management Program (CMP) are applicable to the proposed project.

General Plan Mobility Element. The 2013 Mobility Element focuses on improving the quality of life for Long Beach residents and visitors through transportation and mobility planning. Proposed Noise Element Strategy Nos. 6 through 11 are aimed at managing mobility-related noise. Strategies include minimizing vehicular traffic noise in residential areas and near noise-sensitive land uses; promoting multimodal mobility to reduce noise generated from vehicular traffic; implementing street design and maintenance practices to minimize vehicular noise impacts; minimizing train noise in residential areas and near noise-sensitive land uses; minimizing the adverse effects of aircraft-related noise; and minimizing watercraft noise level impacts to residential areas and in other locations near noise-sensitive uses, where possible. These strategies and their associated policies further the goals of the Mobility Element.

Therefore, the proposed Noise Element would be consistent with the overall intent of the City's General Plan Mobility Element.

The proposed project involves the adoption of the proposed General Plan Noise Element and amendments to the City's Noise Ordinance. Proposed amendments to the City's Noise Ordinance are intended to create consistency between the existing Noise Ordinance and the proposed Noise Element. Additionally, the amendments to the Noise Ordinance would regulate noise and implement the policies of the Noise Element. As such, proposed amendments to the Noise Ordinance would not conflict with the Mobility Element because they are consistent with the intent of the proposed Noise Element.

It is projected that traffic volumes on some streets within the City would increase due to the growth envisioned under the recently approved LUE. This increase in traffic volumes would result in increased traffic and associated noise levels compared to existing conditions. The noise contours would be used as a guide for establishing a pattern of land uses that minimizes the exposure of community residents to excessive noise. The future noise contours presented in the proposed Noise Element are consistent with assumptions made in the LUE and the Mobility Element. Additionally, the proposed Noise Element includes allowable interior and exterior noise levels from transportation sources for various land uses. These allowable noise exposure levels from transportation sources are intended to be used as a guide to establish a pattern of land uses that minimizes exposure of residents to excessive noise. Overall, the proposed Noise Element is consistent with assumptions made in, and the intent of, the Mobility Element.

Congestion Management Program. As stated previously, the CMP is the program by which Los Angeles County agencies have agreed to monitor and report on the status of regional roadways. The latest CMP (Metro 2010) states that a significant impact would occur if intersection LOS with the project is LOS F and the proposed project causes a 0.02 or greater increase in volume-to-capacity ratio. The proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered policy/planning actions and do not include or facilitate any physical improvements or development that would result in an increase in traffic or LOS conditions. Since implementation of the project would not result in increases in volume-to-capacity ratio, the proposed project would not result in significant impacts with respect to the CMP. Therefore, implementation of the proposed project would not conflict with the Los Angeles County CMP.

Therefore, implementation of the proposed project would not conflict with the General Plan Mobility Element or Los Angeles County CMP. As a result, the proposed project would not conflict with any program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant, and no mitigation is required.

Impact: Cumulative Transportation Impacts. As defined in Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for transportation. The cumulative impact area for transportation for the proposed project is the planning area. Several development projects are approved and/or pending within the City. Each of these projects, as well as all proposed discretionary development in the City, would be subject to its own transportation consistency analysis and would be reviewed for consistency with adopted programs, plans, ordinances or policies addressing the circulation system. For this reason, cumulative impacts associated

with inconsistency of future development with adopted programs, plans, ordinances, or policies addressing the circulation system would be less than significant. Further, the proposed project involves the adoption of the General Plan Noise Element and amendments to the City's Noise Ordinance, which are considered a policy/planning actions and do not include or facilitate any physical improvements or development that would potentially result in cumulatively considerable impacts. Therefore, transportation impacts associated with the proposed project would be considered less than cumulatively significant, and no mitigation would be required.

C. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

The Final EIR determined that all potential impacts were considered less than significant, and no mitigation is required.

D. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

The Final EIR determined that all potential impacts were considered less than significant, and no mitigation is required. As a result, there would be no significant and unavoidable impacts with implementation of the proposed project.

III. IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the *State CEQA Guidelines* requires that an EIR discuss "any significant irreversible environmental changes which would be involved in the proposed action should it be implemented." Generally, a project would result in significant irreversible environmental changes if one of the following scenarios is involved:

- The project would involve a large commitment of nonrenewable resources.
- Irreversible damage can result from environmental accidents associated with the project.
- The proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

EIR Section 6.4, in Chapter 6.0, Other CEQA Considerations, evaluates the potential for implementation of the proposed project to result in significant irreversible changes in the environment. The proposed General Plan Noise Element and amendments to the City's Noise Ordinance are considered planning/policy actions and do not include or facilitate any physical improvements or development. The commitment of limited, slowly renewable, and nonrenewable resources required for construction and operation of future development would limit the availability of these resources for future generations or for other uses during the life of the project. However, the proposed project would not result in an irreversible commitment of these resources, as the proposed project would not, in itself, result in any direct physical improvements or development. Therefore, the proposed project would not result in a commitment of limited, slowly renewable, and nonrenewable resources, and thus, would not result in significant irreversible changes.

IV. GROWTH-INDUCING IMPACTS AND COMMITMENT OF RESOURCES

Sections 15126(d) and 15126.2(e) of the *State CEQA Guidelines* require that an EIR analyze growth inducing impacts and state that an EIR should discuss the ways in which the proposed project could foster economic or population growth or construction of additional housing, either directly or indirectly, in the surrounding environment. *State CEQA Guidelines* Section 15126.2(d) also requires a discussion of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. A project that meets any of these criteria may be considered growth-inducing. The potential growth-inducing impacts associated with the proposed project are evaluated below. It should be noted that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment (*State CEQA Guidelines*, Section 15126.2(d)). This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment beyond the direct consequences of implementing the proposed project as described in earlier sections of this Draft EIR.

Approval of the proposed General Plan Noise Element and amendments to the City's Noise Ordinance is considered a planning/policy action and does not include or facilitate any physical improvements or development. The proposed Noise Element includes strategies and policies intended to provide protection for land uses, as identified in the LUE, from excessive noise and vibration sources, as well as to implement the vision of a healthy, livable noise environment in the City. The Noise Ordinance regulates the noise environment in the City and implements the policies of the proposed Noise Element. The proposed project would not, in itself, facilitate or allow any physical improvements or development that would induce population, housing, or employment growth. Implementation of the proposed project would not remove obstacles to growth or foster growth because the Noise Element and Noise Ordinance do not facilitate or allow physical development. Additionally, the proposed project does not include any policies or regulations which would directly foster economic growth and would not involve any characteristics that could encourage and facilitate other activities that could significantly affect the environment. For the reasons stated above, the proposed project is not considered to be growth-inducing, and therefore, the proposed project would not result in any growth-inducing impacts.

V. ALTERNATIVES TO THE PROPOSED PROJECT

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.

The Final EIR identified one alternative as follows:

1. Alternative 1: No Project Alternative

1. No Project Alternative

Description: This alternative would involve no amendments to the City of Long Beach's (City) General Plan or the Long Beach Municipal Code Noise Ordinance. The existing General Plan Noise Element (1975) and the current Noise Ordinance would continue to guide and regulate the City's noise environment.

Environmental Effects: The No Project Alternative would allow for noise regulation within the planning area to remain unchanged, consistent with the existing Noise Element and Noise Ordinance.

The No Project Alternative would not include updates to the Noise Element or Noise Ordinance as proposed under the project. As such, the No Project Alternative would result in an inconsistency between the existing Noise Element, adopted in 1975, and the Land Use Element, updated and adopted in 2019, which is the guiding land use document for development within the City. Therefore, the No Project Alternative would be inconsistent with an existing land use plan for the planning area. Land use and planning impacts would be greater under the No Project Alternative as compared to the proposed project. Land use impacts associated with the proposed project were determined to be less than significant. Under the No Project Alternative, impacts related to land use would be greater than those identified for the proposed project.

The No Project Alternative would allow for noise regulation within the planning area to remain unchanged, consistent with the existing Noise Element and Noise Ordinance. Sources of noise within the planning area would remain substantially similar to existing conditions or incrementally increase as growth occurs, with the primary source remaining vehicle roadway noise. Under the No Project Alternative, short-term and long-term noise impacts would remain unchanged as analyzed under the proposed project. Since development of future projects is not controlled by the proposed project or the No Project Alternative, construction noise would continue to be produced as new projects are developed. Construction activities as part of future projects would continue to have the potential to adversely affect nearby noise-sensitive land uses, including residences, schools, hospitals, churches, and similar uses that are sensitive to noise. However, strategies and policies aimed at reducing construction noise impacts, protecting sensitive receptors from stationary noise sources, managing traffic-related noise, protecting sensitive receptors from vibration in excess of acceptable levels, and minimizing the adverse effects of aircraft-related noise as proposed under the project, would not exist under the No Project Alternative. Noise impacts associated with the proposed project were determined to be less than significant. Under the No Project Alternative, impacts related to noise would be similar to, although slightly greater than, those identified for the proposed project because new strategies and policies aimed at minimizing noise impacts would not be adopted.

The No Project Alternative would allow for noise regulation within the planning area to remain unchanged, consistent with the existing Noise Element and Noise Ordinance. It is projected that traffic volumes on some streets within the City would increase due to the growth envisioned under the recently adopted LUE. This increase in traffic volumes would result in increased traffic and associated noise levels compared to existing conditions, similar to the proposed project. Transportation impacts associated with the proposed project were determined to be less than significant. Under the No Project Alternative, impacts related to transportation would be similar to those identified for the proposed project.

Ability to Achieve Project Objectives: Under the No Project Alternative, the No Project Alternative would not achieve any of the eight Project Objectives. Because the No Project Alternative

would not include the various strategies and policies proposed by the Noise Element, this alternative would not achieve any of the following Project Objectives: help the City achieve its goal of creating a healthy noise environment in Long Beach (Project Objective 1); balance business practices within dynamic, active, and engaging areas to promote activity, including special events, while respecting adjacent sensitive uses (Project Objective 2); create allowances associated with noise so that Long Beach can thrive as a dynamic, growing city (Project Objective 3); limit the exposure of the community to excessive noise levels in noise-sensitive areas and at noise-sensitive times of day (Project Objective 4); strive for a more equitable distribution of noise (Project Objective 5); apply site planning, building design, street design, and other design strategies to reduce noise impacts (Project Objective 6); actively enhance the regulation and management of noise to improve procedures and minimize noise impacts (Project Objective 7); nor would it generally maintain the current allowable interior and exterior noise thresholds as identified in the City Municipal Code Chapter 8.80, while better accommodating mixed land uses as contemplated by the recently updated General Plan LUE (Project Objective 8). Therefore, as compared to the proposed project, the No Project Alternative would not meet any of the project objectives.

Findings: The City Council finds, pursuant to PRC Section 21081(a)(3), that specific legal, economic, social, technical, or other considerations make the No Project Alternative identified in the Final EIR infeasible.

Facts in Support of the Finding: As described in this section and in Section 5.3.4, of the Draft EIR, the No Project Alternative has greater land use impacts than the proposed project because, without amendments to the Noise Ordinance proposed as part of this project, the existing Noise Ordinance would be inconsistent with land use regulation envisioned under the LUE and would conflict with State recommendations provided by the State Office of the Attorney General related to the update of General Plans. Additionally, the No Project Alternative has slightly greater noise impacts than the proposed project because new strategies and policies aimed at minimizing noise impacts would not be adopted. Overall, the No Project Alternative would have slightly greater impacts as compared to the proposed project.

Additionally, the No Project Alternative would not achieve any of the eight Project Objectives. With the exception of the No Project Alternative, the Environmentally Superior Alternative would be the proposed project, which results in fewer impacts than the No Project Alternative and meets all eight of the project objectives. As a result, the No Project Alternative is less desirable to the City than the proposed project and is considered to be infeasible.

VI. 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. 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 Final EIR, the City has responded to key environmental issues to reduce or minimize potential environmental effects of the proposed project to the maximum extent feasible.

3. Comments regarding the Draft EIR received during the public review period have been adequately responded to in written Responses to Comments attached to the Final EIR. There are no significant effects described in the Final EIR. No mitigation measures are required.
4. The analysis of the environmental effects contained in the Final EIR represents the independent judgment and analysis of the City.