

# City of Huntington Beach 2021-2029 Housing Element Update Implementation Program

*Final Subsequent Environmental Impact Report*

*SCH 2021080104*

*September 2022*



Subsequent Final  
Environmental Impact Report

SCH #2021080104

# 2021-2029 Housing Element Update Implementation Program Project

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**LEAD AGENCY**



**CITY OF HUNTINGTON BEACH**  
**DEPARTMENT OF COMMUNITY**  
2000 MAIN STREET 3RD FLOOR  
HUNTINGTON BEACH, CA 92648  
(714) 536-5721

**CONSULTANT**

**Kimley»Horn**

**KIMLEY-HORN AND ASSOCIATES, INC.**

**MS. RITA GARCIA**  
1100 TOWN AND COUNTRY ROAD, SUITE 700  
ORANGE, CA 92868  
(714) 786-6116

**SEPTEMBER 2022**

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Appendix A - Draft SEIR Distribution Package

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## **Section 1**

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### **Introduction**



## Section 1.0 Introduction

### 1.1 Overview of the Final SEIR

The City of Huntington Beach (City) has prepared this Final Subsequent Environmental Impact Report (Final SEIR) for the 2021-2029 HEU Implementation Program (Project) in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. Before approving a project, CEQA requires that the Lead Agency (i.e., City of Huntington Beach [City]) prepare and certify a Final EIR. Section 15132 of the State CEQA Guidelines, Contents of Final Environmental Impact Report, indicates that the contents of a Final EIR shall consist of the following:

- (a) The draft EIR or a revision of the draft;
- (b) Comments and recommendations received on the draft EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the draft EIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

The Final SEIR will be considered by the City of Huntington Beach City Council in determining whether to certify the EIR and approve the proposed Project.

### 1.2 Organization of the Final SEIR

This Final SEIR contains the requisite components required under State CEQA Guidelines §15132 and is organized as follows:

- **Final SEIR Section 1.0: Introduction.** This section introduces the Final SEIR, including the CEQA requirements and document organization, and summarizes the CEQA process activities to date.
- **Final SEIR Section 2.0: Comments and Responses.** This section provides a list of persons, organizations, and public agencies commenting on the Draft SEIR. It also provides a copy of each written comment received on the Draft SEIR, and the City's responses to significant environmental points raised in the comment.
- **Final SEIR Section 3.0: Errata to the Draft SEIR.** This section details changes to the Draft SEIR text intended to clarify or correct information.

### 1.3 Summary of the CEQA Process

On August 4, 2021, the City circulated a Notice of Preparation (NOP) to various federal, State, regional and local government agencies, and other interested parties. The NOP informed them that an SEIR was being prepared and invited comments on the SEIR's scope and content, and their participation at a public scoping meeting held August 19, 2021; see Draft SEIR **Appendix A: Notice of Preparation and Scoping**



**Meeting Materials.** The NOP was circulated through September 7, 2021, in compliance with the CEQA-required 30-day circulation period.

In accordance with State CEQA Guidelines §§15087 and 15105, the Draft SEIR was released to the public on June 29, 2022, for a 45-day review period ending on August 15, 2022. During the review period, the Draft SEIR was made available for review and comment to the public, responsible and trustee agencies, and interested groups and organizations. The Draft SEIR was also made available directly to State agencies through the State of California Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit. Copies of the Draft SEIR were made available for review at the following locations:

- <http://www.huntingtonbeachca.gov/government/departments/planning/major/>;
- <https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/>;
- <https://www.huntingtonbeachca.gov/housing-element-update/>;
- Central Library, 7111 Talbert Avenue, Huntington Beach, CA 92648; and
- City of Huntington Beach, Planning Division, 2000 Main Street, Huntington Beach, CA 92648

In Fall of 2022, the City of Huntington Beach City Council will consider the Final SEIR, inclusive of the Draft SEIR, comments and recommendations received on the Draft SEIR, and responses to those comments, when determining whether to certify the SEIR and approve the 2021-2029 HEU Implementation Program Project.

## 1.4 Changes to the Draft SEIR

As previously stated, **Final SEIR Section 3.0** details the changes to the Draft SEIR. In response to public comments, text changes have been made to the Draft SEIR to clarify and amplify the analysis or mitigation measures, and to make insignificant modifications to the Draft SEIR.

State CEQA Guidelines §15088.5 discusses the conditions that warrant recirculation prior to certification, stating in part:

*“(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:*



- (1) *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
  - (2) *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
  - (3) *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to apply it.*
  - (4) *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).*
- (b) *Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."*

The information presented in Final SEIR **Section 3.0** does not rise to the level of significant new information as the resulting impact analysis and alternatives considered remain essentially unchanged, and no new or more severe impacts have been identified. These changes do not warrant Draft SEIR recirculation pursuant to California Public Resources Code §21092.1 and State CEQA Guidelines §15088.5. As discussed herein and as elaborated upon in the respective Response to Comments, none of the clarifications or changes made in the Errata reflect a new significant environmental impact, a "substantial increase" in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted, nor do the Errata reflect a "fundamentally flawed" or "conclusory" Draft SEIR. In all cases, as discussed in individual responses to comments and in the Errata to the Draft SEIR, these minor clarifications and modifications do not identify new or substantially more severe environmental impacts that the City has not committed to mitigate. As such, the public has not been deprived of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or an unadopted feasible Project alternative or mitigation measure. Instead, the information added supports the existing analysis and conclusions, and responds to inquiries made from commenters. Therefore, this Final SEIR is not subject to recirculation prior to certification.

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## Section 2

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### Comments and Responses



## Section 2.0 Comments and Responses to Comments

### 2.1 Introduction to Comments and Responses

In accordance with State CEQA Guidelines §15132, **Final SEIR Table 2-1: List of Parties Commenting on the Draft SEIR** lists public agencies, persons, and organizations commenting on the Draft SEIR during the 45-day public review period (June 29, 2022 through August 15, 2022).

Copies of the written comments are provided in this section. For ease of reference and to communicate authorship, each comment letter has been annotated with a letter label. Additionally, individual comments have been annotated with a letter and number label, indicating the comment letter and comment number, respectively.

**Table 2-1: List of Parties Commenting on the Draft SEIR**

Reference	Commenter	Date
A	Gabrielino Tongva Indians of California Christina Conley	July 13, 2022
B	California Department of Transportation (Caltrans) Scott Shelley, Branch Chief - Regional-IGR-Transit Planning	July 28, 2022
C	OC Health Care Agency, Public Health Services Environmental Health Division Geniece Higgins, Supervising Hazardous Materials Specialist	August 12, 2022
D	OC Health Care Agency, Public Health Services Environmental Health Division Dan Weerasekera, Hazardous Materials Specialist	August 15, 2022
E	Ocean View School District Michael Conroy, Ed.D., Superintendent Gina Clayton-Tarvin, Board President	August 15, 2022

State CEQA Guidelines §15132 indicates that the Final EIR shall include the Lead Agency's responses to significant environmental points raised in the review and consultation process. Additionally, State CEQA Guidelines §15088(a) states that the Lead Agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments. In compliance with these requirements, this section includes the comments and recommendations received on the Draft SEIR during the noticed comment period, along with the City's responses to significant environmental points raised by those comments.

Responses may include text changes to clarify/amplify or correct information in the Draft SEIR, as requested by the Lead Agency or due to environmental points raised in the comments. A response to a comment requiring revisions to the Draft SEIR presents the relevant Draft SEIR text in a box, with new text indicated by underlining and deleted text indicated by ~~strike through~~, as shown in the following example.

<del>Deleted text</del> <u>Added text</u>
---

The Draft SEIR text revisions are also compiled and presented in **Final SEIR Section 3.0: Errata to the Draft SEIR**.

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## 2.2 Comments and Responses

### Comment Letter A – Gabrielino Tongva Indians of California Christina Conley

**From:** [Christina Marsden Conley](#)  
**To:** [Heiper, Alyssa](#)  
**Cc:** [Robert Dorame](#)  
**Subject:** City of Huntington Beach Housing Event SCH2021080104  
**Date:** Wednesday, July 13, 2022 4:32:29 PM

Good afternoon,

Please keep us on your notification list for these projects as many areas of Huntington Beach are on culturally sensitive land to our tribe.

Take care,  
Christina

A-1

**tehoovet taamet**

**CHRISTINA CONLEY**

- Native American Monitor - Caretaker of our Ancestral Land
- Cultural Resource Administrator Under Tribal Chair, Robert Dorame (Most Likely Descendant)
- Native American Heritage Commission Contact
- Fully qualified as a California State Recognized Native American Tribe fulfilling SB18, AB52 Compliance Regulations
- HAZWOPER Certified
- 626.407.8761

#### GABRIELINO TONGVA INDIANS OF CALIFORNIA

*The Gabrielino Tongva Indians of California are recognized in the State of California Bill AJR96 as the aboriginal tribe to encompass the entire Los Angeles Basin area and the Channel Islands of Santa Catalina, San Nicholas and San Clemente*



NAHC recognizes GTIOC Tribal Territory



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***Responses to Comment Letter A – Gabrielino Tongva Indians of California  
Christina Conley***

- A-1** This comment requests that the City continue to notify the Gabrielino Tongva Indians of California of future projects as many areas in the City are on culturally sensitive land. This comment does not address the adequacy or completeness of the Draft Subsequent Environmental Impact Report (SEIR); does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State CEQA Guidelines §15088(a), the City will continue to follow notification requirements outlined in Senate Bill 18 and Assembly Bill 52 and will notify the Gabrielino Tongva Indians of California of future projects in accordance with these guidelines. No further response is necessary.

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**Comment Letter B – California Department of Transportation, Caltrans**  
**Scott Shelley, Branch Chief - Regional-IGR-Transit Planning**

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, Governor

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 12  
1750 EAST 4<sup>TH</sup> STREET, SUITE 100  
SANTA ANA, CA 92705  
PHONE (657) 328-6000  
FAX (657) 328-6522  
TTY 711  
[www.dot.ca.gov/caltrans-near-me/district12](http://www.dot.ca.gov/caltrans-near-me/district12)



Making Conservation  
California Way of Life.

July 28, 2022

Ms. Alyssa Helper  
Department of Community Development  
2000 Main Street  
Huntington Beach, California 92648

File: IGR/CEQA  
SCH#: 2021080104  
LDR LOG #2022-02009  
Citywide

Dear Ms. Helper,

Thank you for including the California Department of Transportation (Caltrans) in review of the Draft Subsequent Environmental Impact Report for the City of Huntington Beach 2021-2029 Housing Element Updated Implementation Program. The Housing Element is a State-mandated policy document that is a component of the Huntington Beach General Plan. To comply with State law, the City is updating its Housing Element to ensure City policies and programs can accommodate estimated housing growth need identified by the Southern California Association of Governments (SCAG). Huntington Beach's current 5th Cycle Housing Element was adopted in September 2013 for the 2013-2021 planning period and subsequently certified by the State of California Department of Housing and Community Development (HCD) in October 2013. The City is currently developing the respective actions and programs for SCAG's 6th Cycle planning period, which covers years 2021-2029. Huntington Beach was allocated 13,368 dwelling units to accommodate the existing and projected regional housing for all income levels. The City is not required to build dwelling units to meet the 13,368 dwelling unit allocation, only to identify potential sites and create the framework to provide the market with the opportunity to develop these dwelling units. The Housing Element will explore opportunities to accommodate projected regional housing needs through current production (construction of dwelling units), entitled (approved but not constructed) dwelling units, and the availability of properly zoned land that can accommodate additional growth.

B-1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Caltrans is a responsible agency on this project and has the following comments:

B-2

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Alyssa Helper  
July 28, 2022  
Page 2

**Transportation Planning**

- |   |             |
|---|-------------|
| 1. As the Housing Element is implemented, consider accounting for off-street truck parking to help free up on-street space for other modes, such as city traffic, walking, and bicycling. Similarly, utilize alley space or similar areas, if available, to reduce the need for on-street parking which may conflict with highway/street flows.   | <br>B-3<br> |
| 2. If truck parking (i.e., for home deliveries) is to be on-street, ensure the width of the parking lane is wide enough for freight trucks without encroaching on bicycle lanes or street lanes.  | <br>B-4<br> |
| 3. Please consider designated on-street freight-only parking and delivery time windows to reduce the need for double parking. This strategy also helps prevent street traffic congestion.   | <br>B-5<br> |
| 4. Consider how many individual packages will be delivered daily to individual residences within the areas identified for increased housing production. Shared drop-off locations can help reduce the amount of driving done by delivery trucks and can increase the efficiency of deliveries in densely developed areas. Similarly, high-density residential developments should consider automated parcel systems (i.e., Amazon Lockers) so that deliveries can be made with one truck stop instead of multiple stops to individual residences. | <br>B-6<br> |
| 5. Please ensure that, throughout the identified areas for increased housing opportunities, the City provides posted speed signs for truckers to follow.  | <br>B-7<br> |
| 6. Bicycle parking design may need to accommodate cargo bikes, such as for food delivery services, to encourage and facilitate the growing use of food delivery services and parcel deliveries. This can alleviate the need for delivery trucks and associated GHG emissions.   | <br>B-8<br> |
| 7. Caltrans recognizes our responsibility to assist communities of color and under-served communities by removing barriers to provide a more equitable transportation system for all.   | <br>B-9<br> |

*"Provide a safe and reliable transportation network that serves all people and respects the environment!"*

Ms. Alyssa Helper  
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Page 3

8. The Department firmly embraces racial equity, inclusion, and diversity. These values are foundational to achieving our vision of a cleaner, safer, and more accessible and more connected transportation system. Please consider including a discussion on equity in the document.

B-10

9. There's a bicycle gap east of the Ellis Ave and Beach Blvd intersection. Future housing development along this corridor should close this bicycle gap to reduce dependency on single-occupant vehicle trips and for better accessibility to the local bicycle facility network.

B-11

10. Inclusion of CalEnviroScreen percentiles for certain population characteristics (unemployment, housing burden, poverty) would provide more context to the existing environmental setting in section 5.10.3. For example, Census tracts between Edinger and Gisler have higher percentiles of Housing Burden, which further justifies the need for low-income housing.

B-12

11. The census tracts southwest of the Warner Avenue and Beach Boulevard (SR-39) intersection are designated as SB 535 Disadvantaged Communities (DAC) (<https://oehha.ca.gov/calenviroscreen/sb535>) and would be eligible for investment from the State's Cap-and-Trade Program for programs that improve public health, quality of life, and economic opportunities. Identification of DACs in the EIR would demonstrate efforts of addressing equity in implementing affordable housing. Encroachment Permit

B-13

**Encroachment Permit**

12. Any project work proposed in the vicinity of the State Right-of-Way (ROW) would require an encroachment permit and all environmental concerns must be adequately addressed. If the environmental documentation for the project does not meet Caltrans's requirements for work done within State ROW, additional documentation would be required before approval of the encroachment permit. Please coordinate with Caltrans to meet requirements for any work within or near State ROW. For specific details for Encroachment Permits procedure, please refer to the Caltrans's Encroachment Permits Manual at: <http://www.dot.ca.gov/hq/traffops/developserv/permits>

B-14

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Alyssa Helper  
July 28, 2022  
Page 4

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact at Maryam Molavi at Maryam.Molavi@dot.ca.gov.

B-15

Sincerely,



Scott Shelley  
Branch Chief, Regional-IGR-Transit Planning

"Provide a safe and reliable transportation network that serves all people and respects the environment"



***Responses to Comment Letter B – California Department of Transportation, Caltrans  
Scott Shelley, Branch Chief - Regional-IGR-Transit Planning***

**B-1** This comment is introductory and summarizes the main Project components. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

**B-2** This comment summarizes Caltrans' mission and correctly notes that Caltrans is a responsible agency on the project. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

**B-3** This comment requests that the City consider accounting for off-street parking and alley space or similar areas to reduce the need for on-street parking as the Housing Element Update (HEU) is implemented.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

**B-4** This comment requests that as the HEU is implemented, the City ensure the width of parking lanes are wide enough for freight trucks without encroaching into bicycle lanes or street lanes if truck parking for home deliveries is provided on the street.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response, pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

**B-5** This comments requests that the City consider designating on-street freight-only parking and delivery time windows to reduce the need for double parking and prevent traffic congestion.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-6** This comments requests that the City consider implementing shared drop-off locations for deliveries and automated parcel systems in future projects implemented under the HEU to reduce the amount of driving done by delivery trucks and to increase efficiency of deliveries.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-7** This comments requests that the City provide posted speed signs for truckers to follow in areas proposed for increased housing opportunities.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response, pursuant to State CEQA Guidelines §15088(a), the City will post speed limitations, including speed limitations for trucks (as necessary and where necessary) in areas where future projects are implemented under the HEU. This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-8** This comments requests that the City consider accommodating cargo bikes (such as those needed for food delivery services) as part of bicycle parking designs for future projects implemented under the HEU to reduce delivery trucks and associated greenhouse gas (GHG) emissions.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-9** This comment notes that Caltrans recognizes their responsibility to assist communities of color and under-served communities by removing barriers to provide an equitable transportation.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-10** This comment notes that Caltrans embraces racial equity, inclusion, and diversity and requests that the City consider including a discussion on equity in the document.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State

CEQA Guidelines §15088(a), it is noted that a robust discussion of equity in relation to the distribution of housing (in particular affordable housing) is included in **HEU Section 2**, which is the land use document (i.e., the “project”) that serves as the basis for the environmental analysis in the Draft SEIR. No further response is necessary.

- B-11** This comment notes there is a bicycle gap east of Ellis Avenue and Beach Boulevard and requests that the City consider closing this gap as future housing development occurs along this corridor. The comment notes that closing this gap would reduce dependency on single-occupant vehicle trips and would improve accessibility.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State CEQA Guidelines §15088(a), the City will continue to implement bicycle lane improvements in this area in accordance with the Circulation Element of General Plan (which identifies bicycle lanes in areas east of Ellis Avenue and Beach Boulevard) and with the shared goal of Caltrans to reduced dependency on single-occupant vehicle trips and improved accessibility. No further response is necessary.

- B-12** This comment notes that including CalEnviroScreen percentiles for certain population characteristics would provide more context in the existing environmental setting in **Draft SEIR Section 5.10.3**.

Information outlined in this comment, including a discussion of CalEnviroScreen percentiles and mapped results, is provided in **HEU Section 2**, which is the land use document (i.e., the “project”) that serves as the basis for the environmental analysis in the Draft SEIR. As outlined in this section of the HEU, the City will continue to implement inclusionary housing policies to facilitate the production of affordable housing to successfully create mixed-income communities in areas throughout the City. No changes to **Draft SEIR Section 5.10.3** are necessary given the inclusion of this information in the HEU and given that the inclusion of such data would not result in changes to the environmental analysis with respect to Population and Housing.

- B-13** This comment notes that Census tracts southwest of the Warner Avenue and Beach Boulevard intersection are designated as SB 535 Disadvantaged Communities and would be eligible for investment from the State’s Cap-and-Trade Program for programs that improve health, quality of life, and economic opportunities. The comment notes that including this information in the SEIR would demonstrate efforts of addressing equity in implementing affordable housing.

The inclusion of this information would not result in changes to the analysis or conclusion in the Draft SEIR with respect to Population and Housing and would not be appropriate in the context of Population and Housing impacts, as SB 535 aims to provide funding for projects that would improve public health, quality of life, and provide economic opportunities. For these reasons, the SEIR has not been amended to include a discussion on SB 535. In addition, the draft HEU identifies these census tracts for programs to reduce health risk/burden factors and improve quality of life through neighborhood enhancements and infrastructure improvements funded through State

initiatives such as Safe Routes to School. This comment will be forwarded to City decision-makers for their review and consideration.

- B-14** This comment notes that any project work in the vicinity of the State right-of-way would require an encroachment permit and all environmental concerns must be adequately addressed. The comment provides additional resources regarding encroachment permits and requests that the City meet with Caltrans for any work within or near the State right-of-way.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State CEQA Guidelines §15088(a), the City will coordinate with Caltrans on any future plans affecting State rights-of-way. The City will continue to inform project applicants of Caltrans requirements to obtain encroachment permits for work proposed within or adjacent to the State right-of-way. This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- B-15** This comment provides contact information for the project coordinator at Caltrans should the City have any questions regarding this comment letter and for future reference regarding additional agency-to-agency coordination.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

**Comment Letter C – OC Health Care Agency, Public Health Services  
Environmental Health Division  
Geniece Higgins, Supervising Hazardous Materials Specialist**



Public Health Services  
**Environmental Health Division**  
**MEMO**

Date: August 12, 2022

TO: Alyssa Helper, City of Huntington Beach (Alyssa.Helper@surfcity-hb.org)

FROM: Geniece Higgins, Supervising Hazardous Materials Specialist

SUBJECT: Notice of Availability of a Draft Subsequent Environmental Impact Report, City of Huntington Beach Project, SCH #2021080104

Thank you for the opportunity to review the above-referenced project document.

The Orange County Health Care Agency (OCHCA) Hazardous Materials Mitigation Program (HMMP) has the following comments:

1. The subject document indicates that none of the candidate housing sites are on a list of hazardous materials sites compiled pursuant to Government Code §65962.5; however, it should be noted that if previously unknown contamination or underground storage tanks (USTs) are encountered during site development, please contact the OC HMMP supervisor at (714) 433-6260 or the Environmental Health Main Line at (714) 433-6000.
2. Further, the subject document indicates that rezoning is planned for a portion of the project site(s). Please note that cleanup cases that have previously been issued No Further Action (NFA) letters were evaluated for NFA based on site use at the time of NFA determination; a change in land use may nullify the NFA letter(s) for these sites and additional evaluation may be necessary. A complete listing of OCHCA's current and historic cleanup cases can be found in the following links:
  - a) [Industrial Cleanup Cases](#)
  - b) [Leaking Underground Storage Tanks](#)
  - c) [Non-Petroleum Leaking Underground Storage Tanks](#)

C-1

C-2

1241 EAST DYER, STE. 120 SANTA ANA, CA 92705-5611  
Telephone: (714) 433-6000 / FAX: (714) 754-1732

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***Responses to Comment Letter C – OC Health Care Agency, Public Health Services  
Environmental Health Division  
Geniece Higgins, Supervising Hazardous Materials  
Specialist***

- C-1** This comment notes that while none of the candidate housing sites are on a list of hazardous materials sites, the OC Health Care Agency representatives listed in this letter should be contacted if previously unknown contamination or underground storage tanks are encountered during site development.

This comment does not address the adequacy or completeness of the Draft Subsequent SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

- C-2** This comment notes that rezoning is planned for some of the candidate housing sites. The comment also notes that No Further Action letters were issued for previous cleanup cases based on the site uses at the time of the No Further Action determination. The commenter notes that a change in the use may nullify the letters for these sites and additional evaluation may be required. The comment goes on to provide resources where a complete listing of current and historic cleanup cases can be found.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State CEQA Guidelines §15088(a), it is noted that implementation of GPU PEIR MM 4.7-2 and 4.7-3 would ensure that impacts related to soil contamination and hazards are addressed by the applicant and the appropriate oversight agency is consulted at the time residential projects are proposed. No further response is necessary.



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**Comment Letter D – OC Health Care Agency, Public Health Services  
Environmental Health Division  
Dan Weerasekera, Hazardous Materials Specialist**



CLAYTON CHAU, MD, PhD, MASL  
AGENCY DIRECTOR

MINDY WINTERSWYK, PT, DPT, PCS  
ASSISTANT AGENCY DIRECTOR

MARGARET BREDEHOFT, DrPH  
CHIEF PUBLIC HEALTH SERVICES

CHRISTINE LANE, REHS  
DIRECTOR  
ENVIRONMENTAL HEALTH

MAIL: PO BOX 25400  
SANTA ANA, CA 92799  
OFFICE: 1241 E. DYER RD, STE 120  
SANTA ANA, CA 92705  
TELEPHONE: (714) 433-6000  
FAX: (714) 754-1732  
E-MAIL: [chealth@ochca.com](mailto:chealth@ochca.com)

August 15, 2022

Alyssa Helper, Associate Planner  
City of Huntington Beach  
Department of Community Development  
2000 Main Street, 3<sup>rd</sup> Floor  
Huntington Beach, CA 92648

**Subject: THE CITY OF HUNTINGTON BEACH 2021-2029 HOUSING ELEMENT UPDATE  
IMPLEMENTATION PROGRAM PROJECT – DRAFT SUBSEQUENT ENVIRONMENTAL  
IMPACT REPORT, SCH # 2021080104**

Dear Ms. Helper:

The Orange County Health Care Agency (OCHCA) has reviewed the Subsequent Environmental Impact Report (SEIR) for the City of Huntington Beach 2021-2029 Housing Element Update (HEU) Implementation Program to build approximately 11,743 to 13,368 dwelling units to meet existing and future housing needs for all income levels within the city of Huntington Beach.

D-1

The OCHCA, Environmental Health is the certified Local Enforcement Agency (LEA) for Orange County and authorized and obligated to enforce solid waste laws and regulations pursuant to California Public Resource Code (PRC) § 43209 and § 45000 and Title 14 of the California Code of Regulations (CCR), § 18080 et seq. Pursuant to PRC § 43200.5, in enforcing Division 30 of the PRC and regulations implementing Division 30, the LEA carries out a state function and thus its actions are independent from, and not subject to the authority of, the Orange County Board of Supervisors.

D-2

Some of the proposed developments identified in the SEIR are outside the landfill boundary but in close proximity, within approximately 1,000 feet to the east of the former Gothard Street Landfill, Solid Waste Information System (SWIS) ID # 30-AB-0014, located at 18131 Gothard Street and the City of Huntington Beach Landfill (also known as Bruce Brothers Pit), SWIS ID #

D-3

Alyssa Helper  
August 15, 2022  
Page 2

30-AB-0026, located near the intersections of Gothard Street, Talbert Avenue and Goldenwest Street (see Attachment A), that are currently under the oversight of the LEA.

The landfill area is approximately 33 acres. The types of waste reportedly disposed of at the landfill predominantly of burn waste, municipal solid waste, and construction debris. In June 1962, the Orange County Waste and Recycling (OCWR) closed the site by placing a soil cover estimated to be approximately 2-to 10-foot thick on top of the waste disposal area. In December 1963, the County of Orange deeded approximately 22 acres of the northern and western portion of the site to the City of Huntington Beach for open space, recreational/park use (Huntington Beach Landfill). The remaining 11-acre portion is called the Gothard Street Landfill. In addition, OCWR operated a waste transfer station Site from 1963 until it ceased operations in 1982.

D-3

Appendix E – Hazardous Materials Data of the Draft SEIR mentions about Huntington Beach and Gothard Street landfills, but the site status listed is not consistent and accurate. Appendix E further states they do not affect proposed housing site as none are proposed on the landfill parcels. It should be noted Section 5.6.2 – Exiting Regulatory Setting and Section 5.6.9 – References in the Draft SEIR fail to identify CalRecycle SWIS database review with SWIS No. listed for the two land disposal sites.

D-4

The two former landfill sites currently have a landfill gas remediation system operating with a network of gas probes placed outside the footprint of buried waste monitored periodically, under the oversight of the LEA, to ensure public health and safety and the environment are protected from hazards posed by potential off-site migration of landfill gas. Although current gas monitoring probes for the two former disposal sites in the vicinity of Gothard Street have no methane exceedances, for landfills and disposal sites adjacent to developments, an understanding of the location of residential or commercial buildings, structures, utilities, and other subsurface features are necessary to ensure gas monitoring networks detect lateral migration and protect public health and safety with respect to Title 27 of the CCR. The LEA recommends for any residential developments that are about 1,000 feet distance from a landfill boundary, to consider installing landfill gas monitoring protection system and/or structural monitoring as defined in Title 27 CCR, § 20931 to ensure landfill gas buildup, if any, will not cause adverse impacts to the public health or safety and the environment.

D-5

Finally, please note that local jurisdictions in California with disadvantaged communities are required to develop an Environmental Justice (EJ) Element or consider EJ goals, policies, and objectives in their General Plans when updating two or more General Plan elements.

D-6

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If you have any questions, please contact Shyamala Rajagopal at (714)-433-6273 or Dan Weerasekera at (714) 433-6255, Hazardous Materials Specialists at Environmental Health, Solid Waste Program.

D-7

Sincerely,



Dan Weerasekera  
Hazardous Materials Specialist  
Hazardous Materials Mitigation Section  
Environmental Health

Attachment A: Map of the Candidate Housing Sites in relation to Gothard Street Landfill and Huntington Beach Landfill

cc: Jeff Arbour, OC Waste & Recycling  
Abel Martinez, CalRecycle  
Lauren Robinson, OCHCA – Environmental Health Division  
Akbar Sharifian, OCHCA – Environmental Health Division  
Aimee Halligan, OC Waste & Recycling  
Denny Bacon, City of Huntington Beach – Dept. of Public Works  
Joanne Lee, Santa Ana Regional Water Quality Control Board  
Garrett Kakishita, South Coast Air Quality Management District

# ATTACHMENT A

Map of the Candidate Housing Sites in  
relation to Gothard Street Landfill and  
Huntington Beach Landfill





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**Responses to Comment Letter D – OC Health Care Agency, Public Health Services  
Environmental Health Division  
Dan Weerasekera, Hazardous Materials Specialist**

**D-1** This comment is introductory and does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

**D-2** This comment summarizes the role of the Orange County Health Care Agency (OC Health Care Agency) and does not address the adequacy or completeness of the Draft Subsequent SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

**D-3** This comment notes that some of the proposed candidate housing sites identified in the Draft SEIR are outside the landfill boundary, but are within approximately 1,000 feet of the former Gothard Street Landfill and the City of Huntington Beach Landfill, both of which the OC Health Care Agency oversees. This comment also provides information on the landfills, including the total landfill area, the types of waste disposed of at the landfill, and the date of the landfill closure.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues pursuant to State CEQA Guidelines §15088(a). This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

**D-4** This comments notes that **Draft SEIR Appendix E** notes the presence of these two landfills, but incorrectly and inconsistently lists the status of the landfill sites. The comment also correctly notes that **Draft SEIR Appendix E** states that the presence of these landfills do not affect the candidate housing sites because they are not proposed on the landfill parcels and does not raise an environmental issue with this statement. The comment concludes by noting that **Draft SEIR Section 5.6.2: Existing Regulatory Setting** and **Draft SEIR Section 5.6.9: References** fail to identify CalRecycle Solid Waste Information System (SWIS) SWIS database review with SWIS numbers listed for the two land disposal sites.

See **Final SEIR Section 3.0: Errata** for updates to **Draft SEIR Sections 5.6.3** and **5.6.9**, and **Draft SEIR Appendix E**. It is assumed that where the commenter referred to **Draft SEIR Section 5.6.2**, they intended to refer to **Draft SEIR Section 5.6.3: Existing Environmental Setting**.

Regarding the Gothard Street Landfill, the SWIS finds that there are no areas of concern or violations based on quarterly inspections completed.<sup>1</sup> The State Geotracker website indicates that the site is an open – closed with monitoring case, as the landfill is closed but ongoing monitoring

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<sup>1</sup> CalRecycle. 2022. SWIS Facility/Sites Summary, Gothard Street Landfill (30-AB-0014), Recent Inspections. <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2080> (accessed September 2022).

events occur. Currently the site is undergoing a post-closure land use change (PCLUCP) with recent OC Waste and Recycling (OCWR) correspondence.<sup>2</sup> In 2013, OCWR applied for the landfill to be covered under the general waste discharge requirements (WDRs) for closed, abandoned, and inactive landfills, Order No. R8-2013-0010. The PCLUCP is intended to provide a description of the project related to changes that are relevant to regulatory agencies, including CalRecycle, OC Health Care Agency (OCHCA), which is the Local Enforcement Agency (LEA), the Santa Ana Regional Water Quality Control Board (SARWQCB), and South Coast Air Quality Management District (SCAQMD), for understanding the scope of the PCLUCP and site specific modifications taken to protect the environment and public health. The PCLUP also serves as an amended Report of Waste Discharge for a land use change, in compliance with SARWQCB Order No. R8-2013-0010.

- D-5** This comment opines that future residential housing projects within 1,000 feet of the landfill boundary should consider installing landfill gas monitoring protection systems and/or structural monitoring to ensure landfill gas buildup, if any, will not cause adverse impacts to the public health or safety and the environment.

As outlined in **Draft SEIR Section 5.6: Hazards and Hazardous Materials**, all future housing development subject to rezoning and within overlay zones would be subject to compliance with GPU PEIR MM 4.7-1, which would require future housing developments to comply with Huntington Beach Fire Department City Specification No. 429, Methane Mitigation Requirements. Among other requirements, City Specification and GPU PEIR MM 4.7-1 require that project-level applicants develop a plan to test soils for the presence of methane and submit the plan to the Huntington Beach Fire Department for review and approval. If significant levels of methane gas are discovered in the soil on a future development site, the project-level applicant's grading, building, and methane plans shall reference that a sub-slab methane barrier and vent system will be installed at the site per City Specification No. 429, prior to plan approval. If required by the Huntington Beach Fire Department, additional methane mitigation measures to reduce the level of methane gas to acceptable levels shall be implemented. Following compliance with this mitigation measure, impacts associated with methane gas emissions from these landfills and/or other potential contaminants on future candidate housing sites, would be reduced to a less than significant level.

- D-6** This comment notes that local jurisdictions with disadvantaged communities are required to develop an Environmental Justice Element or consider Environmental Justice goals, policies, and objectives when updating two or more General Plan elements.

Refer to Responses B-12 and B-13, above. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues pursuant to State CEQA Guidelines §15088(a). Additionally, it is noted that the City added environmental justice policies in 2017 when the General Plan was comprehensively updated. Also, the draft HEU includes a program (i.e., Program 2G) to update the General Plan to further incorporate environmental

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<sup>2</sup> SWRCB. 2021. Gothard Street Landfill Post-Closure Land Use Change Proposal Revised October 2021. [https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/3608050763/L10002414494.PDF](https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/3608050763/L10002414494.PDF) (accessed September 2022).

justice policies within a year of Housing Element adoption if necessary. This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.

- D-7** This comment provides contact information for representatives at the OC Health Care Agency should the City have any questions regarding this comment letter. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response, pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

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## Comment Letter E – Ocean View School District

Michael Conroy Ed.D., Superintendent



# Ocean View School District

17200 Pinehurst Lane,  
Huntington Beach, CA 92647  
Tel: 714 847-2551  
Fax: 714 847-1430  
Web: [www.ovsd.org](http://www.ovsd.org)

**Superintendent**  
Michael Conroy, Ed. D.

**Board of Trustees**  
Gina Clayton-Tarvin, President  
Patricia Singer, Vice President  
Jack C. Souders, Clerk  
John Briscoe, Member  
Norm Westwell, Member

SENT VIA ELECTRONIC TRANSMISSION

[Alyssa.helper@surfcity-hb.org](mailto:Alyssa.helper@surfcity-hb.org)

August 15, 2022

Ms. Alyssa Helper  
Associate Planner  
Department of Community Development  
CITY OF HUNTINGTON BEACH  
2000 Main Street  
Huntington Beach, CA 92648

RE: Draft Subsequent Environmental Impact Report ("SEIR")  
Huntington Beach 6<sup>th</sup> Cycle Housing Element ("HEU")

Dear Ms. Helper:

Thank you for the opportunity to provide public comments on the draft SEIR prepared for the proposed Huntington Beach 6<sup>th</sup> Cycle Housing Element. On behalf of the Ocean View School District ("OVSD"), we are submitting the following questions and comments on the draft SEIR.

E-1

1. Page 3-6, states: "Therefore, the estimated existing development capacity of the 378 candidate housing sites was not needed for the CEQA Project." Is "CEQA Project" a defined term in the SEIR? If so, what does it mean?

E-2

2. The current Affordable Housing Overlay is limited to a small number of parcels. The Affordable Housing Overlay permits by-right development if 20% of the units are restricted for affordable housing. The HEU will expand the Affordable Housing Overlay to 372 sites. The SEIR should provide a discussion of appeal procedures if residents need to appeal ministerial approvals of these housing development.

E-3

3. Page 3-7, Table 3-3: Candidate Housing Sites Involving Rezoning, should also include the projected number of units that would result if the rezoned sites were developed with residential units as well as the Floor Area Ratio ("FAR") information.

E-4








4. Appendix B, Candidate Housing Sites Inventory, should include the anticipated FAR information for each site in the table.

E-5

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August 15, 2022  
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5. Page 3-10, states: "...future CEQA evaluation will be exempt for development permitted by right, which includes housing projects within overlay zones..." Please clarify if this means that any residential development within an overlay even if it does not include 20% affordable housing or is developed less than a FAR of .75 is exempt from CEQA? E-6
6. Page 3-11 states: "...the Huntington Beach City Council will decide which housing sites from the candidate housing sites inventory will be identified in the 6<sup>th</sup> Cycle Housing Element, as action programs to accommodate the assigned affordable housing obligations." It is unclear when in the process city council will make this decision. Housing development, for the most part, within the Affordable Housing Overlay is a ministerial approval process. When does the city council identify which sites get developed? E-7
7. The 60% buffer is confusing. To meet RHNA the city needs to provide zoning for 11,743 additional dwelling units but is including a 60% buffer of 19,738 units so there is no net loss if some of the sites cannot be developed. Are the 19,738 units located on the Candidate Housing Sites and merely represent a higher density of development? Are the buffer sites in addition to the Candidate Housing Sites, if so, where are they located? Is the 11,743 a cap? When would a residential project not be included in the Project and therefore need additional environmental analysis? The SEIR needs to clarify. E-8
8. The SEIR states on page 3-18 that the 7,995 buffer units do not need to be included in the SEIR since sites have previously received CEQA clearance. The SEIR needs to include a list of the documents where and when the environmental analysis occurred. The SEIR needs to discuss under what circumstances a candidate site is deemed not suitable for development. Will there be a process to determine this? The SEIR should include a map of the location of the parcels for the 7,995 buffer units. Are any of these parcels within the Affordable Housing Overlay? The SEIR needs to provide this information. E-9
9. SEIR needs to discuss how the Affordable Housing Overlay is implemented. There does not seem to be any restriction if a developer chooses to pay in-lieu fees instead of constructing a minimum 20% affordable units within the project. Most residential developer, who develop similar housing projects in Irvine choose to pay in-lieu fees rather than construct affordable units. The SEIR needs to provide an analysis of the anticipated number of affordable units constructed versus payment of in-lieu fees. How will the city use the in-lieu fees collected? The SEIR needs to discuss what the city will do with the in-lieu fees concerning the types of affordable housing projects and the timing of these project to accomplish the housing element objectives to provide fair housing opportunities. The SEIR needs to analyze the "whole of the project." E-10
10. **Hydrology and Water Quality**, page 5.7-27, the SEIR concludes that flooding from a Prado Dam failure is unlikely due to the short duration that the reservoir behind the dam is full. This statement is not supported by evidence. The SEIR should provide support for this conclusion since Orville Dam did not fail when it was empty. The SEIR E-11

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- should include a discussion of the measures the County of Orange, Federal government and other regional governments are taking to reduce flooding from Prado Dam failure. 
11. **Hydrology and Water Quality**, the SEIR includes an analysis of the Project's impact to sufficient water supplies and includes GPU PEIR MM 4.15-2, however that mitigation measure only addresses water use practices for commercial business with employees. A mitigation measure that addresses the type of housing that would result from the Project should be included in the SEIR.  E-12
12. **Transportation**, the vehicle miles traveled (VMT) analysis is inadequate to determine the potential transportation impact of the HEU. The VMT Assessment (Appendix F) does not provide information on the total projected VMT generated by the project. The analysis assumes before the fact that most projects will be screened out and therefore a less than significant impact was concluded. There is no information on the impact if Candidate Housing Sites or buffer parcels are built at less than a .75 FAR or that parcels less than 10,000 square feet will be consolidated. There is also no discussion of the cumulative impact on VMT if developments do not qualify for exemptions, are located too far from a High-Quality Transit Corridor and do not have access to a bike lane. The analysis is not adequate to support a no significant unavoidable impact concerning transportation.  E-13
13. **Transportation**, the SEIR needs to provide information on the location and types of transit serving the Project area. Beach Boulevard is the only High-Quality Transit Corridor in the city that provides 15-minute service. The transportation section needs to provide the location of bus stops along this corridor and the walking distance to each parcel to determine if the parcel might be exempt from VMT analysis. Many candidate housing sites are located on Edinger Avenue and along the Gothard Industrial Corridor that is not served by a High-Quality Transit Corridor. One of the primary mitigations for VMT impact is access to alternative modes of transportation. The SEIR needs to discuss existing and proposed bike lanes that serve the project area. Beach Boulevard does not have a dedicated bike lane. How will residential developments enhance the use of bicycling as an alternative mode of transportation to mitigate VMT if there are not any bike lanes?  E-14
14. **Transportation**, the SEIR also states that individual project will need to prepare VMT analysis and provide mitigation, however CEQA does not allow deferring analysis of project impacts until after the project is approved. Please clarify.  E-15
15. **Alternative**, the SEIR only provides two alternatives. Alternative 1, the No Project and Alternative 2 that all RHNA is located within the Beach Edinger Corridor Specific Plan. The SEIR did not provide adequate VMT analysis and therefore the conclusion that Alternative 2 would reduce VMT is not supported by evidence. There has been  E-16  
 E-17



Ms. Alyssa Helper  
City of Huntington Beach  
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significant public controversy of high-rise residential development fronting Beach Boulevard as with the construction of the high-rise residential development located at Beach and Ellis. Alternative 2 will provide for significantly more development such as the Beach and Ellis project. There could be a significant number of high-rise residential building abutting existing low rise residential. The SEIR needs to visually analyze the aesthetic impact on the community of Alternative 2. The analysis of Alternative 2 also needs to analyze the impact on future residents concerning access to recreation and distance to open space and parks if development is concentrated in the Beach Edinger Corridor Specific Plan. Although the population number might be the same, Alternative 2 concentrates that population to a limited number of existing parks. This area of the city is underserved for parks as detailed in the Park and Recreation Master Plan, February 2016. Furthermore, high-rise residential is very costly to rent and maintain and may not result in the provision of affordable housing if developers choose to pay in-lieu fees and therefore not provide affordable housing in areas of the city with high economic opportunity. This alternative should be rejected.

E-18

E-19

E-20

16. The SEIR needs to include additional alternatives. The SEIR excludes Huntington Harbour Area as an alternative because the sites are in the Coastal Zone. Excluding these sites because the Coastal Commission is required to approve the land use is not reasonable. The Coastal Commission holds hearings all the time and approves amendments to coastal plans. Development can occur in the Sea Level Rise Vulnerability area. The development needs to be designed to mitigate sea level rise. For example, no habitation on the ground level. Many developments along the coast are designed with only parking and storage on the ground floor. The Huntington Harbour Area sites should be included as an Alternative.

E-21

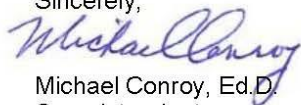
17. The McDonnell Center Business Park Specific Plan should be included as an alternative. The reasons stated to reject this alternative apply to any industrial or research and technology zoned parcel. The potential conflicts between industrial uses and residential uses, potential cost to remediate sites to residential standards, strong market for industrial and business serving zoned land and no desire to redevelop could apply to any Candidate Housing Site listed in the inventory.

E-22

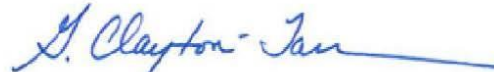
Thank you for this opportunity to comment on the Draft SEIR. If you have any questions or need any additional information, please do not hesitate to contact Susan Whittaker of Whittaker Planning Services at [susan@whittakerplanningservices.com](mailto:susan@whittakerplanningservices.com) or (949) 233-8680 or the below listed representatives of OVSD.

E-23

Sincerely,



Michael Conroy, Ed.D.  
Superintendent  
Ocean View School District



On behalf of the Board of Trustees:  
Gina Clayton-Tarvin  
Board President

c: HB City Council; OVSD Administrative Services



## ***Responses to Comment Letter E – Ocean View School District***

***Michael Conroy, Ed.D., Superintendent***

- E-1** This comment thanks the City for the opportunity to review the Draft SEIR and communicates that questions and comments on the Draft SEIR follow. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is needed.
- E-2** This comment asks if “CEQA Project” is a defined term in the Draft SEIR and does not address the adequacy of the environmental analysis or raise an environmental issue.

The CEQA Project is described in detail and defined throughout **Draft SEIR Section 3.0: Project Description**. Specifically refer to **Draft SEIR Section 3.6: Housing Element Update - CEQA Project**, for a definition of the CEQA Project and a description of the Project analyzed throughout the Draft SEIR.

For clarity, State CEQA Guidelines §15378: Project, states the following concerning a project under CEQA:

- a) “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:
- 1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.
  - 2) An activity undertaken by a person which is supported in whole or in part through public agency contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
  - 3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

Therefore, “CEQA Project,” as used in the Draft SEIR and pursuant to State CEQA Guidelines §15378, is interchangeable with “Project under CEQA” and includes all proposed Project activities that by their nature are capable of causing a direct or reasonably foreseeable indirect physical impact on the environment.

- E-3** This comment requests that the SEIR include appeal procedures if residents need to appeal ministerial approvals of the housing development.

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to

State CEQA Guidelines §15088(a), it is noted that future projects requiring discretionary action would be subject to appeal procedures in effect at the time action is taken on the project. The appeal period and procedures for filing an appeal would be disclosed at the time a decision is made on the project and in the Notice of Action for the project. Ministerial permits are not discretionary and, as such, action is not taken during a public meeting and no written notice of action is required. However, Huntington Beach Zoning and Subdivision Ordinance (HBZSO) Chapter 248 provides for appeals of a decision, requirement, or determination made by the Director in the administration of the zoning and subdivision ordinances not otherwise provided. Additionally, Huntington Beach Municipal Code (HBMC) Chapter 17 provides for appeals of decisions made by the Building Official. The HBZSO and HBMC are available to the public at all times on the City's website or by contacting the City Clerk's office or Community Development Department. No further response is needed.

- E-4** This comment requests that, along with the Floor Area Ratio (FAR), **Draft SEIR Table 3-3: Candidate Housing Sites Involving Rezoning** include the projected number of units that would result if the rezoned candidate housing sites were developed with residential units.

Please refer to **Draft SEIR Table 3-3** in **Draft SEIR Section 3.2: Existing Environmental Setting**. Rezoning is a Project activity that is more appropriately discussed as a potential Project impact; see **Draft SEIR page 5.8-21**. It is also noted that zone changes are proposed on only three candidate housing sites: Sites 3, 4, and 5. **Draft SEIR Table 5.8-6: Proposed Zone Changes – Candidate Housing Sites**, provides the existing and proposed zoning for these three sites. As indicated in **Draft SEIR Table 5.8-6**, the zoning on Sites 3, 4, and 5 would change from IL, IG, and CG (with an existing development capacity of 765,458 square feet of non-residential land uses) to RMH, with a resultant development capacity of 428 housing units.

The maximum allowable development on an individual parcel is regulated by the maximum density or intensity for the parcel's land use designation. Density applies to residential designations and is expressed as the maximum number of dwelling units per acre of land. Intensity applies to nonresidential development and is expressed as floor-to-area (FAR) ratio. Candidate housing sites proposed to be rezoned to RMH (Residential Medium High Density) would be subject to the maximum density allowable for that land use designation, which is 25 dwelling units per acre. No FAR standard is established for the RMH land use designation.

- E-5** This comment requests that **Draft SEIR Appendix B: Candidate Housing Sites Inventory** also include the anticipated FAR for each candidate housing site.

The Project's proposed rezoning and overlay strategies are all intended to accommodate additional residential development. Therefore, **Draft SEIR Appendix B** appropriately includes residential development density, which is expressed in terms of dwelling units per acre. There is no FAR proposed for the candidate housing sites. Further, FAR as suggested in this comment, is a quantitative measure that typically applies to non-residential development, including as part of a mixed-use development. The Project's proposed rezoning and overlay are intended for residential development and not non-residential or mixed-use developments.

- E-6** This comment requests clarification, asking if the statement “except for development permitted by right” found on **Draft SEIR page 3-10** refers to any residential development within an overlay.

This statement does not refer to “any” project, instead it refers to projects that meet State housing law requirements (i.e., by providing a minimum of 20 percent lower income units on site). To further clarify, **Draft SEIR page 3-10** paragraph 3 is revised in the Final SEIR, as follows:

..... Similarly, discretionary permits and future CEQA evaluation will be required prior to approval of future housing development facilitated by the HEU, except for development permitted by right, which includes housing projects within overlay zones that meet State housing law requirements (e.g., by providing a minimum of 20% lower income units on site), emergency shelters, low barrier navigation centers, and small licensed residential care facilities for six or fewer persons; and ADUs and Junior ADUs, which are exempt from CEQA, pursuant to State CEQA Guidelines §15268 (Ministerial Projects) and PRC §21080(b)(1) and discretionary permits per CGC §§65852.2 and 65852.22. In addition, ADUs can be categorically exempt from CEQA pursuant to State CEQA Guidelines §§15301 and 15303, authority cited under PRC §§21083 and 21087.

Although not related to the SEIR’s environmental analysis, to further clarify, within the proposed Overlay areas, if a project does not provide a minimum of 20 percent lower income units on site, an applicant would be subject to development pursuant to the base/underlying zoning designation. For some candidate housing sites, this would preclude residential development on the site and any nonresidential development proposed would be subject to the City’s discretionary processes and be subject to CEQA. In instances where the base zoning designation allows residential (such as the Beach and Edinger Corridors Specific Plan) a project that does not provide a minimum of 20 percent lower income units on site would be subject to the City’s discretionary processes and be subject to CEQA.

- E-7** This comment requests clarification on when in the process City Council will decide concerning the statement made on **Draft SEIR page 3-11** “the Huntington Beach City Council will decide which housing sites from the candidate housing sites inventory will be identified in the 6<sup>th</sup> Cycle Housing Element, as action programs to accommodate the assigned affordable housing obligations.”

This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Although such comments do not require a response pursuant to State CEQA Guidelines §15088(a), it is noted that the Huntington Beach City Council will make these decisions at the time the HEU and its associated SEIR are brought forth for their consideration. This is tentatively scheduled to occur during a City Council meeting to be held in Fall of 2022. Public notices of this meeting will be made available in accordance with all applicable regulations. No further response is needed.

- E-8** This comment requests clarification regarding the 60 percent buffer.

As stated on **Draft SEIR page 3-13**, a buffer of 60 percent is included to accommodate the RHNA during the entire planning period given the State's requirements of the "no net loss" statute. The purpose of No Net Loss Law (CGC §65863) is to ensure development opportunities remain available throughout the planning period to accommodate a jurisdiction's RHNA, especially for lower- and moderate-income households.<sup>3</sup>

The Project does not propose new residential or other development on the 378 candidate housing sites; rather, it provides capacity for future development of approximately 19,738 housing units to meet the City's remaining unmet RHNA of 11,743 housing units, consistent with State law. Because private property development is largely the result of market forces, it is possible that a candidate site would be developed with nonresidential uses pursuant to the base zoning designation or be developed with fewer units than the assumed capacity. The City is required to accommodate a buffer to ensure that residential capacity will continue to accommodate the City's RHNA targets for each income level in the event this happens. While the 11,743 units of remaining unmet RHNA is not a development cap, the City only has to allow residential development pursuant to the proposed Affordable Housing Overlays (i.e., by-right development) until the RHNA is met. The 19,738 units, which do account for the buffer, reflect the development capacities for all 378 candidate housing sites. There is no additional buffer or other sites aside from the 378 sites identified. The assumed development densities are detailed in **Draft SEIR Appendix B**. Lastly, during the planning period, residential development projects could be proposed in other areas of the City designated for residential uses on sites not identified in the Housing Element. These residential projects are not part of the Project analyzed in the SEIR and would be subject to the City's established discretionary process and CEQA. These projects would also contribute to meeting the City's RHNA targets.

- E-9** This comment requests clarification concerning developments that have previously received CEQA clearance (**Draft SEIR page 3-18**). This statement refers to the 1,625 units that are already entitled and current in the pipeline projects- it does not refer to the buffer units. To further clarify, Draft SEIR page 3-18 last paragraph is revised in the Final SEIR, as follows:

It is noted, while the candidate housing sites' development capacity totals 19,738 housing units, this includes a 60 percent buffer, which is intended to serve as a sites contingency. Therefore, the CEQA Project analyzed in this SEIR assumes 11,743 additional housing units over existing conditions, which excludes the ~~60-percent~~ 7,995 buffer units and 1,625 pipeline units (i.e., existing applications and current projects)<sup>4</sup> ~~since these have previously received CEQA clearance....~~

<sup>3</sup> California Department of Housing and Community Development. 2021. *Accountability and Enforcement*. <https://www.hcd.ca.gov/community-development/accountability-enforcement.shtml> (accessed January 2022).

<sup>4</sup> Please refer to the City's website for a list of environmental reports that have been prepared for the pipeline units that have previously received CEQA clearance: <https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/>. As indicated on pages B-8 and B-9, some of the pipeline projects are currently under review and their associated environmental documents are underway. The completed environmental documents for each of these projects will be posted at the same location on the City's website, as noted above.

The candidate housing sites included in the inventory have already undergone a site suitability analysis as part of the HEU and have been deemed suitable to accommodate residential capacity pursuant to Housing Element law.

As discussed in Response E-8, the 19,738 units consider the development capacities of all 378 candidate housing sites and includes the buffer (7,995 units). The locations of the 378 candidate housing sites are depicted on **Draft SEIR Exhibit 1-1: Candidate Housing Sites**. All of the parcels would be located within Overlay areas, except for the three sites proposed to be rezoned. There are no additional parcels being considered beyond the 378 sites depicted on **Draft SEIR Exhibit 1-1**.

- E-10** This comment requests a discussion on how the Affordable Housing Overlay is implemented.

The Housing Element's Affordable Housing Overlay is a subsequent implementing action to be adopted by the City Council at a duly noticed public hearing. Upon adoption, the Overlay will become the official standards regulating land uses subject to the Overlay. It is noted that the Draft SEIR analyzes the whole of the Project in that it evaluates and identifies potential environmental impacts associated with the total development capacity on all of the candidate housing sites, including sites within the Affordable Housing Overlay. By doing so, the Draft SEIR outlines a worst-case scenario of potential Project impacts on the environment. Residential projects proposed pursuant to the Overlay would be required to provide 20 percent lower income units on site and would not be allowed to pay in-lieu fees to satisfy the affordable requirement.

- E-11** This comment requests additional information concerning flooding from Prado Dam failure. The comment states that the Draft SEIR should provide support for concluding that risk of flooding from Prado Dam failure is unlikely due to the short duration that the reservoir is full.

In accordance with the State CEQA Guidelines, the Draft SEIR addresses the following impact statement: Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? **Draft SEIR Section 5.7: Hydrology and Water Quality** states that future development facilitated by the Project could place housing and structures within a 100-year flood hazard area and/or dam inundation area. The section further discloses that General Plan Figure HAZ-8, Dam Flooding Area, identifies portions of the City, including 154 candidate housing sites, in the Prado Reservoir Dam inundation area. The Association of State Dam Safety Officials reports the most likely cause of dam failure is flooding from overtopping.<sup>5</sup> The General Plan Natural and Environmental Hazards Element reports that Prado Dam releases water in a controlled manner down the Santa Ana River to recharge the groundwater aquifer underlying Orange County.<sup>6</sup> Although upstream dam failure could occur, it is likely only a threat to Huntington Beach during a relatively small part of the year when the reservoir behind Prado Dam is at its fullest. Therefore, the Draft SEIR appropriately concludes that flood risk from dam failure is unlikely. Although unlikely, potential for flooding from dam failure due to overtopping or other cause of failure, in

<sup>5</sup> The Association of State Dam Safety Officials. 2022. Dam Failures and Incidents. <https://damsafety.org/dam-failures#:~:text=Overtopping%20caused%20by%20water%20spilling,of%20all%20U.S.%20dam%20failures>. (accessed September 2022).

<sup>6</sup> City of Huntington Beach. 2017. General Plan, Natural and Environmental Hazards Element. <https://www.huntingtonbeachca.gov/files/users/planning/Natural-and-Environmental-Hazards.pdf> (accessed September 2022).

addition to flooding and inundation from storm events, would be addressed through Building Code and other applicable requirements. The analysis addresses federal and local requirements as follows: FEMA requires municipalities that participate in the NFIP to adopt certain flood hazard reduction standards for construction and development in 100-year flood plains. Accordingly, the City requires all new development within a 100-year flood hazard area to obtain all necessary permits from applicable governmental agencies, comply with Floodplain Overlay District requirements (HBZSO Chapter 222), and ensure that proposed housing sites would be reasonably safe from flooding. A discussion of the measures the County of Orange, Federal government, and other regional governments implement to reduce flood risks from Prado Dam failure would not inform the analysis because the impact threshold is adequately addressed, and the Project is not the analysis of potential Prado Dam failure, but rather of potential Project impacts. It is also noted that all of the 154 candidate housing sites within or partially within the dam flooding area are currently designated for residential, commercial, or industrial land uses that could place housing and structures within flood hazard areas.

- E-12** This comment is concerning GPU PEIR MM 4.15-2, which is intended to mitigate impacts to water supplies and the commenter alleges is for commercial businesses with employees. See revisions to **Final SEIR Section 3.0: Errata** for revisions to GPU PEIR MM 4.15-2 to account for the residential component.
- E-13** This comment opines that the Vehicle Miles Traveled (VMT) analysis included in the Draft SEIR is inadequate because it screens out several of the candidate housing sites identified in the HEU, and therefore does not describe the total VMT generated by the Project.

As discussed in Responses E-8 and E-9 above, the inventory of candidate housing sites results in a development capacity of 19,738 units, including the 7,995 unit buffer (60 percent), although the City's unmet RHNA is only 11,743 units. As the housing development projects' built environment characteristics (e.g., density, bicycle facilities, transportation demand measures, sequence and combination of candidate housing sites, and displaced land uses, among others), that could influence trip generation and VMT cannot be known at this time, calculating VMT for all sites for 19,738 units would generate VMT for an unrealistic development scenario that is not anticipated to occur. The Housing Element is a policy-level document that presents the City's proposed policies and programs to achieve the City's housing objectives within the 2021-2029 planning period. Growth assumptions included in the HEU represent a theoretical development capacity (based on the City's RHNA allocation as determined by SCAG), which, consistent with the Housing Element planning period, is estimated to occur by 2029. The Project does not propose development, but rather is intended to accommodate and encourage housing development to accommodate projected housing needs at all income levels within the City. The 19,738 dwelling unit development capacity, inclusive of the buffer needed to meet the remaining unmet RHNA of 11,743 dwelling units, and planning period are based on theoretical conditions used to conduct a thorough and conservative analysis of potential environmental impacts that would result from future development accommodated by the HEU and corresponding updates to the LUE. The actual rate and location of housing development would be outside of the City's control and would be dictated by factors that influence development, such as economics and market forces, among

others. Individual projects would occur incrementally over time, largely based on economic conditions, market demand, and other planning considerations.

As stated on Draft SEIR page 5.13-10, to quickly identify when a project should be expected to cause a less than significant impact without conducting a detailed study, the Governor's Office of Planning and Research 2018 December Technical Advisory (OPR TA) suggests that a lead agency may screen out VMT impacts using project size, maps, transit availability, and provision of affordable housing. The OPR TA specifies that land development projects that have one or more of the following attributes may be presumed to have a less than significant impact on transportation and circulation: Small Projects; Low VMT Area Projects; Proximity to Transit (Projects in Transit Priority Areas (TPAs)/High-Quality Transit Area (HQTAs); Affordable Residential Development Projects. A land use project needs to meet only one of these screening criteria to be presumed to have a less than significant impact on transportation and circulation, under CEQA and pursuant to SB 743. Accordingly, the Draft SEIR provides the VMT Assessment for screened projects beginning on page 5.13-16. All 378 candidate housing sites were analyzed based on their maximum allowable density, maximum development capacity, maximum trip generation, location and each screening criteria (i.e., Small Projects; projects in low VMT areas; projects in TPAs/ HQTAs; and affordable housing projects). Moreover, to provide forecast ADT for representative residential developments, the ADT for the maximum, mean, and 90<sup>th</sup> percentile development capacities were estimated. The daily trip generation per candidate housing site and the exhibits that depict the sites in the context of projects in low VMT areas and projects in TPAs/ HQTAs are provided in **Draft SEIR Appendix F: Vehicle Miles Traveled Assessment**; see the following:

- Attachment A: Forecast Trip Generation by Candidate Housing Site
- Attachment C: Small Project Screening Map
- Attachment E: Low VMT Area Screening Map
- Attachment F: Transit Proximity Screening Map

Therefore, the Draft SEIR analysis screens out the candidate housing sites based on their ability to qualify for the four screening criteria.

Future housing development in the City will be processed in accordance with the applicable zoning regulations and development standards in effect at the time a project is submitted. Future developments would be examined in light of the assumptions for that site included in the SEIR to determine whether they would be subject to a "by right" site plan review process or further discretionary review, including environmental clearance requirements pursuant to CEQA. As discussed above, the assumed developments on each candidate housing site are theoretical- lot consolidation, etc. is speculative and cannot be determined at this policy-level analysis. See Response E-4 concerning FAR, which is a quantitative measure that typically applies to non-residential development, thus, the densities specified in **Draft SEIR Appendix B** were used for screening purposes.

- E-14** This comment requests information on proximity to transit and bicycle facilities and opines that the SEIR needs to discuss transit within the Project area in relation to VMT impacts.

See Response E-13 concerning adequacy of the VMT analysis, transit screening, and Attachment F: Transit Proximity Screening Map. The City's Bicycle Master Plan (2013) and General Plan Circulation Element Figure CIRC-5, Bikeway Plan, which detail the existing bicycle network and also offer future improvements intended to enhance the City's bicycle network are discussed on Draft SEIR page 5.13-6. Additionally, the Existing Transportation Network (Draft SEIR page 5.13-6) discusses for each roadway the locations of bicycle facilities and which candidate housing sites are present/would be served by that facility.

The use of bicycling as an alternative mode of transportation is not solely relied upon to mitigate VMT impacts. Other examples of potential measures to reduce VMT, as outlined in MM TRANS-1, include:

- Increase access to common goods and services, such as groceries, schools, and daycare.
- Incorporate affordable housing into the project.
- Provide traffic calming.
- Limit or eliminate parking supply.
- Unbundle parking costs.
- Implement or provide access to a commute reduction program.
- Provide transit passes.

**E-15** This comment questions whether the Draft SEIR defers VMT mitigation as part of the VMT analysis by noting that individual projects will need to undergo and prepare a separate VMT evaluation.

As discussed in Response E-13, the housing development projects' built environment characteristics (e.g., density, bicycle facilities, transportation demand measures, sequence and combination of candidate housing sites, and displaced land uses, among others), that could influence trip generation and VMT cannot be known at this time. These are practical considerations that preclude conducting site-specific VMT analyses and devising site-specific mitigation measures, and are moreover not appropriate for this policy level analysis. Additionally, MM TRANS-1 includes the elements necessary to devise site-specific mitigation measures: the Lead Agency's commitment to devise such measures in the future; inclusion of performance standards (i.e., low VMT threshold); and identification of potential actions that could feasibly achieve the performance standard.

**E-16** This comment notes the two alternatives provided in the SEIR. The State CEQA Guidelines do not require an EIR to consider every plausible alternative to a project, but rather must examine in detail only the ones which the lead agency determines could feasibly attain most of the basic project objectives. Given the Project's objectives, and most notably the ability to meet RHNA requirements, the SEIR has both identified those alternatives considered but rejected, and analyzed in detail two alternatives that could at least in part attain Project objectives.

**E-17** See Responses E-13, E-14, and E-15 concerning the adequacy of the VMT analysis.



State CEQA Guidelines §15126.6(d): Evaluation of Alternatives states: *The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.* Therefore, the level of detail provided is suitable for an alternatives analysis. Further, under Alternative 2, new residential development would occur in portions of Specific Plan 14's (Beach Edinger Corridors Specific Plan) Transition Corridor Areas (TCAs), which would support transit-oriented communities, and on fewer total parcels throughout the City. This would further reduce vehicle miles traveled (VMT), transportation-related energy demands, and associated criteria air pollutant and greenhouse gas emissions associated with housing development. Thus, the analysis found that compared to the proposed Project, Alternative 2 would better support goals to reduce Citywide and regional VMT. This alternative would not restrict the City's ability to implement any planned transportation improvements and new development would continue to be subject to HBMC Chapter 17.65: Fair Share Traffic Impact Fees. Following compliance with General Plan Policies CIRC-1.B, 1.F, 2.C, 3.C, 3.D, 5.A, 6.C, 9.B, payment of traffic impact fees, and implementation of GPU PEIR MMs 4.14-1 through MM 4.14-3 and MM TRANS-1 (which would remain applicable to Alternative 2), Alternative 2's potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities would also be less than significant. Thus, Alternative 2 would be considered environmentally superior to the Project concerning transportation.

- E-18** This comment notes that there has been public controversy over high-rise development fronting Beach Boulevard. See Response E-17, regarding the adequacy of the Alternative 2 analysis.

There is no high-rise development anticipated by the Project. As detailed for each candidate housing site in VMT Assessment Attachment A: Forecast Trip Generation by Candidate Housing Site, either low-rise or mid-rise developments were assumed for the sites. Therefore, no visual analysis of high-rise development is warranted.

See **Final SEIR Section 3.0: Errata** for revisions to the Aesthetic analysis under Alternative 2.

- E-19** This comment opines that there will be additional impacts to recreational facilities within areas around Beach Boulevard under Alternative 2, as this alternative would result in an increase in population concentrated within this area, which could result in an increased demand for parks and recreational facilities. See **Draft SEIR Section 5.12: Recreation**, for an analysis of the Project's potential impacts on recreational facilities. As with the Project, the increased use of existing recreational facilities associated with Alternative 2 is not anticipated to result in the substantial physical deterioration of these facilities because Alternative 2 buildout would occur incrementally through 2029, based on market conditions and other factors, such that recreational facilities are not overburdened by substantially increased demands at any single point in time. Also, as stated in **Draft SEIR Section 7.0: Alternatives**, Alternative 2 does not include recreational facilities but may require the construction or expansion of facilities to meet the demand for recreational

facilities to meet General Plan Policy ERC-1.A's park per capita target ratio of 5.0 acres per 1,000 persons.

- E-20** This comment notes that high-rise development is costly and may not be affordable to renters if developers choose to pay in-lieu fees rather than provide affordable housing. As such, the comment opines that housing locations and development envisioned under Alternative 2 should be rejected.

See Response E-18 concerning high-rise development. Residential projects proposed within the Overlay areas would be required to provide 20 percent lower income units on site and would not be able to satisfy the affordable requirements through the payment of in-lieu fees. The rejection of Alternative 2 based on a hypothetical scenario in which rental units could be too costly to maintain and rent would be speculative, and would conflict with the State CEQA Guidelines, which require an evaluation of a reasonable range of alternatives that could lessen or eliminate Project-related environmental impacts.

- E-21** This comment requests that additional alternatives (i.e., the Huntington Harbour Area) be analyzed. See Response E-16 concerning the Alternatives analyses. In addition, as discussed in **Draft SEIR Section 7.0: Alternatives**, sites in the Huntington Harbour area would be subject to approval of a Local Coastal Program Amendment by the California Coastal Commission. The comment asserts that development can occur in areas vulnerable to hazards from sea level rise if the design mitigates sea level rise. However, when considering land use plan amendments, the Coastal Commission's adopted guidance policies provide that jurisdictions should identify sea level rise hazard areas and limit new development in current and future sea level rise hazard zones. The Huntington Harbour area is mapped as a potential Sea Level Rise Hazard Area in General Plan Figure HAZ-6. The City has no assurances that the Coastal Commission would approve land use amendments to designate this area for residential uses. Therefore, this area would not be available to accommodate residential development (i.e., the City's RHNA targets) during the planning period and would not meet this Project objective. Further, the number of residential units that would need to be accommodated in the HEU would remain the same regardless of site location. As such, environmental impacts would not necessarily be reduced. Since impacts would not be reduced and Project objectives would not be met, alternatives to consider different sites were not selected for further analysis.

- E-22** This comment requests that the McDonnell Centre Business Park Specific Plan (SP11) Alternative not be rejected. See Response E-16 concerning the Alternatives analyses. In addition, as discussed in **Draft SEIR Section 7.0: Alternatives**, properties within the SP11 area that were considered for housing in the HEU are proposed to be developed with industrial uses. The first phase of buildings was recently completed, and additional phases were approved for over one million square feet of industrial, office, and warehouse space. Therefore, these sites would not be available to accommodate residential development (i.e., the City's RHNA targets) during the planning period and would not meet this Project objective. Further, the number of residential units that would need to be accommodated in the HEU would remain the same regardless of site location. As such, environmental impacts would not necessarily be reduced. Since impacts would not be reduced

and Project objectives would not be met, alternatives to consider different sites were not selected for further analysis.

- E-23** This comment is a closing statement that communicates contact information. No further response is needed. This comment does not address the adequacy or completeness of the Draft SEIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines §15088(a). No further response is necessary.

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## **Section 3**

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### **Errata to the Draft SEIR**



## Section 3.0 Errata to the Draft SEIR

### 3.1 Introduction to the Errata

In accordance with State CEQA Guidelines §15132: Contents of Final Environmental Impact Report, the Final SEIR for the 2021-2029 HEU Implementation Program Project includes the Draft SEIR (SCH #2021080104, June 2022), as well as any proposed revisions or changes to the Draft SEIR. Changes to the Draft SEIR are listed below in this section by Draft SEIR Section, page, paragraph, etc. to best guide the reader to the revision. Changes are identified as follows:

- Deletions are indicated by ~~strikeout text~~.
- Additions are indicated by underlined text.

It is noted, the changes to the Draft SEIR provided below do not affect the Draft SEIR's overall conclusions, and instead represent changes to provide clarification, amplification, and/or insignificant modifications, as needed as a result of public comments on the Draft SEIR, or due to additional information received during the public review period. These clarifications and corrections do not warrant Draft SEIR recirculation pursuant to State CEQA Guidelines §15088.5; see also **Final SEIR Section 1.4: Changes to the Draft SEIR**.

None of the changes or information provided in the comments identify a new significant environmental impact, a substantial increase in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted. In addition, the changes do not reflect a fundamentally flawed or conclusory Draft SEIR.

### 3.2 Changes to the Draft SEIR

#### Section 3.0: Project Description

##### *Page 3-10, Section 3.10: Project Characteristics, Project Overview*

..... Similarly, discretionary permits and future CEQA evaluation will be required prior to approval of future housing development facilitated by the HEU, except for development permitted by right, which includes housing projects within overlay zones that meet State housing law requirements (e.g., by providing a minimum of 20% lower income units on site), emergency shelters, low barrier navigation centers, and small licensed residential care facilities for six or fewer persons; and ADUs and Junior ADUs, which are exempt from CEQA, pursuant to State CEQA Guidelines §15268 (Ministerial Projects) and PRC §21080(b)(1) and discretionary permits per CGC §§65852.2 and 65852.22. In addition, ADUs can be categorically exempt from CEQA pursuant to State CEQA Guidelines §§15301 and 15303, authority cited under PRC §§21083 and 21087.

##### *Page 3-18, Section 3.6: Housing Element Update – CEQA Project*

It is noted, while the candidate housing sites' development capacity totals 19,738 housing units, this includes a 60 percent buffer, which is intended to serve as a sites contingency. Therefore, the CEQA

Project analyzed in this SEIR assumes 11,743 additional housing units over existing conditions, which excludes the ~~60 percent~~ 7,995 buffer units and 1,625 pipeline units (i.e., existing applications and current projects)<sup>1</sup> ~~since these have previously received CEQA clearance....~~

## Section 5.6: Hazards and Hazardous Materials

### *Page 5.6-9, Section 5.6.3: Existing Environmental Setting, First Paragraph under Database Review*

Kimley-Horn performed regulatory database searches of the SWRCB GeoTracker website<sup>2</sup>, ~~and~~ the DTSC Envirostor website<sup>3</sup>, and the CalRecycle Solid Waste Information System (SWIS),<sup>4</sup> to identify hazardous materials regulated facilities within the City. **Appendix E: Hazardous Materials Listed Sites**, lists all the SWRCB GeoTracker, DTSC Envirostor, and SWIS databases listed sites that occur within the City.

### *Page 5.6-10, Section 5.6.3: Existing Environmental Setting, After Last Paragraph under Database Review.*

There is one hazardous waste site (Ascon Landfill, located at 21641 Magnolia Street) in the City that is on the Hazardous Waste and Substances Site List (Cortese List) compiled pursuant to California Government Code §65962.5.<sup>5</sup> This property is not included in the inventory of candidate housing sites.

In addition, CalRecycle's SWIS identified two other landfills in the City: the City of Huntington Beach Landfill (No. 30-AB-0026, previously located between Gothard Street and Goldenwest Street); and the Gothard Street Landfill (No. 30-AB-0014, previously located at 18131 Gothard Street). These landfills have a "closed" operational status and are not included in the inventory of candidate housing sites. The State Geotracker website indicates that the Gothard Street Landfill is an open – closed with monitoring case, as the landfill is closed but ongoing monitoring events occur.

### *Page 5.6-14, Section 5.6.6: Project Impacts and Mitigation, Impact Analysis.*

Review of regulatory databases (i.e., SWRCB GeoTracker, ~~and~~ DTSC Envirostor, and SWIS) indicates candidate housing Sites 32, 38, 289, 300, and 325 are located on three DTSC Envirostor open cases ~~and~~, candidate housing Sites 133, 204, 214, 217 and 222 are located on five of the Geotracker open cases, and candidate housing Sites 52, 283, 147, 92, 298, 93, 33, 197, 96, 169, 168, 26, 329, 314, 35, 295, 207, 282, 34, 3, 27, 28, 21, 20, 29, 308, 309, 30, 24, 32, 208, 203, 25, 23, 312, 290, and 22 are within 1,000 feet of an open – closed with monitoring case. Additionally, these databases report multiple listings are present within the City that have or previously had cases associated with hazardous material spills, violations, or

<sup>1</sup> Please refer to the City's website for a list of environmental reports that have been prepared for the pipeline units that have previously received CEQA clearance: <https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/>. As indicated on pages B-8 and B-9, some of the pipeline projects are currently under review and their associated environmental reports are underway. The completed environmental documents for each of these projects will be posted at the same location on the City's website, as noted above.

<sup>2</sup> State Water Resources Control Board's (SWRCB) GeoTracker website <http://geotracker.waterboards.ca.gov/>. (accessed January 26, 2022). <http://www.envirostor.dtsc.ca.gov/public/>

<sup>3</sup> Department of Toxic Substances Control Envirostor website <http://www.envirostor.dtsc.ca.gov/public/>. (accessed January 26, 2022).

<sup>4</sup> CalRecycle. SWIS Facility/Site Search. <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search> (accessed September 2022).

<sup>5</sup> California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: <https://dtsc.ca.gov/dtscs-cortese-list/>. Accessed: January 30, 2022.



incidents. As previously noted, the SWRCB GeoTracker database reports 35 open cases and the DTSC Envirostor database reports 34 open cases throughout the City. Additionally,...

***Page 5.6-22, Section 5.6.9: References***

CalRecycle. 2022. SWIS Facility/Site Summary – City of Huntington Beach Landfill (30-AB-0026). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2086>. Accessed September 7, 2022.

CalRecycle. 2022. SWIS Facility/Site Summary – Gothard Street Landfill (30-AB-0014). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2080>. Accessed September 7, 2022.

## **Section 5.12: Recreation**

***Pages 5.12-3 and -4, Section 5.12.3: Existing Environmental Setting***

### ***Parks<sup>2</sup>***

The City is served by a wide variety of recreational programs run by the City of Huntington Beach Department of Community Services. There are 789 parks and public facilities, public golf courses, city facilities, and public beaches in the City totaling 1,073 ~~767~~ acres, ~~190 playground apparatus, and irrigation systems. In addition to the 767 acres of parkland, the City also has 208 acres of public beach and a 98-acre public golf course.~~ City recreational facilities also include community centers, senior centers, clubhouses, a gym and pool, bikeways and equestrian trail systems, and campgrounds. City-run marine-based amenities, such as beaches, a pier, and harbor channels, as well as two State beaches and one regional park (operated by Orange County), are also available for recreational usage.

### ***Parks/Parkland***

Based on the City's existing population of 196,874 persons (see **Table 5.10-2: Existing and Forecast Population -City**) and City target to maintain or exceed the current park per capita ratio of 5.0 acres per 1,000 persons, including the beach in the calculations (see General Plan Policy ERC-1.A), the City's current parkland demand is 985 acres. As discussed above, there are 1,073 ~~975~~ acres of parkland in the City; ~~including 767 acres of parks and 208 acres of public beach.~~ Therefore, the City is currently over ~~under~~ its parkland demand by approximately 88 ~~10~~ acres.

***Pages 5.12-5 and -6, Section 5.12.6: Project Impacts and Mitigation, Impacts REC-1 and -2***

### ***IMPACT ANALYSIS***

Implementation of the HEU would not, in and of itself, construct new housing in the City but would facilitate the development of residential units by providing programs and policies that would promote housing for all persons.

Future housing development facilitated by the Project would incrementally increase the City's population by approximately 29,475 persons; see Table 5.10-8: Existing Plus Project Growth Projections. Additionally, this forecast population growth would require the construction or expansion of recreational facilities to meet General Plan Policy ERC-1.A's park per capita target ratio of 5.0 acres per 1,000 persons. Table 5.12-1: Projected Parkland Demand – Project and Representative Development Capacities, provides the projected parkland demand for Project buildout and indicates the Project would generate a demand

for approximately 147 acres of parkland. Although the Project-related increase in population is anticipated to increase the use of existing recreational facilities, the increased use of existing recreational facilities is not anticipated to result in the such that substantial physical deterioration of these facilities could occur or be accelerated because much of the project-related growth has. It is noted that Project buildout would occur incrementally through 2029, based on market conditions and other factors, such that recreational facilities are not overburdened by substantially increased demands at any single point in time. Additionally, the Project-related increase in population (and resulting increase in parkland demand) represents a conservative, worst-case scenario because there is an overlap in growth anticipated as part of the Project and growth anticipated as part of the GPU (2017). Namely, growth anticipated as part of the Project could occur on many of the same sites that were forecasted for development as part of the GPU. Furthermore, it is not anticipated that each candidate housing site would be developed with a maximum development scenario, and thereby would not result in the maximum potential for an increased demand for parkland and recreational facilities in the City. For context, Table 5.12-1, ~~also~~ provides the projected parkland demand for the average size development (Site 53 with 51 dwelling units) and maximum size development (Site 217 with approximately 601 dwelling units), respectively. As also indicated in Table 5.12-1, at most, the parkland demand associated with a single housing development site would be 8.4 acres.

**Table 5.12-1: Projected Parkland Demand –  
Project and Representative Development Capacities**

Scenario	Units	Population <sup>1</sup>	Demand Factor <sup>2</sup>	Projected Parkland Demand (AC)
<b>Mean (Site No. 53)</b>				
Proposed	51	128	5.55 ac/1000 residents	0.7
<b>Maximum (Site No. 217)</b>				
Proposed	601	1,509	5.55 ac/1000 residents	8.4
<b>90<sup>th</sup> Percentile (Site No. 16)</b>				
Proposed	143	359	5.55 ac/1000 residents	2.0
Notes:				
1. Based on 2.51 persons per household (California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2021 with 2010 Census Benchmark, available at <a href="https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/">https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/</a> .				
2. Demand Factor of 5.55 acres per 1,000 residents per City of Huntington Beach GPU PEIR Section 4.13.3.3, page 4.13-2.				

All future housing development subject to rezoning and within overlay zones would also be subject to compliance with General Plan Policy ERC-1.A, which ensure existing parks and their current and future development meet the changing recreational and leisure needs of existing and future residents through processes such as: current park per capita would be maintained or exceeded; Policy ERC-1.B, which seeks opportunities to develop and acquire additional parks and open space in underserved areas where needed; and Policy ERC-1.C, which ensures distribution of future developed park and recreational sites to equitably serve neighborhood and community needs while balancing budget constraints; as well as General Plan Policies ERC-1.E, ERC-1.F, ERC-1.G, and ERC-1.H. All future housing development subject to rezoning and within overlay zones would also be subject to compliance with GPU PEIR MM 4.13-1 and MM 4.13-2, which would ensure project applicants demonstrate compliance with City parkland requirements identified in HBZSO §254.08 (or Ordinance No. 3596), either through the dedication of

onsite parkland or through payment of applicable fees and that project applicants pay the Park Land/Open Space and Facilities Development Impact Fees in effect at the time of permit. Payment of fees would help offset the costs associated with the physical deterioration of existing facilities and construction or construction or expansion of facilities.

The Project does not include recreational facilities, but may require the construction or expansion of recreational facilities to meet the Project's demand for parkland, as concluded above. Construction or expansion of recreational facilities could have an adverse physical effect on the environment. Any future expansion of existing facilities or construction of new facilities, if required, would be subject to environmental review under CEQA.

Following compliance with General Plan Policies, and GPU PEIR MM 4.13-1 (HBZSO §254.08) and 4.13-2, the Project's potential impacts associated with recreational facilities would be reduced to less than significant.

***Pages 5.12-7 and -8, Section 5.12.7: Cumulative Impacts***

The Project would result in a parkland demand of approximately 147 acres. As concluded above, this would be a less than significant impact following compliance with the City's General Plan, HBZSO, and GPU PEIR MM 4.13-1 and 4.13-2. Cumulative development combined with the Project would generate a demand for 1,132 ~~1,202~~ acres of parkland.<sup>6</sup> There are ~~975~~ 1,073 acres of parkland in the City, ~~including 767 acres of parks and 208 acres of public beach~~. When accounting for existing facilities, the remaining unmet parkland demand associated with cumulative development would be 59 ~~227~~ acres. Additionally, the cumulative population forecast combined with the Project's forecast population growth would total 240,523 persons, which ~~would~~ increase the use of existing recreational facilities such that substantial physical deterioration of a facility could occur or be accelerated. However, cumulative development would occur incrementally, based on market conditions and other factors, such that recreational facilities are not overburdened by substantially increased demands at any single point in time. All cumulative development would also undergo environmental review on a project-by-project basis pursuant to CEQA to evaluate potential impacts concerning recreational facilities. All cumulative projects would be subject to compliance with General Plan Policies ERC-1.A through ERC-1.H. Future cumulative development would also be subject to compliance with GPU PEIR MM 4.13-1 and 4.13-2, which would ensure project applicants demonstrate compliance with City parkland requirements identified in HBZSO §254.08, either through dedication of on-site parkland or payment of applicable fees and that project applicants pay the Park Land/Open Space and Facilities Development Impact Fees in effect at the time of permit. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. For future residential development subject to a ministerial "by right" site plan review process, projects would be required to submit a GPU PEIR Mitigation Checklist identifying how they would comply with the GPU PEIR mitigation measures. Consequently, the Project combined with cumulative development would not result in significant cumulative environmental impacts concerning recreational facilities and no mitigation is required.

***Page 5.12-8, Section 5.12.9: References***

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<sup>6</sup> Existing demand (985 acres) + Project Demand (147 acres)

~~City of Huntington Beach, City Parks, 2022.~~  
~~[https://www.huntingtonbeachca.gov/residents/parks\\_facilities/parks/](https://www.huntingtonbeachca.gov/residents/parks_facilities/parks/).~~

*Pages 5.12-1 through -8, Footer*

June 20212

## Section 5.15: Utilities and Service Systems

*Pages 4.15-25 and -26, Section 5.15.6: Project Impacts and Mitigation, GPU PEIR MM 4.15-2*

**GPU PEIR MM 4.15-2** Future projects under the General Plan Update shall incorporate the following measures to ensure that conservation and efficient water use practices are implemented. Project proponents, as applicable, shall:

- 1) Require employees and residents to report leaks and water losses immediately and shall provide information and training as required to allow for efficient reporting and follow up.
- 2) Educate employees and residents about the importance and benefits of water conservation.
- 3) Create water conservation suggestion boxes, and place them in prominent areas.
- 4) Install signs in restrooms and cafeterias that encourage water conservation.
- 5) Assign an employee or resident to evaluate water conservation opportunities and effectiveness.
- 6) Develop and implement a water management plan for its facilities that includes methods for reducing overall water use.
- 7) Conduct a water use survey to update current water use needs. (Processes and equipment are constantly upgrading, thus changing the need for water in some areas.)
- 8) Repair leaks. Check the water supply system for leaks and turn off unnecessary flows.
- 9) Utilize water-efficient irrigation systems and drought tolerant plant palette and ensure that sprinklers are directing water to landscape areas, and not to parking lots, sidewalks or other paved areas.
- 10) Adjust the irrigation schedule for seasonal changes.

- 11) Install low-flow or waterless fixtures in public and employee restrooms.
- 12) Instruct cleaning crews to use water efficiently for mopping.
- 13) Use brooms, squeegees, and wet/dry vacuums to clean surfaces before washing with water; do not use hoses as brooms. Sweep or blow paved areas to clean, rather than hosing off (applies outside, not inside).
- 14) Avoid washing building exteriors or other outside structures.
- 15) Sweep and vacuum parking lots/sidewalks/window surfaces rather than washing with water.
- 16) Switch from “wet” carpet cleaning methods, such as steam, to “dry,” powder methods. Change window-cleaning schedule from “periodic” to “as required.”
- 17) Set automatic optic sensors on icemakers to minimum fill levels to provide lowest possible daily requirement. Ensure units are air-cooled and not water-cooled.
- 18) Control the flow of water to the garbage disposal
- 19) Install and maintain spray rinsers for pot washing and reduce flow of spray rinsers for prewash
- 20) Turn off dishwashers when not in use – wash only full loads
- 21) Scrape rather than rinse dishes before washing
- 22) Operate steam tables to minimize excess water use
- 23) Discontinue use of water softening systems where possible
- 24) Ensure water pressure and flows to dishwashers are set a minimum required setting.
- 25) Install electric eye sensors for conveyor dishwashers
- ~~25~~6) Retrofit existing flushometer (tankless) toilets with water-saving diaphragms and coordinate automatic systems with work hours so that they don’t run continuously
- ~~26~~7) Use a shut-off nozzle on all hoses that can be adjusted down to a fine spray so that water flows only when needed.

278) Install automatic rain shutoff device on sprinkler systems

289) Launder hotel linens per room by request or after vacancy

## Section 7.0: Alternatives

### Page 7-17, Section 7.6: Project Alternatives Considered, Alternative 2, Aesthetics

**Aesthetics.** New housing development under Alternative 2 would concentrate developments in the TCAs of the Beach and Edinger Corridors Specific Plan 14; however, development on the proposed Project candidate housing sites would still be able to occur. Alternative 2 is different than the proposed Project in that Alternative 2 assumes higher density development in the TCAs but continues to allow development in the candidate housing sites. With higher densities in the TCAs under Alternative 2, it is anticipated that housing development would be predominately multi-family.

~~Similar to~~ Unlike the Project, Alternative 2 would ~~not~~ impact City identified scenic vistas such as the Pacific Ocean, the Bolsa Chica Ecological Reserve, the Huntington Beach Mesa, and the low, steep bluffs on the south side of the Pacific Coast Highway due to the taller building heights and higher densities. The increase in development associated with both the proposed Project and Alternative 2 could affect the Huntington Beach Municipal Pier with the increase in light and glare in the area. ~~Following~~ Despite compliance with General Plan Policies LU-7.A through LU-7.C, LU-8.B through LU-8.D, CIRC-7.E, and the California Building Standards Code (Part 11 of Title 24), and HBZSO design guidelines that address light and spillage and glare on adjacent properties), ~~both the proposed Project and Alternative 2 would have a less than significant impact on aesthetic resources. Thus, the Alternative 2 would be considered environmentally equivalent~~ inferior to the Project concerning aesthetics.

### Page 7-28, Section 7.7: Environmentally Superior Alternative, Table 7-2: Comparison of Project Alternatives

**Table 7-2: Comparison of Project Alternatives**

Resource Areas	Alternative 1 No Project	Alternative 2 Beach and Edinger Corridor Alternative
Aesthetics	✓	= <u>Δ</u>
Agriculture and Forestry Resources	=	=
Air Quality	✓	=
Biological Resources	=	=
Cultural Resources	=	✓
Energy	✓	=
Geology and Soils	=	=
Greenhouse Gas Emissions	=	=
Hazards and Hazardous Materials	=	=
Hydrology and Water Quality	✓	✓
Land Use and Planning	Δ	Δ

Resource Areas	Alternative 1 No Project	Alternative 2 Beach and Edinger Corridor Alternative
Mineral Resources	=	=
Noise and Vibration	=	=
Population and Housing	⬆	=
Public Services	⬇	=
Recreation	=	=
Transportation	⬇	⬇
Tribal Cultural Resources	=	=
Utilities and Service Systems	⬇	=
Wildfire	=	=
⬆ Indicates an impact that is greater than the proposed Project (environmentally inferior). ⬇ Indicates an impact that is less than the proposed Project (environmentally superior). = Indicates an impact that is equal to the proposed Project (neither environmentally superior nor inferior).		

## Appendix E: Hazardous Materials Data

SWIS Number	Site Name	Site Operational Status	Site Regulatory Status	County	Enforcement Agency (LEA/EA)
30-AB-0014	Gothard Street Landfill	Closed	Pre-regulation	Orange	Orange County
30-AB-0026	City Of Huntington Beach Landfill	Closed	Pre-regulation	Orange	Orange County
30-AB-0027	Ascon Landfill	Closed	Unpermitted	Orange	Orange County

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## **Appendix A**

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### **Draft SEIR Distribution Package**



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**From:** Meng Heu <Meng.Heu@OPR.CA.GOV>  
**Sent:** Wednesday, June 29, 2022 2:39 PM  
**To:** Salas, Ruben <Ruben.Salas@kimley-horn.com>  
**Subject:** SCH Number 2021080104

Thank you for using CEQASubmit. Your **notice** has been posted.

*Meng Heu*

Office of Planning and Research (OPR)  
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*\*\*Note:* No reply, response, or information provided constitutes legal advice.

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## City of Huntington Beach NOTICE OF AVAILABILITY AND PUBLIC REVIEW

POSTED

JUN 29 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

**Date:** June 29, 2022

**To:** **Responsible and Trustee Agencies, Interested Organizations, and Individuals**  
State of California Office of Planning and Research  
County of Orange Clerk-Recorder

**From:** **City of Huntington Beach (Lead Agency)**  
Department of Community Development, 2000 Main Street, Huntington Beach, CA 92648

**Subject:** Notice of Availability of a Draft Subsequent Environmental Impact Report for the  
**City of Huntington Beach 2021-2029 Housing Element Update Implementation Program**  
Project, SCH # 2021080104

**Location:** Citywide

**Public Review Period:** June 29, 2022 through August 15, 2022

The **City of Huntington Beach**, as the Lead Agency, has prepared a Subsequent Environmental Impact Report (SEIR) for the City of Huntington Beach 2021-2029 Housing Element Update (HEU) Implementation Program, as further described below. This Notice of Availability (NOA) has been issued to notify interested parties that the Draft SEIR is publicly available for review and comment. The City is requesting comments on the Draft SEIR from responsible and trustee agencies, interested public agencies, organizations, and the general public.

### **Project Setting:**

Incorporated in 1909, Huntington Beach is a seaside community within Orange County (County), approximately 90 miles north of the City of San Diego and 35 miles south of downtown Los Angeles. The City is bound by the City of Seal Beach to the north, the cities of Newport Beach and Costa Mesa to the south, the cities of Westminster and Fountain Valley to the east, and the Pacific Ocean to the west. The Project area includes the entire 27.3 square miles within the City limits.

Regional access to the City is provided by Interstate 405, Beach Boulevard, and Pacific Coast Highway.

### **Project Overview/Description:**

The Housing Element, which is a component of the Huntington Beach General Plan, provides direction for implementation of various programs to meet existing and projected future housing needs for all income levels within Huntington Beach. The City's projected housing need for the 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) planning period (2021-2029) is 13,368 dwelling units (11,743 units when accounting for existing applications and projects that are currently under review).

State housing law requires the City to specify the number of housing units that can realistically be accommodated on candidate housing sites. The City is not required to build dwelling units in order to meet its RHNA allocation, only to identify potential sites and create the framework to allow the market the opportunity to develop these units. Therefore, the City has developed a Housing Program to accommodate the lower-income RHNA units, including amendments to existing land use designations and zoning districts, an affordable housing overlay, and identification of underutilized, residentially-zoned parcels in an inventory of 378 candidate housing sites (approximately 419 acres).



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The Housing Program specifically addressed in the SEIR includes amendments to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and the Huntington Beach General Plan Update (GPU) for changes to base/overlay districts and land use designations, as well amendments to other planning documents, as needed for clarification and consistency purposes and to accommodate future housing sites as part of the HEU's Implementation Program. These amendments provide capacity for future development of approximately 19,738 housing units to meet the City's remaining unmet RHNA of 11,743 housing units.

Amendments to Base and Overlay Zoning Districts. The HEU Implementation Program establishes a total potential development capacity of approximately 428 units provided by rezoning sites and approximately 18,329 units provided by overlay sites. The Project proposes Zoning Text Amendments to revise applicable HBZSO and Specific Plan sections affected by the Project's rezoning/overlay program; and a Zoning Map Amendment to resolve any resolve potential zoning inconsistencies resulting from adoption of the Project's rezoning/overlay program. The Project proposes to amend the HBZSO to reflect the following rezoning and overlay strategies:

- **Beach and Edinger Corridors Specific Plan (SP14) - 20 Affordable Overlay:** This strategy would increase affordable housing options in SP14 by expanding the 20 percent Affordable Overlay, which would permit residential projects that propose at least 20 percent lower income units on-site by-right (ministerial approval rather than discretionary approval subject to an entitlement process). The City has identified 151 sites to apply this overlay strategy.
- **Affordable Housing Overlay:** This strategy would create housing opportunities primarily in the City's well-connected nonresidential areas. The City has identified 167 sites to apply this overlay strategy.
- **Ellis Goldenwest Specific Plan (SP7) - High Density Residential RH Overlay:** This strategy utilizes the City's existing RH High Density Residential District to create housing opportunities within SP7. The City has identified 53 sites to apply this overlay strategy.
- **Medium High Density Residential RMH:** This strategy utilizes the City's existing RMH Zoning District to create housing opportunities in areas where residential development is appropriate. The City has identified three sites to rezone to RMH.

Of the 378 candidate housing sites, 372 sites would be assigned an overlay, as described above, to permit housing by right. These 372 overlay sites, as well as the three hotel conversion sites, would retain their existing underlying zoning. Only three sites would be rezoned.

Amendments to the General Plan Land Use Element. The General Plan land use designation amendments are required for consistency with the HEU Implementation Program's proposed zoning and overlays, as discussed above. Further, Land Use Element updates are required to ensure consistency between General Plan elements (i.e., the Housing Element and the Land Use Element). The following land use overlay designations would be added to the General Plan Land Use Element:

- **Beach and Edinger Corridors Specific Plan (SP14) 20 Percent Affordable Overlay:** The 20 percent overlay would permit residential projects that propose at least 20 percent lower income units on-site by-right. The City has identified 151 sites to designate 20 Percent Affordable Overlay within SP14.
- **Affordable Housing Overlay:** This strategy would create housing opportunities primarily in the City's well-connected nonresidential areas. The City has identified 167 sites to designate Affordable Housing Overlay.
- **Ellis Goldenwest Specific Plan (SP7) High Density Residential RH Overlay:** This strategy utilizes the City's existing High Density Residential (RH) land use designation to create housing opportunities within SP7. The City has identified 53 sites to designate RH Overlay within SP7.

- **Medium High Density Residential RMH Redesignations:** This strategy utilizes the City's existing Medium High Density Residential (RMH) land use designation to create housing opportunities in areas where residential development is appropriate. For consistency with the proposed rezoning, the City has identified three sites to redesignate to RMH.

It is noted that while the candidate housing sites' development capacity totals 19,738 housing units, this includes a 60 percent buffer intended to serve as a sites contingency to meet "no net loss" requirements. Therefore, the CEQA Project analyzed in the SEIR assumes 11,743 additional housing units over existing conditions, which excludes the 60 percent buffer and the existing applications and projects that are currently under review. The precise distribution of housing units on the candidate housing sites is unknown. Therefore, for analysis purposes, the CEQA Project analyzed in the SEIR assumes the 11,743 additional housing units comprised of the following:

- Rezones: Approximately 255 additional housing units;
- Housing Overlay Zones: Approximately 10,905 additional housing units;
- Hotel/Motel Conversions: Approximately 247 additional housing units; and
- Accessory Dwelling Units: Approximately 336 additional housing units.

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**Government Code §65962.5:**

None of the candidate housing sites are on a list of hazardous materials sites compiled pursuant to Government Code §65962.5.

**Required Approvals:**

The HEU Implementation Program will be adopted by City Council Resolution at a duly noticed public hearing. Additionally, the California Department of Housing and Community Development (HCD) will review the HEU Implementation Program for compliance with applicable statutory provisions. The SEIR, which has been prepared in compliance with CEQA, will be certified by City Council. The following discretionary actions are also required for the Project:

- General Plan Amendment: to amend the Land Use Element to reflect updated land use designations for specific properties to ensure compliance with the HEU rezoning/overlay program.
- Zoning Text Amendment: to revise applicable sections of the HBZSO and Specific Plans affected by the HEU rezoning/overlay program.
- Zoning Map Amendment: to resolve potential zoning inconsistencies resulting from adoption of the HEU rezoning/overlay program.

**Public Meetings/Hearings:**

The public meeting to be held on the proposed Project will be separately noticed.

**Subsequent Environmental Impact Report/Significant Environmental Effects:**

The SEIR evaluated the Project's potential environmental impacts and focused on the following resource areas:

- |                            |                                   |                                 |
|----------------------------|-----------------------------------|---------------------------------|
| • Air Quality              | • Hazards and Hazardous Materials | • Public Services               |
| • Cultural Resources       | • Hydrology and Water Quality     | • Recreation                    |
| • Energy                   | • Land Use and Planning           | • Transportation                |
| • Geology and Soils        | • Noise                           | • Tribal Cultural Resources     |
| • Greenhouse Gas Emissions | • Population and Housing          | • Utilities and Service Systems |



Impacts concerning the following resource areas were determined to be less than significant or less than significant with mitigation incorporated: Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, and Population and Housing, Public Services, Recreation, Transportation, and Tribal Cultural Resources.

Impacts concerning the following resource areas could not be mitigated to below a level of significance despite mitigation, and thus are significant and unavoidable: Air Quality, Greenhouse Gas Emissions (GHG), Hydrology and Water Quality, Noise, and Utilities and Service Systems.

**Public Review Period and Public Comments:**

The Draft SEIR is available for public review for a period of 45 days commencing on **Wednesday, June 29, 2022** and ending on **Monday, August 15, 2022 at 5:00 p.m.** In accordance with Section 15105 of the State CEQA Guidelines, should you have any comments on the Draft SEIR, please provide written comments within the 45-day public review period.

The City requests your careful review and consideration of the Draft SEIR, and invites **written comments** from interested agencies, persons, and organizations regarding environmental issues identified in the Draft SEIR. If you are part of an agency or organization, please indicate a contact person to whom a response should be directed.

The Draft SEIR is available to the general public for review on the City's website at:

- <http://www.huntingtonbeachca.gov/government/departments/planning/major/>  
and
- <https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/>  
and
- <https://www.huntingtonbeachca.gov/housing-element-update/>

A hard copy of the Draft SEIR is also available for public review during business hours at the following locations:

- Central Library, 7111 Talbert Avenue, Huntington Beach, California 92648
- City of Huntington Beach, Planning Division, 2000 Main Street, Huntington Beach, California 92648

**Comments in response to this notice shall be submitted via e-mail, U.S. Postal Service, or courier service no later than 5:00 PM on August 15, 2022.**

**Lead Agency Contact:**

All comments shall be submitted in writing, including your name, address, and concerns, to:

**If by e-mail:**

[Alyssa.Helper@surfcity-hb.org](mailto:Alyssa.Helper@surfcity-hb.org)

**If by U.S. Mail or Courier:**

City of Huntington Beach  
Department of Community Development  
Attn: Alyssa Helper, Associate Planner  
2000 Main Street  
Huntington Beach, CA 92648

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**JUN 29 2022**

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SCAN)

Legal Notice

THE ORANGE COUNTY  
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Legal Notice

STATEMENT OF  
ABANDONMENT OF USE OF  
FICTITIOUS  
BUSINESS NAME  
20226635110  
The following person(s) has  
(have) abandoned the use of the  
Fictitious Business Name:  
JOSHUA EL COCO EXCHANGE  
10956 EL COCO CIRCLE  
FOUNTAIN VALLEY, CA 92780  
The Fictitious Business Name  
referred to above was filed in  
Orange County on 11/09/2021  
FILE NO. 20216620137  
Full name of Registrant:  
JOSHUA DOAN  
10956 EL COCO CIRCLE  
FOUNTAIN VALLEY, CA 92708  
This business is conducted by an  
Individual.  
/s/ JOSHUA DOAN, OWNER  
This statement was filed with the  
County Clerk of Orange County on  
05/18/2022.

Fountain Valley View  
Published: 6/9, 6/16, 6/23, 6/30/22

BEST DELIVERY IN THE GAME!  
Turn to the Sports section for  
outstanding coverage of the Dodgers,  
Angels and ALL local baseball action.

Legal Notice

NOTICE IS HEREBY GIVEN the undersigned  
intends to sell the personal property described below  
to enforce a lien imposed on said property pursuant to  
Sections 21700-21716 of the Business & Professions  
Code, Section 2328 of the UCC, Section 535 of the Penal  
Code and provisions of the Civil Code. Any vehicles  
sold will be under Section 3071 of motor vehicle code.  
The Online bidding starts on 6/28/22 and ends at  
10:00AM, 7/07/22. Full access to this auction can be  
viewed at [www.bid13.com](http://www.bid13.com). The undersigned will be  
sold by competitive bidding at BID13 on or after  
07/07/22 at 10:00AM or later, on the premises where  
said property has been stored and which are located at:  
Allspace Huntington Beach  
8564 Hamilton Avenue  
Huntington Beach, CA 92646  
County of Orange  
State of California  
Unit sold appears to contain bins, skateboards, misc.  
household items  
Belonging to:  
UNIT# F028, Christopher Kearney  
Purchases must be paid for at the time of purchase in  
CASH ONLY . All purchased items sold as is and must  
be removed at the time of sale. Sale subject to  
cancellation in the event of settlement between owner  
and obligated party.  
Bid 13 HST License #864431754  
Published Huntington Beach Wave June 23, 30, 2022  
11542764

Legal Notice

NOTICE OF PUBLIC HEARING BEFORE  
THE CIAB/ PUBLIC WORKS COMMISSION OF THE CITY OF HUNTINGTON BEACH  
Notice of Public Hearing on consideration to accept and hear public comment on  
Department of Public Works Utilities Division Public Health Goals Report.  
Notice is hereby given that a public hearing will be held by the CIAB/Public Works  
Commission of the City of Huntington Beach, at the Utilities Yard, 19021 Huntington Street,  
at the hour of 5:00 PM, or as soon as possible thereafter on Wednesday, the 20th of July 2022  
for the purpose of considering acceptance of and hearing public comment on the  
Department of Public Works Utilities Division Public Health Goals Report.  
Pursuant to SB 1307 (Calderone-Sher; effective 01-01-97) a report on Public Health Goals  
must be prepared by water utilities on July 1, 1998 and every three years thereafter. Copies  
of the report are available for review in the Office of the City Clerk at the address noted  
below.  
All interested persons are invited to attend the hearing on the Public Health Goals Report,  
to express their opinions for, or against, with written or oral comments. Written  
communications to the CIAB/ Public Works Commission also may be mailed to the City  
Clerk. Further information may be obtained from the Office of the City Clerk, 2000 Main  
Street, Huntington Beach, CA 92648- Phone (714) 536-5227. The City of Huntington Beach  
endeavors to accommodate persons of handicapped status in the admission or access to, or  
treatment or employment in, City programs or activities. The City of Huntington Beach is  
an equal opportunities employer.  
Robin Estanislaw, City Clerk  
City of Huntington Beach  
2000 Main Street, 2nd Floor  
Huntington Beach, California 92648  
714-536-5227  
<http://huntingtonbeachca.gov/HBPublicComments/>  
ZOOM LOG-IN INSTRUCTIONS  
Meeting URL:  
[https://huntingtonbeach.zoom.us/j/92035557461?](https://huntingtonbeach.zoom.us/j/92035557461?pwd=SGNRWUxqNTVrR0tOZWJkQXJpYlIwZz09Passcode:238081)  
[pwd=SGNRWUxqNTVrR0tOZWJkQXJpYlIwZz09](https://huntingtonbeach.zoom.us/j/92035557461?pwd=SGNRWUxqNTVrR0tOZWJkQXJpYlIwZz09Passcode:238081) Passcode: 238081  
Phone one-tap:  
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Join by telephone:  
Dial (for higher quality, dial a number based on your current location):  
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Meeting ID: 920 3555 7461  
Passcode: 238081

Legal Notice

LEGAL ADVERTISEMENT  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
CITY OF HUNTINGTON BEACH  
Notice is hereby given by the Department of Community Development of the City of  
Huntington Beach that the following Notice of Availability has been prepared to notify  
interested parties that the Draft Subsequent Environmental Impact Report (SEIR) has  
been prepared for the Huntington Beach 6th Cycle Housing Element Update (HEU) (2021-  
2029) Implementation Program (Project). The City of Huntington Beach is the lead agency  
for the preparation of this SEIR. The Draft SEIR will be available for public review  
and comment for 45 days commencing Wednesday, June 29, 2022 and ending  
Monday, August 15, 2022.  
The Draft SEIR identifies the potential environmental impacts associated with the proposed  
HEU Implementation Program, including the Project's potential to result in significant and  
unavoidable impacts concerning Air Quality, Greenhouse Gas Emissions, Hydrology and  
Water Quality, Noise, and Utilities and Service Systems. Impacts concerning the following  
resource areas were determined to be less than significant or less than significant with  
mitigation incorporated: Cultural Resources, Energy, Geology and Soils, Hazards and  
Hazardous Materials, Land Use and Planning, Population and Housing, Public Services,  
Recreation, Transportation, and Tribal Cultural Resources.  
PROJECT LOCATION: Citywide  
PROJECT DESCRIPTION: The Housing Element, which is a component of the  
Huntington Beach General Plan, provides direction for implementation of various  
programs to meet existing and projected future housing needs for all income levels within  
Huntington Beach. The City's projected housing need for the 6th Cycle Regional Housing  
Needs Assessment (RHNA) planning period (2021-2029) is 13,368 dwelling units (11,743 units  
when accounting for existing applications and projects that are currently under review).  
State housing law requires the City to specify the number of housing units that can  
accommodated on candidate housing sites. The City is not required to build dwelling units in  
order to meet its RHNA allocation, only to identify potential sites and create the framework  
to allow the market the opportunity to develop these units. Therefore, the City has  
developed a Housing Program to accommodate the RHNA units, including amendments to  
existing land use designations and zoning districts, an affordable housing overlay, and  
identification of underutilized, residentially-zoned parcels in an inventory of 378 candidate  
housing sites (approximately 419 acres). None of these sites are on a list of hazardous  
materials sites compiled pursuant to Government Code Section 65962.5.  
The Housing Program specifically addressed in the SEIR includes amendments to the  
Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and the Huntington Beach  
General Plan Update (GPU) for changes to base/overlay districts and land use  
designations, as well as amendments to other planning documents, as needed for  
clarification and consistency purposes and to accommodate future housing sites as part of  
the HEU's Implementation Program. These amendments provide capacity for future  
development of approximately 19,738 housing units to meet the City's remaining unmet  
RHNA of 11,743 housing units. Of the 378 candidate housing sites, 372 sites would be assigned  
an overlay to permit housing by right. These 372 overlay sites, as well as the three hotel  
conversion sites, would retain their existing underlying zoning/land use designations - only  
three sites would be rezoned/re-designated. The CEQA Project analyzed in the SEIR  
assumes 11,743 additional housing units will result from the proposed planning document  
amendments.  
The HEU Implementation Program requires adoption by City Council Resolution at a duly  
noticed public hearing. Additionally, California Department of Housing and Community  
Development will review the HEU Implementation Program for compliance with  
applicable statutory provisions. The SEIR, which has been prepared in compliance with the  
California Environmental Quality Act, requires certification by City Council. The following  
discretionary actions are also required for the Project:  
• General Plan Amendment: to amend the Land Use Element to reflect updated land use  
designations for specific properties to ensure compliance with the HEU  
rezoning/overlay program.  
• Zoning Text Amendment: to revise applicable sections of the HBZSO and Specific Pla-  
ns affected by the HEU rezoning/overlay program.  
• Zoning Map Amendment: to resolve potential zoning inconsistencies resulting from  
m adoption of the HEU rezoning/overlay program.  
Housing Element update documents, videos of community meetings, and presentations  
developed to date are available at the following website:  
<https://www.huntingtonbeachca.gov/housingelement>  
PUBLIC REVIEW AND COMMENT PERIOD: A 45-day public review period for  
submitting comments on the scope of the Draft SEIR starts on Wednesday, June 29, 2022  
and ends on Monday, August 15, 2022 at 5:00 p.m. All comments shall be submitted via e-  
mail, U.S. Postal Service, or courier service no later than 5:00 p.m. on August 15, 2021. All  
comments shall be submitted in writing, including your name, address, and concerns, to:  
Alyssa Helper, Associate Planner, City of Huntington Beach, Department of Community  
Development, 2000 Main Street, Huntington Beach, CA 92648 or via e-mail to:  
[Alyssa.helper@surfcity-hb.org](mailto:Alyssa.helper@surfcity-hb.org)  
A copy of the Draft SEIR describing the Project location and potential environmental  
effects is available at the following locations:  
• City of Huntington Beach Community Development Department, 3rd Floor,  
2000 Main Street, Huntington Beach, California, 92648  
Hours: Monday – Friday, 8:00 AM – 3:00 PM  
• Central Library, 7111 Talbert Avenue, Huntington Beach, CA 92647  
Hours vary, see website:  
<https://www.huntingtonbeachca.gov/government/departments/library/>  
• The Housing Element update website:  
<https://www.huntingtonbeachca.gov/housingelement>  
• The City's websites:  
<http://www.huntingtonbeachca.gov/government/departments/planning/major/>  
<https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/>  
Published Huntingotn Beach Wave June 30, 2022

NOTICE TO DEFENDANT:  
(AVISO AL DEMANDO):  
Cassidy Fiala Pesak  
YOU ARE BEING SUED BY:  
Maria Bautista  
You have 30 CALENDAR DAYS after this summons and legal papers are served on  
you to file a written response at this court and have a copy served on the plaintiff.  
A letter or phone call will not protect you. Your written response must be in proper  
legal form if you want the court to hear your case. There may be a court form that you  
can use for your response. You can find these court forms and more information at  
the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your  
county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask  
the court clerk for a fee waiver form. If you do not file your response on time, you may  
lose the case by default, and your wages, money, and property may be taken without  
further warning from the court.  
There are other legal requirements. You may want to call an attorney right away. If  
you do not know an attorney, you may want to call an attorney referral service. If you  
cannot afford an attorney, you may be eligible for free legal services from a nonprofit  
legal services program. You can locate these nonprofit groups at the California Legal  
Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help  
Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county  
bar association. **NOTE:** The Court has a statutory lien for waived fees and costs on  
any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien  
must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no  
responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su version.  
Lea la informacion a continuacion.  
Tiene 30 DIAS DE CALENDARIO despues de que le entreguen esta citacion y papeles  
legales para presentar una respuesta por escrito en esta corte y hacer que se entregue  
una copia al demandante. Una carta o una llamada telefonica no lo protegen. Su  
respuesta por escrito tiene que estar en formato legal correcto si desea que procesen  
su caso en la corte. Es posible que haya un formulario que usted pueda usar para su  
respuesta. Puede encontrar estos formularios de la corte y mas informacion en el  
Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de  
leyes de su condado o en la corte que le quede mas cerca. Si no pueda pagar la cuota de  
presentacion, pida al secretario de la corte que le de un formulario de exencion de pago  
de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento  
y la corte le podra quitar su sueldo, dinero y bienes sin mas advertencia.  
Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente.  
Si no conoce a un abogado, puede llamar a un servicio de remision a abogados. Si no  
puede pagar a un abogado, es posible que cumpla con los requisitos para obtener  
servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede  
encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services,  
([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov))  
o poniendose en contacto con la corte o el colegio de abogados locales.  
**AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por  
imponer un gravamen sobre cualquier recuperacion de \$10,000 o mas de valor recibida  
mediante un acuerdo o una concesion de arbitraje en un caso de derecho civil. Tiene  
que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.  
The name and address of the court is:  
(El nombre y direccion de la corte es):  
700 West Civic Center Drive  
Santa Ana, CA 90721  
SHORT NAME OF CASE (from Complaint)  
(Nobre de Caso):  
MARIA BAUTISTA vs. UBER TECHNOLOGIES, INC.; RASIER-CA, LLC; CASSIDY  
FIALA PESAK; AND DOES 1 TO 100, INCLUSIVE  
CASE NUMBER: (Numero del Caso):  
30-2021-01188915-CU-PA-CJC  
The name, address, and telephone number of plaintiff's attorney, or plaintiff without  
an attorney, is: (El nombre, la direccion y el numero de telefono del abogado del  
demandante, o del demandante que no tiene abogado, es):  
3777 Long Beach Boulevard, Third Floor, Long Beach, California 90807  
(562) 283-5415  
David H. Yamasaki, Deputy (Adjunto)  
DATE: (Fecha) May 20 2022  
Clerk, by B POOL  
Fountain Valley View  
Published: 6/16, 6/23, 6/30, 7/7/22

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THE ORANGE COUNTY  
REGISTER



Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<b>Aesthetics</b>						
None	-	-	-	-	-	-
<b>Air Quality</b>						
<b>GPU PEIR MM 4.2-1</b> Project applicants shall require by contract specifications that all diesel-powered equipment used will be retrofitted with after-treatment products (e.g., engine catalyts). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-2</b> Project applicants shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site use low nitrogen oxides diesel fuel to the extent that it is readily available and cost effective in the Basin (this does not apply to diesel-powered trucks traveling to and from the project site). Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-3</b> Project applicants shall require by contract specifications that construction equipment engines be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-4</b> Project applicants shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
engines. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Huntington Beach prior to issuance of a grading permit.						
<b>GPU PEIR MM 4.2-5</b> As required by South Coast Air Quality Management District Rule 403—Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of project development to reduce the amount of particulate matter entrained in the ambient air. These measures include the following: <ol style="list-style-type: none"> <li>1) Application of soil stabilizers to inactive construction areas</li> <li>2) Quick replacement of ground cover in disturbed areas</li> <li>3) Watering of exposed surfaces three times daily</li> <li>4) Watering of all unpaved haul roads three times daily</li> <li>5) Covering all stockpiles with tarp</li> <li>6) Reduction of vehicle speed on unpaved roads</li> <li>7) Post signs on-site limiting traffic to 15 miles per hour or less</li> <li>8) Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads</li> <li>9) Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas</li> <li>10) Install wheel washers where vehicles enter and exit unpaved roads onto paved roads to wash off trucks and any equipment leaving the site each trip</li> </ol>	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<b>GPU PEIR MM 4.2-6</b> Project applicants shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than 5 minutes. Contract specifications shall be included in future project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-7</b> Project applicants shall require by contract specifications that construction parking be configured to minimize traffic interference during the construction period and, therefore, reduce idling of traffic. Contract specifications shall be included in future project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-8</b> Project applicants shall require by contract specifications that temporary traffic controls are provided, such as a flag person, during all phases of construction to facilitate smooth traffic flow. Contract specifications shall be included in future project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-9</b> Project applicants shall require by contract specifications that construction activities that affect traffic flow on the arterial system be scheduled to off-peak hours (10:00 a.m. to 4:00 p.m.). Contract specifications shall be included in future project construction documents, which shall be approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-10</b> Project applicants shall require by contract specifications that dedicated on-site and off-site left-turn lanes on truck	Contract language and	Review and approve contract specifications and	Plan check prior to	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
hauling routes be utilized for movement of construction trucks and equipment on-site and off-site to the extent feasible during construction activities. Contract specifications shall be included in future project construction documents, which shall be approved by the City of Huntington Beach.	notes on grading plans	grading plans for inclusion	issuance of a grading permit			
<b>GPU PEIR MM 4.2-11</b> Upon issuance of building or grading permits, whichever is issued earlier, notification shall be mailed to owners and occupants of all developed land uses within 300 feet of a project site providing a schedule for major construction activities that will occur through the duration of the construction period. In addition, the notification will include the identification and contact number for a community liaison and designated construction manager that would be available on-site to monitor construction activities. The construction manager shall be responsible for complying with all project requirements related to PM <sub>10</sub> generation. The construction manager will be located at the on-site construction office during construction hours for the duration of all construction activities. Contact information for the community liaison and construction manager will be located at the construction office, City Hall, the police department, and a sign on site.	Mail to owners and occupants within 300 feet of project site a notice regarding major construction activities	Obtain confirmation that mailing to owners and occupants took place	Plan check prior to issuance of a grading or building permits, which occur earlier	Community Development		
<b>GPU PEIR MM 4.2-12</b> Project applicants shall require by contract specifications that the architectural coating (paint and primer) products used would have a volatile organic compound rating of <del>125</del> <u>50</u> grams per liter or less. Contract specifications shall be included in future project construction documents, which shall be reviewed and approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.2-13</b> Project applicants shall require by contract specifications that materials that do not require painting be used during construction to the extent feasible. Contract specifications	Contract language and notes on grading plans	Review and approve contract specifications and	Plan check prior to issuance of a grading permit	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
shall be included in future project construction documents, which shall be reviewed and approved by the City of Huntington Beach.		grading plans for inclusion				
<b>GPU PEIR MM 4.2-14</b> Project applicants shall require by contract specifications that pre-painted construction materials be used to the extent feasible. Contract specifications shall be included in future project construction documents, which shall be reviewed and approved by the City of Huntington Beach.	Contract language and notes on grading plans	Review and approve contract specifications and grading plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		
<b>MM AQ-1</b> During the site-specific entitlement and/or the design review process, the City of Huntington Beach Community Development Department shall require a project-specific Health Risk Assessment for future residential development proposed within 500 feet of the I-405 freeway right-of-way, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. The Health Risk Assessment shall evaluate a project per the following SCAQMD thresholds: <ul style="list-style-type: none"> <li>• Cancer Risk: Emit carcinogenic or toxic contaminants that exceed the maximum individual cancer risk of 10 in one million.</li> <li>• Non-Cancer Risk: Emit toxic contaminants that exceed the maximum hazard quotient of one in one million.</li> </ul> The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Noncarcinogenic risks are quantified by calculating a “hazard index,” expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index less of than one (1.0) means that adverse health effects are not expected. If projects are found to exceed the SCAQMD’s Health Risk Assessment thresholds, mitigation measures, such as requiring MERV 13 air filters in all dwelling units, shall be	Project-specific Health Risk Assessment	Proof of completion	During the site-specific entitlement and/or the design review process	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
incorporated to reduce impacts to below SCAQMD thresholds.						
<b>MM AQ-2</b> During the site-specific entitlement and/or the design review process, the City of Huntington Beach Community Development Department shall ensure that residential development shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 heavy truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If future residential development cannot meet this setback, a project-specific Health Risk Assessment shall be prepared to evaluate a project for the SCAQMD thresholds (i.e., carcinogenic risk equals or exceeds 10 in one million; acute non-carcinogenic hazard index equals or exceeds one; and/or if chronic non-carcinogenic hazard index equals or exceeds one, as outlined above). If projects are found to exceed the SCAQMD's Health Risk Assessment thresholds, mitigation measures, such as requiring MERV 13 air filters in all dwelling units, shall be incorporated to reduce impacts to below SCAQMD thresholds.	Ensure residential development is not located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 heavy truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook	Review of Site Plan	During the site-specific entitlement and/or the design review process	Community Development		
<b>Cultural Resources</b>						
<b>GPU PEIR MM 4.4-1</b> Prior to development activities that would demolish or otherwise physically affect buildings or structures <del>45</del> <u>50</u> years old or older or affect their historic setting, the project-level applicant shall retain a cultural resource	Proof of retention of an historical resource professional to	Verify retention of qualified historical resource professional.	Plan check prior to issuance of demolition or grading permit,	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the GPU would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines. The investigation shall include, as determined appropriate by the cultural resource professional and the City of Huntington Beach, the appropriate archival research, including, if necessary, an updated records search of the South-Central Coastal Information Center of the California Historical Resources Information System and a pedestrian survey of the proposed development area to determine if any significant historic-period resources would be adversely affected by the proposed development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any historical resources within the development area and includes recommendations and methods for eliminating or reducing impacts on historical resources. The technical report or memorandum shall be submitted to the City of Huntington Beach for approval. As determined necessary by the city, environmental documentation (e.g., CEQA documentation) prepared for future development under the General Plan Amendment shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project-level applicant shall be responsible for implementing methods for eliminating or reducing impacts on historical resources identified in the technical report or memorandum.	determine potential significance of structure 50 years old or older. Preparation of a technical report or memorandum documenting the result of historical resources investigation.	Review and approve technical report or memorandum. If determined necessary, verify that project applicant has implemented methods identified in the technical report or memorandum for reducing impacts on historical resources.	whichever occurs earlier			
<b>GPU PEIR MM 4.4-2</b> Prior to any earth-disturbing activities (e.g., excavation, trenching, grading) that could encounter undisturbed soils, the project-level applicant for future development shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for	Proof of retention of archaeological professional to determine if a substantial adverse change	Verify retention of qualified Archaeological professional, if necessary, and	Prior to issuance of grading permit; Continued throughout ground	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
Archaeology to determine if site-specific development allowed under the General Plan Update could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines or disturb human remains. The investigation shall include, as determined appropriate by the archaeologist and the City of Huntington Beach, an updated records search of the South Central Coastal Information Center of the California Historical Resources Information System, updated Native American consultation, and a pedestrian survey of the area proposed for development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any archaeological resources within the development area and includes recommendations and methods for eliminating or avoiding impacts on archaeological resources or human remains. The measures shall include, as appropriate, subsurface testing of archaeological resources and/or construction monitoring by a qualified professional and, if necessary, appropriate Native American monitors identified by the applicable tribe (e.g., the Gabrielino Tongva Nation) and/or the Native American Heritage Commission. The methods shall also include procedures for the unanticipated discovery of human remains, which shall be in accordance with Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. The technical report or memorandum shall be submitted to the City of Huntington Beach for approval. As determined necessary by the city, environmental documentation (e.g., CEQA documentation) prepared for future development allowed under the General Plan Update shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project-level applicant shall be responsible for implementing methods	would occur to an archaeological resource.  Preparation of a technical report or memorandum documenting the result of archaeological resources investigation Developer shall implement all recommendations of the technical report or memorandum.	complete documentation  Review and approve technical report or memorandum.  If determined necessary, verify that project applicant has implemented methods identified in the technical report or memorandum for reducing impacts on archaeological resources.	disturbing activities, as required			



Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
for eliminating or avoiding impacts on archaeological resources identified in the technical report or memorandum. Projects that would not encounter undisturbed soils and would therefore not be required to retain an archaeologist shall demonstrate non-disturbance to the city through the appropriate construction plans or geotechnical studies prior to any earth-disturbing activities. Projects that would include any earth disturbance (disturbed or undisturbed soils) shall comply with MM 4.4-3.						
<b>GPU PEIR MM 4.4-3</b> If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Huntington Beach shall be notified. The project-level applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less than significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 form and filed with the appropriate Information Center.	Proof of retention of archaeological professional to determine if a substantial adverse change would occur to an archaeological resource	Verify retention of qualified archaeological professional, if necessary, and complete documentation	Prior to issuance of grading permit; Continued throughout ground disturbing activities, as required	Community Development		
<b>Energy</b>						
None.	-	-	-	-	-	-

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<b>Geology and Soils</b>						
<b>GPU PEIR MM 4.5-1</b> Prior to issuance of a grading permit, a California-licensed Certified Engineering Geologist and/or Geotechnical Engineer shall prepare and submit to the City of Huntington Beach Department of Public Works a detailed soils and geotechnical analysis. The report shall include soil sampling and laboratory testing of materials to provide detailed recommendations for grading, chemical and fill properties, liquefaction, expansive soils, soil erosion, earthquake faulting and landscaping.	Detailed soils and geotechnical report (prepared by a Certified Engineering Geologist or Geotechnical Engineer) to the City prior to issuance of a grading permit	As necessary, review and approve Recommendations and any other relevant document per this mitigation	Plan check prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.5-2</b> Any future project within the planning area shall comply with the recommendations of a final soils and geotechnical report (a preliminary report would be required per MM 4.5-1). These recommendations shall be implemented in the design of a project, including but not limited to measures associated with site preparation, fill placement, temporary shoring and permanent dewatering, groundwater seismic design features, excavation stability, foundations, soil stabilization, establishment of deep foundations, concrete slabs and pavements, surface drainage, cement type and corrosion measures, erosion control, shoring and internal bracing, and plan review.	Soils and geotechnical analysis and notes on grading plan and building plans	Review and approve grading and building plans for inclusion of final soils and geotechnical recommendations	Plan check prior to issuance of a grading permit	Public Works		
<b>GPU PEIR MM 4.5-3</b> <i>Pre-Construction Soil Condition Evaluation.</i> A site-specific evaluation of soil conditions would be required with the submittal of grading plans for all future projects and must contain recommendations for ground preparation and earthwork specific to the site.	Site-specific pre-construction soil condition evaluation	Review and approve grading and building plans for inclusion of pre-construction soil condition evaluation recommendations	Plan check prior to issuance of a grading permit	Public Works		
<b>GPU PEIR MM 4.4-4</b> Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction,	Proof of retention of a paleontological	Verify retention of qualified paleontological	Prior to issuance of grading permit;	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project-level applicant and shall be conducted as follows:</p> <ol style="list-style-type: none"> <li>1) Identify and evaluate paleontological resources by intense field survey where impacts are considered high</li> <li>2) Assess effects on identified sites</li> <li>3) Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted</li> <li>4) Obtain comments from the researchers</li> <li>5) Comply with researchers' recommendations to address any significant adverse effects were determined by the city to be feasible</li> </ol> <p>In considering any suggested mitigation proposed by the consulting paleontologist, the City of Huntington Beach staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.</p>	professional to determine if a substantial adverse change would occur to a paleontological resource	professional, if necessary	Continued throughout ground disturbing activities, as required			
<b>Greenhouse Gas Emissions</b>						
None.	-	-	-	-	-	-
<b>Hazards and Hazardous Materials</b>						
<p><b>GPU PEIR MM 4.7-1</b></p> <p>Prior to the issuance of grading permits, future development in the planning area shall comply with Huntington Beach Fire Department City Specification No. 429, Methane Mitigation Requirements. A plan for the</p>	Methane Testing Plan	Review and approval of testing plan	<p>Prior to start of Sampling</p> <p>Prior to issuance of any</p>	Fire		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
testing of soils for the presence of methane gas shall be prepared and submitted by the project-level applicant to the Huntington Beach Fire Department for review and approval, prior to the commencement of sampling. If significant levels of methane gas are discovered in the soil on a future development site, the project-level applicant's grading, building, and methane plans shall reference that a sub-slab methane barrier and vent system will be installed at the site per City Specification No. 429, prior to plan approval. If required by the Huntington Beach Fire Department, additional methane mitigation measures to reduce the level of methane gas to acceptable levels shall be implemented.	Notes on building and methane plans	Review and approve building and methane gas plans for appropriate documents.	grading permit and during construction			
<p><b>GPU PEIR MM 4.7-2</b> Prior to the issuance of grading permits on any project site, the project applicant shall:</p> <ol style="list-style-type: none"> <li>1) Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment, which shall be submitted to the city for review. If contamination is found the report shall characterize the site according to the nature and extent of contamination that is present before development activities precede at that site.</li> <li>2) If contamination is determined to be on-site, the city, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. If further investigation or remediation is required, it shall be the responsibility of the site developer(s) to complete such investigation and/or remediation prior to construction of the project.</li> </ol>	Preparation of technical documentation to address site-specific hazards; Risk Management Plan and Site Health and Safety Plan.	Review technical documentation and, as necessary, review and approve closure reports.	Plan check prior to issuance of demolition or grading permits, whichever occurs earlier	Fire		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>3) If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards and shall be completed prior to issuance of any occupancy permits.</p> <p>4) Closure reports or other reports acceptable to the Huntington Beach Fire Department that document the successful completion of required remediation activities, if any, for contaminated soils, in accordance with City Specification <u>429 and</u> 431-92, shall be submitted and approved by the Huntington Beach Fire Department prior to the issuance of grading permits for any site development. No construction shall occur in the affected area until reports have been accepted by the city.</p> <p>5) <u>Any on-site oil wells will need to comply with the requirements found in City Specification No. 429. If abandonment is required, then the well will need to be abandoned to the current California Geologic Energy Management Division (CalGEM) standard for abandonment.</u></p>						
<p><b>GPU PEIR MM 4.7-3</b></p> <p>In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction, construction activities in the immediate vicinity of the contamination shall cease immediately. If contamination is encountered, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of</p>	Risk Management Plan and Site Health and Safety Plan	Review and approve any grading plans for inclusion	Plan check prior to issuance of any grading permit and during construction	Fire		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Huntington Beach Fire Department). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.						
<b>GPU PEIR MM 4.7-4</b> To ensure adequate access for emergency vehicles when construction activities would result in temporary lane or roadway closures, a future project applicant shall consult with the City of Huntington Beach Police or Fire Departments to disclose temporary lane or roadway closures and alternative travel routes. The project-level applicant shall be required to keep a minimum of one lane in each direction free from encumbrances at all times on perimeter streets accessing a project site. At any time only a single lane is available, the project-level applicant shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the applicant shall coordinate with the City of Huntington Beach Police and Fire Departments to designate proper detour routes and signage indicating alternative routes.	Prepare construction roadway plans	Plan check prior to grading or building permits, whichever occurs earlier	Prior to approval of grading or building permits, whichever occurs earlier	Fire, Police		
<b>Hydrology and Water Quality</b>						
<b>GPU PEIR MM 4.8-1</b> The City of Huntington Beach shall require applicants for new development and significant redevelopment projects within the planning area to prepare a project-specific preliminary Water Quality Management Plan (WQMP) in accordance with the Model WQMP and Technical Guidance Document requirements and all current adopted	Water Quality Management Plan	Review and approve WQMP	Prior to receiving a precise grading permit	Public Works		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>permits. The WQMP shall be prepared by a Licensed Civil Engineer and submitted for review and acceptance by the City of Huntington Beach Public Works Department prior to issuance of a Precise Grading or Building permit.</p> <p>Best management practices in the WQMP shall be designed in accordance with the Municipal NPDES Permit, Model WQMP, Technical Guidance Document, Drainage Area Management Plan, and City of Huntington Beach Local Implementation Plan. All projects shall include site design and source control best management practices in the project WQMP. Additionally, new development or significant redevelopment projects and priority projects shall include low impact development principles to reduce runoff to a level consistent with the maximum extent practicable and treatment control best management practices in the WQMP.</p> <p>If permanent dewatering is required and allowed by the city, OCWD, and other regulatory agencies, the applicant shall include a description of the dewatering technique, discharge location, discharge quantities, chemical characteristics of discharged water, operations and maintenance plan, and Waste Discharger Identification number for proof of coverage under the De Minimus Permit or copy of the individual waste discharge requirements in the WQMP. Additionally, the WQMP shall incorporate any additional best management practices as required by the City of Huntington Beach Public Works Department.</p> <p>The WQMP shall include the following additional requirements:</p> <ol style="list-style-type: none"> <li>1) Project and Site Characterization Requirements <ol style="list-style-type: none"> <li>a) Entitlement Application numbers and site address shall be included on the title sheet of the WQMP</li> </ol> </li> </ol>						

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ul style="list-style-type: none"> <li>b) In the project description section, explain whether proposed use includes on-site food preparation, eating areas (if not please state), outdoor activities to be expected, vehicle maintenance, service, washing cleaning (if prohibited on-site, please state)</li> <li>c) All potential pollutants of concern for a proposed project land use type as per Table 2.I.1 of the Technical Guidance Document shall be identified</li> <li>d) A narrative describing how all potential pollutants of concern will be addressed through the implementation of BMPs and describing how site design BMPs concepts will be considered and incorporated into the project design shall be included</li> <li>e) Existing soil types and estimated percentages of perviousness for existing and proposed conditions shall be identified</li> <li>f) In Section I of the WQMP, state verbatim the Development Requirements from the Planning Department's letter to the applicant</li> <li>g) A site plan showing the location of the selected treatment control BMPs and drainage areas shall be included in the WQMP</li> <li>h) A Geotechnical Report shall be submitted to address site conditions for determination of infiltration limitations and other pertinent characteristics.</li> </ul> <p>2) <u>Pursuant to the County's Technician Guidance Document, the feasibility of Low Impact Development (LID) BMPs, such as infiltration, harvest and reuse, evapotranspiration, and biotreatment, shall be first in the stormwater treatment design for a new development or redevelopment priority project.</u></p> <p>3) Project-Based Treatment Control BMPs</p>						



Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ul style="list-style-type: none"> <li>a) Infiltration-type BMPs shall not be used unless the Geotechnical Report states otherwise.</li> <li>b) Wet swales and grassed channels shall not be used because of the slow infiltration rates of project site soils, the potentially shallow depth to groundwater, and water conservation needs</li> <li>c) If proprietary Structural Treatment Control devices are used, they shall be sited and designed in compliance with the manufacturers design criteria</li> <li>d) Surface exposed treatment control BMPs shall be selected such that standing water drains or evaporates within 24 hours or as required by the County's vector control</li> <li>e) Excess stormwater runoff shall bypass the treatment control BMPs unless they are designed to handle the flow rate or volume from a 100-year storm event without reducing effectiveness. Effectiveness of any treatment control BMPs for removing the pollutants of concern shall be documented via analytical models or existing studies on effectiveness.</li> <li>f) A project WQMP shall incorporate water efficient landscaping using drought tolerant, native plants in accordance with Landscape and Irrigation Plans</li> <li>g) Pet waste stations (stations that provide waste pick-up bags and a convenient disposal container protected from precipitation) shall be provided and maintained</li> <li>h) Building materials shall minimize exposure of bare metals to stormwater. Copper or Zinc roofing materials, including downspouts, shall be prohibited. Bare metal surfaces shall be painted with non-lead-containing paint</li> <li>i) <del>Any applicant proposing development in the planning area is encouraged to consider LID BMPs</del></li> </ul>						

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p><del>for infiltration, harvest and reuse, evapotranspiration, and bio-treatment</del></p> <p>4) <u>Structural and</u> Non-Structural BMPs. The WQMP shall include the following operations and maintenance BMPs, where applicable. Additionally, a commitment and mechanism to fund and implement an operational and maintenance program that includes the following must be included:</p> <p>a) Minimum landscape maintenance standards and tree trimming requirements for the total project site. Landscape maintenance shall be performed by a qualified landscape maintenance company or individual in accordance with a Chemical Management Plan detailing chemical application methods, chemical handling procedures, and worker training. Pesticide application shall be performed by a certified applicator. No chemicals shall be stored on-site unless in a covered and contained area and in accordance with an approved Materials Management Plan. Application rates shall not exceed labeled rates for pesticides, and shall not exceed soil test rates for nutrients. Slow release fertilizers shall be used to prevent excessive nutrients in stormwater or irrigation runoff.</p> <p>b) Maintenance and tree trimming procedures per the ANSI A-300 Standards as established by the International Society of Arborist must be followed. All trees shall be trimmed by or under the direct observation/direction of a licensed/ certified Arborist.</p> <p>c) Landscape irrigation shall be performed in accordance with an Irrigation Management Plan to minimize excess irrigation contributing to dry- and wet-weather runoff. Automated sprinklers shall be used and be inspected at least quarterly and</p>						

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>adjusted yearly to minimize potential excess irrigation flows. Landscape irrigation maintenance shall be performed in accordance with the approved irrigation plans, the city Water Ordinance and per the city Arboricultural and Landscape Standards and Specifications.</p> <p>d) Proprietary stormwater treatment systems maintenance shall be in accordance with the manufacturer's recommendations. If a nonproprietary treatment system is used, maintenance shall be in accordance with standard practices as identified in the current CASQA handbooks, operations and maintenance procedures outlined in the approved WQMP, or other city-accepted guidance.</p> <p>e) Signage, enforcement of pet waste controls, and public education would improve use and compliance, and therefore, effectiveness of the program, and reduce the potential for hazardous materials and other pollution in stormwater runoff. The responsible entity (e.g., HOA, property manager) shall prepare and install and include pet waste controls (e.g., requirements for pet waste cleanup, pet activity area restrictions, pet waste disposal restrictions) in the Association agreement/Conditions, Covenants, and Restrictions.</p> <p>f) Street and parking lot/area sweeping shall be performed at an adequate frequency to prevent buildup of pollutants (for street sweeping effectiveness see <a href="http://www.fhwa.dot.gov/environment/ultraurb/">http://www.fhwa.dot.gov/environment/ultraurb/</a>).</p> <p>g) A maintenance plan for BMPs and facilities identifying responsible parties and maintenance schedules and appropriate BMPs to minimize</p>						

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>discharges of contaminants to storm drain systems during maintenance operations.</p> <p>h) The responsible entity (e.g., HOA, property manager) must retain records of all maintenance of BMPs including outside vendor invoices.</p> <p>5) <u>Site Design</u> BMPs. Any applicant proposing development in the planning area is required to incorporate low impact development principles as defined in the NPDES Permit and, if allowed in accordance with the geotechnical report and limitations on infiltration BMPs, encouraged the following LID BMPs: infiltration, harvest and reuse, evapotranspiration, and bio-treatment.</p>						
<p><b>GPU PEIR MM 4.8-2</b></p> <p>The City of Huntington Beach shall require that any applicant prepare a groundwater hydrology study to determine the lateral transmissivity of area soils and a safe pumping yield such that dewatering activities do not interfere with nearby water supplies. The groundwater hydrology study shall make recommendations on whether permanent groundwater dewatering is feasible within the constraints of a safe pumping level. The applicant's engineer of record shall incorporate the hydrology study designs and recommendations into project plans. If safe groundwater dewatering is determined to not be feasible, permanent groundwater dewatering shall not be implemented. The City of Huntington Beach Director of Public Works, Orange County Water District, and other regulatory agencies shall approve or disapprove any permanent groundwater dewatering based on the groundwater hydrology study and qualified engineers' recommendations.</p>	Groundwater Hydrology Study	Review and approve Groundwater Hydrology Study	Prior to issuance of a precise grading permit	Public Works		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p><b>GPU PEIR MM 4.8-3</b></p> <p>The City of Huntington Beach shall require that adequate capacity in the storm drain system is demonstrated from a specific development site discharge location to the nearest main channel to accommodate discharges from the specific development. If capacity is demonstrated as adequate, upgrades may not be required. If capacity is not adequate, the City of Huntington Beach shall identify corrective action(s) required by the specific development applicant to ensure adequate capacity. Corrective action could include, but is not limited to:</p> <ol style="list-style-type: none"> <li>1) Construction of new storm drain infrastructure, as identified in the Master Plan of Drainage or based on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the Master Plan of Drainage</li> <li>2) Improvement of existing storm drain infrastructure, as identified in the Master Plan of Drainage or based on the Hydrology and Hydraulic Study, if the Hydrology and Hydraulic Study identifies greater impacts than the Master Plan of Drainage</li> <li>3) In-lieu fees to implement system-wide storm drain infrastructure improvements</li> <li>4) Other mechanisms as determined by the City of Huntington Beach Public Works Department.</li> <li>5) For nonresidential areas, if redevelopment would result in an impervious fraction of less than 0.9 and does not increase the directly connected impervious area compared to existing conditions, runoff is expected to remain the same or less than as assessed in the Master Plan of Drainage and only Master Plan of Drainage improvements would be required.</li> </ol>	Hydrology and Hydraulics Study	Review and approve study	Prior to issuance of a precise grading permit	Public Works		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>Because some storm drain system constraints may be located far downgradient from the actual development site, several properties may serve to contribute to system capacity constraints. Therefore, the City of Huntington Beach Public Works Department shall assess each site development and system characteristics to identify the best method for achieving adequate capacity in the storm drain system. Drainage assessment fees/districts to improve/implement storm drains at downstream locations or where contributing areas are large are enforced through Municipal Code (§14.20).</p> <p>The City of Huntington Beach Public Works Department shall review the Hydrology and Hydraulic Study and determine required corrective action(s) or if a waiver of corrective action is applicable. The site-specific development applicant shall incorporate required corrective actions into their project design and/or plan. Prior to receiving a Certificate of Occupancy or final inspection, the Public Works Department shall ensure that required corrective action has been implemented.</p>						
<b>Land Use and Planning</b>						
None.	-	-	-	-	-	
<b>Noise</b>						
<p><b>GPU PEIR MM 4.10-1</b></p> <p>Project applicants will require by contract specifications that the following construction best management practices be implemented by contractors to reduce construction noise levels:</p> <ol style="list-style-type: none"> <li>1) Ensure that construction equipment is properly muffled according to industry standards and be in good working condition</li> <li>2) Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible</li> </ol>	Contract language and notes on grading and building plans	<p>Review and approve contract specifications, grading and building plans for inclusion</p> <p>Periodic field check</p>	<p>Plan check prior to issuance of a grading permit</p> <p>During construction</p>	Community Development Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>3) Schedule high noise-producing activities between the hours of 8:00 a.m. and 5:00 p.m. to minimize disruption on sensitive uses, Monday through Saturday. Schedule pile-driving activities between the hours of 8:00 a.m. and 4:00 p.m. on Monday through Friday only.</p> <p>4) Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.</p> <p>5) Use electric air compressors and similar power tools rather than diesel equipment, where feasible.</p> <p>6) Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, will be turned off when not in use for more than 10 minutes.</p> <p>7) Construction hours, allowable workdays, and the phone number of the job superintendent will be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City of Huntington Beach or the job superintendent receives a complaint, the superintendent will investigate, take appropriate corrective action, and report the action taken to the reporting party.</p> <p>Contract specifications will be included in construction documents, which will be reviewed by the City of Huntington Beach prior to issuance of a grading permit.</p>						
<p><b>GPU PEIR MM 4.10-2</b></p> <p>Project applicants will require by contract specifications that construction staging areas along with the operation of earthmoving equipment within the project area would be located as far away from vibration and noise sensitive sites as possible. Contract specifications will be included in construction documents, which will be reviewed by the</p>	Contract language and notes on grading plans and building plans	Review and approve grading plans and building plans for inclusion	Prior to issuance of a grading permit	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
City of Huntington Beach prior to issuance of a grading permit.						
<b>GPU PEIR MM 4.10-3</b> Project applicants will require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets. Contract specifications will be included in construction documents, which will be reviewed by the City of Huntington Beach prior to issuance of a grading permit.	Contract language and notes on grading plans and building plans	Review and approve grading plans and building plans for inclusion	Prior to issuance of a grading permit	Community Development		
<b>GPU PEIR MM 4.10-4</b> Prior to issuance of building permits, project applicants will submit an acoustical study for each development, prepared by a certified acoustical engineer. Should the results of the acoustical study indicate that exterior and interior noise levels would exceed the standards set forth in the City of Huntington Beach Municipal Code §8.40.050 through §8.40.070, the project applicant will include design measures that may include acoustical paneling or walls to ensure that noise levels do not exceed City standards. Final project design will incorporate special design measures in the construction of the residential units, if necessary.	Acoustical Study	Review and approval of study and building plans for inclusion of any special design measures from acoustical study	Prior to issuance of building permits	Community Development		
<b>GPU PEIR MM 4.10-5</b> Prior to issuance of construction permits, applicants for new development projects that require pile driving must incorporate the following vibration-reducing techniques as determined feasible by a project-related geotechnical study:  1) Install intake and exhaust mufflers on pile-driving equipment. 2) Vibrate piles into place when feasible, and install shrouds around the pile-driving hammer where feasible. 3) Implement “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile	Contract language and notes on grading and building plans	Review and approve contract specifications, grading and building plans for inclusion Periodic field check	Plan check prior to issuance of a grading permit During construction	Community Development Building Division		



Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions.</p> <p>4) Use cushion blocks to dampen impact noise, if feasible, based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a pile during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon, and micarta (a composite material).</p> <p>5) At least 48 hours prior to pile-driving activities, notify building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.</p>						
<b>Population and Housing</b>						
None.	-	-	-	-	-	
<b>Public Services</b>						
<p><b>GPU PEIR MM 4.12-1</b></p> <p>Subject to the city's annual budgetary process, which considers available funding and the staffing levels needed to provide acceptable response time for fire and police services, the city shall provide sufficient funding to maintain the city's standard, average level of service through the use of General Fund monies.</p>	Budget sufficiently to maintain standard level of fire and police protection	Review at annual budgetary discussions; Review currently standard levels	Prior to issuance of building permits	Community Development		
<p><b>GPU PEIR MM 4.12-2</b></p> <p>The applicant of future individual development projects shall pay required development impact fees for fire suppression facilities, as required by HBMC §17.74. These fees are currently \$349.85 for any new attached dwelling unit, \$844.11 for any new detached dwelling unit, \$1,449.23 for each mobile home dwelling unit, \$0.00 per hotel/motel unit, \$0.301 per square foot of commercial/office uses, and \$0.0275 per square foot of industrial uses.</p>	Payment of applicable impact fee	Confirm payment	Prior to final inspection	Building Division		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<b>GPU PEIR MM 4.12-3</b> The applicant of future individual development projects shall pay required development impact fees for police facilities as required by HBMC §17.75. These fees are currently \$746.48 for any new attached dwelling unit, \$362.05 for any new detached dwelling unit, \$337.64 for each mobile home dwelling unit, \$0.00 per hotel/motel unit, \$0.953 per square foot of commercial/office uses, and \$0.406 per of industrial uses.	Payment of applicable impact fee	Confirm payment	Prior to final inspection	Building Division		
<b>GPU PEIR MM 4.12-4</b> Project applicants for future development located within the Huntington Beach City School District shall pay all applicable development impact fees in effect at the time of building permit issuance to the Huntington Beach City School District to cover additional school services required by the new development. These fees are currently \$1.52 per square foot for any new multi-family attached residential unit, \$0.29 per of commercial/ industrial development, and \$0.25 per square foot of hotel/motel development.	Payment of applicable impact fee	Confirm payment	Prior to issuance of building permits	Building Division		
<b>GPU PEIR MM 4.12-5</b> Project applicants for future development located within the Ocean View School District shall pay all applicable development impact fees in effect at the time of building permit issuance to the Ocean View School District to cover additional school services required by the new development. These fees are currently \$1.37 per square foot of accessible interior space for any new residential unit and \$0.22 per square foot of covered floor space for new commercial/retail development.	Payment of applicable impact fee	Confirm payment	Prior to issuance of building permits	Building Division		
<b>GPU PEIR MM 4.12-6</b> Future project applicants shall pay all applicable development impact fees in effect at the time of building permit issuance to the Huntington Beach Union High School District to cover additional school services required by the new development. These fees are currently \$1.15	Payment of applicable impact fee	Confirm payment	Prior to issuance of building permits	Building Division		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
per square foot of accessible interior space for any new residential unit and \$0.16 per square foot of covered floor space for new commercial/retail development.						
<b>GPU PEIR MM 4.12-7</b> The applicant of future individual development projects shall pay required library development impact fees per \$17.67 of the city's Municipal Code (Library Development Fee), prior to issuance of building permits. These fees are currently \$866.48 for any new attached dwelling unit, \$1,179.72 for any new detached dwelling unit, \$708.85 for each mobile home dwelling unit, \$0.041 per square foot of hotel/motel unit, with no fee for commercial/office and industrial uses.	Payment of applicable impact fee	Confirm payment	Prior to issuance of building permits	Building Division		
<b>Recreation</b>						
<b>GPU PEIR MM 4.13-1</b> For future projects that require a subdivision map, prior to the issuance of building permits within the city, project applicants shall demonstrate compliance with city parkland requirements identified in City of Huntington Beach Zoning and Subdivision Ordinance, §254.08 (or Ordinance No. 3596), either through the dedication of on-site parkland or through payment of applicable fees. Any on-site park provided in compliance with this section shall be improved prior to final inspection (occupancy) of the first residential unit (other than model homes). Current fees per unit for projects with a subdivision map are \$13,385 for any new attached dwelling unit, \$17,857 for any new detached dwelling unit, and \$11,169 for any new mobile home unit.	Payment of applicable impact fee	Confirm payment	Prior to issuance of building permits	Community Development		
<b>GPU PEIR MM 4.13-2</b> Prior to the issuance of building permits within the city, project applicants shall pay the Park Land/Open Space and Facilities Development Impact Fees in effect at the time of permit. These fees are currently \$12,732.84 for any new attached dwelling unit, \$16,554.73 for any new detached dwelling unit, \$10,222.88 for each mobile home dwelling	Payment of applicable impact fee		Prior to issuance of building permits	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
unit, \$0.234 per square foot of hotel/motel unit, \$0.897 per square foot of commercial/office uses, and \$0.730 per square foot of industrial uses.						
<b>Transportation and Traffic</b>						
<b>GPU PEIR MM 4.14-1</b> For future projects that occur within proximity of the Gothard Street/Center Avenue intersection, the project applicant(s), as required by the Transportation Administrative Report at the time of application, shall make a fair share contribution for the addition of <ol style="list-style-type: none"> <li>1) a second westbound left turn lane (Buildout of the County Master Plan of Arterial Highways (MPAH) scenario, MPAH Amendment scenario)</li> <li>2) a second southbound left turn lane (Buildout of the MPAH scenario, MPAH Amendment scenario)</li> <li>3) an additional westbound left turn lane (MPAH Amendment scenario only)</li> </ol>	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
<b>GPU PEIR MM 4.14-2</b> For future projects that occur within proximity of the Brookhurst Street/Adams Avenue intersection, the project applicant(s), as required by the Transportation Administrative Report at the time of application, shall make a fair share contribution for the addition of <ol style="list-style-type: none"> <li>1) conversion of the eastbound right turn lane to a fourth eastbound through lane (Buildout of the County Master Plan of Arterial Highways (MPAH) scenario, MPAH Amendment scenario)</li> <li>2) an additional (fourth) westbound through lane (Buildout of the MPAH scenario, MPAH Amendment scenario)</li> </ol>	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<b>GPU PEIR MM 4.14-3</b> For future projects that occur within proximity of the Beach Boulevard/Heil Avenue intersection, a project applicant(s), as required by the Transportation Administrative Report at the time of application, shall make a fair share contribution for the addition of 1) conversion of one eastbound through lane to a second eastbound left turn lane (County Master Plan of Arterial Highways Amendment scenario)	Proof of fair share payment	Confirm payment	Prior to issuance of certificate of occupancy	Public Works		
<b>MM TRANS-1</b> <b>Vehicle Miles Traveled (VMT).</b> Prior to issuance of a building permit, one or more of the following measures shall be implemented to reduce VMT-related impacts associated with future projects that are not able to be screened out of the VMT analysis process such that the development's VMT is below the low VMT thresholds recommended by the Office of Planning and Research or adopted by the City of Huntington Beach at the time of the development application: <ul style="list-style-type: none"> <li>• Modify the project's-built environment characteristics to reduce VMT generated by a project.</li> <li>• Implement Transportation Demand Management strategies pursuant to General Plan Policy CIRC-5.A to reduce VMT generated by a project.</li> <li>• Participate in a Fair Share Traffic Impact Fee program or VMT mitigation banking program, if available.</li> </ul> Examples of potential measures to reduce VMT include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Improve or increase access to transit.</li> <li>• Increase access to common goods and services, such as groceries, schools, and daycare.</li> <li>• Incorporate affordable housing into the project.</li> <li>• Orient the project toward transit, bicycle, and pedestrian facilities.</li> </ul>	Provide proof that: <ul style="list-style-type: none"> <li>• Project screens out of VMT analysis; or</li> <li>• Project has participated in a Fair Share Traffic Impact Fee program or VMT mitigation banking program</li> </ul>	Confirmation of compliance with City-adopted VMT Guidelines	Prior to issuance of a building permit	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<ul style="list-style-type: none"> <li>• Improve pedestrian or bicycle networks, or transit service.</li> <li>• Provide traffic calming.</li> <li>• Provide bicycle parking.</li> <li>• Limit or eliminate parking supply.</li> <li>• Unbundle parking costs.</li> <li>• Implement or provide access to a commute reduction program.</li> <li>• Provide car-sharing, bike sharing, and ride-sharing programs.</li> <li>• Provide transit passes.</li> </ul>						
<b>Tribal Cultural Resources</b>						
<b>GPU PEIR MM 4.4-2</b> Prior to any earth-disturbing activities (e.g., excavation, trenching, grading) that could encounter undisturbed soils, the project-level applicant for future development shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to determine if site-specific development allowed under the GPU PEIR could result in a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines or disturb human remains. The investigation shall include, as determined appropriate by the archaeologist and the City of Huntington Beach, an updated records search of the South Central Coastal Information Center of the California Historical Resources Information System, updated Native American consultation, and a pedestrian survey of the area proposed for development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any archaeological resources within the development area and includes recommendations and methods for eliminating or avoiding impacts on archaeological resources or human remains. The measures shall include as appropriate, subsurface testing of archaeological resources and/or construction	Proof of retention of archaeological professional to determine if a substantial adverse change would occur to an archaeological resource.  Preparation of a technical report or memorandum documenting the result of archaeological resources investigation  Developer shall implement all recommendations	Verify retention of qualified Archaeological professional, if necessary, and complete documentation  Review and approve technical report or memorandum.  If determined necessary, verify that project applicant has implemented methods identified in the technical report or memorandum for reducing impacts on	Prior to issuance of grading permit; Continued throughout ground disturbing activities, as required	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
monitoring by a qualified professional and, if necessary, appropriate Native American monitors identified by the applicable tribe (e.g., the Gabrielino Tongva Nation) and/or the Native American Heritage Commission. The methods shall also include procedures for the unanticipated discovery of human remains, which shall be in accordance with §5097.98 of the State Public Resources Code and §7050.5 of California's Health and Safety Code. The technical report or memorandum shall be submitted to the City of Huntington Beach for approval. As determined necessary by the city, environmental documentation (e.g., CEQA documentation) prepared for future development allowed under the GPU PEIR shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project-level applicant shall be responsible for implementing methods for eliminating or avoiding impacts on archaeological resources identified in the technical report or memorandum. Projects that would not encounter undisturbed soils and would therefore not be required to retain an archaeologist shall demonstrate non-disturbance to the city through the appropriate construction plans or geotechnical studies prior to any earth-disturbing activities. Projects that would include any earth disturbance (disturbed or undisturbed soils) shall comply with MM 4.4-3.	of the technical report or memorandum.	archaeological resources.				
<b>GPU PEIR MM 4.4-3</b> If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines §15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the	Proof of retention of archaeological professional to determine if a substantial adverse change would occur to an	Verify retention of qualified archaeological professional, if necessary, and complete documentation	Prior to issuance of grading permit; Continued throughout ground disturbing activities, as required	Community Development		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
find shall be halted and the City of Huntington Beach shall be notified. The project-level applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less than significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 form and filed with the appropriate Information Center.	archaeological resource					
<b>Utilities and Service Systems</b>						
<b>GPU PEIR MM 4.15-1</b> The City of Huntington Beach shall require that adequate capacity in the wastewater collection system is demonstrated from the specific development site discharge location to the nearest Orange County Sanitary District main or trunk line to accommodate discharges from the specific development project. If capacity and/or conditions are demonstrated to be adequate, upgrades may not be required. If capacity and/or condition is not adequate, the City of Huntington Beach shall identify corrective action(s) required by the specific development applicant to ensure adequate capacity. Corrective action could include, but is not limited to: <ol style="list-style-type: none"> <li>1) Upsize/replace new sewer pipes, as identified in sewer analysis</li> <li>2) Discharge assessment fees/districts to upsize/replace sewer lines at downstream locations or where contributing areas are large</li> <li>3) In-lieu fees to implement system-wide wastewater collection infrastructure improvements</li> <li>4) Other mechanisms as determined by the City Department of Public Works.</li> </ol>	Contract language and notes on grading plans and construction plans	Review and approve contract specifications and grading plans and construction plans for inclusion	Plan check prior to issuance of a grading permit	Community Development		



Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
<p>Because some wastewater collection system constraints may be located far down gradient from the actual development site, several properties may serve to contribute to system capacity constraints. Therefore, the City Department of Public Works shall assess each development and system characteristics to identify the best method for achieving adequate capacity in the wastewater collection system.</p> <p>The City of Huntington Beach Department of Public Works shall review the sewer analysis and determine required corrective action(s) or if a waiver of corrective action is applicable. The site-specific development applicant shall incorporate required corrective actions into their project design and/or plan. Prior to Final Inspection, the City Department of Public Works shall ensure that required corrective action has been implemented.</p>						
<p><b>GPU PEIR MM 4.15-2</b></p> <p>Future projects under the General Plan Update shall incorporate the following measures to ensure that conservation and efficient water use practices are implemented. Project proponents, as applicable, shall:</p> <ol style="list-style-type: none"> <li>1) Require employees <u>and residents</u> to report leaks and water losses immediately and shall provide information and training as required to allow for efficient reporting and follow up.</li> <li>2) Educate employees <u>and residents</u> about the importance and benefits of water conservation.</li> <li>3) Create water conservation suggestion boxes, and place them in prominent areas.</li> <li>4) Install signs in restrooms and cafeterias that encourage water conservation.</li> <li>5) Assign an employee <u>or resident</u> to evaluate water conservation opportunities and effectiveness.</li> </ol>	Notes on construction plans and conditions, covenants and restrictions (CC&Rs), as applicable	Review construction plans prior to issuance of building permits; Review CC&Rs prior to final inspection	Prior to issuance of building permits; Prior to final inspection	Public Works		

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
6) Develop and implement a water management plan for its facilities that includes methods for reducing overall water use. 7) Conduct a water use survey to update current water use needs. (Processes and equipment are constantly upgrading, thus changing the need for water in some areas.) 8) Repair leaks. Check the water supply system for leaks and turn off unnecessary flows. 9) Utilize water-efficient irrigation systems and drought tolerant plant palette and ensure that sprinklers are directing water to landscape areas, and not to parking lots, sidewalks or other paved areas. 10) Adjust the irrigation schedule for seasonal changes. 11) Install low-flow or waterless fixtures in public and employee restrooms. 12) Instruct cleaning crews to use water efficiently for mopping. 13) Use brooms, squeegees, and wet/dry vacuums to clean surfaces before washing with water; do not use hoses as brooms. Sweep or blow paved areas to clean, rather than hosing off (applies outside, not inside). 14) Avoid washing building exteriors or other outside structures. 15) Sweep and vacuum parking lots/sidewalks/window surfaces rather than washing with water. 16) Switch from "wet" carpet cleaning methods, such as steam, to "dry," powder methods. Change window-cleaning schedule from "periodic" to "as required." 17) Set automatic optic sensors on icemakers to minimum fill levels to provide lowest possible daily requirement. Ensure units are air-cooled and not water-cooled. 18) Control the flow of water to the garbage disposal 19) Install and maintain spray rinsers for pot washing and reduce flow of spray rinsers for prewash						

Mitigation Measure	Implementation Documentation	Monitoring Activity	Timing	Responsible Monitor	Compliance Verification Signature	Date
20) Turn off dishwashers when not in use – wash only full loads 21) Scrape rather than rinse dishes before washing 22) Operate steam tables to minimize excess water use 23) Discontinue use of water softening systems where possible 24) Ensure water pressure and flows to dishwashers are set a minimum required setting. 25) Install electric eye sensors for conveyor dishwashers 26) Retrofit existing flushometer (tankless) toilets with water-saving diaphragms and coordinate automatic systems with work hours so that they don't run continuously 27) Use a shut-off nozzle on all hoses that can be adjusted down to a fine spray so that water flows only when needed. 28) Install automatic rain shutoff device on sprinkler systems 29) Launder hotel linens per room by request or after vacancy						