

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF SUPPORT
ENVIRONMENTAL COMPLIANCE DETERMINATION**

**131 West 3rd Street
Application No. 2010-32 (MOD20-008)
April 1, 2021**

Section 15162 of the California Environmental Quality Act (CEQA) establishes when subsequent Environmental Impact Reports (EIRs) or negative declarations shall be prepared. The Proposed Project (Modified Project) proposes to construct an eight-story mixed-use building consisting of 271 residential units and 11,912 square feet of retail space at a 1.22-acre site located at 131 West 3rd Street in the Downtown Plan (PD-30) District. The proposed structure includes subterranean, at-grade, and above grade parking. The previously approved Vesting Tentative Tract Map would be revised to reflect the modified project.

The Previously Approved Project (Site Plan Review, Vesting Tentative Tract Map, and General Plan Consistency Finding) was for the construction of 345 residential units in one 23 story mixed-use tower, and one 8 story mixed-use building, 14,481 square feet of retail space, 563 parking spaces, and 128 bicycle parking spaces (Previously Approved Project). The Previously Approved Project was approved by the Planning Commission on September 19, 2019. An appeal of the Planning Commission's approval of the Project was filed, and on November 12, 2019, the City Council received the supporting documentation into the record, concluded the public hearing, and upheld the Planning Commission's approval of the project.

A Modified Project was filed in November 2020 and represents the consolidation of the previous proposal into a single eight-story building with 74 less residential units, less retail space (reduction of 2,569 square feet), and less vehicular parking areas (reduction of 211 parking spaces). The modified project represents a reduction in height and floor area ratio that within the permitted development standards for the Downtown Plan, and no development incentives would be required.

The Previously Approved Project was analyzed as part of the previously certified Downtown Plan Program Environmental Impact Report (PEIR). An EIR Addendum (EIRA-02-19) was also previously prepared for this project. The EIR Addendum analyzed the proposed project in accordance with the Downtown Plan PEIR (SCH No. 2009071006) and determined that the project will not result in any new significant impacts that exceed those analyzed in the Downtown Plan PEIR, with mitigation measures included. Additionally, the development is subject to the Downtown Plan PEIR Mitigation Monitoring and Reporting Program (MMRP).

Pursuant to CEQA Section 15162, when a EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the

whole record that additional analysis is required. As stated in the following analysis and Appendix A, Revised Project Proposal for the 3rd and Pacific Mixed-Use Project Memorandum (EcoTierra Consulting, February 4, 2021), the proposed project would be consistent with the certified PEIR and no new impacts would occur. Therefore, no subsequent environmental analysis is warranted under CEQA.

CEQA Section 15162:

(a) WHEN AN EIR HAS BEEN CERTIFIED OR A NEGATIVE DECLARATION ADOPTED FOR A PROJECT, NO SUBSEQUENT EIR SHALL BE PREPARED FOR THAT PROJECT UNLESS THE LEAD AGENCY DETERMINES, ON THE BASIS OF SUBSTANTIAL EVIDENCE IN THE LIGHT OF THE WHOLE RECORD, ONE OR MORE OF THE FOLLOWING:

(1) SUBSTANTIAL CHANGES ARE PROPOSED IN THE PROJECT WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS;

The PEIR analyzed the buildout of the Downtown Plan area. The Modified Project represents a reduced project from that previously analyzed in the 2019 EIR Addendum. The Modified Project would comply with all development standards and be located in the same geographic location as the assumptions analyzed in the PEIR. Therefore, the project would be consistent with the size, height, location, use, and materials analyzed in the PEIR for the development of the Downtown Plan area.

The EIR Addendum analyzed the previously approved project in accordance with the Downtown Plan PEIR (SCH No. 2009071006) and determined that the previously approved project will not result in any new significant impacts that exceed those analyzed in the Downtown Plan PEIR, with mitigation measures included. The Modified Project represents a reduced project, and it has been determined that no new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

(2) SUBSTANTIAL CHANGES OCCUR WITH RESPECT TO THE CIRCUMSTANCES UNDER WHICH THE PROJECT IS UNDERTAKEN WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS; OR

The Downtown Plan PEIR was prepared in 2010, circulated in 2011, and adopted in 2012. An EIR Addendum (EIRA-02-19) was prepared for the previous project

and approved by City Council in 2019. As documented in EIRA-02-19 and in Appendix A, no changes have occurred related to site or project circumstances that would result in additional environmental impacts. The Modified Project represents a reduced project from the previous approval. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

(3) NEW INFORMATION OF SUBSTANTIAL IMPORTANCE, WHICH WAS NOT KNOWN AND COULD NOT HAVE BEEN KNOWN WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME THE PREVIOUS EIR WAS CERTIFIED AS COMPLETE OR THE NEGATIVE DECLARATION WAS ADOPTED, SHOWS ANY OF THE FOLLOWING:

(A) THE PROJECT WILL HAVE ONE OR MORE SIGNIFICANT EFFECTS NOT DISCUSSED IN THE PREVIOUS EIR OR NEGATIVE DECLARATION;

The Downtown Plan PEIR was prepared in 2010, circulated in 2011, and adopted in 2012, and no information indicates that new significant impacts would occur that were not previously analyzed. As documented in EIRA-02-19 and in Appendix A, the PEIR Mitigation measures would remain in effect for the Modified Project. EIRA-02-19 determined that all potential impacts of the Previously Approved Project were determined to be within the assumptions and impacts analyzed in the PEIR. The Modified Project represents a reduced project from the previous approval. The mitigation measures will remain in effect for the Modified Project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

(B) SIGNIFICANT EFFECTS PREVIOUSLY EXAMINED WILL BE SUBSTANTIALLY MORE SEVERE THAN SHOWN IN THE PREVIOUS EIR;

The Downtown Plan PEIR was prepared in 2010, circulated in 2011, and adopted in 2012, and no information indicates that previously examined impacts would become more severe with implementation of the project. As documented in EIRA-02-19 and in Appendix A, the PEIR Mitigation measures would remain in effect for the Modified Project. EIRA-02-19 determined that all potential impacts of the Previously Approved Project were determined to be within the assumptions and impacts analyzed in the PEIR. The Modified Project represents a reduced project from the previous approval. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

(C) MITIGATION MEASURES OR ALTERNATIVES PREVIOUSLY FOUND NOT TO BE FEASIBLE WOULD IN FACT BE FEASIBLE, AND WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS OF

THE PROJECT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE; OR

The PEIR envisioned alternative build out scenarios. The analysis included in EIRA-02-19 and Appendix A are at the project level and would not prove an alternative or additional mitigation measure feasible. The Modified Project represents a reduced project from the previous approval. The mitigation measures will remain feasible and in effect for the project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

(D) MITIGATION MEASURES OR ALTERNATIVES WHICH ARE CONSIDERABLY DIFFERENT FROM THOSE ANALYZED IN THE PREVIOUS EIR WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS ON THE ENVIRONMENT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE.

The PEIR envisioned alternative build out scenarios for the plan area. The analysis included in EIRA-02-19 and Appendix A are at the project level and would not prove an alternative or additional mitigation measure feasible. The Modified Project represents a reduced project from the previous approval. No new mitigation is required to reduce potential impacts further than previously analyzed. The mitigation measures will remain feasible and in effect for the project. No new significant environmental effects or a substantial increase in the severity of previously identified environmental effects would occur.

Appendix:

Appendix A - Revised Project Proposal for the 3rd and Pacific Mixed-Use Project
Memorandum (EcoTierra Consulting, February 4, 2021)



Memorandum

To: Tyson Sayles, Principal - Residential & Mixed Use Properties
Jewelle Kennedy, Project Manager
3rd and Pacific Holdco, LLC

From: Lainie Herrera, Senior Project Manager
EcoTierra Consulting

Date: February 4, 2021

Re: Revised Project proposal for the 3rd and Pacific Mixed-Use Project

The City Council of the City of Long Beach (“City”) approved Application No. 1807-11 for the 3rd and Pacific Mixed-Use Project (the “Original Project”) on November 12, 2019. The Original Project was approved with Site Plan Review approval, a height incentive, a vesting tentative tract map, and a general plan conformity finding to allow demolition of the existing surface parking lots to facilitate the construction of the two-building mixed-use project that included a total of 345 residential units, 14,481 square feet (sf) of retail commercial space, 563 vehicle parking spaces, and 128 bicycle parking spaces. In addition, the City Council adopted a resolution for the Original Project certifying the 3rd and Pacific Project Downtown Environmental Impact Report Addendum (EIRA-02-19) (“EIRA”) and adopting corresponding EIR Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program.

Subsequent to Project approval and EIR certification, the Project Applicant has proposed certain changes to the Original Project as described below (the “Revised Project”). The Project Applicant submitted an application with the City for the Revised Project on November 4, 2020. This Memorandum has been prepared to demonstrate that the Revised Project does not have any potential environmental effects that have not been previously evaluated or disclosed. The Project Applicant is 3rd and Pacific Holdco, LLC. The City of Long Beach is the lead agency for the EIRA.

I. PROJECT DESCRIPTION

1. ORIGINAL PROJECT

The Project Site is located at 131 West 3rd Street in the City of Long Beach, east of Pacific Avenue, south of West 4th Street, west of North Solano Court (existing alley), and north of West 3rd Street. The Project Site consists of six parcels (APNs: 7280-016-900, -901, -902, -903, -904 and -905), with a total site size of 1.2 acres. Regional access to the Project Site is provided by Interstate 710 (I-710), which travels north-

south, approximately 0.75 mile to the west and Pacific Coast Highway [State Route (SR) 1], which travels east-west, approximately 1.25 miles north of the Project Site. Additional regional access is provided by the Metro Blue Line, which travels to and from downtown Los Angeles, with the Pacific Avenue Station on Pacific Avenue, between 4th and 5th Street, approximately 0.4 miles northwest of the Project Site.

Surrounding uses to the north include residential apartment buildings, mixed-uses, with ground floor retail and residential units above, and commercial uses, including a fast-food restaurant, cleaners, and transportation uses, including the Los Angeles County Metropolitan Transportation Authority (Metro) Blue Line Pacific Avenue Station. Land uses to the west, across Pacific Avenue, include residential apartment buildings and commercial uses, such as a bakery and a hotel. Land uses to the south, across West 3rd Street, consist of apartment buildings and commercial uses, such as a restaurant, a bank, and retail stores. Immediately east of the Project Site, across North Solano Court (existing alley), is a gym and retail stores, as well as more multi-family residential uses.

The Project Site is within the Long Beach Downtown Plan; the Project Site is designated LUD No. 7 Mixed Use District by the General Plan and is zoned Downtown Plan Planned Development District PD-30, which allows for a mix of commercial and high density residential uses. The Project Site is also located in a Transit Priority Area as defined by Public Resources Code Sections 21099 and 21064.3. The Project Site is currently developed with two surface parking lots.

The Original Project approved in November 2019 consists of demolition of the existing surface parking lots to develop two buildings, including an 8-story building at the north end of the property (North Building) and a 23-story high rise building at the south portion of the site (South Building). The two-building mixed-use project includes a total of 345 residential units and 14,481 square feet (sf) of retail commercial space, 563 vehicle parking spaces, and 128 bicycle parking spaces (the "Original Project"). The Original Project also includes 13,944 sf of residential common outdoor open space, 11,688 sf of residential indoor common open space, 11,340 sf of residential private open space, and 5,335 sf of public open space. Parking for the Original Project is provided in two levels of subterranean parking below each building. The North Building would also provide ground-level parking and parking on level 2 and the South Building would also provide four levels of parking on levels 2 through 5.

Under the Original Project, the North Building includes two levels of subterranean parking. The ground floor includes the lobby, retail space, and parking. Level 2 consists of parking and levels 3 through 8 includes studios, one-, two, and three-bedroom units, and residential amenities, such as a pool deck and barbecue area on level 3, and a rooftop deck. In total, the North Building would develop 142 units and would be 8 stories or approximately 85 feet in height.

Under the Original Project, the South Building includes two levels of subterranean parking. The ground floor includes the lobby and retail space. Levels 2 through 5 consists of parking. Levels 6 through 23 includes studios, one-, two, and three-bedroom units, with residential amenities, such as a podium deck,

pool and spa, game room and gym on level 6 and a rooftop deck with amenity rooms and two terraces. In total, the South Building would develop 203 units and would be 23 stories or 269 feet in height, including the rooftop deck.

The buildings would be developed in two phases, with the North Building constructed as part of Phase I and the South Building as part of Phase II. During Phase I, a pedestrian-focused paseo would be constructed at the location of the existing alley (Roble Way) between the two buildings. The Original Project's residential component consists of 429,456 sf of residential uses, including amenities, 14,337 sf of commercial retail uses, 217,493 sf of parking, and 42,307 sf of open space. The Original Project's gross building area would be approximately 661,430 sf, including all below-grade levels, and would have a total FAR of 9.48:1. The Original Project includes solar panels that would generate renewable energy, located on the roofs of both buildings.

The Original Project would increase the Solana Court alley right-of-way with a 2-foot dedication along its western border abutting the Project Site and would add a 5-foot setback for the ground floor of both buildings between their parking garage entries and curb cuts to Solana Court at West 3rd Street and West 4th Street. An existing 14-inch water main along Roble Way would be relocated or demolished as part of the Original Project. New water laterals to serve the Original Project would be installed to connect to the public main. Construction of the new water laterals serving the Project Site would be limited to minor off-site work associated with connections to the public main. A trench would be constructed for the removal or demolition of the existing 14-inch water main and for installation of the new water laterals. No pile driving is required as part of project construction.

The City Council approved Application No. 1807-11 for the Original Project as described above on November 12, 2019.

2. REVISED PROJECT

After the City approved the Original Project, the Project Applicant revised the plans and filed an application for a modified project for the Project Site.

The Revised Project would include demolition of the existing surface parking lots and development of one building: an 8-story mixed-use building consisting of 271 residential units and 12,981 sf of retail commercial space, 395 vehicle parking spaces, and 59 bicycle parking spaces (the "Revised Project"). The Revised Project would include 29,711 sf of open space, including 23,591 sf of common open space and 6,120 sf of residential private open space.

Vehicular parking would be provided primarily in two levels of subterranean parking. The ground floor of the Revised Project would include vehicular parking, two residential lobbies, leasing office space, retail space including an outdoor patio area, residential conference and coworking space, a bicycle kitchen, and a dog park. Level 2 would consist of vehicular parking and residential storage space; levels 3 through 8

would include 271 residential units in a mix of studio, one-, two, and three-bedroom units, and residential amenities, such as a pool deck and barbecue area, fitness center, and courtyard on level 3, and a rooftop deck. The building would be 8 stories and approximately 96 feet 5 inches in height.

The Revised Project includes a pedestrian-focused paseo at the location of the existing alley (Roble Way) between Pacific Avenue and Solana Court, with a raised pedestrian crossing across Solana Court and would a connection to Pine Avenue. Approximately half of the paseo would be open to the sky (the western half) and half would be clear to the equivalent of 3 stories of the Revised Project's building, with the 4th story of the building above. The Revised Project would include a total of approximately 284,373 square feet of floor area and would have a total FAR of 5.33:1. The Revised Project includes solar panels that would generate renewable energy, located on the roof.

The Revised Project would increase the Solana Court alley right-of-way with a 2-foot dedication and 2-foot easement along its western border abutting the Project Site (2 feet above 17 feet from grade) and would add a 5-foot setback for the ground floor of the buildings between the parking entries and curb cuts to Solana Court at West 3rd Street and West 4th Street. An existing 14-inch water main along Roble Way would be relocated or demolished as part of the Revised Project. New water laterals to serve the Revised Project would be installed to connect to the public main. Construction of the new water laterals serving the Project Site would be limited to minor off-site work associated with connections to the public main. A trench would be constructed for the removal or demolition of the existing 14-inch water main and for installation of the new water laterals. No pile driving is required as part of project construction.

A comparison of the Original Project and the Revised Project is provided below in Table 1.

Table 1
Original Project and Revised Project Comparison

	Original Project	Revised Project
Lot Area	53,373 sf	
Floor Area	505,536 sf	284,373 sf
Floor Area Ratio (FAR)	9.48:1	5.33:1
Residential Units	345 du	271 du
Retail	14,337 sf	12,981 sf
Height	8 stories in 85 feet 23 stories in 269 feet	8 stories in 96 feet 5 inches
Vehicular Parking	432 required 562 provided	352 required 395 provided (including tandem)
Bicycle Parking	78 required 128 provided	57 required 59 provided
Open Space	10,667 sf required 5,334 sf public required 30,619 sf provided	10,675 sf required 5,337 sf public required 29,711 sf provided

II. ENVIRONMENTAL ANALYSIS

A Draft Program Environmental Impact Report (PEIRSCH#2009071006) (“PEIR”) for the Long Beach Downtown Plan was completed on December 7, 2010, and was circulated for public review and comment between December 10, 2010 and April 4, 2011, certified by the Planning Commission of the City of Long Beach in November, 2011, and thereafter re-certified by the City Council of the City of Long Beach (on appeal) in January 2012, at which time the City Council also adopted and approved the Long Beach Downtown Plan.

The Certified PEIR determined the Downtown Plan would cause significant and unavoidable impacts to the following resource areas: aesthetics (shadow impacts), air quality (construction and operation), cultural resources (historic), greenhouse gases, noise (construction vibration), population and housing, public services, transportation and traffic, and utilities and service systems (solid waste). All other resources areas were determined to have impacts that were either less than significant or less than significant with mitigation.

At the time the City Council approved and adopted the Long Beach Downtown Plan in January 2012, the City Council made certain Findings and determinations in accordance with the provisions of the California Environmental Quality Act (CEQA), adopted a Statement of Overriding Considerations for each environmental impact identified in the PEIR as “significant and unavoidable,” and adopted a Mitigation Monitoring and Reporting Program (“MMRP”).

The Addendum (EIRA) prepared in connection with the Original Project was considered an addition to the previous Program-level environmental review documentation for the Downtown Plan. Addendum EIRA-02-19 was adopted by the City Council on November 12, 2019. The EIRA determined that the Original Project would not result in any additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Original Project would be within the envelope of impacts addressed in the Certified PEIR and would not constitute a new or substantially increased significant impact.

The PEIR and EIRA are incorporated by reference when topics from these documents are discussed below. For each issue, the analysis summarizes the conclusions of the Certified EIRA with respect to the impacts of the Original Project. The impacts of the Original Project provide the point of comparison with the impacts of the Revised Project. The analysis then compares the level of impacts of the Revised Project to the impacts of the Original Project as evaluated in the Certified EIRA. The analysis then concludes whether the impacts of the Revised Project are the same, higher, or lower than the Original Project. From this conclusion, the analysis determines whether the Revised Project would result in any effects that would meet the criteria set forth in CEQA Guidelines § 15162 requiring preparation of a supplemental or subsequent EIR, State CEQA Guideline Section 15162 states that no subsequent or supplemental

environmental impact report shall be required by the lead agency or by any responsible agency, unless a further discretionary approval on the project is required, and one of the following events occur:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis presented in the following sections demonstrates that the Revised Project would not result in new significant impacts or substantial increase in the severity of previously identified impacts or other require preparation of a supplemental or subsequent EIR under CEQA Guidelines § 15162. Specifically, this analysis has determined that there are no new significant environmental effects and no substantial increase in the severity of previously identified significant effects associated with the Revised Project. Furthermore, there are no known mitigation measures or alternatives that were previously considered infeasible but are now considered feasible that would substantially reduce one or more significant effects on the environment previously identified in the Certified PEIR. Similarly, there are no known mitigation measures or alternatives that are considerably different than those required by the Certified PEIR that would substantially reduce one or more significant effects on the environment identified in the Certified PEIR.

1. AESTHETICS

The Project Site also located in a Transit Priority Area as defined by Public Resources Code Sections 21099 and 21064.3. Senate Bill (SB) 743 [Public Resources Code (PRC) Section 21099(d)] sets forth guidelines for evaluating a project's aesthetic and parking impacts under CEQA, as follows: "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (TPA) shall not be considered significant impacts on the environment."

The Project Site is located in a Transit Priority Area as defined by Public Resources Code Sections 21099 and 21064.3. The Project Site is extensively served by transit, including the Los Angeles County Metropolitan Transportation Authority (Metro) Blue Line, which travels to and from downtown Los Angeles, with the Pacific Avenue Station on Pacific Avenue, between 4th and 5th Street, approximately 0.4 miles northwest of the Project Site. Additionally, Torrance Transit, Long Beach Transit (LBT), and the Los Angeles Department of Transportation (LADOT) provide public transit services in the vicinity of the Project Site. Therefore, the Original Project's and the Revised Project's aesthetic impacts are deemed to be less than significant. The analysis in this Memorandum is for informational purposes only and not for determining whether the Project will result in significant impacts to the environment.

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to aesthetics after implementation of PEIR Mitigation Measures AES-2(a) through AES-3.

The Certified EIRA found that the Original Project would not result in any potentially significant impacts not identified in the PEIR related to aesthetics. The Certified EIRA found that the Original Project would be required to implement Mitigation Measures AES-2(a) through AES-2(d) from the Certified PEIR, which require the implementation of various design specifications to mitigate impacts related to lighting and glare. The Certified EIRA found that the Original Project would not exceed the significance thresholds related to shadows; however, because Mitigation Measure AES-3 is required by the PEIR, the Original Project was subject to the mitigation.

B. Revised Project

The Revised Project proposes the same land use (mixed-use residential) as the Original Project; however, the Revised Project would be a maximum of 97 feet in 8 stories without the 23-story high-rise building which was part of the Original Project. Thus, similar to the Original Project, redevelopment of the site with the Revised Project is expected to improve its visual quality and benefit the aesthetic character of the surrounding area and would not substantially degrade the existing visual character or quality of the site and its surroundings. The Revised Project building would not block views of scenic resources, as no

such resources exist on or in the vicinity of the Project Site, same as the Original Project. The Revised Project would include the same nighttime lighting sources as the Original Project and would be subject to mitigation measures AES-2(a) through AES-2(d), same as the Original Project. Impacts of the Revised Project with respect to aesthetics, views, and light and glare would be the similar to the Original Project. The Revised Project would have a reduced height compared to the maximum height of the Original Project and consequently would cast shorter shadows, as demonstrated by the shade study included in the entitlement plan set submittal. The Revised Project would not exceed the thresholds for shadow impacts on shadow-sensitive uses, and impacts would be reduced as compared to the Original Project.

Therefore, the Revised Project would not cause a new significant impact or substantial increase in the severity of previously identified impacts with respect to aesthetics.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures AES-2(a), AES-2(b), AES-2(c), AES-2(d), and AES-3. These mitigation measures would be applied, as required, to the Revised Project.

2. AGRICULTURE AND FORESTRY RESOURCES

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in no impacts related to agricultural resources.

The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions of the PEIR and not result in any potentially significant impacts related to agricultural resources.

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified EIRA. Accordingly, the Revised Project's impacts with respect to agricultural resources would be the same as the Original Project and also less than significant. Consequently, the Revised Project would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to agricultural resources.

C. Mitigation Measures

No mitigation measures were required for agriculture and forestry resources in the Certified EIRA; no mitigation measures are required for the Revised Project.

3. AIR QUALITY

A. Original Project

The Certified PEIR determined that buildout of the Downtown Plan would result in significant and unavoidable impacts with regard to construction and operational air quality emissions even with compliance with applicable SCAQMD rules and Certified PEIR Mitigation Measures AQ-1(a), AQ-1(b), AQ-2, AQ-3, AQ-4(a), AQ-4(b), AQ-5, and AQ-6. Therefore, the Certified PEIR found impacts from construction pursuant to the Downtown Plan would be significant and unavoidable. The Certified PEIR found that implementation of the Downtown Plan would result in significant and unavoidable long-term operational impacts from operational emissions due to increased vehicle trips and associated emissions.

The Certified PEIR determined that buildout of the Downtown Plan would result in significant and unavoidable impacts with regard to toxic air contaminants (TACs) due to exposure of sensitive receptors to dry cleaning operations using perchloroethylene, TACs from the Port of Long Beach (POLB) and stationary sources in the vicinity of the Downtown Plan area, and proposed commercial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks). Mitigation measures would reduce concentrations of TAC that sensitive receptors would be exposed to for time spent indoors and would disclose to those considering residing in the Downtown Plan area the potential risks involved. However, the mitigation would not reduce exposure of sensitive receptors to substantial pollutant concentrations for time spent outdoors, and the impact was considered significant and unavoidable.

The Certified PEIR found that odors from construction pursuant to the Downtown Plan were less than significant.

The Certified EIRA found that the Original Project would be required to implement Mitigation Measures AQ-1 through AQ-6. Mitigation Measures AQ-1(a) and AQ-1(b) require implementation of the City's Enhanced Exhaust Control Practices as well as a project-level CEQA analysis; Mitigation Measures AQ-4(a) and AQ-4(b) require the preparation of plans and notification procedures in-relation to TAC emissions, to ensure minimal impacts during project development and operation; Mitigation Measure AQ-5 requires adequate distance be provided between sensitive receptors and any use of perchloroethylene; and Mitigation Measure AQ-6 lists certain procedures and requirements to reduce any impacts related to odors from project construction or operation.

However, Mitigation Measure AQ-2 was revised in the Certified EIRA for the Original Project as follows:

AQ-2: Mitigation to reduce mobile source emissions due to implementation of the Plan addresses reducing the number of motor vehicle trips and reducing the emissions of individual vehicles under the control of the project applicant(s). The following measures shall be implemented by project applicant(s) unless it can be demonstrated to the City that the measures would not be feasible.

- a) The project applicant(s) for all project phases shall require the commercial development operator(s) to operate, maintain, and promote a ride-share program for employees of the various businesses.
- b) The project applicant(s) for all project phases shall include one or more secure bicycle parking areas within the property and encourage bicycle riding for both employees and customers.
- c) The proposed structures shall be designed to meet current Title 24 + 20 percent energy efficiency standards and shall include photovoltaic cells on the rooftops to achieve an additional 25 percent reduction in electricity use on an average sunny day.
- d) The City shall ensure that all commercial developments include shower and locker facilities for employees to encourage bicycle, walking, and jogging as options for commuting.
- e) The project applicant(s) for all project phases shall require that all equipment operated by the businesses within the facility be electric or use non-diesel engines.
- f) All truck loading and unloading docks shall be equipped with one 110/208-volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than 5 minutes and must be required to connect to the 110/208-volt power to run any auxiliary equipment. Signs outlining the idling restrictions shall be provided.
- g) If, at the time of construction, SCAQMD, CARB, or EPA has adopted a regulation or new guidance applicable to mobile- and area-source emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if the City so permits. Such a determination shall be supported by a project-level analysis that is approved by the City.

The Certified EIRA provided the following clarification for the Original Project:

This mitigation measure is intended to reduce energy use. The project would be required to meet the Title 24 energy efficiency standards in effect at the time of building permit issuance, which may be more stringent than the current standards. The Title 24 energy efficiency standards are updated approximately every three years. The 2019 Title 24 energy efficiency standards has been adopted in 2019 and will become effective in 2020 (CEC 2019a). These standards will improve upon the current standards for residential and nonresidential buildings and may result in an equal or more effective reduction in energy and completely or partially replace the mitigation measure. The project shall comply with the energy reduction requirements of this mitigation measure or provide evidence to the satisfaction of the City that the Title 24 energy efficiency standards in effect at the time of building permit issuance result in an equal or more effective reduction in energy.

The Certified EIRA found that the Original Project is not expected to expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0 and therefore, a site-specific project-level HRA, as described in Mitigation Measure AQ-4(a) of the Certified PEIR, is not required. The Certified EIRA found that the Original Project would result in less than significant impacts related to air quality standards, cumulative

impacts, and odors, and would have less than significant impacts related to sensitive receptors with implementation of Certified PEIR Mitigation Measure AQ-1(a).

The Certified EIRA found that the Original Project would not result in new or substantially increase significant impacts related to air quality.

B. Revised Project

The air quality impacts of the Revised Project would be reduced compared to the Original Project. The Revised Project has a reduced size, which could result in less intensive construction activities. The Reduced Project would also result in fewer vehicle traffic trips associated with the Project Site because of the reduced number of residential units and commercial sf as compared to the Original Project. Therefore, the Revised Project's operational emissions would be less than the Original Project's. Thus, the Revised Project would not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to air quality.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures AQ-1(a), AQ-1(b), AQ-2, AQ-3, AQ-4(a), AQ-4(b), AQ-5, and AQ-6. These mitigation measures would be applied to the Revised Project.

4. BIOLOGICAL RESOURCES

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in no impacts related to biological resources.

The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions of the PEIR and would not result in any potentially significant impacts related to biological resources.

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified EIRA. The Project Site remains as a paved parking lot in a fully urbanized area that is devoid of native vegetation and suitable habitat. Accordingly, the Revised Project would have biological resource impacts similar to the Original Project. Consequently, it would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to biological resources.

C. Mitigation Measures

No mitigation measures were required for biological resources in the Certified EIRA; no mitigation measures are required for the Revised Project.

5. CULTURAL RESOURCES

A. Original Project

i) Historical Resources

The Certified PEIR found that development associated with the Downtown Plan would result in significant and unavoidable impacts related to historic resources even after implementation of Mitigation Measures CR-1(a) and CR-1(b).

The Certified EIRA found that the Original Project would not have a significant effect on any historic resources, and therefore would result in reduced project-level impacts compared to the Certified PEIR's significant and unavoidable impact; thus, impacts associated with the Original Project would be less than significant with implementation of Certified PEIR Mitigation Measures CR-1(a) and CR-1(b).

i) Archaeological and Paleontological Resources, Human Remains

The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to archaeological or paleontological resources, or human remains with implementation of Mitigation Measures CR-2(a) through CR-2(c), CR-3(a), and CR-3(b).

The Certified EIRA found that although the Project Site has been previously disturbed through grading and previous development, there is potential to directly or indirectly destroy a unique paleontological resource or unique geologic feature due to the Original Project's proposed excavation. The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR; thus, impacts would be less than significant with implementation of PEIR Mitigation Measures CR-2(a) through CR-2(c), CR-3(a), and CR-3(b).

B. Revised Project

i) Historical Resources

The Revised Project would be developed on the same Project Site as evaluated in the Certified PEIR and EIRA. The Revised Project would be required to implement Certified PEIR Mitigation Measures CR-1(a) and CR-1(b). Impact would be similar to the Original Project. Therefore, the Revised Project would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to historical resources.

ii) *Archaeological and Paleontological Resources*

The Revised Project would be developed on the same Project Site as evaluated in the Certified PEIR and EIRA, and is anticipated to require the same amount of excavation. In addition, the same mitigation measures that would be applicable to the Original Project would continue to be applicable to the Revised Project. The Revised Project would, consequently, would have reduced potential for encountering archaeological and paleontological resources as compare to the Original Project. Therefore, it would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to cultural resources.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures CR-1(a), CR-1(b), CR-2(a) through CR-2(c), CR-3(a), and CR-3(b). These mitigation measures would be applied to the Revised Project.

6. ENERGY

The Certified EIRA includes an analysis of potential impacts related to energy as part of Greenhouse Gas Emissions and Utilities. Since certification of the EIRA, CEQA Guidelines Appendix G was revised to include energy as a stand-alone impact issue area, separate from GHG and Utilities.

A. Original Project

The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR regarding energy. The Utility Infrastructure Technical Report: Water, Wastewater, and Energy, prepared by KPFF Consulting Engineers January 11, 2019 (Appendix J to the Certified EIRA) determined that impacts related to energy consumption as a result of the Original Project would be less than significant.

Furthermore, the Certified EIRA found that the Original Project is subject to PEIR Mitigation Measure AQ-2, which is intended to reduce energy use by exceeding the requirements of Title 24.

B. Revised Project

As with the Original Project, the Revised Project would also be subject to state and federal regulations that reduce the inefficient, wasteful, and unnecessary consumption of energy. The Revised Project would also be rooftop solar-ready. Furthermore, due to the reduction in size of the Revised Project and number of residential units, the construction period length and overall intensity of activities would be reduced compared to the Original Project. With its reduced size and fewer units, the Revised Project would require less energy during operation than the Original Project, and would result in reduced consumption of petroleum-based fuels, as compared to the Original Project, by generating fewer daily trips. Therefore,

the amount of electricity, natural gas, and petroleum-based fuel required for construction and operation of the Revised Project would be correspondingly reduced compared to the Original Project. The Revised Project would, consequently, not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to energy.

C. Mitigation Measures

The Certified EIRA found that the Original Project is subject to PEIR Mitigation Measure AQ-2, which is intended to reduce energy use by exceeding the requirements of Title 24. Mitigation Measure AQ-2 would be applied to the Revised Project.

7. GEOLOGY AND SOILS

The Certified PEIR and Certified EIRA include analyses of potential impacts related to paleontological resources as part of Cultural Resources – Archaeological and Paleontological Resources. Since Certification of the EIR, CEQA Guidelines Appendix G was revised to include paleontological resources as one of the questions under the Geology and Soils issue area, no longer under the Cultural Resources topic.

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to seismicity after implementation of PEIR Mitigation Measure Geo-1. The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to liquefaction after implementation of PEIR Mitigation Measure Geo-2 and less than significant impacts related to expansive or unstable soils after implementation of PEIR Mitigation Measure Geo-3.

Under the Cultural Resources – Archaeological and Paleontological Resources analysis, the Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to paleontological resources with implementation of Mitigation Measures CR-3(a) and CR-3(b).

The Certified EIR found that development associated with the Downtown Plan would not result in any other significant impacts related to geology and soils.

The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR; thus, impacts would be less than significant with mitigation.

Under the Cultural Resources – Archaeological and Paleontological Resources analysis, the Certified EIRA found that although the Project Site has been previously disturbed through grading and previous development, there is potential to directly or indirectly destroy a unique paleontological resource or unique geologic feature due to the Original Project's proposed excavation. The Certified EIRA found that

the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR; thus, impacts related to paleontological resources and unique geologic features would be less than significant with implementation of PEIR Mitigation Measures CR-3(a) and CR-3(b).

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified EIR, and would develop an eight-story building above two floors of subterranean parking. The Revised Project would also be subject to the same seismic safety code requirements as the Original project. Moreover, the Revised Project would not build the 23-story high-rise building approved under the Original Project. Impacts would be similar to the Original Project. With respect to the potential to directly or indirectly destroy a unique paleontological resource or unique geologic feature, the Revised Project would require the same amount of excavation as the Original Project and would be subject to Mitigation Measures CR-3(a) and CR-3(b). Thus, the Revised Project would not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to geology and soils.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures Geo-1 through Geo-3 and CR-3(a) and CR-3(b). These mitigation measures would be applied to the Revised Project.

8. GREENHOUSE GAS EMISSIONS

A. Original Project

The Certified PEIR found that the Downtown Plan would result in significant and unavoidable impacts with regard to construction and operational greenhouse gas (GHG) emissions.

The Certified EIRA found that the Original Project would result in reduced impacts compared to those identified in the Certified PEIR and that GHG emissions impacts associated with the Original Project would be less than significant with Certified PEIR Mitigation Measures AQ-1, AQ-2, GHG-1(a) and GHG-2(b). The Certified EIRA found that Original Project impacts related to applicable plans, policies, or regulations related to GHG emissions would be consistent with the analysis and conclusions presented in the Certified PEIR and less than significant with Certified PEIR Mitigation Measures AQ-2, GHG-2(a) and GHG-2(b).

B. Revised Project

GHG emissions from a development project are determined in large part by the number of daily vehicle trips generated and energy consumption from proposed land uses. Because the Revised Project would result in the development of 74 fewer residential units than the Original Project, trip generation and energy and water consumption from the Revised Project would be reduced compared to the Original

Project. Thus, the amount of GHG emissions generated by the Revised Project would be less than the emissions generated by the Original Project. Like the Original Project, the Revised Project would be a mixed-use development located in a Transit Priority Area and incorporate sustainable design features. Therefore, the Revised Project would also be consistent with applicable plans, policies, or regulations related to GHG emissions, and impacts with respect to such consistency would be similar to the Original Project. Therefore, the Revised Project would not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to GHG emissions.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures AQ-1, AQ-2, GHG-1(a), GHG-1(b), GHG-2(a), and GHG-2(b). These mitigation measures would be applied to the Revised Project.

9. HAZARDS AND HAZARDOUS MATERIALS

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have less than significant impacts related to hazards and hazardous materials after implementation of Mitigation Measures Haz-1(a) through Haz-3(c).

The Certified EIRA found that Original Project impacts related to hazards and hazardous materials would be consistent with the analysis and conclusions presented in the Certified PEIR and less than significant with Certified PEIR Mitigation Measures Haz-1(a) through Haz-3(c).

B. Revised Project

The Revised Project would be developed on the same Project Site and with the same land uses as evaluated in the Certified EIRA and would be subject to the same mitigation measures and regulatory compliance measures identified in the Certified EIRA. Impact would be similar to those of the Original Project. The Revised Project would, consequently, not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to hazardous materials.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures Haz-1(a) through Haz-1(c) and Haz-3(a) through Haz-3(d). These mitigation measures would be applied to the Revised Project.

10. HYDROLOGY AND WATER QUALITY

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have less than significant impacts related to hydrology and water quality after implementation of Mitigation Measures Hydro-1 through Hydro-3.

The Certified EIRA found that Original Project impacts related to hydrology and water quality would be consistent with the analysis and conclusions presented in the Certified PEIR and less than significant with Certified PEIR Mitigation Measures Hydro-1 through Hydro-3.

B. Revised Project

The Revised Project would be developed on the same Project Site as the Original Project and would develop a project with a similar sized footprint and lot coverage as the Original Project. The Revised Project would be subject to the same mitigation measures and regulatory compliance measures identified in the Certified EIRA. Impacts would be similar. The Revised Project would, consequently, not represent a new significant impact or substantial increase in the severity of previously identified impacts with respect to hydrology and water quality.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures Hydro-1 through Hydro-3. These mitigation measures would be applied to the Revised Project.

11. LAND USE AND PLANNING

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have less than significant impacts related to land use and planning.

The Certified EIRA found that impacts associated with the Original Project related to land use and planning would be consistent with the analysis and conclusions presented in the Certified PEIR and less than significant.

B. Revised Project

The Revised Project includes the same land uses (residential and commercial) and would be developed on the same Project Site as the Original Project. The Revised Project is not requesting any additional

entitlements that were not previously requested and approved under the Original Project. Similar to the Original Project, the Revised Project would not physically divide an establish community, would be consistent with applicable land use plans adopted for the purpose of avoiding or mitigating an environmental effect, and would not conflict with any applicable habitat conservation plan or

natural community conservation plan. Consequently, the Revised Project would not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to land use.

C. Mitigation Measures

No mitigation measures were required for land use and planning in the Certified EIRA; no mitigation measures are required for the Revised Project.

12. MINERAL RESOURCES

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have no impact related to mineral resources.

The Certified EIRA found that impacts associated with the Original Project related to mineral resources would be consistent with the analysis and conclusions presented in the Certified PEIR. Thus, the Revised Project would not represent new significant impact or substantial increase in the severity of previously identified impacts with respect to mineral resources.

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified EIRA. Impacts of the Revised Project would be the same as the Original Project. The Revised Project would, consequently, not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to mineral resources.

C. Mitigation Measures

No mitigation measures were required for mineral resources in the Certified EIRA; no mitigation measures are required for the Revised Project.

13. NOISE

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have less than significant construction-related noise impacts after implementation of Mitigation Measures Noise-1(a) and Noise-1(b). The Certified PEIR found that development associated with the Downtown Plan would have less than significant noise impacts during operation of development within the Downtown Plan after implementation of Mitigation Measure Noise-6.

The Certified found that development associated with the Downtown Plan would have significant and unavoidable impacts related to groundborne vibration during construction phases and less than significant vibration impacts during operation.

The Certified EIRA found that the Original Project would result in similar construction and operational noise impacts as those identified in the Certified PEIR; construction noise impacts associated with the Original Project would be less than significant with implementation of Certified PEIR Mitigation Measures Noise-1(a) and Noise-1(b), and operational noise impacts associated with the Original Project would be less than significant with implementation of Certified PEIR Mitigation Measure Noise-6.

The Certified EIRA found that the Original Project would result in reduced impacts compared to the Certified PEIR's significant and unavoidable construction vibration impact; thus, potential construction vibration impacts associated with the Original Project would be less than significant with implementation of Certified PEIR Mitigation Measure Noise-2(a) and Noise 2-(b).

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified EIR, and would develop an eight-story building above two floors of subterranean parking. The Revised Project would not build the 23-story high-rise building approved under the Original Project. However, peak on-site construction activities and equipment and the associated construction noise levels would be similar to the Original Project during maximum activity days when pieces of equipment may be operating simultaneously. The Revised Project would be subject to the same mitigation measures and regulatory compliance measures identified in the Certified EIRA. The Revised Project's peak on-site construction noise impacts would be similar to the Original Project's, which would be less than significant after mitigation. Therefore, the Revised Project would not result a new significant impact or a substantial increase in the severity of previously identified impacts with respect to construction noise.

As with the Original Project, operational noise generated under the Revised Project would be typical of residential land uses; however, the Revised Project would generate fewer daily vehicle trips than the Original Project and thus would generate less traffic noise than the Original Project. Due to less building and fewer units, the Revised Project's on-site operational noise impacts would be less than the Original Project's, which would be less than significant. Therefore, the Revised Project would not result in a new

significant impact or a substantial increase in the severity of previously identified impacts with respect to operational noise.

With respect to vibration, because peak on-site construction activities would be similar to the Original Project, the associated construction vibration levels would be similar to the Original Project during maximum activity days when pieces of equipment may be operating simultaneously. The Revised Project would be subject to the same mitigation measures and regulatory compliance measures identified in the Certified EIRA. The Revised Project's peak on-site construction vibration impacts would be similar to the Original Project's, which would be less than significant after mitigation (and less than the Certified PEIR's significant and unavoidable impact). Therefore, the Revised Project would not represent a new significant impact or substantial increase in the severity of previously identified impacts with respect to construction vibration.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures Noise-1(a), Noise-1(b), Noise-2(a) and 2(b), and Noise-6. These mitigation measures would be applied to the Revised Project.

14. POPULATION AND HOUSING

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have significant and unavoidable impacts with respect to population growth and household displacement.

The Certified EIRA found that the Original Project would be within the development parameters considered in the Certified PEIR and would not allow for development at a greater density/intensity than previously considered. Additionally, the Original Project would be within the SCAG projections for the Downtown Plan area and the City. Thus, population growth impacts associated with the Original Project would be less than significant, and less than the impacts identified in the Certified PEIR. The Certified EIRA found that the Original Project would have a less than significant impact with respect to household displacement, less than the impacts identified in the Certified PEIR.

B. Revised Project

Population growth associated with the Revised Project would be reduced compared to the Original Project because the Revised Project would have 74 fewer housing units. Impacts of the Revised Project related to population and housing would therefore be slightly reduced compared to the Original Project. Consequently, the Revised Project would not represent a new significant impact or substantial increase in the severity of previously identified impacts with respect to population and housing. As the Revised

Project would be developed on the same Project Site as the Original Project, the Revised Project would not result in the displacement of any housing units or people, as there are currently no housing units on the Project Site. Displacement impacts would be the same as with the Original Project.

Therefore, the Revised Project would not represent a new significant impact or substantial increase in the severity of previously identified impacts with respect to population and housing.

C. Mitigation Measures

No mitigation measures were required for population and housing in the Certified EIRA; no mitigation measures are required for the Revised Project.

15. PUBLIC SERVICES

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have less than significant impacts with respect to fire protection, police protection, schools, and libraries. The Certified PEIR found that development associated with the Downtown Plan would have significant and unavoidable impacts with respect to parks. The PEIR determined that recreational opportunities associated with the development associated with the Downtown Plan would place additional stress on the City's recreation system and to reduce this stress, individual project approvals within the Downtown Plan area would be required to pay an in-lieu park and recreation facilities impact fee as a condition of approval. The PEIR found that although the collection of required fees would mitigate some of the overburden on the recreation system, it is not expected to be enough to meet the established City standard of 8 acres of parkland per 1,000 residents. Therefore, the Certified PEIR found that the impact on park and recreation facilities from new development within the Downtown Plan would be significant and unavoidable.

The Certified EIRA found that impacts associated with the Original Project related to fire protection, police protection, schools, and libraries would be consistent with the analysis and conclusions presented in the Certified PEIR and less than significant. The EIRA found that the Original Project would provide an excess of the required open space on the Project Site, and would be required to pay an in-lieu park and recreation facilities impact fee as a condition of approval. Therefore, the EIRA found that no new impacts on park and recreation facilities would occur from implementation of the Original Project. The Certified EIRA found that impacts associated with the Original Project related to parks would be consistent with the analysis and conclusions presented in the Certified PEIR and significant and unavoidable. Thus, the Revised Project would not represent new significant impact or substantial increase in the severity of previously identified impacts with respect to public services.

B. Revised Project

Demand for fire protection, police protection, school, library, and parks and recreation services associated with the Revised Project would be reduced as compared to the Original Project because the Revised Project would build 74 fewer housing units. Impacts related to fire protection, police protection, schools, and libraries would be less than significant, the same as the Original Project, although with a corresponding reduced demand on those services due to the decrease in on-site population. As discussed above, the EIRA determined that the Original Project would be consistent with the analysis and conclusions in the Certified PEIR and would thus be significant and unavoidable. Consequently, although the Revised Project would decrease demand on parks and recreation services, would provide open space on-site in accordance with the requirements of the Downtown Plan, and would be required to pay an in-lieu park and recreating impact fee, impacts to parks and recreation services would be consistent with the findings of the PEIR and would remain significant and unavoidable. The Revised Project would not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to public services.

C. Mitigation Measures

No mitigation measures were required for public services in the Certified EIRA; no feasible mitigation measures are available for the Revised Project.

16. RECREATION

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have significant and unavoidable impacts with respect to recreation.

The Certified EIRA found that impacts associated with the Original Project related to recreation would be consistent with the analysis and conclusions presented in the Certified PEIR and significant and unavoidable. Thus, the Revised Project would not represent new significant impact or substantial increase in the severity of previously identified impacts with respect to recreation.

B. Revised Project

Demand for recreation services associated with the Revised Project would be reduced as compared to the Original Project because the Revised Project would build 74 fewer housing units than the Original Project and the reduced on-site population would create less of a demand for recreational services in the Project area. Additionally, although the Revised Project would build fewer housing units than the Original Project, it proposes to provide a similar amount of open space, thus increasing the per capita amount of open space within the Revised Project for residents. This would further reduce the potential demand for public recreational facilities in the area. However, as with the Original Project, the Revised Project's impacts would be significant and unavoidable. Consequently, the Revised Project would not result in a new

significant impact or a substantial increase in the severity of previously identified impacts with respect to recreation.

C. Mitigation Measures

No feasible mitigation measures were available for recreation in the Certified EIRA; no feasible mitigation measures are available for the Revised Project.

17. TRANSPORTATION

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have significant and unavoidable impacts with respect to eight intersections within the Plan area. An additional eight intersections would have less than significant impacts after mitigation. The Certified PEIR found that development associated with the Downtown Plan would have significant and unavoidable CMP impacts at two intersections. The Certified PEIR found that the Downtown Plan would have no impact with respect to air traffic patterns or hazardous design features, and less than significant impacts related to emergency access and public transit, bicycle, and pedestrian facilities.

The Certified EIRA found that the Original Project's contribution to traffic conditions at the two study intersections would be less than significant after implementation of PEIR Mitigation Measures Traf-1(a) through Traf-1(f), which require payment of a fair-share contribution to specific intersections and roadways in the Downtown Plan area. The impacts identified in the Certified PEIR at eight intersections outside of the study area would remain significant and unavoidable. The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR regarding CMP impacts, air traffic patterns, hazardous design features, emergency access, and public transit, bicycle, and pedestrian facilities; thus, the Revised Project would not represent new significant impact or substantial increase in the severity of previously identified impacts with respect to transportation.

B. Revised Project

In 2013, California Senate Bill (SB) 743 was signed, with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions." When implemented, "traffic congestion shall not be considered a significant impact on the environment" within California Environmental Quality Act (CEQA) transportation analysis. SB 743 required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. For land use projects, OPR identified Vehicle Miles Traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis.

At the statewide level, regulatory changes to the CEQA Guidelines that implement SB 743 were approved on December 28, 2018. OPR released a December 2018 Technical Advisory that contains recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. Statewide implementation occurred on July 1, 2020. In response, the City of Long Beach has adopted Traffic Impact Analysis Guidelines (July 2020).

Thus, since certification of the PEIR and EIRA, the methodology used to determine CEQA impacts related to transportation have changed. Whereas the PEIR and EIRA analyzed impacts based on criteria such as intersection level of service, average daily traffic volumes, and peak-hour trips, the CEQA Guidelines now state that vehicle miles traveled is the most appropriate measure of transportation impacts.

The Revised Project would be reduced compared to the Original Project; the Revised Project would build 74 fewer housing units and 1,356 sf less of retail space than the Original Project. Thus, the Revised Project would result in fewer daily traffic trips and consequently fewer peak hour trips and a reduced contribution to intersection impacts. Section 2.2.2 of the City of Long Beach Traffic Impact Analysis Guidelines states explains that OPR Technical Advisory on Evaluating Transportation Impacts in CEQA states that residential and office projects that have similar density, mix of uses, and transit accessibility as surrounding similar uses will likely have similar VMT generation as those uses. Therefore, maps showing VMT-efficient areas can be used to screen residential and office projects from further analysis. The City of Long Beach Traffic Impact Analysis Guidelines has determined that the Project Site is in an area where average VMT per capita is lower than the County average by 15 percent or more. (See Figure 2 of the City of Long Beach Traffic Impact Analysis Guidelines, July 2020.) In these areas, projects with similar characteristics to the surrounding development would be presumed to have a less than significant transportation impact.

Furthermore, Section 2.2.3 of the City of Long Beach Traffic Impact Analysis Guidelines states any project located in within a transit priority areas per CEQA Guidelines Section 15064.3, Subsection (b), will be presumed to have a less than significant transportation impact related to CEQA Guidelines Section 15064.3, subdivision (b), unless the project:

- Has an overall Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required (if parking minimums pertain to the site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site);
- Is inconsistent with the Long Beach Land Use Element or the SCAG RTP/SCS; or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

Thus, under both Sections 2.2.2 and 2.2.3 of the City of Long Beach Traffic Impact Analysis Guidelines, the Revised Project by virtue of its location and land uses would result in a less than significant impact with respect to vehicle miles traveled. Therefore, the Revised Project would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to transportation.

Like the Original Project, the Revised Project would have no effect on air traffic patterns. Vehicular access to the Project Site for the Revised Project is the same as under the Original Project, and therefore the Revised Project would not introduce any new hazardous design features nor would the Revised Project have an adverse impact on emergency access. The Revised Project would not result in any changes to public transit, bicycle, or pedestrian facilities in the vicinity that were not previously analyzed in the Certified EIRA. Therefore, the Revised Project would not result in a new significant impact or substantial increase in the severity of previously identified impacts with respect to transportation.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures Traf-1(a) through Traf-1(f). These mitigation measures would be applied to the Revised Project.

18. TRIBAL CULTURAL RESOURCES

The Certified PEIR and Certified EIRA include analyses of potential impacts related to tribal cultural resources as part of Cultural Resources – Archaeological and Paleontological Resources. Since Certification of the EIR, CEQA Guidelines Appendix G was revised to include tribal cultural resources as a stand-alone impact issue area, separate from Cultural Resources. Paleontological Resources are now analyzed in the Geology and Soils issue area of the most recent version of the CEQA Guidelines.

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to archaeological or human remains with implementation of Mitigation Measures CR-2(a) through CR-2(c), CR-3(a), and CR-3(b).

The Certified EIRA found that near-surface archeological resources, or human remains, on previously developed properties that may have existed are likely to have been disturbed or removed. Despite this, the potential still exists for development activities to encounter and damage archaeological resources, or encounter human remains and, thus, impacts would be potentially significant. The Certified EIRA found that impacts would be mitigated by complying with Mitigation Measures CR-2(a) through CR-2(c), as well as Mitigation Measure CR-3(a) and Mitigation Measure CR-3(b), of the Certified PEIR. Mitigation Measures CR-2(a) through CR-2(c), as well as Mitigation Measure CR-3(a) and Mitigation Measure CR-3(b), of the Certified PEIR require the project proponent to hire a qualified archaeologist or and Native

American representative to monitor the project site during construction and address preservation of any identified resources that may be encountered during project implementation. The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR; thus, impacts would be less than significant with implementation of PEIR Mitigation Measures CR-2(a) through CR-2(c).

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified PEIR and EIRA and would require the same depth of excavation to accommodate the two levels of subterranean parking proposed. Moreover, the same mitigation measures and regulatory compliance measures that would be applicable to the Original Project would continue to be applicable to the Revised Project. Impacts would be similar as compared to the Original Project. The Revised Project would, consequently, not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to Tribal Cultural Resources.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Mitigation Measures CR-2(a) through CR-2(c). These mitigation measures would be applied to the Revised Project.

19. UTILITIES AND SERVICE SYSTEMS

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would result in less than significant impacts related to wastewater, the storm drain system, and water supply and demand. The Certified PEIR found that the Downtown Plan would result in less than significant impacts after mitigation related to solid waste.

The Certified EIRA found that the Original Project would be consistent with the analysis and conclusions presented in the Certified PEIR; thus, impacts related to wastewater, the storm drain system, and water supply and demand would be less than significant and impacts related to solid waste disposal would be less than significant with implementation of PEIR Mitigation Measures Utilities-3(a) through Utilities-3(d).

B. Revised Project

The Revised Project would be reduced in size compared to the Original Project, both in overall building and development size (total floor area) and number of units (a reduction of 74 compared to the Original Project). The reduced project size would result in an overall decrease in wastewater output and water consumption generated by the Revised Project as compared to the Original Project. With regard to

stormwater, the Revised Project would have similar impacts to the Original Project because the Revised Project would result in a similar amount of on-site paving and impervious surfaces. The Revised Project would generate less solid waste than the Original Project as a result of fewer residential units and commercial sf present on the Project Site. Although wastewater and solid waste generation and water demand would be reduced under the Revised Project comparatively, the same mitigation measures that would be applicable to the Original Project would continue to be applicable to the Revised Project. The Revised Project would, consequently, not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to utilities and service systems.

C. Mitigation Measures

The Certified EIRA for the Original Project requires implementation of Certified PEIR Mitigation Measures Utilities-3(a) through Utilities-3(d). These mitigation measures would be applied to the Revised Project.

20. WILDFIRE

Potential impacts related to emergency evacuation and wildfire were discussed in the Certified PEIR and Certified EIRA as part of Hazards and Hazardous Materials. However, the CEQA Guidelines Appendix G has been revised to include a stand-alone wildfire issue area as part of the Checklist.

A. Original Project

The Certified PEIR found that development associated with the Downtown Plan would have no impact to wildland fires. Furthermore, the Certified PEIR found that the Original Project would not interfere with emergency preparedness or access (as evaluated under Hazards and Hazardous Materials and Transportation).

The Certified EIRA found that the Original Project would not result in an impact to wildland fires, emergency preparedness, or emergency access that was not previously considered in the Certified PEIR.

B. Revised Project

The Revised Project would be developed on the same Project Site as evaluated in the Certified PEIR and EIRA; the Project Site is within downtown Long Beach and is not in a location subject to wildfires or high fire hazard severity. The Revised Project would be subject to the same regulatory measures designed to ensure fire safety as the Original Project. Impacts would be similar to the Original Project. The Revised Project would, consequently, not result in a new significant impact or a substantial increase in the severity of previously identified impacts with respect to wildfire.

C. Mitigation Measures

No mitigation measures were required for wildfire in the Certified EIRA; no mitigation measures are required for the Revised Project.

III. CONCLUSION

Based on the above analysis, which compared the potential effects of the Revised Project with the potential impacts of the Original Project as discussed in the Certified EIRA, the Revised Project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines § 15162(a)(1)). In addition, no substantial changes have occurred with respect to the circumstances under which the project would be undertaken which would require major revisions of the previous EIRA due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines § 15162(a)(2)). Finally, no new information of substantial importance has been presented which would show that the Revised Project would have one or more significant effects not discussed in the previous EIRA; that significant effects previously examined will be substantially more severe than shown in the previous EIRA; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Revised Project, but the project proponents declined to adopt the mitigation measure or alternative; or that mitigation measures or alternatives which are considerably different from those analyzed in the previous EIRA would substantially reduce one or more significant effects on the environment, but the project proponents declined to adopt the mitigation measure of alternative (CEQA Guidelines § 15162(a)(3)). Therefore, a supplemental or subsequent EIR is not required, and the Certified PEIR and Certified EIRA remain the appropriate CEQA documentation for the Revised Project.

Table 2
Summary of Revised Project Impacts Compared to the Original Project

Impact Category	Original Project Impacts	Revised Project Impacts
Aesthetics	Less Than Significant with Mitigation	Same
Agricultural Resources	No Impact	Same
Air Quality – Construction	Less Than Significant with Mitigation	Lower and Less Than Significant with Mitigation
Air Quality – Operation	Less Than Significant with Mitigation	Lower and Less Than Significant with Mitigation
Biological Resources	No Impact	Same
Cultural Resources – Historic Resources	Less Than Significant with Mitigation	Same
Cultural Resources – Archaeological and Paleontological Resources, Human Remains	Less Than Significant with Mitigation	Same
Energy	Less Than Significant	Lower and Less Than Significant
Geology and Soils	Less Than Significant with Mitigation	Same
Greenhouse Gas Emissions	Less Than Significant with Mitigation	Lower and Less Than Significant with Mitigation
Hazards and Hazardous Materials	Less Than Significant with Mitigation	Same
Hydrology and Water Quality	Less Than Significant with Mitigation	Same
Land Use and Planning	Less Than Significant	Same
Mineral Resources	No Impact	Same
Noise – Construction	Less Than Significant with Mitigation	Lower and Less Than Significant with Mitigation
Noise – Operation	Less Than Significant	Lower and Less Than Significant
Population and Housing	Less Than Significant	Same
Public Services	Significant and Unavoidable (Parks and Recreation)	Lower and Significant and Unavoidable
Recreation	Significant and Unavoidable	Lower and Significant and Unavoidable
Transportation	Less Than Significant with Mitigation	Lower and Less than Significant with Mitigation
Tribal Cultural Resources	Less Than Significant with Mitigation	Same
Utilities	Less Than Significant with Mitigation	Lower and Less than Significant with Mitigation
Wildfire	No Impact	Same

