

**Mitigation Monitoring and Reporting  
Program for  
Final Program Environmental Impact Report  
Magnolia Tank Farm Project**

**SCH No. 2017101041**

City of Huntington Beach  
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October 2019



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**Lead Agency:**

**CITY OF HUNTINGTON BEACH  
Community Development Department  
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## ACRONYM LIST

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The following are acronyms used in the Mitigation Monitoring and Reporting Matrix:

### A

AES	Aesthetics
APN	Assessor's Parcel Number
AQ	Air Quality

### B

BIO	Biological Resources
BMP	Best Management Practice

### C

CALGreen	California Green Building Standards
CC	Coastal Conservation
CCR	California Code of Regulation
CC&Rs	Covenants, Conditions, and Restrictions
CEQA	California Environmental Quality Act
CFC	California Fire Code
City	City of Huntington Beach
CNEL	Community Noise Equivalent Level
Council	City of Huntington Beach City Council
CULT	Cultural Resources
CURMP	Citywide Urban Runoff Management Plan
CV	Commercial Visitor

### D

DAMP	Drainage Area Management Plan
dBA	A-weighted decibels
DOGGR	Division of Oil, Gas, and Geothermal Resources
DTSC	Department of Toxic Substances Control

### E

EIR	Environmental Impact Report
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### F

Final Program EIR	<i>Final Program Environmental Impact Report, Magnolia Tank Farm Project (2019)</i>
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### G

GEO	Geology and Soils
GHG	Greenhouse Gas

### H

HAZ	Hazards and Hazardous Materials
HAZWOPERE	Hazardous Waste Operations and Emergency Response
HBZSO	Huntington Beach Zoning and Subdivision Ordinance
HOA	Homeowners Association
HWQ	Hydrology and Water Quality

### L

L <sub>eq</sub>	Interior Average Hourly Noise Level
LIP	Local Implementation Plan

LU	Land Use and Planning
LUC	Land Use Covenant
<b>M</b>	
MLD	Most Likely Descendent
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MUTCD	Manual on Uniform Traffic Control Device
<b>N</b>	
NAHC	Native American Heritage Commission
NOI	Noise
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
<b>O</b>	
OCFCD	Orange County Flood Control District
OS-PR	Open Space-Park and Recreation
<b>P</b>	
PA	Planning Area
PA 2A	Marsh Park
PA 2C	Magnolia Park
PDF	Project Design Feature
PI	Private Institution
POA	Property Owners Association
Program	Mitigation Monitoring and Reporting Program
PS	Public Services
<b>R</b>	
RBTC	Risk-Based Target Concentration
REC	Recreation
RM	Residential Medium
RR	Regulatory Requirement
<b>S</b>	
SWPPP	Storm Water Pollution Prevention Plan
<b>T</b>	
TCR	Tribal Cultural Resources
TRAN	Transportation/Traffic
<b>U</b>	
UTIL	Utilities and Service Systems
<b>W</b>	
WDID	Waste Discharge Identification
WDR	Waste Discharge Requirement
WQMP	Water Quality Management Plan
<b>S</b>	
SCAQMD	South Coast Air Quality Management District
SR	State Route
<b>T</b>	
TRAN	Transportation and Traffic



# MITIGATION MONITORING AND REPORTING PROGRAM

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## 1.1 INTRODUCTION

In accordance with the requirements of Section 21081.6 of the *California Public Resources Code*, and as part of its certification of the adequacy of Final Program Environmental Impact Report (Final EIR) for the Magnolia Tank Farm Project, the City Council (Council) of the City of Huntington Beach (City) adopts the following Mitigation Monitoring and Reporting Program (MMRP or Program). The Council adopts this MMRP in its capacity as the lead agency for Final Program EIR in accordance with the provisions of the California Environmental Quality Act (CEQA) (*California Public Resources Code* Section 21000 et seq.) and the State CEQA Guidelines (*California Code of Regulations*, Title 14, Section 15000 et seq.).

The principal purpose of the MMRP is to ensure that the Council-approved mitigation measures and development requirements for the adopted Project are reported and monitored to ensure compliance with the measures' requirements. In general, City of Huntington Beach, Community Development Department is responsible for overseeing implementation and completion of the adopted measures. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the attached MMRP Table. However, the Council retains overall responsibility for verifying implementation of all adopted mitigation measures.

## 1.2 MITIGATION MONITORING PROCEDURES

The City is the designated lead agency for the MMRP. The Community Development Department is responsible for reviewing all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP Table.

## 1.3 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP is provided in tabular format to facilitate effective tracking and documentation of the status of regulatory requirements and mitigation measures. The attached MMRP Table provides the following monitoring information:

- **Regulatory Requirements.** The text of all adopted Regulatory Requirements for the Project from Final Program EIR.
- **Mitigation Measures.** The text of all adopted mitigation measures for the Project from Final Program EIR.
- **Responsible for Implementation.** The Project Applicant or designated representative is the responsible party for implementing the measure, and the City of Huntington Beach or a designated representative is responsible for monitoring implementation of the measure, unless noted differently.
- **Timing of Mitigation.** A time frame is provided for performance of the mitigation measure, and the points selected are designed to ensure that impact-related components do not proceed without establishing that the mitigation is implemented.

- **Responsibility for Monitoring.** The City Department(s) or other public agency(ies) responsible for overseeing the implementation and completion of each measure.
- **Completion Date.** The date the measure is completed. This column of the MMRP Table is to be filled in by the approving/verifying authority at a later date. Upon completion, the MMRP and associated documentation will be kept on file at the City of Huntington Beach Community Development Department, Planning Division.

## **1.4 PROJECT LOCATION**

The 28.9-acre Magnolia Tank Farm project site is located at 21845 Magnolia Street, on the west side of Magnolia Street at Banning Avenue in the southeastern area of Huntington Beach in western Orange County, California. The City of Huntington Beach (City) occupies approximately 27.3 square miles of land area, and it is surrounded by the cities of Westminster to the north; Seal Beach to the northwest; Fountain Valley to the east; and Costa Mesa to the southeast. The Pacific Ocean borders the City to the west. Regional access to the City is provided by Interstate 405 to the north; State Route 1 or Pacific Coast Highway to the west; State Route 39 or Beach Boulevard, which bisects the City running north to south; and State Route 55 or Costa Mesa Freeway to the east. Local access is from Magnolia Street with Hamilton Avenue and SR-1 being the nearest east-west access routes.

## **1.5 PROJECT DESCRIPTION SUMMARY**

The proposed Project would redevelop the project site with a mixed-use development comprised of a lodge/guest-house accommodations, ancillary and visitor-serving retail and dining, and residential units. The proposed Project consists of four planning areas: Planning Area 1 (PA 1) or Coastal Conservation (CC); Planning Area 2 (PA 2) or Open Space-Park and Recreation (OS-PR); Planning Area 3 (PA 3) or Residential (RM); and Planning Area 4 (PA 4) or Commercial Visitor (CV). A discussion of the planning areas is provided below.

Under the proposed Project, the Specific Plan will establish a land use plan, development standards and guidelines to allow for the creation of the proposed mixed-use development comprised of a 211,000 square-foot lodge/guest-house accommodations with a maximum of 215 rooms, including 175 guest rooms and family/group overnight accommodations with 40 rooms, 19,000 square feet of ancillary and visitor-serving retail and dining, and up to 250-unit for-sale residential units (at 15 dwelling units per acre). Additionally, the proposed Project includes 2.8 acres of Coastal Conservation area adjacent to Magnolia Marsh and 2.8 acres of park.

The proposed Project includes various on- and off-site infrastructure improvements to facilitate the development. These improvements include, but are not limited to, the installation of potable water lines, storm water detention and conveyance systems, electrical lines, phone lines, gas lines, and sanitary sewers. The precise location of necessary infrastructure improvements would be determined as part of the final design process and coordination with the service providers. All infrastructure improvements are expected to be within the proposed development areas, properties that were previously developed and/or disturbed, or within existing public rights-of-way.

## 1.5.1 PLANNING AREA 1 - COASTAL CONSERVATION

PA 1, the CC area, is designed to create upland habitat that functions as a buffer to the Magnolia Marsh, which is an environmentally sensitive habitat area and would include a public trail and interpretive signage. This component of the proposed Project extends from the southwestern property line, 70 feet inland along the entire length of the site's southwesterly boundary, adjacent to the 145-foot wide Orange County Flood Control District (OCFCD) property, which includes the Huntington Beach Channel. Combined, the OCFCD property and the CC area would provide a 215-foot setback from Magnolia Marsh. The OCFCD property east of the channel currently provides a maintenance access road and does not provide any habitat value. The design features of this area were developed in consultation with the Huntington Beach Wetlands Conservancy.

Currently, there are three barriers, both natural and man-made, between Magnolia Marsh and the western edge of the project site: the flood control channel open water area integrated with the adjacent sub- and inter-tidal (meandering shallow channels) and non-tidal marsh (pickle weed and dunes) components act as an aquatic barrier; the vertical sheet pile wall of the channel; and the adjacent channel maintenance road and existing fence.

A Habitat Management Plan for the CC area, which includes the plant palette, location and types of plantings, planting techniques, monitoring procedures, success criteria, and long-term maintenance would be submitted concurrent with the first Coastal Development Permit for project development.

On-site, the proposed CC area has an undulating topography that generally rises from the western to the eastern edge. Plant species for the CC area would be selected from the designated Coastal Dune and Sage Scrub Plant Palette included in Appendix A of the Specific Plan document. The CC area would also include a maximum 24-foot wide trail constructed to comply with HBFD's City Specification #401 for emergency access. fire access trail that would be used as an informal meandering public trail located at least 20 feet from the property boundary with the OCFCD except for the access point to the channel bridge. The trail would connect Magnolia Street with the Marsh Park located on the northern end of the CV area. Interpretive signage and observation blinds would be located in limited areas to provide compatible educational and wetlands observation opportunities and sun shelter. Lighting would be restricted to low intensity lighting along the pedestrian trail to provide for public safety.

Appropriate fencing and a gate would be installed along the western edge of the CC area to protect the Marsh from unauthorized entry by the public. In addition to maintaining the existing chain link fence on the OCFCD property, fencing would be installed along the boundary between the CC are and the residential neighborhoods to keep residents and pets from entering the CC area. Fencing would be installed from Marsh Park to the northern property line. No walls, fences, and other devices that would preclude public access to the public trail within the CC area would be allowed except those approved as part of the Specific Plan. Glass walls or other transparent medium adjacent to the PA 1 would be prohibited unless bird safe design is incorporated to prevent bird strikes. No permanent irrigation system would be allowed within the CC area. All planting within the CC area would be temporarily irrigated, and all irrigation components would be removed at completion of the establishment period.

## 1.5.2 PLANNING AREA 2 – OPEN SPACE-PARKS AND RECREATION

PA 2 is the OS-PR area, which includes open space in multiple locations throughout the site (PA 2A, 2B, and 2C and includes parks, open space areas, and other recreational uses, such as trails, and walking paths. The design guidelines (provided in Volume II of the Specific Plan) discuss the defining characteristics of the open space components. The following components would contribute toward common open spaces.

- **Marsh Park (PA 2A).** Located adjacent to the CC area, this area overlooks Magnolia Marsh and is designed to provide the public with views of Magnolia Marsh and the ocean. This park area would also provide education, passive recreation, a shade grove (greenscreens and vertical trees), and serve as a staging point for interpretive programs and docent-led tours of Magnolia Marsh. The park would be lined by screening trees, a bioswale, and meadow-like planting. The park design features would be compatible with the CC area design for water quality and drainage, lighting, acoustics and access.
- **Magnolia Park (PA 2C).** This existing, privately-owned greenbelt area, commonly referred to as Squirrel Park, would be enhanced and converted into a passive privately maintained, public park. This area currently has trees and groundcover, but no additional physical improvements. The proposed design and improvements would emphasize a dry riparian woodland ecosystem concept that is climate appropriate and complements the coastal sage scrub plant community in the CC area. The Magnolia Park design includes water- and energy-conservation measures through waterwise plant selection and efficient irrigation systems. Tree and plant species for the Magnolia Park area would be selected from the Dry Riparian Woodland Plant Palette in Appendix A of the Specific Plan document. Ornamental turf areas would be limited to only those needed for gathering spaces programmed in the Magnolia Park. Magnolia Park would provide elements, such as an 8-foot-wide, Americans with Disabilities Act-compliant, meandering pathway, small seating areas, trash receptacles, lighting, and signage. All existing parking capacity along Magnolia Street would be retained. Development of Magnolia Park pursuant to the Specific Plan would result in the removal of the existing mature trees. Mature trees would be replaced at a 2:1 ratio (i.e., two 36-inch box trees for every mature tree removed), in accordance with City of Huntington Beach Policy Memorandum Cl-74 (Huntington Beach 2005). Additionally, the park would provide signs to guide and facilitate beach-bound traffic and notify the public that the park is privately maintained and not part of the City's park system.

Design of access, lighting, signage, and landscape in all open spaces within the project site would facilitate optimal visibility and discourage crime and loitering. To achieve safety, bollard lights would be at least 3 feet high; passive lights would be down-lit through all hours of darkness; easily visible signs would be posted stating hours of operation, access restrictions, and ownership (it would be clearly stated on appropriate signs that the City does not own nor maintain these open spaces); and plant choices would provide optimal visibility for passive surveillance while also discouraging camping, living, and sleeping

### **1.5.3 PLANNING AREA 3 – FOR-SALE RESIDENTIAL**

PA 3 is the RM area for the proposed Project and would consist of a maximum of 250 medium-density residential units within neighborhoods of single-family detached and attached homes. Under the proposed Project, the residential uses would be primarily located on the northern portion of the site, to the north and northeast of the CV area. Common and private open space, common recreation space, and paseos would be provided for this area. Maximum building height within PA 3 would be 35 feet. Elevator penthouse or non-habitable floor space (i.e., stairs or landings) to access the roof and similar structures and necessary mechanical appurtenances may exceed the permitted height limit by no more than 10 feet. The Specific Plan provides for a range of residential products to suit the needs of different life stages and market segments. These include a variety of single-family detached and attached homes.

Section 230.26 of HBZSO requires that at least 10 percent of all new residential construction be affordable units. An affordable housing plan would be submitted to the City at the time of Tentative Map submittal for future projects.

As part of PA 3 area, at least 150 square feet of open space would be provided for each residential unit. This space may be common or private open space; is intended for active and passive recreation use; and include common recreation space shared between parcels.

Common recreation space for the residential area would be shared between parcels and would include at least a clubhouse, a swimming pool, outdoor cooking facility, and other recreation amenities.

OS-PR area would also include paseos between uses throughout the development. paseos may include amenities such as seating, decorative lighting, planters, fountains, drinking fountains, distinctive paving, decorative tiles, public art, landscaping, and bicycle racks. for a list of additional elements that may be considered in paseos, please refer to section 3.12.1.2 of the specific plan.

### **1.5.4 PLANNING AREA 4 – COMMERCIAL VISITOR**

PA 4, the CV area, is unique to the proposed Project. The CV area of the proposed Project would consist a 230,000-square-foot Lodge that includes a maximum of 175 guest rooms and guesthouse-style, budget-oriented, family/group overnight accommodations with 40 rooms, and ancillary and visitor-serving retail and dining, and plaza.

Under the proposed Project, development within the CV area would provide outdoor or unenclosed areas on the ground floor or any above ground levels, accessible for public use. The public open space may include plazas, patios, balconies, gardens or view areas open to the street on the first floor, open on at least one side above the first floor, or open to the sky. The development standards require that at least 5 percent of the gross CV area be public open space and at least 30 percent of the public open space area contain landscaping, including shade trees, accent trees, and other soft landscaping. Hard-surfaced areas and specialty paving would also be incorporated into the public open space design. Additionally, a maximum of 25 percent of the required public open space may be provided above the street level (e.g., balconies, decks, etc.) and accessible to the general public, with public access signage. Public open space would also include seating and other amenities including decorative lighting, planters, low-water-using

fountains or water features, distinctive paving, decorative tiles, public art, landscaping, and bicycle racks.

Maximum building base height limit in the CV area would be 50 feet; however, elevator shafts, mechanical equipment and architectural features (i.e. non-habitable space) may exceed the base height by up to 10 feet for a maximum height of 60 feet. Only 15 percent of the CV area can have a height of 60 feet, and any 60-foot height feature would be setback a minimum of 40 feet from the planning area boundary.

## **1.6 INFRASTRUCTURE**

### **1.6.1 CIRCULATION PLAN**

#### **ACCESS**

The project site would include two access points of ingress/egress along Magnolia Street for the proposed Project. One would be located at the intersection of Magnolia Street and Banning Avenue, and the other would be located directly across from Bermuda Drive and Magnolia Street. The Magnolia Street and Banning Avenue intersection is signalized, and the intersection of Magnolia Street and Bermuda Drive would be unsignalized. The proposed Project will have a system of interconnected streets and walkways that promote connectivity and walkability. The proposed development would be accessible to the public, as it is not planned as a gated community.

#### **INTERNAL STREETS**

Although the community would not be gated and be publicly accessible, the internal street network would be privately owned and maintained by a Homeowners Association (HOA) and/or a Property Owners Association (POA). The design of the backbone streets would consist of a loop road that provides access to both the CV and RM areas. All wet and dry utilities would be located within the private streets. The exact location of the loop circulation system and the location of on-street parking may be adjusted during the design review process.

The overall design of the streets is intended to avoid pedestrian and vehicular conflicts. The entry to the lodge is north of the Banning Avenue intersection and includes a landscape median, a minimum 5-foot of landscaping on the lodge side, and a minimum of 5-foot curb adjacent sidewalk with a minimum 4-foot of landscape on the residential side. However, the main Lodge entrance driveway and residential entrance driveway will feature curb adjacent landscaped parkways. The curb radius to enter the Specific Plan area from Magnolia Street is 35 feet, and the entry radius into the drop off area is 20 feet.

The internal backbone streets would consist of a 40-foot dimension from curb to curb (with parking on both sides). Additional internal private alleys with a minimum 24-foot dimension would provide access to each unit. The fire access roads will comply with the California Fire Code Section 503.1.1 and City Specification #401 for location, width, and turning radii. Fire access lanes are still under review and have not been approved by the HBFD at the time of submittal for these Project Implementation Code Requirements. Conceptual Circulation Plan Cross Sections for proposed Project (Cross Section at Lodge Section G).

## **DRAINAGE**

Based on the grading design, the site drainage would be collected within the interior streets and directed toward the northwest corner of the site. Site drainage along Magnolia Street would be collected and directed toward the southern portion of the site. All site drainage within the internal streets would be collected into catch basins. The catch basins would be located along the curbs and connect to the underground system of storm drains that vary in size from 18 to 48 inches. The catch basins and storm drain system would be owned and maintained by an HOA and a POA. The location and size of the catch basins would be determined during the individual project development process when a Preliminary Hydrology and Hydraulics Study would be submitted to the City for review and approval. All storm water flows would be routed to the Huntington Beach Channel. No storm water detention is required at this time.

Final design of the storm drain system would require approval by the County of Orange Public Works Department and the City of Huntington Beach Public Works.

## **WATER**

An existing 12-inch Asbestos Cement pipe water main lies below Magnolia Street, which currently provides water and fire service to the property and can be utilized for the proposed improvements. However, the Developer would be required to provide necessary improvements to existing impacted infrastructure and be responsible for its fair share of associated costs, as identified through the review and approval process.

The existing water pressure in the project area is in the 70 to 75 pounds per square inch range. Water pressure and fire flow tests would be performed to verify existing pressure and ensure proper pressure throughout the development footprint.

The Developer would submit water improvement plans that conform to City standards for approval. The public water system would be publicly maintained, and an easement would be provided for access and maintenance by the City of Huntington Beach Public Works Utilities Division. Backflow protection device locations would be constructed per the latest Public Works Standards and approved by the Planning Division and Public Works Department. Final location and size of water lines and appurtenances would be approved by the Public Works Utilities Division.

## **SANITARY SEWER**

The proposed development's sewer would be divided into two sewer main systems. The sewer serving the CV area, for the proposed Project, would connect to an existing City of Huntington Beach Sewer manhole at the corner of Magnolia Street and Banning Avenue. The existing sewer manhole has an existing 8-inch sewer lateral into the 78-inch OCSD sewer trunk sewer. The sewer serving the residential uses would connect to the City of Huntington Beach sewer junction structure, which has an existing 36-inch sewer lateral into the existing 78-inch OSCD sewer trunk system.

A desktop sewer study has been prepared by the Applicant and approved by the Public Works Department. The sanitary sewer system would be designed and constructed to serve the development, including any off-site improvements necessary to accommodate any increased flow associated with the project. Additionally, a 14-day flow monitoring test would be performed

during the project design phase to confirm the adequacy of the existing 8-inch sewer lateral to serve the CV area of the Project.

## **UTILITIES**

Facilities for public infrastructure utilities including, but not limited to, domestic water, recycled water, sewer, electrical, gas, telephone, cable television, and other data communication systems would be extended to the project site from various off-site locations as described in Section 4.16, Utilities and Service Systems.

The Magnolia Street transmission and distribution lines and associated vaults would be placed underground within the street right-of-way in separate trenches, if feasible. The existing 33 kV overhead transmission line at the ASCON boundary would be relocated and placed underground in the Bermuda Street extension right-of way, if feasible. New vaults would also be placed in the paved portion of the right-of-way.

All new and existing public and private utility lines and distribution facilities on both the street and alley frontages, including but not limited to electric, communications, street lighting, and cable television lines, would be installed underground, except that surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, and other equipment appurtenant to underground facilities located on private property or installed pursuant to a franchise or other agreement are permitted above ground subject to compliance with the HBZSO.

### ***Electrical***

Overhead 33 kilovolt transmission line utilities along Magnolia Street and the northern property line would be placed underground. The existing pole at the northwest corner of the site is to remain above ground, as it allows for the over crossing of the channel. All new utilities would be placed underground.

## **1.7 MASTER LANDSCAPE PLAN**

The proposed landscape concept would cater to the character of the proposed development and the adjacent area to create a vibrant landscape setting that is sensitive to the Magnolia Marsh while meeting the needs of the residents and public in the design of Magnolia Park and internal paseos and streetscape. This would be accomplished throughout the site using both canopy and vertical accent trees as appropriate and through low-water using and drought-tolerant plant materials, while keeping the use of turf to a minimum. Landscape design would incorporate feasible low impact development design features such as bioretention with under drains and specialized soil amendments for storm water harvest and reuse.

## **1.8 SIGNAGE**

Signage on the site would create a cohesive identity and image for the Magnolia Tank Farm Project. Signage Guidelines are provided in Section 3.7 of Volume II of the Specific Plan.

## **1.9 WALLS AND FENCES**

The proposed Project would include appropriate fencing and a gate along the western edge of the CC area to protect the Marsh from unsupervised entry by the public. The existing chain link fence on the OCFCD property would remain in place. To further keep people and pets from entering the CC area from Marsh Park to the northern property line, fencing would be installed along the boundary between the CC area and the residential neighborhoods. Additionally, community walls are proposed on the northern boundary and along the Magnolia Park boundary. Any walls, fences, or other devices to preclude public access to the CC area would not be allowed, except those approved as part of the Specific Plan.

*Mitigation Monitoring and Reporting Program*

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<b><i>Aesthetics</i></b>				
<b>RR AES-1</b> <b>Design Review Board.</b> As part of the entitlement and review by the Design Review Board, the Project Applicant/Developer shall submit proposed site development and building plans for the review and approval by the City. The City shall review these plans for compliance with applicable development standards and design guidelines in the Specific Plan and pertinent requirements in the Huntington Beach Zoning and Subdivision Ordinance and Municipal Code.	Project Applicant/ Developer	During Design Review	City of Huntington Beach Community Development Department	
<b><i>Air Quality</i></b>				
<b>RR AQ-1</b> <b>SCAQMD Rule 403.</b> The construction of the proposed Project shall comply with all the fugitive dust control measures listed within SCAQMD Rule 403. These may include the use of water controls, vehicle speed limits, clean-up of dirt track-out from the site, signage with contact information of the site supervisor and other measures.	Project Applicant/ Developer	During construction	City of Huntington Beach Public Works Department	
<b>MM AQ-1</b> Scrapers used for construction of the proposed Project after January 1, 2020 shall meet Tier 3 or better off-road emissions standards; Tier 4 should be used if available. The Construction Contractor shall provide a copy of each unit's certified Tier and/or engine specification to the City of Huntington Beach at the time of mobilization of each applicable unit of equipment. <ul style="list-style-type: none"> <li>a. Maintain vehicle and equipment maintenance records for the construction portion of the Proposed Project. All construction equipment and</li> </ul>	Project Applicant/ Developer/ Construction Contractor	During construction (at the time of mobilization of each applicable unit of equipment)	City of Huntington Beach Community Development Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>vehicles must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each vehicle and equipment and their construction contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.</p> <p>b. Enter into a contract that notifies all construction vendors and contractors that vehicle idling time will be limited to no longer than five minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485- CARE's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers and operators understand the idling requirement, post signs at the entry of the construction site and throughout the Project site stating that idling longer than five minutes is not permitted.</p>				

*Mitigation Monitoring and Reporting Program*

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>c. Encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use offroad diesel vehicles. More information on this program can be found at SCAQMD's website: <a href="http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines">http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines</a>.</p>				
<b>Biological Resources</b>				
<p><b>PDF BIO-1</b> Prior to the issuance of occupancy permit, the Applicant shall prepare a Domestic Animal Control Plan, subject to approval by the Community Development Director, that details methods to be used to prevent pets from entering the Coastal Conservation area (PA 1). These include, but are not limited to, appropriate fencing and barrier plantings. Upon approval, the Plan shall be included in the Covenants, Conditions, and Restriction (CC&amp;Rs) and distributed to each homeowner and the Lodge operator.</p>	Project Applicant/ Developer	Prior to the issuance of occupancy permit	City of Huntington Beach Community Development Department	
<p><b>MM BIO-1 Nesting Bird and Pre-Construction Survey.</b> Prior to the issuance of any grading permits, the Community Development Director or designee shall verify that the following requirements for nesting birds and preconstruction surveys are completed by the Project Applicant:</p>	Project Applicant/ Developer	Prior to the issuance of any grading permits	City of Huntington Beach Community Development Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<ul style="list-style-type: none"> <li>• To the extent feasible, conduct vegetation removal outside of the nesting bird season (generally between February 1 and August 31).</li> <li>• If vegetation removal is required during the nesting bird season, conduct pre-construction avoidance surveys for MBTA and CDFW-protected nesting birds within 100 feet of areas proposed for vegetation removal and/or initial grading activities; additionally, surveys shall be extended to 500 feet for raptors, and be included from January 1 to July 15. Belding’s savannah sparrow, California black rail and light-footed Ridgway’s rail nest surveys shall also be conducted during their nesting seasons up to 500 feet from the Project site.</li> <li>• Burrowing owl clearance surveys should be included any time of year within the Project site.</li> <li>• Surveys shall be conducted by a qualified biologist(s) within seven days (=168 hours) of vegetation removal and/or initial grading activities.</li> <li>• If active, protected nests or burrows are observed within the survey area(s), a qualified biologist will determine appropriate minimum disturbance buffers or other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered work schedules, altered work locations, sound walls, noise abatement, etc.) to ensure that direct and indirect impacts to all protected nesting birds</li> </ul>				

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Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>are avoided until such nests are no longer active.</p> <ul style="list-style-type: none"> <li>For project activities during the nesting season adjacent to known occupied nesting habitat, the qualified biologist will passively monitor nesting bird activity at the nest(s). If the biologist determines that nesting birds are being disrupted by project noise and/or other project activities, then work will be suspended until more effective minimization measures (e.g., additional noise attenuation structures, delayed/staggered/repositioned or postponed work activities) are developed in coordination with the USFWS and CDFW, and become implemented, or until after the nest cycles are complete (e.g., the subject nest(s) fledge or fail).</li> </ul>				
<p><b>MM BIO-2 Construction Sound Wall.</b> Prior to the issuance of any grading permits, a construction sound wall shall be erected by the Project Applicant and remain in place during the construction phase to serve as a visual and sound barrier from the adjacent land uses along the project site’s western boundary with Magnolia Marsh, across the Huntington Beach Channel. The sound wall is anticipated to be a 14-foot tall plywood wall, with boards fitted tightly together to eliminate gaps, and would reduce typical construction noise levels to 60 dBA or no more than 3 dBA above ambient levels (whichever is greater) when measured from 100 feet away from the project boundary.</p>	<p>Project Applicant/ Developer</p>	<p>Prior to the issuance of any grading permits</p>	<p>City of Huntington Beach Community Development Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p><b>MM BIO-3 Bird Strike.</b> Prior to the issuance of any building permits, the Community Development Director or designee shall verify that the Project incorporates bird safe elements in architectural design including but not limited to decals, UV treatment, window film, frittering (using ceramic dots, or frits), and tilted glass to minimize potential bird strikes.</p>	<p>Project Applicant/ Developer</p>	<p>Prior to the issuance of any building permits</p>	<p>City of Huntington Beach Community Development Department</p>	
<p><b>MM BIO-4 Invasive Plant Species.</b> Prior to the issuance of any grading and building permits, the Community Development Director or designee shall ensure that no accidental introduction of non-native, invasive plant material and/or seed stock to the project environment occurs during construction by requiring the following note on the grading and building plans: “all vehicles must arrive to the Project site clean and free of mud and debris.” Prior to approval of any landscape plans, the project landscape architect shall certify that no invasive species, according to the California Invasive Plant Council, are included in the Landscaping Plans (including the Plant Palette).</p>	<p>Project Applicant/ Developer</p>	<p>Prior to the issuance of any grading and building permits</p>	<p>City of Huntington Beach Community Development Department</p>	
<p><b>MM BIO-5 Tree Replacement.</b> The Project Applicant shall provide a total of 100, 36-inch box size replacement trees (at a minimum 2:1 ratio) for the existing 50 mature trees (i.e., exceeding 10 inches in diameter measured approximately 4 feet above grade) that will be removed to accommodate the proposed development. The replacement trees shall be included in the project’s landscaping plan that is required to be submitted to the Community Development Department for review and approval prior to the issuance of building permits.</p>	<p>Project Applicant/ Developer</p>	<p>Prior to the issuance of building permits</p>	<p>City of Huntington Beach Community Development Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<i>Cultural Resources</i>				
<p><b>RR CULT-1</b> Procedures of conduct following the discovery of human remains on non-federal lands have been mandated by California Health and Safety Code Section 7050.5, PRC Section 5097.98 and the California Code of Regulations (CCR) Section 15064.5(e). In the event of the discovery of human remains during ground-disturbing activities, the following shall occur:</p> <p>According to the provisions in CEQA, should human remains be encountered, all work in the immediate vicinity of the burial shall cease, and any necessary steps to insure the integrity of the immediate area shall be taken. The Orange County Coroner shall be immediately notified. The Coroner must then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the NAHC, who shall, in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.</p>	Project Applicant/ Developer/ Monitor	During ground disturbing activities	City of Huntington Beach Community Development Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p><b>MM CULT-1</b> Prior to the issuance of the first grading permit, the Project Applicant shall provide written evidence to the City, that applicant has retained a County-certified archaeologist who has previous experience working in the Los Angeles basin within the ancestral tribal territory of the Kizh Gabrieleno, to observe grading activities and salvage and catalogue archaeological resources, as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance until the initial 5 feet of excavations have been completed, and, in cooperation with the Project Applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found and determined to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the Project Applicant, for exploration and/or salvage. The following procedures shall be implemented to insure impacts are less than significant:</p> <ul style="list-style-type: none"> <li>• The current anticipation of vertical ground disturbance is approximately 5 feet below surface. Fill is expected to extend up to 2.5 feet below surface, but this could fluctuate throughout the project site. Excavations below 2.5 feet in depth are likely to reach below the fill soils where intact cultural resources are typically located, especially in coastal settings such as the project site. When ground disturbing activities occur within previously undisturbed native sediment a qualified County-certified</li> </ul>	<p>Applicant/ archaeologist</p>	<p>Prior to the issuance of the first grading permit</p>	<p>City of Huntington Beach Community Development Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>Archaeologist shall perform archaeological monitoring. The Archaeologist, in coordination with the City of Huntington Beach, may re-evaluate the necessity for monitoring after the initial 5 feet of excavations have been completed.</p> <ul style="list-style-type: none"> <li>• In the event that resources are discovered during ground-disturbing activities, all work shall be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist. Construction activities could continue in other areas. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the appropriate regulatory agency(ies).</li> <li>• Any potentially significant artifacts, sites or features observed shall be collected and recorded in conjunction with best management practices and professional standards. Any cultural items recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</li> <li>• A report documenting the results of the monitoring efforts, including any data recovery activities and the significance of any cultural resources shall be prepared and submitted to the Community Development Department.</li> </ul>				

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p><b>MM CULT-2</b> Prior to the issuance of the first grading permit, the Project Applicant shall provide written evidence to the City, that Applicant has retained a County-certified paleontologist, to observe grading activities and salvage and catalogue paleontological resources, as necessary. If paleontological resources are discovered during ground-disturbing activities impacting the native soils, the following shall occur:</p> <ul style="list-style-type: none"> <li>• A Qualified Orange County Paleontologist shall perform paleontological monitoring of any ground disturbing activities impacting native soils at a depth greater than 5-feet below surface. The monitor shall have the ability to redirect construction activities to ensure avoidance of significant impacts to paleontological resources. The Project Paleontologist, in coordination with the City of Huntington Beach, may also re-evaluate the necessity for monitoring after the initial 5 feet of excavations have been completed.</li> <li>• Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society of Vertebrate Paleontology professional standards.</li> <li>• Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</li> <li>• A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils shall be</li> </ul>	<p>Project Applicant; County-Certified Paleontologist</p>	<p>Prior to the issuance of first grading permit</p>	<p>City of Huntington Beach Community Development Department</p>	

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Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
prepared and submitted to the Community Development Department.				
<b><i>Geology and Soils</i></b>				
<b>MM GEO-1</b> Prior to issuance of a grading and building permit, a geotechnical report evaluating the existing geotechnical conditions as they pertain to the final design shall be submitted to and approved by the City's Pubic Works Department and Building Division. The report shall specify mitigation measures for potential liquefaction, slope displacement, lateral spread, and static settlement, and provide recommendations for foundation designs based on the results of the previous geotechnical investigations, updated field investigation, laboratory data, and any further geotechnical engineering analysis as deemed necessary by the geotechnical engineer of record.	Project Applicant/ Developer	Prior to the issuance of a grading and building permit	City of Huntington Beach Public Works Department and Building Division	
<b><i>Greenhouse Gas Emissions</i></b>				
<b>RR GHG-1</b> The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The Building Manager, or designee shall ensure compliance prior to the issuance of each building permit. The 2019 Title 24 Energy Efficiency standards for residential uses require that solar photovoltaic electricity be installed equal to the amount used annually.	Project Applicant/ Developer	Prior to the issuance of each building permit	City of Huntington Beach Building Division	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p><b>RR GHG-2</b> Projects shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR 11). The Building Manager, or designee shall ensure compliance prior to the issuance of each building permit. These requirements include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Install electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips, as detailed under Section A4.106.8 for residential uses and 5.106.5.3 for nonresidential uses within the 2016 California Green Building Standards Code. This Section facilitates future installation and use of electric vehicle chargers.</li> <li>• Provide designated parking for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles under Section 5.106.5.2.</li> <li>• During the construction phase, all construction will comply with the CalGreen Code through recycling and reuse of at least 65 percent of the nonhazardous construction debris from the site.</li> </ul>	Project Applicant/ Developer	Prior to the issuance of each building permit	City of Huntington Beach Building Division	
<p><b>RR GHG-3</b> For the proposed Project, the hotel shall develop a solid waste recycling program that is consistent with the goals established by Assembly Bill 323.</p>	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<p><b>RR GHG-4</b> The proposed Project shall install water efficient interior (i.e., showers, faucets, toilets) and exterior</p>	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community	

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fixtures (i.e., decorative amenities) per Section 4.303 and 4.304 of the CALGreen Code for residential uses.			Development Department	
<b>RR GHG-5</b> The proposed Project shall install water efficient interior (i.e., showers, faucets, toilets) and exterior fixtures (i.e., decorative amenities) per Section 5.303 and 5.304 of the CALGreen Code for nonresidential uses.	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>RR GHG-6</b> The proposed Project shall install electric vehicle charging for new construction per Section 4.106.4 and 5.106.5.3 of the CALGreen Code for residential and nonresidential uses, respectively.	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>RR GHG-7</b> The proposed Project shall include bicycle racks and pedestrian amenities to encourage non-automotive transportation for nonresidential uses.	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>MM GHG-1</b> The proposed hotel shall install solar photovoltaic panels on available roof space. It is anticipated that 50 percent of the roof space would be used for equipment, stairwells, elevator banks, skylights, etc. The remaining 50 percent of the roof space (approximately 30,000 square feet) would be used for the installation of solar photovoltaic panels.	Project Applicant/ Developer of lodge/ hotel	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>MM GHG-2</b> The proposed Project shall use electric powered landscaping equipment (i.e., mowers, blowers, chainsaws) in Planning Area 4 (Commercial Visitor or CV area) and common areas maintained by the Home Owners Association in Planning Area 3 (Residential or RM area). The proposed Project shall use electric	Project Applicant/ Developer	Post occupancy	City of Huntington Beach Community Development Department	

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or alternatively fueled sweepers with HEPA filters, if available.				
<b>MM GHG-3</b> Any future hotel in Planning Area 4 (Commercial Visitor or CV area) shall utilize a hotel energy management system to minimize unnecessary energy use.	Project Developer/hotel operator	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>MM GHG-4</b> Swimming pools shall be heated with a solar swimming pool heater.	Project Applicant/ Developer	Prior to issuance of a building permit	City of Huntington Beach Community Development Department	
<b>MM GHG-5</b> Employers in Planning Area 4 (Commercial Visitor or CV area) shall establish a mechanism to encourage and coordinate ride sharing, vanpooling/carpooling or other transit opportunities and shall offer transit incentives to employees This measure may be satisfied through the creation of a public message board or other reasonable alternative means of communication.	Employers in Planning Area 4	Prior to issuance of a certificate of occupancy	City of Huntington Beach Community Development Department	
<b>Hazards and Hazardous Materials</b>				
<b>MM HAZ-1</b> Prior to issuance of any grading permit, a site-specific Soil Management Plan shall be developed to be implemented during grading and shall include measures for monitoring soil conditions for evidence of impacts and contingency measures in the event that impacted soils are encountered during grading as evidenced by visual staining, olfactory perception, or field testing. The Soil Management Plan shall include contingency procedures for, identification of potential contaminants through use of field screening	Project Applicant; Developer	Prior to the issuance of grading permits	City of Huntington Beach Fire Department	

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<p>equipment; sampling and laboratory analyses, if necessary; soil segregation; temporary soil stockpiling specifications; on-site or off-site treatment and disposal options for soil in accordance with applicable law; and a health and safety plan for workers involved in the earthwork phase of the project. The Soil Management Plan shall be submitted to the City of Huntington Beach Fire Department for review and approval.</p>				
<p><b>MM HAZ-2</b> Prior to issuance of grading permits, the Project Applicant shall have implemented all required site assessment and remedial actions to address residual contamination in soil, soil gas, and groundwater as prescribed by the California Department of Toxic Substances Control (DTSC) and under DTSC oversight. Risk-based target concentrations (RBTCs) approved by DTSC will serve as the screening level (i.e. cleanup threshold) for each constituent of concern. All soil exceeding the screening level shall be removed from the site and transported to a facility licensed to accept the waste. The RBTCs shall be calculated based on exposure assumptions and toxicity criteria published by DTSC as sufficiently conservative for residential land use. The Project Applicant shall obtain a “No Further Action” letter or other written concurrence from DTSC indicating the successful completion of remediation activities and submit this written documentation to the City of Huntington Beach Fire Department for approval. Prior to issuance of grading permits, the Project Applicant shall demonstrate compliance with Fire</p>	<p>Project Applicant</p>	<p>Prior to the issuance of grading permits</p>	<p>City of Huntington Beach Fire Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
Department Specification #429 (Methane) and #431-92 (Soil Quality).				
<b>MM HAZ-3</b> Prior to issuance of grading permits, the Project Applicant shall record a DTSC Land Use Covenant (LUC) that prohibits the use of groundwater at the project site as a potable water source. Proof of the LUC agreement from the DTSC shall be provided to the Huntington Beach Fire Department for approval.	Project Applicant	Prior to the issuance of grading permits	City of Huntington Beach Fire Department	
<b>RR HAZ-4</b> Prior to issuance of grading permits, the Project Applicant shall submit site development plans to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) for Construction Site Plan review. The Project Applicant shall implement any actions recommended by DOGGR, including but not limited to, well abandonment to current standards, venting, leak testing and setbacks. Documentation of compliance shall be provided to the Huntington Beach Fire Department for approval.	Applicant	Prior to the issuance of grading permits	City of Huntington Beach Fire Department	
<b>Hydrology and Water Quality</b>				
<b>RR HWQ-1 Storm Water Pollution Prevention Plan.</b> Prior to the issuance of any grading or building permits, the Project Applicant/Developer shall demonstrate compliance with California’s General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner	Project Applicant/ Developer	Prior to the issuance of any grading or building permits	City of Huntington Beach Public Works Department	

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<p>meeting the satisfaction of the City’s Department of Public Works. Projects subject to this requirement shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) during all phases of construction. A copy of the current SWPPP shall be kept at the construction site and be available for State and City review on request.</p>				
<p><b>RR HWQ-2 General Waste Discharge Requirements.</b> Prior to the issuance of any grading or building permits, If construction dewatering or discharges from other specific activities (e.g., dewatering from subterranean seepage, potable water system maintenance discharges, fire hydrant flushing, etc.) are required, the Project Applicant/Developer shall notify the Santa Ana RWQCB and any discharges into surface waters shall be conducted in compliance with the Santa Ana RWQCB’s Order No. R8-2015-0004 (NPDES No. CAG998001), which includes General Waste Discharge Requirements (WDRs) for discharges to surface water that pose an insignificant (de minimis) threat to water quality. The General WDRs include provisions mandating notification, testing, and reporting of dewatering and testing-related discharges, and contain numeric and performance-based effluent limits depending upon the type of discharge.</p>	Project Applicant	Prior to the issuance of any grading or building permits	City of Huntington Beach Public Works Department	
<p><b>RR HWQ-3 Water Quality Management Plan.</b> Prior to the issuance of any grading or building permits, the Project Applicant/Developer shall submit for review and approval by the City’s Public Works Department, the final Project Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that address Pollutants of Concern.</p>	Project Applicant/ Developer	Prior to the issuance of any grading or building permits	City of Huntington Beach Public Works Department	

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<p>The WQMP shall comply with the requirements of the Orange County MS4 Permit, the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual, and the City’s LIP, CURMP, Project WQMP Preparation Guidance Manual, and pertinent regulations in the Municipal Code.</p> <p>Prior to the issuance of a certificate of use and occupancy, the Project Applicant/Developer shall demonstrate to the satisfaction of the City’s Public Works Department the following:</p> <ul style="list-style-type: none"> <li>• All structural BMPs described in the Project’s approved WQMP have been implemented, constructed, and installed in conformance with approved plans and specifications;</li> <li>• Demonstrate that the Project Applicant/Developer has complied with all non-structural BMPs described in the Project’s WQMP;</li> <li>• Provide certifications from the Engineer of Record or Landscape Architect that the LID BMPs and treatment control BMPs were constructed and installed per the approved plans and specifications;</li> <li>• Copies of the Project’s approved WQMP (with attached O&amp;M Plan and Educational Materials) are available for each of the initial occupants and tenants of the Project; and</li> <li>• The Covenants, Conditions, and Restrictions (CC&amp;Rs) includes pertinent BMPs in the approved WQMP and O&amp;M Plan.</li> </ul>				

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<p><b>RR HWQ-4 Grading and Erosion Control Plans.</b> Prior to the issuance of any grading permit, the Project Applicant/Developer shall submit for review and approval by the City’s Public Works Department, the grading and erosion control plans for the Project. The plans shall demonstrate that proposed grading and excavation activities on the site shall include the installation of permanent and semi-permanent erosion control measures in compliance with pertinent requirements of the City’s Grading and Excavation Code, as contained in Chapter 17.05 of the Municipal Code.</p>	Project Applicant/ Developer	Prior to the issuance of any grading permit	City of Huntington Beach Public Works Department	
<p><b>RR HWQ-5 Full Capture Systems.</b> In compliance with the Statewide Trash Provisions in Section 13383 of the Water Code, all BMPs shall be state certified full capture systems to ensure that trash is not discharged off-site.</p>	During construction	Prior to the issuance of certificates of occupancy	City of Huntington Beach Public Works Department	
<p><b>RR HWQ-6 Storm Drainage Plan.</b> Prior to the issuance of any grading or building permits, the Project Applicant/Developer shall submit for review and approval by the City’s Public Works Department, the storm drainage plan for the Project. The plan shall include the installation of an on-site storm drain system that would accommodate 100-year flood flows, in accordance with Chapter 255 of the City’s Municipal Code, the Orange County Hydrology Manual, and other City specifications. In addition, the Project Applicant/Developer shall pay the applicable fees for the City’s local drainage fund in accordance with Chapter 14.48 of the Municipal Code.</p> <p>Prior to the approval of final inspection, the on-site storm drain system shall be constructed, or provide evidence of financial security (such as bonding), in a</p>	Project Applicant/ Developer	Prior to the issuance of any grading or building permits	City of Huntington Public Works Department	

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<p>manner meeting the approval of the City’s Public Works Department.</p>				
<p><b>RR HWQ-7 Huntington Beach Channel.</b> Prior to the issuance of any grading or building permits, the Project Applicant/Developer shall submit for review and approval by the Orange County Flood Control District drainage plans for discharge of storm water into Huntington Beach Channel, in accordance with the Orange County Flood Control Act and Titles 4 and 9 of the Orange County Code, which prohibit connections to the stormwater drainage system unless authorized by the County, with jurisdiction over the Huntington Beach Channel. A copy of the County’s permit shall be submitted to the City’s Department of Public Works.</p>	Project Applicant/ Developer	Prior to the issuance of any grading or building permits	City of Huntington Beach Public Works Department	
<p><b>PDF HWQ-1</b> The overall ground elevation of the interior portion of the site shall be raised to an average of over 10.5 feet (NAVD88) and the ground elevations of the building pads shall be raised an additional 1 to 2 feet above the elevation of the roads within the interior of the site.</p>	Project Applicant/ Developer	During construction	City of Huntington Beach Public Works Department	
<p><b>Noise</b></p>				
<p><b>MM NOI-1 Construction Noise.</b> Prior to issuance of a grading or building permit, the Community Development Department of the City of Huntington Beach (City) shall verify that all construction plans include notes stipulating the following:</p> <ul style="list-style-type: none"> <li>• The construction contractor shall comply with the Municipal Code which specifies that construction activities are prohibited between the hours of 8:00 p.m. and 7:00 a.m. on</li> </ul>	Project Applicant/ Developer	Prior to the issuance of any grading or building permits	City of Huntington Community Development Department	

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<p>weekdays, including Saturday, or at any time on Sundays and federal holidays.</p> <ul style="list-style-type: none"> <li>• The construction contractor shall place noise- and vibration-generating construction equipment and locate construction staging areas away from sensitive uses whenever feasible.</li> <li>• The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.</li> <li>• All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule at least 14 days prior to commencement of construction. A sign legible at a distance of 50 feet shall also be posted at the construction site. All notices and the signs shall indicate the dates and durations of construction activities, as well as provide a telephone number for the “noise disturbance coordinator.”</li> <li>• A “noise disturbance coordinator” shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise within a reasonable amount of time, and initial response shall be within 48 hours. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall be required to implement reasonable measures to reduce noise levels.</li> </ul>				

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<p><b>MM NOI-2 – Pile Driving Noise Analysis.</b> Prior to issuance of building permits, if pile driving is to be used during construction, a study shall be conducted by the Project Applicant and approved by the Community Development Department to determine if noise levels exceed 80 dBA Leq at the nearest noise sensitive receptors. If noise levels exceed 80 dBA Leq should pile driving occur, additional requirements shall be incorporated such that noise levels are reduced to below 80 dBA Leq, if possible. Potential noise reducing measures may include, but are not limited to, temporary perimeter walls, portable sound walls, pile driver enclosures, and alternative pile driving methods. Feasible noise reduction methods shall be implemented during construction, even if the City’s construction noise standard cannot be achieved.</p>	<p>Project Applicant/ Developer</p>	<p>Prior to issuance of building permits</p>	<p>City of Huntington Beach Community Development Department</p>	
<p><b>MM NOI-3 Construction Vibration.</b> The results of the construction vibration analysis indicate that vibration damage could occur at structures within 100 feet of pile driving activities and would exceed the threshold associated with potential annoyance to sensitive uses within 300 feet. Therefore, <u>pile driving shall be prohibited for this project. a vibration control plan shall be developed by the Project Applicant and approved by the City Community Development Department prior to issuance of building permits for any structure requiring pile driving. As part of this plan, Prior to issuance of building permits for the lodge,</u> documentation on the feasibility of alternative methods of construction that would avoid or substantially reduce the impacts associated with pile driving shall be presented <u>and could be subject to peer review by a third-party expert at the applicant’s expense as determined by the Community</u></p>	<p>Project Applicant/ Developer</p>	<p>Prior to issuance of building permits.</p> <p><u>The vibration control plan will be implemented before, during, and after pile driving activity</u></p>	<p>City of Huntington Beach Community Development Department</p>	

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<p><del>Development Department. The plan shall consider all potential vibration-inducing activities that would occur and require implementation of sufficient measures to prevent exposure of nearby sensitive receptors to vibration levels in excess of the Vibration Damage Criteria presented in Table 4.10-9. The plan shall identify minimum setback requirements for pile driving activities for the purpose of preventing damage to nearby structures and preventing negative human response. The setback requirements shall be established based on the proposed construction activities and locations and the maximum allowable vibration levels identified for the site. Factors to be considered include the specific nature of the vibration producing activity, local soil conditions, and the fragility/resiliency of the nearby structures. In addition, measures to reduce vibration levels to the maximum extent possible shall be identified to minimize the exposure of uses to vibrations resulting in annoyance.</del></p>				
<p><b>MM NOI-4 Final Acoustical Report.</b> Prior to issuance of building permits, the Project Applicant/Developer shall submit a Final Acoustical Report, prepared by a qualified acoustical consultant, to the City of Huntington Beach. The Building Official, or designee, shall verify that the Final Acoustical Report demonstrates that all exterior private living areas comply with the City’s exterior noise level standard and that all residences with exterior façades, including all bedrooms and living rooms, comply with the City’s interior noise standard. Noise reduction techniques that may be incorporated into construction plans in order to reduce interior noise levels include, but are not limited to, incorporation of</p>	<p>Project Applicant/ Developer</p>	<p>Prior to the issuance of building permits</p>	<p>City of Huntington Beach Community Development Department</p>	

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<p>upgraded windows and doors, improved wall construction, or reduced window and door sizes should oversized windows and door be originally designed. Additionally, the Final Acoustical Report shall assess all potential off-site noise impacts associated with on-site operations to insure compliance with the City’s Noise Ordinance criteria for off-site sensitive land uses.</p>				
<b>Public Services</b>				
<p><b>RR PS-1</b> Prior to the issuance of certificate of occupancy or final building permit approval, the Project Applicant/Developer shall pay the required development impact fees for fire suppression facilities, as required by Huntington Beach Municipal Code Chapter 17.74.</p>	Project Applicant/ Developer	Prior to the issuance of certificate of occupancy or final building permit approval	City of Huntington Beach Community Development Department	
<p><b>RR PS-2</b> During Project construction phases, Fire/Emergency Access and Site Safety shall be maintained in compliance with California Fire Code (CFC) Chapter 33, Fire Safety during Construction and Demolition.</p>	Project Applicant/ Developer	During Project construction phases	City of Huntington Beach Fire Department	
<p><b>RR PS-3</b> Prior to the issuance of certificate of occupancy or final building permit approval, the Project Applicant/Developer shall pay required development impact fees for police facilities as required by Huntington Beach Municipal Code Chapter 17.75.</p>	Project Applicant/ Developer	Prior to the issuance of certificate of occupancy or final building permit approval	City of Huntington Beach Community Development Department	
<p><b>RR PS-4</b> The Project Applicant/Developer shall pay all applicable development impact fees in effect at the time of building permit issuance to the Huntington Beach City School and Union High School Districts to</p>	Project Applicant/ Developer	Building permit issuance	City of Huntington Beach Community Development Department	

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Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
cover additional school services required by the new development. The applicable development impact fees would be consistent with SB 50.				
<b>RR PS-5</b> Prior to the issuance of certificate of occupancy or final building permit approval, the Project Applicant/Developer shall pay required library development impact fees as required by Huntington Beach Municipal Code Chapter 17.67.	Project Applicant/ Developer	Prior to the issuance of certificate of occupancy or final building permit approval	City of Huntington Beach Community Development Department	
<b>Recreation</b>				
<b>RR REC-1</b> The Applicant shall comply with the Huntington Beach General Plan requirement of 5 acres of parkland per 1,000 residents through payment of in-lieu fees for improvements to existing City parks, to the satisfaction of the Community Services Department, prior to the issuance of certificate of occupancy or final building permit approval.	Project Applicant	Prior to issuance of certificate of occupancy or final building permit approval	City of Huntington Beach Community Development Department	
<b>RR REC-2</b> The Applicant shall pay the Parkland Acquisition and Park Facilities Development Impact Fee for the non-residential component of the proposed Project, prior to the issuance of a certificate of occupancy, temporary certificate of occupancy, or final building permit approval.	Project Applicant	Prior to the issuance of certificate of occupancy, temporary certificate of occupancy, or final building permit approval	City of Huntington Beach Community Development Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<b>Transportation/Traffic</b>				
<p><b>RR TRAN-1</b> To ensure impacts to the surrounding street system are kept at a minimum, a Construction Management Plan shall be developed in coordination with the City of Huntington Beach and adjacent cities, prior to commencement of construction. The Construction Management Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as City of Huntington Beach requirements.</p> <p>The Plan shall:</p> <ul style="list-style-type: none"> <li>• Address traffic control for any street closure, detour, or other disruption to traffic circulation.</li> <li>• Identify the routes that construction vehicles would utilize for the delivery of construction materials (i.e. lumber, tiles, piping, windows, etc.), to access the project site, traffic controls and detours, and proposed construction phasing plan for the proposed project.</li> <li>• Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.</li> <li>• Require the Applicant to keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer), of any material, which may have</li> </ul>	Project Applicant, Construction Contractor	Prior to commencement of construction	City of Huntington Beach Public Works Department	

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Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>been spilled, tracked, or blown onto adjacent streets or areas.</p> <ul style="list-style-type: none"> <li>• All hauling or transport of oversize loads between the hours of 7:00 AM and 5:00 PM only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays.</li> <li>• Prohibit use of local streets.</li> <li>• Require that haul trucks entering or exiting public streets shall at all times yield to public traffic.</li> <li>• Include that if hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the Applicant shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.</li> <li>• Require that all construction-related parking and staging of vehicles will be kept out of the adjacent public roadways and will occur on-site.</li> </ul>				
<p><b>RR TRAN-2</b> The Project Applicant shall pay the applicable Fair Share Traffic Impact Mitigation Fee consistent with the requirements of Chapter 17.65 of the City of Huntington Beach Municipal Code. Consistent with the ordinance, the final fee amount shall be calculated based on the land use category and the vehicle trip-miles for the use based upon the</p>	Project Applicant	Building permit issuance	City of Huntington Beach Community Development Department; Public Works Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>proposed size of the development at the time a building permit is issued.</p>				
<p><b>PDF TRAN-1 Intersection No. 23 – Magnolia Street at Banning Avenue:</b> Construct the west leg of the intersection and provide one inbound lane and two outbound lanes (i.e. one eastbound left-turn lane and one eastbound shared through/right-turn lane). Restripe the northbound approach of Magnolia Street to provide an exclusive northbound left-turn lane. Restripe Banning Avenue to provide one westbound left-turn lane, one westbound through lane and one westbound right-turn lane. Install crosswalks on the south and west legs. Modify the existing traffic signal to provide protected left-turn phasing in the northbound/southbound directions and permissive left-turn phasing in the eastbound/westbound directions. The installation of these improvements is subject to the approval of the City of Huntington Beach.</p>	Project Applicant	Prior to the issuance of certificate of occupancy	City of Huntington Beach Public Works Department	
<p><b>PDF TRAN-2 Intersection No. 34 – Magnolia Street at Bermuda Drive:</b> Construct the west leg of the intersection and provide one inbound lane and one outbound lane (i.e. one eastbound shared left-turn/through/right-turn lane). Install a stop sign on the west leg. The installation of these improvements is subject to the approval of the City of Huntington Beach.</p>	Project Applicant	Prior to the issuance of certificate of occupancy	City of Huntington Beach Public Works Department	
<p><b>MM TRAN-1 Intersection No. 20 – Brookhurst Street at Hamilton Avenue.</b> Prior to issuance of building permits, the Project Applicant shall enter into an agreement with the City of Huntington Beach to provide a fair share contribution toward the</p>	Project Applicant	Prior to the issuance of building permits	City of Huntington Beach Public Works Department	

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Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
modification or upgrading of the traffic signal at the Brookhurst Street/Hamilton Avenue intersection.				
<b>MM TRAN-2</b> Prior to issuance of building permits, the Project Applicant shall provide the City of Huntington Beach Public Works Department proof of an executed agreement with the City of Newport Beach and/or Caltrans regarding fair share payment to offset the project's contribution of cumulative impacts at the applicable location(s) (i.e., No. 28: Superior Avenue/Balboa Boulevard at Pacific Coast Highway and No. 29: Newport Boulevard at Pacific Coast Highway).	Project Applicant	Prior to issuance of building permits	City of Huntington Beach Public Works Department	
<b><i>Tribal Cultural Resources</i></b>				
<b>MM TCR-1 Tribal Cultural Resources Observation and Recovery.</b> Prior to commencement of any ground disturbance activities of previously undisturbed soil, or soil that has not been previously monitored, the Project Applicant shall obtain the services of a qualified Native American Monitor during initial construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians-Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the Tribal Representatives and will be present on-site during the construction phases that involve any ground disturbing activities of soils that have not been previously subject to monitoring. The Native American Monitor(s) will complete	Project Applicant	Prior to commencement of any ground disturbance activities of previously undisturbed soil, or soil that has not been previously monitored	City of Huntington Beach Community Development Department	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The onsite monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources. **Hawzoper is needed only if the site has hazardous concerns.</p>				
<p><b>MM TCR-2</b> All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and native monitor. If evidence of an archaeological site or other suspected historical resource are discovered during any project-related earth-disturbing activities, all earth-disturbing activity within 50 feet of the find shall be halted. If the resources are Native American in origin, the Tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If a resource is determined by the Qualified Archaeologist to constitute a “historical resource”</p>	<p>Project Applicant</p>	<p>During any project-related earth-disturbing activities</p>	<p>City of Huntington Beach Community Development Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>pursuant to CEQA Guidelines Section 15064.5(a) or has a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.</p>				
<p><b>MM TCR-3 Unanticipated discovery of human remains and associated funerary objects:</b> Prior to the start of initial ground disturbing activities, the landowner shall arrange a designated site location within the footprint of the project site for the respectful reburial of the human remains and/or funerary objects discovered on site.</p>	<p>Project Applicant/ landowner</p>	<p>Prior to the start of initial ground disturbing activities</p>	<p>City of Huntington Beach Community Development Department</p>	

Mitigation Measures	Responsible for Implementation	Timing of Mitigation	Responsibility for Monitoring	Completion Date (Signature Required)
<p>Funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. If funerary objects are discovered during grading or archeological excavations, they shall be treated in the same manner as bone fragments that remain intact and the construction contractor and/or qualified archeologist shall consult with the Gabrieleno Band of Mission Indians – Kizh Nation (Tribe). All feasible care shall be taken to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects.</p> <p>As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the County Coroner’s office shall be immediately notified and no further excavation or disturbance of the discovery within a minimum of 50 feet or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent. The discovery is to be kept confidential and secure to prevent any further disturbance. If Native American, the coroner will notify the NAHC as</p>				

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<p>mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the Qualified Archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project applicant/developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities is to be submitted to the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive diagnostics on human remains.</p> <p>Each occurrence of human remains and associated funerary objects will be stored using opaque cloth</p>				

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<p>bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>				
<p><b>Utilities and Service Systems</b></p>				
<p><b>RR UTIL-1</b> In accordance with the Public Works' requirements (Huntington Beach Zoning and Subdivision Ordinance 230.84 and Municipal Code 14.36.010), during the final design/plan check, the Applicant shall prepare a sewer study, which would include a 14-day or longer flow test data and submit to the Public Works Department for review and approval. The location and number of monitoring test sites shall be determined by the Public Works Department. The sanitary sewer system shall be designed and constructed to serve the development, including any offsite improvements necessary to accommodate any increased flow associated with the project.</p>	<p>Project Applicant</p>	<p>During the final design/plan check</p>	<p>City of Huntington Beach Public Works Department</p>	