

RESOLUTION NO. 2022-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ADOPTING ADDENDUM NO. 1 TO THE HOLLY- SEACLIFF SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT NO. 89-1 FOR THE HOLLY TRIANGLE TOWNHOMES PROJECT

WHEREAS, Addendum No. 1 to the Holly-Seacliff Specific Plan EIR (State Clearinghouse No. 89010412) was prepared by the City of Huntington Beach (City) to address the environmental impacts of the proposed Holly Triangle Townhomes Project (the "Project"); and

- On Monday, May 2, 2022 the Addendum was posted to the City of Huntington Beach website; and
- On May 10, 2022 the Planning Commission of the City of Huntington Beach conducted a public hearing at which it considered the Holly Triangle Townhomes project, Addendum No. 1 to the Holly-Seacliff Specific Plan Environmental Impact Report (EIR) for the Holly Triangle Townhomes Project, and the comments and input of the interested public and stakeholders.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. The City Council finds that Addendum No. 1 to the Holly-Seacliff Specific Plan EIR for the Holly Triangle Townhomes Project is complete and adequate in that it has identified all impacts of the project and that there are no known potential environmental impacts not addressed in the Addendum. Addendum No. 1 to the Holly-Seacliff Specific Plan EIR has been provided and will be on file with the City of Huntington Beach Department of Community Development, 2000 Main Street, Huntington Beach, California 92648.

SECTION 2. The City Council finds that although Addendum No. 1 to the Holly-Seacliff Specific Plan EIR identifies environmental impacts that will result if the Project is approved, the Project would not result in new or substantially more severe environmental impacts than previously identified impacts in the Holly-Seacliff Specific Plan EIR.

SECTION 3. The City Council finds that no "substantial evidence" (as that term is defined pursuant to CEQA Guidelines Section 15384) has been presented that would call into question the facts and conclusions in the Addendum.

SECTION 4. The City Council finds that no substantial changes to the project or circumstances and no new information of substantial importance (as that term is defined pursuant to CEQA Guidelines Section 15162) have been identified requiring the preparation of a Supplemental EIR or Subsequent EIR.

SECTION 5. The City Council finds that the revised Mitigation Monitoring Reporting Program establishes a mechanism and procedures for implementing and verifying the mitigation measures pursuant to Public Resources Code 2108.6 and hereby adopts the revised Mitigation

Monitoring Reporting Program. The mitigation measures shall be incorporated into the Project prior to or concurrent with Project implementation as defined in each measure.

SECTION 6. The City Council finds that Addendum No. 1 to the Holly-Seacliff Specific Plan EIR reflects the independent review and judgement of the City of Huntington Beach City Council, that Addendum No. 1 to the Holly-Seacliff Specific Plan EIR was presented to the City Council, and that the City Council reviewed and considered the information contained in the Final EIR prior to approving General Plan Amendment No. 20-003/Zoning Text Amendment No. 20-003/Tentative Tract Map No. 19118/Conditional Use Permit No. 20-025/Addendum No. 1 to the Holly-Seacliff Specific Plan Environmental Impact Report No. 20-003 (Holly Triangle Townhomes Project).

SECTION 7. The City Council finds that Addendum No. 1 to the Holly-Seacliff Specific Plan EIR serves as the adequate and appropriate environmental documentation for the Project. The City Council adopts Addendum No. 1 to the Holly-Seacliff Specific Plan EIR for the Holly Triangle Townhomes Project in finding that the Addendum is complete and that it has been prepared in compliance with the California Environmental Quality Act and CEQA guidelines.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on _____, 2022.

Mayor

ATTEST:

APPROVED AS TO FROM:

City Clerk

City Attorney 

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager



Director of Community Development

Exhibit A: Amended Mitigation Monitoring and Reporting Plan

Attachment A:
Amended Mitigation Monitoring & Reporting Program

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which a Mitigated Negative Declaration has been adopted which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

The Holly-Seacliff General Plan Amendment Final Environmental Impact Report No. 89-1 (HSSP Final EIR) (SCH #89010412) certified by the City of Huntington Beach (City) on January 8, 1990, in conjunction with an Addendum HSSP Final EIR, serve as the environmental review for the proposed Holly Triangle Townhomes Project. Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Holly Triangle Townhomes Project (Project). The City of Huntington Beach is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached Table 1 identifies the mitigation program required to be implemented by the City for the Holly Triangle Townhomes Project. The table identifies the Standard Conditions; Plan, Program, Policies (PPPs); Project Design Features (PDFs) and Mitigation Measures from the HSSP Final EIR required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

Revisions to existing HSSP Final EIR mitigation measures are shown in underline and deletions are show in strikethrough.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**Table 1: Mitigation Monitoring and Reporting Program
Holly Triangle Townhomes Project**

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AESTHETICS			
PPP AES-1. The proposed Project shall comply with lighting standards detailed in the City's Municipal Code, which requires Project lighting to be shielded, diffused, or indirect to avoid glare to both on offsite residents, pedestrians, and motorists.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Community Development Department	
AIR QUALITY			
PPP AQ-1: Rule 402. The construction plans and specifications shall state that the project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.	In Construction Plans and Specifications. Prior to the issuance of Grading and Building Permits.	City of Huntington Beach Public Works Department and Community Development Department	
PPP AQ-2: Rule 403. The following measures shall be incorporated into construction plans and specifications as implementation of SCAQMD Rule 403: • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.	In Construction Plans and Specifications. Prior to the issuance of Grading Permits. Ongoing during Construction Activities.	City of Huntington Beach Public Works Department and Community Development Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
PPP AQ-3: Rule 1113. The following measure shall be incorporated into construction plans and specifications as implementation of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. The Project shall only use “Low-Volatile Organic Compounds (VOC)” paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113.	In Construction Plans and Specifications. Prior to the issuance of Building Permits	City of Huntington Beach Public Works Department and Community Development Department	
PPP AQ-4: SCAQMD Rule 445. The following measure shall be incorporated into construction plans and specifications as implementation of SCAQMD Rule 445. Wood burning stoves and fireplaces shall not be included or used in the new development.	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits.	City of Huntington Beach Public Works Department and Community Development Department	
BIOLOGICAL RESOURCES			
PPP BIO-1: The Project shall comply with the Migratory Bird Treaty Act (MBTA) (United States Code Title 33, Section 703 et seq.; see also Code of Federal Regulations Title 50, Part 10) and Section 3503 of the California Fish and Game Code during the avian nesting and breeding season that occurs between February 1 and September 15. The provisions of the MBTA prohibits disturbing or destroying active nests.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Community Development Department	
CULTURAL RESOURCES			
PPP CUL-1: Human Remains. Should human remains be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.	In Construction Plans and Specifications. Prior to the issuance of Grading Permits. Ongoing during Construction Activities.	City of Huntington Beach Community Development Department	
Mitigation Measure Archaeology 4. Ground disturbing activity within the study area should be monitored by a qualified observer assigned by the Principal Investigator/Archaeologist to determine if significant historic deposits, (e.g. foundations, trash deposits, privy pits and similar features) have been exposed. The monitoring should be on a full-time	In Construction Plans and Specifications. Prior to the issuance of Grading Permits. Ongoing during Construction Activities.	City of Huntington Beach Community Development Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
basis, but can be terminated when clearly undisturbed geologic formations are exposed. If such exposures occur, appropriate collections should be made, followed by analysis and report preparation. Historic material may be encountered anywhere within the Holly-Seacliff property, but the area around the old Holly Sugar Refinery is probably more sensitive than the balance of the project area. Historical material recovered at the archaeological sites should be treated with those deposits. <u>Prior to issuance of a grading permit, the applicant/developer shall provide written evidence to the City Planning Division that a qualified archaeologist has been retained by the applicant/developer to monitor initial ground disturbing activities to address unanticipated archaeological discoveries and any archaeological requirements (e.g., conditions of approval) that are applicable to the project. The applicant/developer shall conduct a field meeting prior to the start of construction activity with all construction supervisors to train staff to identify potential archaeological resources. In the event that archaeological materials are encountered during ground-disturbing activities, work in the immediate vicinity of the resource shall cease until a qualified archaeologist has assessed the discovery and appropriate treatment pursuant to CEQA Guidelines Section 15064.5 is determined.</u> <u>If discovered archaeological resources are found to be significant, the archaeologist shall determine, in consultation with the City and any consulting Native American groups expressing interest following notification by the City, appropriate avoidance measures or other appropriate mitigation. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that confirmed resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery, reburial/relocation, deposit at a local museum that accepts such resources, or other appropriate measures, in consultation with the implementing agency and any local Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as a historical resource but meets the criteria for a unique archaeological resource as defined in</u>			

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<u>Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2.</u>			
ENERGY			
PPP GHG-1: Title 24 Standards. 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.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Community Development Department	
GEOLOGY AND SOILS			
PPP GEO-1 The Project shall be designed and constructed in compliance with the 2019 California Building Code (CBC) Design Parameters or the most current CBC adopted in the City's Municipal Code.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Community Development Department	
PPP GEO-2 As required by the current CBC adopted in the City's Municipal Code, prior to issuance of a grading permit, site preparation shall follow the recommendations in the <i>Geotechnical Investigation and Design Report for Proposed Residential Development Huntington Beach, California</i> (dated November 4, 2020), prepared by Group Delta Consultants, as well as any additional future site-specific, design-level geotechnical investigations of the Project.	In Construction Plans and Specifications. Prior to the issuance of Grading and Demolition Permits.	City of Huntington Beach Community Development Department	
Mitigation Measure Paleontology 6. <u>Prior to the issuance of a grading plan, a A qualified paleontologist should be retained to periodically monitor the site during grading or extensive trenching activities that cut into the San Pedro Sand or the Quaternary marine terrace units, shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) for submittal and review by the City. Implementation of the PRIMP will ensure that adverse impacts to potentially significant paleontological resources are mitigated to a level less than significant level. The PRIMP shall comply with the provisions outlined below:</u>	In Construction Plans and Specifications. Prior to the issuance of Grading Permits.	City of Huntington Beach Community Development Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
1. <u>Shall comply with Holly-Seacliff Final Environmental Impact Report Mitigation Measures Paleontology 6 through 10.</u> 2. <u>Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. The PRIMP shall stipulate that monitoring will be conducted either full or part time at the determination of the paleontologist, based upon the identification of undisturbed sediments of "old paralic deposits undivided (late to middle Pleistocene)" (Qop). The Project paleontologist is responsible to periodically visit the property during the initial stages of grading to identify the Pleistocene deposits and direct the initiation of monitoring.</u> 3. <u>Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. The monitor shall notify the Project paleontologist, who will then notify the concerned parties of the discovery. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.</u> 4. <u>Fossils shall be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes shall be taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites shall be protected by flagging to prevent them from being over-run by earthmovers (scrapers) before salvage begins. Fossils shall be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site shall be determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large</u>			

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<u>fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.</u> 5. <u>Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes shall be taken on the map location and stratigraphy of the site, which shall be photographed before it shall be vacated and the fossils are removed to a safe place.</u> 6. <u>Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as many as 20 to 40 five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.</u> 7. <u>In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.</u> 8. <u>In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).</u> 9. <u>Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.</u> 10. <u>Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the Western Science Center or the Orange County Natural History Foundation) shall be conducted. The paleontological</u>			

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<u>program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Huntington Beach) will be consulted on the repository/museum to receive the fossil material.</u> 11. <u>A final report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.</u> 12. <u>Decisions regarding the intensity of the MMRP will be made by the Project paleontologist based on the significance of the paleontological resources and their biostratigraphic, biochronologic, paleoecologic, taphonomic, and taxonomic attributes, not upon the ability of a Project proponent to fund the MMRP.</u>			
GREENHOUSE GAS EMISSIONS			
PPP GHG-1: Title 24 Standards. 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.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Community Development Department	
PPP GHG-2: CALGreen Standards. 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.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.		
HAZARDS AND HAZARDOUS MATERIALS			

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
PPP HAZ-1: City Specification 422, Oil Well Abandonment Permit Process. In accordance with this City regulation, the Project plans will include the requirements for oil well abandonment. Pursuant to this requirement, before any oil well abandonment operations are commenced, the State of California Geological Energy Management Division (CalGEM) must be contacted, and the following processes initiated: • For all sites undergoing development, the owner must complete and submit a Well Review Program Introduction and Application to the CalGEM. At completion of the CalGEM review, a Well Review Letter will be issued to the owner. • The well operator must submit an application to abandon or re-abandon each oil well to the DOGGR when the well is not abandoned to the current CalGEM standards, or when the well casing will be modified. The CalGEM will then issue a permit that sets forth their agency requirements and conditions. • The CalGEM Well Review Letter (if applicable) and abandonment permit must be presented to the Huntington Beach Fire Department to obtain a Fire Department permit for well abandonment.	In Construction Plans and Specifications. Prior to the issuance of Grading Permits.	City of Huntington Beach Fire Department	
PPP HAZ-2: City Specification 429, Methane Mitigation Requirements. In accordance with this City regulation, the Project plans and construction permits will implement the requirements for methane gas testing and mitigation systems for new structures. The proposed residential structures would include methane mitigation systems that will be reviewed and approved by the City of Huntington Beach Fire Department during the Project permitting process.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Fire Department	
PPP HAZ-3: City Specification 431-92, Soil Quality Standards. In accordance with this City specification, the Project plans and construction permits will implement regulations to assess site soils for the presence of chemical contaminants and to implement the required actions in the event that contamination is identified.	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits	City of Huntington Beach Fire Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
PPP HWQ-1: Storm Water Pollution Prevention Plan. As listed in Section 5.10, <i>Hydrology and Water Quality</i> .	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits	City of Huntington Beach Building Division	
PDF HAZ-1: Well Re-Abandon Onsite Wells. The Project includes re-abandonment of two onsite wells [CWC #51 (API 0405901594) and Republic #4 (API 04045901698)] pursuant to CalGEM standards as implemented through City Specification 422.	In Construction Plans and Specifications. Prior to the issuance of Building and Grading Permits.	City of Huntington Beach Fire Department	
PDF HAZ-2: Methane Barrier Systems. The Project includes design, permit, and installation of soil vapor barrier systems beneath the residential structures in accordance with City Specification 429. The methane barrier system will include a vent cone over each oil well, an impermeable membrane capable of precluding methane as well as other potential contaminated soil vapors from migrating into the residential structures. The gravel beneath the membrane shall have perforated vent piping through the roof of the residential structures.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Beach Fire Department	
Mitigation Measure Oil Facilities 2. All new development proposals should be accompanied by: • A plan which addresses the requirements for abandoned wells. • The abandonment plans for existing wells. • The operational plans for any remaining wells and facilities. These plans must satisfy the requirements of the City of Huntington Beach and the Division of Oil and Gas <u>California Energy Management Division (CalGEM)</u> . (Satisfied through Project plans for well re-abandonment pursuant to CalGEM standards and City Specification 422).	See PDF HAZ-1	City of Huntington Beach Fire Department	Satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Addendum Appendix D and PDF HAZ-1
Mitigation Measure Human Health and Safety 1. Prior to grading and development, a site reconnaissance should be performed including a phased Environmental Site Assessment to evaluate areas where contamination of the surficial soils may have taken place. The environmental assessment should evaluate existing available information pertinent to the site and also undertake a limited investigation of possible on-site contamination. Phase I should include:	See PDF HAZ-1 and PDF HAZ-2	City of Huntington Beach Fire Department.	Satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Addendum Appendix D.

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
a. Review of available documents pertinent to the subject site to evaluate current and previous uses. b. Site reconnaissance to evaluate areas where contamination of surficial soils may have taken place. c. Excavation and testing of oil samples to determine presence of near surface contamination of soil. d. Subsurface exploration to determine presence of sumps on-site. Testing of possible drilling fluids for heavy metals. e. Completion of soil gas vapor detection excavations located adjacent to the existing on-site wells. f. Testing of air samples for gas vapor, methane gas and sulfur compounds. <i>(Satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Appendix D)</i>			
Mitigation Measure Human Health and Safety 2. The actual site characterization and remedial action plan would be developed as part of a later phase. Upon completion of the Environmental Assessment, a Remedial Action Plan can be developed. This plan should address the following items: a. Treatment of possible crude oil contaminated soils. A possible solution to this condition would be aeration of the contaminated soils to release the volatile gases and then incorporation of the treated soils into the roadway fills (subgrade). b. Treatment of possible drilling sumps by either on-site disposal of noncontaminated drilling fluids or off-site disposal of contaminated fluids. c. Treatment of the possibility of the accumulation of methane gas.	See PDF HAZ-1 and PDF HAZ-2.	City of Huntington Beach Fire Department	Satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Addendum Appendix D.
Mitigation Measure Human Health and Safety 3. Prior to development, a thorough site study for the presence of surface and shallow subsurface methane gas should be performed. Any abnormal findings would require a Remedial Action Plan and further studies to assure sufficient mitigation of the hazardous areas prior to building construction. All structures should have a gas and vapor barrier installed underneath the slabs and foundations. Gas collection and ventilation systems should be installed over abandoned wells which are underneath or within ten (10) feet of any structure, and over wells which show evidence of surface emissions of methane gas. Additionally,	Will be satisfied through completion of PDF HAZ-2.	See PDF HAZ-2	Satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Addendum Appendix D, and PDF HAZ-2.

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
following construction of structures, an organic vapor analysis should be conducted and the results evaluated to assure that acceptable air quality is maintained within buildings and residences.			
Mitigation Measure Human Health and Safety 4. The presence of methane gas on-site should be the subject of future studies that include the following tasks: a. Drilling of test wells to monitor for subsurface methane deposits and confirm or deny the presence of biogenic methane bearing strata near the surface in the development area. b. Shallow excavation and sampling in areas either known or assumed to be potential drilling mud sumps; c. Vapor monitoring of shallow vapor probes placed at strategic locations on the site and collection of soil vapor samples; d. Vapor survey areas adjacent to known abandoned oil wells; e. Laboratory analysis of selected soil samples for metals and soil vapor samples for gases. f. <u>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 and soil gas, as prescribed by the California Department of Toxic Substances Control (DTSC) and under DTSC oversight. 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.</u>	In Construction Plans and Specifications. Prior to the issuance of Building and Grading Permits.	City of Huntington Beach Fire Department	Items a-e satisfied through completion of the Phase I and Phase II Environmental Site Assessments, included as Appendix D.
Mitigation Measure Human Health and Safety 5. Oil wells scheduled for abandonment should be completed in accordance with the standards and specifications of the City of Huntington Beach and the California Division of Oil and Gas <u>California Energy Management Division (CalGEM)</u> . Wells which have previously been abandoned must be re-abandoned to the most current requirements of the City of Huntington Beach and the Division of Oil and Gas <u>CalGEM</u> .	Will be satisfied through completion of PDF HAZ-1 and Mitigation Measure Human Health and Safety 4f.	City of Huntington Beach Fire Department	Will be satisfied through completion of PDF HAZ-1: Well Re-Abandon Onsite as implemented through City Specification 422.

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Mitigation Measure Human Health and Safety 10. Prior to development, a review of available public health records should be performed to evaluate possible public health risk sites in the vicinity of the subject site.	Prior to project approval.	City of Huntington Beach Community Development Department	Satisfied through completion of the Phase I Environmental Site Assessment, included as Addendum Appendix D.
HYDROLOGY AND WATER QUALITY			
PPP HWQ-1 Storm Water Pollution Prevention Plan. Prior to the issuance of any grading or building permits, the Project Applicant 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 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.	In Construction Plans and Specifications. Prior to the issuance of Grading and Demolition Permits.	City of Huntington Beach Public Works Department	
PPP HWQ-2 General Waste Discharge Requirements. 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 shall notify the Santa Ana Regional Water Quality Control Board (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.	In Construction Plans and Specifications. Prior to the issuance of Grading Permits.	City of Huntington Beach Public Works Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
PPP HWQ-3 Water Quality Management Plan. Prior to the issuance of any grading or building permits, the Project Applicant 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. 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 Local Implementation Plan (LIP), Citywide Urban Runoff Management Plan (CURMP), Project WQMP Preparation Guidance Manual, and pertinent regulations in the Municipal Code. Prior to the issuance of a certificate of use and occupancy, the Project Applicant shall demonstrate to the satisfaction of the City's Public Works Department the following: • All structural BMPs described in the Project's approved WQMP have been implemented, constructed, and installed in conformance with approved plans and specifications; • Demonstrate that the Project Applicant has complied with all nonstructural BMPs described in the Project's WQMP; • 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; • Copies of the Project's approved WQMP (with attached O&M Plan and Educational Materials) are available for each of the initial occupants and tenants of the Project; and • The Covenants, Conditions, and Restrictions (CC&Rs) includes pertinent BMPs in the approved WQMP and O&M Plan.	In Construction Plans and Specifications. Prior to the issuance of Building and Grading Permits.	City of Huntington Beach Public Works Department	
PPP HWQ-4 Grading and Erosion Control Plans. 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 semipermanent 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.	In Construction Plans and Specifications. Prior to the issuance of Building and Grading Permits.	City of Huntington Beach Public Works Department	

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PPP HWQ-5 Storm Drainage Plan. Prior to the issuance of any grading or building permits, the Project Applicant 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 shall pay the applicable fees for the City's local drainage fund in accordance with Chapter 14.48 of the Municipal Code. 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 manner meeting the approval of the City's Public Works Department.	In Construction Plans and Specifications. Prior to the issuance of Building and Grading Permits.	City of Huntington Beach Public Works Department	
NOISE			
PPP N-1: Municipal Code Section 8.80.090 (Special Provisions). Noise sources associated with construction, repair, remodeling, or grading of any real property; provided that: (1) the City has issued a building, grading or similar permit for such activities; (2) said activities do not take place between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or a Federal holiday; and (3) the average construction noise levels do not exceed 80 dBA Leq at nearby noise-sensitive land uses. If outdoor construction activities are permitted by the City after 7:00 p.m. or before 7:00 a.m., the average construction Noise Levels at nearby noise-sensitive land uses shall be limited to 50 dBA Leq.	In Construction Plans and Specifications. Prior to the issuance of Grading and Building Permits. Ongoing during Construction Activities.	City of Huntington Community Development Department	
Mitigation Measure Roadway Noise 1. Enforcement of the City of Huntington Beach Noise Ordinance should be implemented which limits the hours of construction to normal weekday working hours.	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits.	City of Huntington Community Development Department	
Mitigation Measure Roadway Noise 2. Measures should be designed to satisfy the requirement that 65 CNEL not be exceeded in residential outside living areas. Where residential buildings are to be located within these 65 CNEL contours, mitigation measures should be undertaken to reduce noise to acceptable levels. Mitigation through the design and construction of a noise barrier (wall, berm, or combination wall/berm) is the most common way of alleviating traffic noise impacts.	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits.	City of Huntington Community Development Department	

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The effect of a noise barrier is critically dependent on the geometry between the noise source and the receiver. A noise barrier effect occurs when the "line of sight" between the source and receiver is penetrated by the barrier. A barrier which does not break the line-of-sight is not an affective barrier, while one which just interrupts the line-of-sight achieves a 5 dbA reduction in noise. The greater the penetration the greater the noise reduction. Increasing building setbacks should also be used to attenuate noise down to acceptable levels.			
Mitigation Measure Roadway Noise 3. The City of Huntington Beach should require that the housing portion of this project comply with the State of California Noise Insulation standards. The code requires that "interior community noise levels (CNEL) with window closed, attributable to exterior sources shall not exceed an annual CNEL of 45 dB in any habitable room." Any measures, such as window upgrades, can be specified at the time of building permit application.	In Construction Plans and Specifications. Prior to the issuance of Demolition Permits.	City of Huntington Community Development Department	
Mitigation Measure Roadway Noise 4. At the time of building permit application, the design should again be reviewed to ensure that sound mitigation is included in the design.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Community Development Department	
PUBLIC SERVICES			
PPP PS-1: Fire Protection Fees. Prior to the issuance of either a certificate of occupancy or final building 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.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Community Development Department	
PPP PS-2: Police Protection Fees. 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.	In Construction Plans and Specifications. Prior to the issuance of Building Permits.	City of Huntington Community Development Department	
PPP PS-3: School Fees. Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall provide payment of the appropriate fees set forth by the	Prior to approval of a tentative map.	City of Huntington Community Development Department	

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applicable school districts related to the funding of school facilities pursuant to Government Code Section 65995 et seq.			
PPP PS-4: Library Fees. 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.		City of Huntington Community Development Department	
RECREATION			
PPP REC-1 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.	Prior to approval of a tentative map.	City of Huntington Community Development Department	
TRIBAL CULTURAL RESOURCES			
PPP CUL-1: Human Remains. As listed above in <i>Cultural Resources</i> .	In Construction Plans and Specifications. Prior to the issuance of Grading Permits. Ongoing during Construction Activities.	City of Huntington Community Development Department	
Mitigation Measure Archaeology 2. The archaeological deposits within the Holly-Seacliff study area should be subjected to a program of excavation designed to recover sufficient data to fully describe the sites. The following program is recommended: a. Analysis of the collections made by the Pacific Coast Archaeological Society, Long Beach State University and any community college which has such material. If the collections are properly provenienced and are accompanied by adequate documentation, they should be brought together during this phase and complete analysis performed. Of particular importance during this phase is the recovery of survey data to be used to determine the exact locations of previous excavation efforts. b. Prior to the beginning of any excavation effort, a burial strategy should be developed by the archaeologist retained	In Construction Plans and Specifications. Prior to the issuance of Demolition and Grading Permits. Ongoing during Construction Activities.	City of Huntington Community Development Department	

Standard Condition/ Plan, Program, Policy/ Project Design Features/Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
to accomplish the excavation members of the Native American community and appropriate City Staff. The strategy should address details of the handling and processing of human remains encountered during excavation, as well as the ultimate disposition of such remains. c. Completion of test excavations should be made at each of the archaeological deposits. The information gained from the test excavation will guide the following data recovery excavation. The excavations should have two primary goals: • Definition of site boundaries and depth. • Determination of the significance of the site and its degree of preservation. d. A statistically valid sample of site material should be excavated. The data recovery excavation should be conducted under the provisions of a carefully developed research design. The research questions presented earlier in this report should be incorporated into the research design; other important research questions should be developed from the test excavation data included, and a statement of methodology to be observed must be included. e. A qualified observer appointed by the Principal Investigator/Archaeologist should monitor grading of the archaeological sites to recover important material which might appear. The monitor will be assigned by the Principal Investigator. This activity may require some minor delay or redirecting of grading while material is being recovered. The observer should be prepared to recover material as rapidly as is consistent with good archaeological practice. Monitoring should be on a full time basis when grading is taking place on or near an archaeological deposit. However, the grading should terminate when the cultural deposit has been entirely removed and clearly sterile deposits exposed. f. All excavation and ground disturbing observation projects should include a Native American Observer. Burials are known			

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to exist at some of the sites, a circumstance which is extremely important to the Native American community. <u>Therefore, the developer/applicant shall:</u> <u>1. Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</u> A. <u>The project applicant/lead agency shall retain a Native American Monitor from a consulting tribe (Tribe). The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</u> B. <u>A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</u> C. <u>The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</u> D. <u>On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Tribe from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the</u>			

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<u>project are complete; or (2) a determination and written notification by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact TCRs.</u> <u>E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the monitor and/or archaeologist. The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</u> <u>2: Unanticipated Discovery of Human Remains and Associated Funerary Objects</u> <u>A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</u> <u>B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, they shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</u> <u>C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</u>			

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<u>D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</u> <u>E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) 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, it shall be offered to a local school or historical society in the area for educational purposes.</u> <u>F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</u> 3: Procedures for Burials and Funerary Remains: <u>A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</u> <u>B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</u> <u>C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated 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</u>			

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<u>contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</u> <u>D. 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.</u> <u>E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</u> <u>F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth 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 should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</u> <u>G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific</u>			

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<u>study or the utilization of any invasive and/or destructive diagnostics on human remains.</u> g. A detailed professional report should be prepared which fully describes the site and its place in pre-history. Reports should receive sufficient distribution which includes the City, the County and the UCLA repository for archeology to insure their availability to future researchers. h. Arrangements should be made for proper curation of the collections. It is expected that large quantities of materials will be collected during the excavation. Curation should be at an institution which has the proper facilities for storage, display and use by interested scholars and the general public.			