



Notice of Preparation

TO: _____ **FROM:** City of Long Beach
Development Services, 5th Floor
333 West Ocean Boulevard
Long Beach, California 90802

Subject: Notice of Preparation of a Draft Environmental Impact Report

Project Title: Downtown Community Plan

Lead Agency: The City of Long Beach is the lead agency in the preparation of a Program Environmental Impact Report (PEIR) for the proposed Long Beach Downtown Community Plan. The PEIR will be prepared pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines.

Project Description: The project is the adoption and implementation of the proposed Long Beach Downtown Community Plan (Downtown Community Plan), which would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area. The proposed Downtown Community Plan would incorporate zoning, development standards, and design guidelines to establish design and development criteria to guide new development that would be consistent with the community vision for the Downtown. Attached is an Initial Study that more fully describes the proposed project and identifies its probable environmental effects.

Project Location: As shown in Figure 1, the proposed Downtown Community Plan would encompass an area of approximately 631 acres bounded by the Los Angeles River on the west and Ocean Boulevard on the south. The north boundary generally follows portions of 7th and 10th Streets; and the east boundary includes land on both sides of Alamitos Avenue, and may include the area South of 10th Street.

Community Meetings: The Proposed Project will be discussed at the following public meetings:

- Council Chambers, City Hall, 333 W. Ocean Blvd
July 16, 5:00 p.m. Presentation to the Planning Commission
July 20, 9:00 a.m. Presentation to the Redevelopment Agency Board
- Patterson Hall, First Congregational Church, 241 Cedar Ave.
July 22, 6:00 p.m. Downtown Community Plan Public Meeting

Thirty-Day Comment Period: Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your comments by regular mail, email, or fax to:

Steve Gerhardt, AICP
Senior Planner, Advance Planning
Long Beach Development Services
Phone: (562) 570-6288
Fax: (562) 570-6068
Email: Steve.Gerhardt@longbeach.gov

Date: 6/29/2009

Signature

Title

Steve Gerhardt
Senior Planner

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Initial Study

1. Project title: **Long Beach Downtown Community Plan**

2. Lead agency name and address:

City of Long Beach
Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, California 90802

3. Contact person and phone number:

Steve Gerhardt, AICP
Senior Planner, Advance Planning
Long Beach Development Services
Phone: (562) 570-6288
Fax: (562) 570-6068
Email: Steve.Gerhardt@longbeach.gov

4. Project location:

As shown on Figure 1, the proposed Long Beach Downtown Community Plan (Downtown Community Plan) would encompass an area of approximately 631 acres bounded by the Los Angeles River on the west and Ocean Boulevard on the south. The north boundary generally follows portions of 7th and 10th Streets; and the east boundary includes land on both sides of Alamitos Avenue. During the planning process, the Community Plan boundary may be expanded to include the 33-acre hatched area south of 10th Street shown on Figure 1.

5. General Plan and Zoning designations:

The most common existing General Plan Land Use Designation (LUD) within the project site is LUD 7 Mixed-Use; and the most common zone is Planned Development (PD) 30. Following is a list of all of the general plan and zoning designations that currently occur within the boundaries of the proposed project. Land within the potential expansion area is within PD-29, and would be rezoned if included within the Community Plan project area.

Land Use Districts

LUD No. 4	High Density Residential (44 dua)
LUD No. 5	Urban High Density Residential (108 dua)
LUD No. 6	High-Rise Residential (249 dua)
LUD No. 7	Mixed-Use
LUD No. 8	Major Commercial Corridor
LUD No. 8M	Mixed Office/Residential Strip
LUD No. 8N	Shopping Nodes
LUD No. 8R	Mixed Retail/Residential Strip
LUD No. 10	Institutional and School District

Zoning Districts

PD-30	Planned Development
CO	Office Commercial
CT	Tourist and Entertainment Commercial
CCN	Community R-4-N Commercial
CCR	Community R-4-R Commercial
CCA	Community Commercial Automobile-Oriented
R-4-N	Medium-density Multiple Residential
R-4-R	Moderate-density Multiple Residential
I	Institutional
HR	High-Rise Overlay
HL	Height-Limit Overlay

FIGURE 1

Regional and Project Area Map



I-710



-  Potential Downtown Project Area Expansion
-  Downtown Project Boundary
-  Public Parks



0 750' 1500'

As part of *Long Beach 2030*, the City's General Plan Update project, the existing general plan and zoning designations would be replaced by a new Downtown District designation that would cover the majority of the proposed project area. A residential overlay will be designated for neighborhood areas that are to remain primarily residential. "Placetype" designations would replace the existing Land Use Districts and would be designed to support the Downtown District vision. Increased development activity would be encouraged by allowing a wider range and mix of permitted and conditionally permitted uses throughout the Greater Downtown area and not be restricted by standard zoning districts.

6. Description of project:

The project is the adoption and implementation of the Downtown Community Plan, which would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area. Including the potential expansion area within the Downtown Community Plan area boundary, would necessitate revisions to PD-29, in addition to PD-30/existing zoning within the area. The Long Beach Downtown Community Plan would incorporate zoning, development standards, and design guidelines to establish design and development criteria to guide new development that would be consistent with the community vision for the Downtown. Full implementation of the Downtown Community Plan would increase the density and intensity of existing Downtown land uses by allowing up to approximately 9,200 new residential units, 1.5 million square feet of new office, civic, cultural, and similar uses, 480,000 square feet of new retail, and 3,200 new hotel rooms. The Downtown Community Plan would provide flexibility in achieving these land use goals by allowing adjustments between planned land uses based on market demand, so long as the alternative land uses are consistent with the traffic and other impacts addressed in the Program EIR. The overall development assumed in the Downtown Community Plan would occur over a 25 year time period.

The intent of the proposed land use designations within Downtown would be to provide additional housing, employment, shopping, and entertainment opportunities within a very vibrant mixed-use environment. At the same time, intact residential neighborhoods that provide a wide mix of historic and more recent housing types, including single-family homes, duplexes, and a range of apartment and condominium buildings, would be preserved. This wide variety of existing and planned uses, along with bus and rail service, walking, and biking, would contribute to more active Downtown streets.

Landscape design guidelines will place an emphasis on achieving high quality landscape and public realm improvements in terms of streetscape, setback planting, private courtyards, pedestrian connections, and public open space. Development standards will include regulations for height, floor-area ratio, setbacks, open space, ground-floor retail space, and parking. Building design standards will address architecture and the design and massing of mixed-use buildings and high-rise towers. The Downtown Community Plan will provide policies and programs for the preservation of neighborhood character and historic properties.

A Program Environmental Impact Report (PEIR) will be prepared pursuant to Section 15168 of the CEQA Guidelines to analyze overall changes in land use in the project area that would occur in compliance with the development standards and design guidelines of the Downtown Community Plan.

In addition to analyzing impacts of the proposed project, the PEIR will include an analysis of alternatives to the project. Potential alternatives to be analyzed include: 1) No Project/No Build, 2) Existing Plans, 3) Lower Profile/Less Intensity, and 4) Increased Residential Land Use Mix.

Following certification of the PEIR, the PEIR would be used in the review of subsequent development projects proposed within the Downtown Community Plan in accordance with the procedure for "tiering" of environmental documents allowed in Section 15152 of the CEQA Guidelines. To facilitate tiering, an Initial Study would be performed on subsequent projects proposed within the Downtown Community Plan area. No additional environmental documentation would be required for subsequent projects if the Initial Study determines that the potential environmental effects have been adequately addressed in the PEIR and/or individual developments would implement appropriate mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP) accompanying the PEIR.

6. Project area land uses:

The Downtown Community Plan project area is intensively developed with urban land uses and community facilities. Commercial uses constitute the predominant land uses, including retail centers, storefront shops and restaurants, mid- and high-rise office buildings and financial institutions, low-rise motels and high-rise hotels, and automotive service facilities. Residential uses primarily consist of two- to six-story apartment buildings and modern high-rises, and also include a few areas of single- and two-family residences and neighborhood clusters. Governmental offices, schools, parks, and churches are also located within the project area.

7. Surrounding land uses:

South: Ocean Boulevard marks the south boundary of the Downtown Community Plan project area and is also the north boundary of the California Coastal Zone and PD-6. Land uses located along the south side of Ocean Boulevard are high-density residential, mixed-use retail and residential, and financial institutions. South of these uses are visitor-serving facilities including the Aquarium of the Pacific, convention center, shopping and dining areas, hotel, recreational facilities, parks, beaches, and marinas.

West: The Los Angeles River channel borders project area on the west.

Northwest: The Willmore City/Drake Park Historic District (PD-10) primarily contains restored historic single-family homes and older multi-family residences.

North: Land uses to the north, generally between Pine and Atlantic avenues, are primarily commercial, hospital and medical services, multi-family residential, schools, and churches. Northeast of 10th Street and Atlantic Avenue, land uses are primarily a mix of single-family and low-rise multi-family.

East: Land uses to the east are primarily a mix of single-family and low-rise multi-family and also include retail and restaurant uses along the main commercial corridors of 7th and 4th streets and Broadway.

8. Public agencies whose approval will be required:

Certification of the Program EIR and approval of the Downtown Community Plan will require a public hearing and recommendation from the Long Beach Planning Commission and a public hearing and adoption by the Long Beach City Council.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Transportation/Traffic Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Population/Housing | |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | | |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Steve Gerhardt, Senior Planner

6/29/2009
 Date

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) The primary scenic resource in the project area is the view south toward the harbor and ocean, which includes views of the Queen Mary ocean liner and the Downtown skyline, visible from the water and from points of higher

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
elevation to the North. The project area is densely urbanized and includes existing high-rise development along both sides of Ocean Boulevard. View corridors that exist along Magnolia, Pacific, Pine, Elm, and Linden avenues, The Promenade, and Long Beach Boulevard would not be impacted by development that maintains views to the south along the existing street grid. The proposed project includes provisions to maintain existing view corridors. Further analysis of this issue in an EIR is not warranted.				
b) Ocean Boulevard is designated as a local scenic route in the Long Beach General Plan. No state scenic highway exists within the project area or within any area where development within the project area would affect views from a state scenic highway. Further analysis of this issue in an EIR is not warranted.				
c) While substantial high-rise development exists in the project area, the visual character of some neighborhoods could be impacted by additional development of buildings of substantially greater height than presently exists in these neighborhoods, or could include the removal or reuse of historic buildings within the project area. Therefore, the potential for new development to impact existing visual character or quality will be further analyzed in the EIR.				
d) New development that increases the density or intensity of land uses in an area may create new sources of light and glare from architectural, safety, and parking lot lighting. This potential impact will be further analyzed in the EIR.				

II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) – c) The project area is currently fully urbanized and no agricultural uses, Williamson Act contract lands, or farmland would be affected by the project and **further analysis of these issues in an EIR is not warranted.**

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?	■	□	□	□
e) Create objectionable odors affecting a substantial number of people?	■	□	□	□

a) – e) The proposed project would enable development that could generate a substantial increase in traffic and worsen operations at existing intersections within and near the project area. Air pollutant emissions from this additional traffic and longer idling times at project area intersections could conflict with or obstruct implementation of air quality plans for the South Coast Air Basin, increase pollutants for which the region is in non-attainment of applicable ambient air quality standards, and impact sensitive receptors including residents, children at local schools, and patients at project area hospitals and medical facilities. Construction activity could also result in temporary air quality and odor impacts due to fugitive dust and exhaust emissions from diesel-powered construction equipment. Therefore, **the potential for new development to impact local and regional air quality will be further analyzed in the EIR.**

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	□	□	□	■
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	□	□	□	■
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	□	□	□	■
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	□	□	□	■
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	□	□	□	■
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	□	□	□	■

a) – f) The project site is in an urbanized area and no sensitive habitat or animal species are present. In addition, the project does not propose to alter existing parks or open space where native or migratory bird species could be present. No conflicts with local biological resource policies, ordinances, or habitat conservation programs would be relevant to planned development within the project area. Therefore, **further analysis of these issues in an EIR is not warranted.**

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V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) Historical structures and districts have been designated within the project area and many other buildings greater than 50 years old are also present. Designated historic resources and others not currently designated by the City as historic landmarks could be affected by demolition or remodeling. Therefore, **the potential for new development to impact historical resources will be further analyzed in the EIR.**

b) – d) The project area is fully urbanized and has been subject to extensive disturbance from construction of existing buildings and associated underground infrastructure and, therefore, surficial archaeological resources, unique paleontological resources, unique geologic features, or human remains have likely been previously disturbed. Future construction of new land uses allowed by the project will, however, result in additional surface and subsurface disturbance that may result in damage to previously unknown resources or remains. Therefore, **the potential for new development to impact historical resources will be further analyzed in the EIR.**

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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not available for the disposal of waste water?

a-i) – a-iii), c), d) The City is relatively level without significant slopes and is located on a broad, slightly elevated coastal terrace flanked by flood plains on the east and west. Faults associated with the Newport-Inglewood Fault Zone, which is mapped as an Alquist-Priolo Earthquake Fault Zone, is located within approximately 2 miles of the project area. The 1920 Inglewood earthquake (estimated magnitude 4.9) and the 1933 Long Beach earthquake (estimated magnitude 6.3) are thought to be the result of movement of this fault. Several other fault zones located within approximately 5 to 30 miles have the potential to impact the project area. The project area is located at an elevation of approximately 30 feet above mean sea level with essentially flat topography. Groundwater associated with sea level has been encountered at between 29 and 35 feet below ground level (MACTEC Engineering and Consulting Inc., for Proposed Press-Telegram Mixed Development Project, July 7, 2006). These conditions create the potential for substantial adverse effects associated with seismic activity. Therefore, **the potential for the project area to be impacted by seismic activity will be further analyzed in the EIR.**

a-iv), b) The relatively level site conditions and extent of developed lands in the project area would avoid potential impacts associated with landslides, soil erosion, or loss of topsoil and, therefore, **further analysis of these issues in an EIR is not warranted.**

e) All development in the project area would be served by the City's sewage disposal system and, therefore, **further analysis of this issue in an EIR is not warranted.**

VII. GREENHOUSE GAS EMISSIONS -- Would the project:

- | | | | | |
|--|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment? | ■ | □ | □ | □ |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gas? | ■ | □ | □ | □ |

a) In California, the transportation sector is the largest emitter of greenhouse gases (GHGs), followed by electricity generation. Emission of carbon dioxide (CO₂) is a byproduct of fossil-fuel combustion. The proposed project would enable development that could generate a substantial increase in traffic and worsen operations at existing intersections within and near the project area. It would also increase the demand for electrical energy, which is also a substantial contributor to GHGs. Therefore, **the potential for new development to contribute to emissions of GHGs will be further analyzed in the EIR.**

b) In September 2006, Governor Schwarzenegger signed AB 32 (Chapter 488, Statutes of 2006), the California Global Warming Solutions Act of 2006, which enacted Sections 38500–38599 of the California Health and Safety Code. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles and directs the state Air Resources Board (ARB) to also develop and implement regulations to reduce statewide GHG emissions from stationary sources. Therefore, **the potential for new development to conflict with statewide policies and regulations to reduce emissions of GHGs will be further analyzed in the EIR.**

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- | | | | | |
|---|---|---|---|---|
| c) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ■ | □ | □ | □ |
| d) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ■ | □ | □ | □ |
| e) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of | ■ | □ | □ | □ |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
an existing or proposed school?				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	■	□	□	□
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	□	□	□	■
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	□	□	□	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	□	□	□	■
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	□	□	□	■

-
- a) – c) The types of commercial and residential land uses envisioned for the project area would not typically contain businesses involved in the transport, use, or disposal of substantial quantities of hazardous materials. However, construction activities would involve full or partial demolition of existing structures, which, due to their age, may contain asbestos and lead-based paints and materials. Compliance with existing rules and regulations, including South Coast Air Quality Management District Rule 1403 (Asbestos Demolition and Renovation Activities), California Occupational Safety and Health Administration regulations regarding lead-based materials, and California Code of Regulations Section 1532.1 requiring testing, monitoring, containment, and disposal of lead-based materials, should avoid significant hazardous materials impacts. Nevertheless, in order to more fully evaluate the potential for significant impacts, **this issue will be analyzed in an EIR.**
- d) The project area is highly urbanized and contains a wide variety of commercial activities, including businesses that use, store, and dispose of hazardous materials. Thus the potential exists for hazardous materials to be present on sites that may be proposed for redevelopment. **This impact will be analyzed in an EIR.**
- e), f) The nearest boundary of the project area is located approximately 3 miles from the nearest airport/airstrip, the Long Beach Municipal Airport. **No impacts are anticipated and further analysis in an EIR is not warranted.**
- g) The project may propose to alter existing street patterns, but would maintain accessibility required by any adopted emergency response plan or emergency evacuation plan. **No impacts are anticipated and further analysis in an EIR is not warranted.**
- h) The project area does not contain wildlands nor is it adjacent to wildlands and **further analysis in an EIR is not warranted.**

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	■	□	□	□
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or	■	□	□	□

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	■	□	□	□
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	■	□	□	□
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	■	□	□	□
f) Otherwise substantially degrade water quality?	■	□	□	□
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	□	□	□	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	□	□	□	■
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	□	□	□	■
j) Inundation by seiche, tsunami, or mudflow?	□	□	□	■

a), c) – f) Although the project area is substantially urbanized and improved with impervious surfaces, the proposed project would continue recent trends of converting vacant property or low-intensity developed areas containing landscaped areas and other pervious surfaces, into more intensely developed land uses such that potentially increased quantities of runoff would be directed to the City’s stormwater collection system. This runoff also has the potential to carry pollutants and sediment. However, construction and operation of future development sites would be required to comply with all local, state and federal requirements pertaining to preservation of water quality and reduction of runoff, including Best Management Practices (BMPs) and the implementation of a Standard Urban Stormwater Mitigation Plan (SUSMP). Provisions of the City’s regulations that protect water quality, including Chapter 18.95 of the Municipal Code, would apply. In addition, earthwork for construction projects that would involve greater than one acre of land would require a National Pollutant Discharge Elimination System (NPDES) permit. While existing regulatory procedures are in place to reduce impacts from increased stormwater runoff, **further analysis in an EIR is warranted.**

b) Future development within the project area would result in a net increase in water demand due to the intensification of development on the site. Although the majority of the City’s water supply consists of imported water purchased from the Metropolitan Water District of Southern California, a significant portion is extracted from the local groundwater basin. **The EIR will assess the project’s impacts to groundwater resources as part of the analysis of utilities and service systems impacts (see also Section XVI.d. below).**

g), h) According to the City of Long Beach and the Federal Emergency Management Administration Flood Insurance Rate Maps (2002), the project area is located outside the 100-year flood zone. Therefore, no significant flood impacts are anticipated and **further analysis in an EIR is not warranted.**

i), j) There are no dams or levees located within the vicinity of the project area and, therefore, there is no potential for flooding due to dam failure. The project site is also not located near any landlocked water and impacts from seiches would not occur. The project area is substantially protected from inundation from a tsunami by its elevation approximately 30 feet above mean sea level, as well as by the Long Beach Harbor breakwater and existing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

development south of Ocean Boulevard. Therefore, no impacts from dam or levee failures, seiches, or tsunamis are anticipated and **further analysis of these issues in an EIR is not warranted.**

X. LAND USE AND PLANNING -- Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) The project area is currently urbanized with existing street and circulation patterns that are not proposed to be altered by the proposed project. The proposed community plan provides guidelines and standards for infill development that are intended to integrate future development into the existing land use character of four distinct planning districts. Thus, the project would not physically divide the established community and **further analysis of this issue in an EIR is not warranted.**

b) The proposed project would result in changes to existing General Plan land use and zoning designations and, therefore, the project has the potential to conflict with policies contained in the General Plan and Zoning Ordinance. Land use compatibility and the project's consistency with applicable local and regional policies **will be further analyzed in an EIR.**

c) No habitat conservation plan or natural communities conservation plan apply to the project site. Therefore, no impacts would occur and **further analysis of this issue in an EIR is not warranted.**

XI. MINERAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Oil is the primary mineral resource within the City of Long Beach. No oil extraction land uses or other mineral resource recovery sites currently exist within or adjacent to the project area. Therefore, no impacts to mineral resources are anticipated and **further analysis in an EIR is not warranted.**

b) No mineral resource sites are designated on any City land use plan within the Downtown Community Plan project area and **further analysis in an EIR is not warranted.**

XII. NOISE -- Would the project result in:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
project vicinity above levels existing without the project?				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	■	□	□	□
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	□	□	□	■
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	□	□	□	■

a) – d) The project would enable more intensive land uses to be located within the Downtown Community Plan area, which would result in increased ambient noise levels in the project area, primarily from additional traffic associated with residential and commercial growth. Operation of construction equipment associated with this growth would also create temporary noise level increases. The City’s Noise Control Ordinance (Municipal Code Chapter 8.80) establishes maximum permissible hourly daytime and nighttime noise levels for different districts throughout the City and also governs the time of day that construction work can be performed. **Noise associated with both temporary construction activity and long-term project operation will be analyzed in detail in an EIR.**

e), f) The project site is located over two miles from the Long Beach Airport. Significant impacts relating to aircraft noise are not anticipated and **further analysis in an EIR is not warranted.**

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	■	□	□	□
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	■	□	□	□
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	■	□	□	□

a) The project would allow additional residential development to occur in the Downtown Community Plan project area. Therefore, **the potential to induce substantial population growth will be further analyzed in the EIR.**

b), c) The project could result in removal of existing housing in older apartment buildings not suitable for rehabilitation. Therefore, **the potential to displace housing and people will be further analyzed in the EIR.**

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	■	□	□	□
Police protection?	■	□	□	□

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Libraries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) The proposed Downtown Community Plan would increase the demand for public services due to the increase in residential population and commercial uses in the project area. **Therefore, potential impacts relating to fire and police protection, schools, parks, and libraries will be further evaluated in an EIR.**

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) The project will increase the residential population in the downtown area, which will place increased demands on neighborhood and regional parks and other recreational facilities. **This issue will be further evaluated in an EIR.**

b) Residential and mixed-use development in the project area is expected to include private and public recreational space as part of most development projects. The potential impact of these facilities **will be further evaluated in an EIR.**

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a), b) The proposed project would generate an increase in vehicle trips throughout the project area. Project-generated trips would have the potential to adversely affect levels of service on City roadways and at area intersections. A traffic analysis will be prepared to evaluate the project's potential to create significant impacts relating to traffic, circulation, and access and this information will be evaluated in an EIR.				
c) The project would not necessitate any change in air traffic patterns. Further analysis of this issue in an EIR is not warranted.				
d) The project may propose to alter existing street patterns or create new pedestrian and bicycle pathways and street crossing locations. In order to more fully evaluate the potential for significant impacts, this issue will be analyzed in an EIR.				
e) The increased project area population and visitors would increase traffic on local streets and could impact emergency access, including from temporary street closures during construction.				
f) Parking for subsequent development projects will be further evaluated in the EIR based on any revisions to existing parking standards or provisions for shared parking, if these are included as part of the Downtown Community Plan.				
g) The project would support adopted policies for providing alternative transportation modes such as bus facilities and bicycle access/parking. Further analysis of this issue in an EIR is not warranted.				

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a), b), e). The proposed Community Plan would allow more intense residential and commercial development in the Downtown area and would, therefore, increase the generation of wastewater. To determine whether the existing wastewater conveyance system and treatment plant have sufficient available capacity to accommodate wastewater from the planned development, **these issues will be further analyzed in an EIR.**
- c) The proposed project could increase the area covered by impervious surfaces, potentially increasing runoff quantities. New drainage infrastructure will be needed, potentially affecting off-site facilities. **This issue will be further analyzed in an EIR.**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

d) The proposed project would potentially increase the demand for water in the City and a Water Supply Assessment will be prepared to determine whether or not water supplies and infrastructure are adequate to serve the proposed development. **This issue will be further analyzed in an EIR.**

f), g) The proposed project would potentially increase the amount of solid waste generated within the City. Compliance with State waste diversion requirements and the potential effects of the increase in solid waste generation on regional landfill capacity **will be further evaluated in an EIR.**

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■	□	□	□
--	---	---	---	---

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■	□	□	□
--	---	---	---	---

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	□	□	□
---	---	---	---	---

a) As discussed above in Section IV, Biological Resources, the proposed Downtown Community Plan project area is completely within an urban area with sparsely located street trees. The project would not have the potential to substantially reduce habitats, wildlife populations, communities, or restrict the range of endangered plants or animals. However, future development pursuant to the Downtown Community Plan may include demolition of potentially historic structures. As discussed in Section V, Cultural Resources, an analysis of potential project impacts on historical resources located in the project area **will be included in an EIR.**

b) Cumulative impacts for each issue area identified as potentially significant **will be included in an EIR.**

c) As discussed in Section III, Air Quality, Section VII, Hazards and Hazardous Materials, Section XII, Population and Housing, and Section XV, Transportation/Traffic, the proposed project has the potential to create environmental effects that could significantly affect human health or safety. **These issues will be studied further in an EIR.**

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

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*Flex your power!
Be energy efficient!*

IGR/CEQA No. 090706AL, NOP
Downtown Long Beach Community Plan (EIR-04-08)
Vic. LA-710 & LA-01 Various Locations
SCH # 2009071006

July 22, 2009

Mr. Steve Gerhardt
City of Long Beach Development Services
333 West Ocean Blvd, 5th Floor
Long Beach, CA 90802

Dear Mr. Gerhardt:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is the adoption and implementation of the Downtown Community Plan. The plan would increase the density and intensity of existing Downtown land uses by allowing up to approximately 9,200 new residential units, 1.5 million square feet of new office, civic, cultural, and similar uses, 480,000 square feet of new retail, and 3,200 new hotel rooms. The plan would occur over a 25-year time period.

To assist us in our efforts to evaluate the impacts of this project on State transportation facilities, a traffic study in advance of the DEIR should be prepared. We wish to refer the project's traffic consultant to our traffic study guide Website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

and we list here some elements of what we generally are expecting in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to State Route 710, 47, 1 (Pacific Coast Highway) and all on/off ramps in the project vicinity. We are also concerned about potential queuing of vehicles using off-ramps back into mainline through lanes. We recommend that the City determine whether project-related plus cumulative traffic is expected to result in long queues on off-ramps.
2. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. We may use indices to check results. Differences or inconsistencies must be thoroughly explained.

3. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area. This should include freeways, interchanges, and intersections, and all HOV facilities. Interchange Level of Service should be specified (HCM2000 method requested). Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions would include build-out of all projects (see next item) and any plan-horizon years.
4. Inclusion of all appropriate traffic volumes. Analysis should include traffic from the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments. That is, include: existing + project + other projects + other growth.
5. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to, the following:
 - Description of Transportation Infrastructure Improvements
 - Financial Costs, Funding Sources and Financing
 - Sequence and Scheduling Considerations
 - Implementation Responsibilities, Controls, and Monitoring

Any mitigation involving transit, or Transportation Demand Management (TDM) should be justified and the results conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

6. Specification of realistic mitigation measures. Caltrans may accept fair share contributions toward pre-established or future improvements on the State Highway System. Please use the following ratio when estimating project equitable share responsibility: additional traffic volume due to project implementation is divided by the total increase in the traffic volume (see Appendix "B" of the Guide).

We note for purposes of determining project share of costs, that the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes which include build-out of all approved and not yet approved projects, and other sources of growth. Analytical methods such as select-zone travel forecast modeling might be used.

The Department as commenting agency under CEQA has jurisdiction superceding that of Metro in identifying the freeway analysis needed for this project. Caltrans is responsible for obtaining measures that will off-set project vehicle trip generation that worsens Caltrans facilities. CEQA allows a responsible agency such as Caltrans to develop superceding criteria for evaluating impacts upon those facilities it manages. In addition, the County CMP standards include consultation with Caltrans should State facilities be impacted. State Route(s) mentioned in item #1 and its facilities should be analyzed preferably using methods suggested in Department's Traffic Impact Study Guide. To help us to determine the appropriate scope, we request that a select zone model run is performed.

We look forward to reviewing the traffic study. We expect to receive a copy from the State Clearinghouse when the DEIR is completed. However, to expedite the review process, and clarify any misunderstandings, you may send a copy in advance to the undersigned.

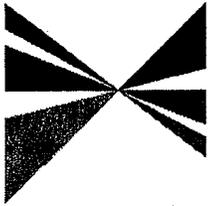
If you have any questions or issue about our comment, please feel free to contact me at (213) 897-6696 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 090706AL.

Sincerely,

A handwritten signature in cursive script that reads "Elmer Alvarez".

ELMER ALVAREZ
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse



ASSOCIATION of GOVERNMENTS

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- Transportation
Mike Ten, South Pasadena

July 20, 2009

Mr. Steve Gerhardt, AICP
Senior Planner, Advance Planning
City of Long Beach
Development Services, 5th Floor
333 West Ocean Boulevard
Long Beach, California 90802
Steve.Gerhardt@longbeach.gov

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Long Beach Downtown Community Plan [SCAG No. I20090437]

Dear Mr. Gerhardt,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the City of Long Beach Downtown Community Plan [SCAG No. I20090437] to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is the adoption and implementation of the proposed Long Beach Downtown Community Plan (Downtown Community Plan), which would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: <http://scag.ca.gov/igr>. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please provide a minimum of 45 days for SCAG to review the Draft EIR and associated plans when these documents are available. If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1800 or leebs@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Assessment, Housing & EIR

DOCS# 152857

**COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF LONG BEACH
DOWNTOWN COMMUNITY PLAN – SCAG NO. I20090437**

PROJECT LOCATION

The proposed Downtown Community Plan would encompass an area of approximately 631 acres bounded by the Los Angeles River on the west and Ocean Boulevard on the south. The north boundary generally follows portions of 7th and 10th Streets; and the east boundary includes land on both sides of Alamitos Avenue, and may include the area south of 10th Street.

PROJECT DESCRIPTION

The project is the adoption and implementation of the proposed Long Beach Downtown Community Plan (Downtown Community Plan), which would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area. The proposed Downtown Community Plan would incorporate zoning, development standards, and design guidelines to establish design and development criteria to guide new development that would be consistent with the community vision for the Downtown. Full implementation of the Downtown Community Plan would increase the density and intensity of existing Downtown land uses by allowing up to approximately 9,200 new residential units, 1.5 million square feet of new office, civic, cultural, and similar uses, 480,000 square feet of new retail, and 3,200 new hotel rooms.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted GCCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	2,143,979	2,190,471	2,236,253	2,280,588	2,323,438	2,364,199
Households	591,028	607,440	623,862	636,482	648,759	658,696
Employment	762,987	776,857	785,715	796,129	807,251	817,891

Adopted City of Long Beach Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	503,251	517,226	531,854	545,980	559,598	572,614
Households	169,739	175,415	181,397	186,067	190,576	194,287
Employment	185,938	189,987	192,573	195,614	198,860	201,967

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The 2008 Regional Transportation Plan (RTP) also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

- GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2** *Promote developments, which provide a mix of uses.*
- GV P2.3** *Promote "people scaled," walkable communities.*
- GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

- GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2** *Support educational opportunities that promote balanced growth.*
- GV P3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4** *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5** *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2 *Focus development in urban centers and existing cities.*
- GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: <http://www.scag.ca.gov/igr/>

- Click on "**Demonstrating Your Project's Consistency With SCAG Policies**"
- Scroll down to "**Table of SCAG Policies for IGR**"

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
Etc.	Etc.	Etc.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

July 8, 2009

Mr. Steve Gerhardt, AICP
Senior Planner, Advance Planning
Long Beach Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Dear Mr. Gerhardt:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Long Beach Downtown Community Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Electronic files include spreadsheets, database files, input files, output files, etc., and does not mean Adobe PDF files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

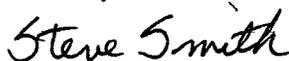
In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Daniel Garcia, Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.

Program Supervisor, CEQA Section

Planning, Rule Development and Area Sources

SS:DG:AK

LAC090701-02

Control Number



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 30, 2009

IN REPLY PLEASE
REFER TO FILE: **LD-1**

Mr. Steve Gerhardt, Senior Planner
Long Beach Department Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Dear Mr. Gerhardt:

**INITIAL STUDY/NOTICE OF PREPARATION
PROGRAM ENVIRONMENTAL IMPACT REPORT
LONG BEACH DOWNTOWN COMMUNITY PLAN
CITY OF LONG BEACH**

We reviewed the Initial Study for the proposed project. The project is the adoption of the proposed Long Beach Downtown Community Plan, which would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area.

The following comments are for your consideration and relate to the environmental document only.

Hydrology/Water Quality

1. The Program Environmental Impact Report should address the location of and possible impact to all Los Angeles County Flood Control District's facilities.
2. The Program Environmental Impact Report should address any and all pollutants that may be subject to discharge into the flood control system of the Los Angeles County Flood Control District and how such discharges will be prevented.

If you have any questions regarding water quality, please contact Mr. Daniel Dang (626) 458-4359.

Mr. Steve Gerhardt
July 30, 2009
Page 2

If you have any other questions or require additional information, please contact Mr. Toan Duong at (626) 458-4921.

Very truly yours,

GAIL FARBER
Director of Public Works



^{for} DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

MA:ca

P:\ld\publ\CEQA\CDM\ LONG BEACH_LONG BEACH DOWNTOWN COMMUNITY PLAN_IS-EIR.doc



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

July 20, 2009

File No: 03-00.04-00

Mr. Steve Gerhardt, AICP, Senior Planner
Advance Planning, Development Services
City of Long Beach
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Dear Mr. Gerhardt:

Downtown Community Plan

The County Sanitation Districts of Los Angeles County (Districts) received a Notice of Preparation of a Draft Environmental Impact Report for the subject project on July 16, 2009. The project area is located within the jurisdictional boundaries of District No. 3. We offer the following comments regarding sewerage service:

1. There are currently no deficiencies in the Districts' trunk sewer conveyance system that serves the project area.
2. The Districts should review individual proposed developments within the project area in order to determine whether or not sufficient trunk sewer capacity exists to serve each proposed development and if Districts' facilities will be affected by the proposed development.
3. Wastewater from the project area will be treated at the Joint Water Pollution Control Plant located in the City of Carson, which has a design capacity of 400 mgd and currently processes an average flow of 288.2 mgd.
4. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on page 2.
5. The Districts are authorized by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or increasing the strength or quantity of wastewater attributable to a particular parcel or operation already connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on

page 2. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at extension 2727.

6. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Stephen R. Maguin


Ruth I. Frazen
Customer Service Specialist
Facilities Planning Department

RIF:rf



BUSINESS DEPARTMENT - Business Services
Facilities Development & Planning Branch
Donald K. Allen Building Services Facility
2425 Webster Ave., Long Beach, CA 90810
(562) 997-7550 Fax (562) 595-8644

July 30, 2009

Via US Mail, Fax, & Email

Fax- (562) 570-6068

Email- Steve.Gerhardt@longbeach.gov

Steve Gerhardt, AICP
Senior Planner, Advance Planning
Long Beach Development Services
City of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802

Re: Comments on the Initial Study and Notice of Preparation of a Draft Program Environmental Impact Report for the Proposed Downtown Community Plan, Long Beach, California

Dear Mr. Gerhardt:

The Long Beach Unified School District (LBUSD or District) appreciates the opportunity to comment on the referenced Initial Study (IS) and Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) for the proposed Downtown Community Plan (Project).

GENERAL COMMENT

In addition to establishing high standards of academic excellence for its students, LBUSD is committed to providing a safe environment and school facilities for its students and employees. Thus, our primary concern in reviewing the IS/NOP is to ensure that potential environmental impacts to schools are appropriately identified, evaluated and mitigated.

The Project is the adoption and implementation of the proposed Long Beach Downtown Community Plan (Downtown Community Plan). The Downtown Community Plan area encompasses approximately 631 acres (Plan Area) in and surrounding the greater Downtown Long Beach area. A draft Downtown Community Plan (draft Plan) was published June 18th, 2009.

The Project would replace the existing PD-30 planned development ordinance for the Downtown Community Plan area. The proposed Downtown Community Plan would incorporate zoning, development standards, and design guidelines which would establish new design and development criteria to guide future development for the area.

Mary Stanton	Felton Williams	Michael Ellis	Jon Meyer	David Barton
District 1	District 2	District 3	District 4	District 5
President	Vice President	Member	Member	Member

The intent of the proposed land use designations within the Downtown area is to provide additional housing, employment, shopping, and entertainment opportunities. Full implementation of the Downtown Community Plan would increase the density and intensity of existing Downtown land uses by allowing up to approximately 9,200 new residential units, 1.5 million square feet of new office, civic, cultural, and similar uses, 480,000 square feet of new retail, and 3,200 new hotel rooms.

LBUSD is the largest employer in the City of Long Beach. As such, the District appreciates the potential benefits of a plan to develop a vibrant and “active” mixed-use downtown environment. However, the proposed increase in density and intensity of development in the Downtown Plan Area has the potential to cause significant adverse environmental impacts to six LBUSD schools that are within or adjacent to the Plan Area. The District’s Master Plan has identified the need for an additional elementary school within the Poly Planning Area, which falls within the proposed Downtown Community Plan area. Please see LBUSD Facility Master Plan located on our website at www.lbusd.k12.ca.us/District/School_Building_Plan. Although the location for the future school has not yet been identified, the City should be aware that an elementary school need has been identified by the community for that area. In particular, we are concerned about potential impacts from increased building height limits and reduced building setback requirements, associated shade and shadow effects, traffic, noise, construction activity, and incompatible land uses such as alcohol sales and other adult-oriented activities proximate to schools.

The IS/NOP states “The Downtown Community Plan will provide policies and programs for the preservation of neighborhood character.”

***General Comment:** The District requests that the Downtown Community Plan include policies and programs to preserve an environment conducive to safety and learning at our downtown neighborhood schools. In addition, the District requests that the PEIR and the Mitigation Monitoring and Reporting Program (MMRP) accompanying the PEIR include mitigation measures that protect schools from shade/shadow impacts that would be incorporated in future development project documents. Other proposed projects within the Downtown Plan Area, for example, the Press Telegram Lofts and the Superior Courthouse would have potential shade/shadow impacts to District schools. The District is concerned that such impacts have not been fully evaluated and mitigated. It is vitally important to the existing and planned schools in the Downtown Plan Area that the schools be identified in shade/shadow analyses and that the impacts to schools be properly identified and mitigated. See our later specific comment for further detail.*

SPECIFIC COMMENTS

Proximity to Schools

Three LBUSD schools are located within the 631-acre Plan Area:

Chavez Elementary School (ES); 730 W. Third Street.

Edison ES; 625 Maine Avenue.

Stevenson ES; 515 Lime Avenue.

Three additional LBUSD schools are located adjacent to the Plan Area boundary:

Franklin Middle School (MS); 540 Cerritos Avenue.

International ES; 700 Locust Avenue.

Renaissance High School (HS); 235 E. 8th Street.

The six school properties listed above would be directly affected by the Project. The IS/NOP and the Draft Downtown Community Plan (June 18, 2009) do not mention any of these schools by name and the school locations are not represented on any graphics or figures in either document.

Comment: The District requests that the draft PEIR and Downtown Community Plan include the locations of these schools on relevant figures, including on base maps of figures used to show proposed overlay and land use sub-areas as well as proposed height limits and setback requirements in the Downtown Community Plan. An exhibit showing the school locations is attached to this comment letter for your use. We also request that the draft PEIR evaluate potential impacts and propose mitigation measures applicable to each of these schools individually.

The IS/NOP indicates that during “the planning process,” the Downtown Community Plan boundary may be expanded to include a 33-acre area (Expansion Area) south of 10th Street (shown on Figure 1 of the IS). The potential Expansion Area encompasses two LBUSD schools: International ES and Renaissance HS.

Comment: The District requests clarification regarding how and when a decision would be made to add the Expansion Area to the Plan Area. Based on our current understanding, we request that the Expansion Area not be included in the Downtown Community Plan Area because of the potential impacts to those two schools.

Maximum Building Heights

The proposed Project (and draft Plan) increases the height limits for buildings on property adjacent to each of the referenced six schools compared with existing height limits. As one example, the height limit for the entire area around Stevenson ES increases from 28 feet to 80 feet. In addition, the setback requirement for the property surrounding Stevenson ES decreases from 10 feet to 6 or 8 feet.

Comment: The District requests that the draft PEIR (and Downtown Community Plan) address and analyze potential impacts of the Project’s maximum building height limits on each affected school property. We also request that mitigation be identified that would lessen any such impacts. Mitigation measures considered and evaluated should include Project alternatives, Plan policies and programs, zoning, and alternative development standards and design guidelines.

Building Setback Limits

The proposed Project (and draft Plan) reduces the required setback for buildings on property adjacent to each of the six schools compared with existing setback requirements. For example, the setback requirement for the property east from Chavez ES (and directly across Maine Avenue) is reduced from 10 feet to zero feet. In addition, the height limit for this Chavez-adjacent property increases from 80 feet to 240 feet (or 500 feet, with incentives)

***Comment:** The District requests that the draft PEIR (and Downtown Community Plan) address and analyze potential impacts of the Project's building setback requirements on each affected school property. We also request that mitigation be identified that would lessen any such impacts. Mitigation measures considered and evaluated should include Project alternatives, Plan policies and programs, zoning, and alternative development standards and design guidelines.*

Shade and Shadow Impacts

Shade and shadow impacts caused by increased height limits and reduced setbacks proposed for buildings adjacent to schools have the potential to cause significant adverse impacts to District schools. This Project as presently described could significantly impact students at each of the identified six schools.

Schools and associated grass fields and play areas are light-sensitive land uses. Outside play areas and play time with daylight are a critical component to a child's learning. The shadows that would be cast across school property from adjacent tall buildings will saddle a school with significant shadow impacts. This would have a negative impact to our students and our schools. Several of the schools have been specifically designed to make use of natural light to minimize energy use. Any new shade/shadow effects would interfere with the District's resolution # 012208-B, to adhere to the Collaborative for High Performance Schools (CHPS) standards relative to the learning environment. Such effects would also interfere with the District's efforts to utilize natural light and minimize energy use.

***Comment:** The District requests that the draft PEIR (and Downtown Community Plan) address and analyze potential shade and shadow impacts of the Project on each affected school property. Even though no specific buildings are proposed at this time, the PEIR should include a shade/shadow analysis based on the building massing and height limits proposed in the draft Plan. In accordance with CEQA, all feasible mitigation measures must be considered and implemented to reduce or avoid such impacts. Examples of feasible mitigation measures include Project alternatives, Plan policies and programs, zoning, and alternative development standards and design guidelines.*

Alcohol Sales

The District understands that the California Business and Professions Code 23789(b) conveys to the Department of Alcohol Beverage Control (ABC) the exclusive power to license and regulate alcohol sales proposed near existing schools. The ABC is authorized to refuse the issuance of retail licenses for premises located within six hundred (600 feet)

of schools. The ABC's decision process generally considers whether the issuance of the license would be contrary to the public welfare. We further understand that the City of Long Beach Zoning Code Section 21.52.201 provides that all alcoholic beverage sales use requiring a conditional use permit (CUP) shall not be located within five hundred feet (500 feet) of a public school except for (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet of floor area and also providing fresh fruit, vegetables, and meat in addition to canned goods (Ord. C-7032 § 42, 1992; Ord. C-6533 § I (part), 1988).

***Comment:** The District requests clarification regarding whether the Downtown Community Plan in effect expands the "greater downtown area" referenced in code section 21.52.20 and, thereby, expands the zoning area in which alcohol sales requiring a CUP are not precluded within 500 feet of a public school. The District requests that the draft PEIR and Downtown Community Plan fully evaluate the potential for the Project to expand the zoning area that allows alcohol sales within 500 feet of schools, potential adverse impacts from such an expansion, and appropriate mitigation measures.*

The proposed Project (and draft Plan) would relax certain requirements for alcohol sales by permitting on-site alcohol sales to be established "by right" in the designated "height incentive areas" of the Plan Area. Premises where alcohol sales are established "by right" would not be required to obtain a CUP. As presently configured, the height incentive areas of the draft Plan are directly adjacent to several schools. Thus, the draft Plan calls for a relaxation of the process for obtaining city approval for certain on-site sales of alcohol – i.e., without the control afforded by a CUP -- on property directly adjacent to several schools. In particular, "by right" alcohol sales are proposed for the property directly south and east from Chavez ES, and the property directly south from International ES.

***Comment:** The District requests that all premises adjacent to or within 500 feet of schools continue to be required to obtain a CUP for alcohol sales.*

Adult Entertainment Businesses

Table 2-1, Permitted Land Uses, references that adult entertainment businesses will be permitted in the Downtown General District, in accordance with existing City code Section 21.45.110.

***Comment:** The District requests that the City confirm that the existing City code, Special Development Standards, Section 21.45.110 will continue to apply to any proposed adult entertainment businesses and that the draft Plan does not propose any change to that section of the City code.*

Massage Establishment

Table 2-1, Permitted Land Uses, lists "Massage establishment (not adult entertainment) as a permitted use with a Conditional Use Permit in the Neighborhood overlay zone and an Administrative Permit in the General Downtown Zone. The draft Plan is not clear as

to what kind of “Massage establishment” is not adult entertainment. City code, section 5.58.101, includes a definition for massage establishment including any business or activity that derives over fifty percent of its gross revenues from adult entertainment.

Comment: The Downtown Community Plan must either provide a definition of the message establishments which are permitted uses in Table 2-1, or, treat such businesses as adult entertainment businesses and incorporate the same Special Development Standards that apply as specified in code section 21.45.110.

Future Land Use Adjustments

The NOP references that the Plan would provide flexibility “by allowing adjustments between planned land uses based on market demand.”

Comment: The Downtown Community Plan should include provisions to ensure that any future adjustments do not increase or cause new impacts to schools.

General Land Use Issues

The NOP states that the Plan “will provide policies and programs for the preservation of neighborhood character and historic properties.” (Page 2). The IS states that “the project would not physically divide the established community and further analysis of this issue in an EIR is not warranted.” (Page 11). This is contradicted by statements that the project “may propose to alter existing street patterns.” (Page 9).

Comment: The policies and programs for the preservation of neighborhood character should explicitly include the character of the schools and policies should include preservation of the character of the area around the schools. The PEIR must analyze any impacts to schools and school children related to the alteration of existing street patterns.

Subsequent Development

The NOP and the draft Plan state that no additional environmental documentation would be required for subsequent projects if the Initial Study determines that the potential environmental effects have been adequately addressed in the PEIR. (NOP Page 2). This standard does not incorporate CEQA tests for determining whether or not a new or supplemental EIR is required.

Comment: The PEIR and the draft Plan should reference CEQA standards for subsequent projects pursuant to a PEIR, including CEQA section 21166 and CEQA Guidelines section 15162. Due to the size of the project area and the amount of development which is contemplated in the draft Plan, it is critical that the City establish mechanisms for tracking the amount of traffic and evaluating future projects to ensure that all feasible mitigation measures have been implemented and that no additional impacts will occur based on adjustments between planned land uses, changes in proposed subsequent projects and changes in circumstances. The PEIR should explain the mechanisms the City will use to ensure that the impact levels in the PEIR are not exceeded with subsequent projects. Since no specific projects are proposed, the City will

need to make assumptions and calculations based on the draft Plan in order to assess the potential impacts of the project. The PEIR should provide details of the assumptions made in order to assess impacts so that future projects can be evaluated appropriately.

CONCLUSION

The LBUSD appreciates the opportunity to participate in the environmental review process for the Downtown Community Plan. We trust that you share our goal of ensuring the overall changes in land use, that would occur in compliance with the proposed development standards and design guidelines of the Downtown Community Plan, do not significantly impact our schools. We would welcome the opportunity to discuss our concerns further, to work with you on developing mitigation measures for the schools, and to review any relevant mitigation proposals.

Please feel free to contact me at 562-997-7550 if you have any questions regarding the LBUSD comments.

Sincerely,



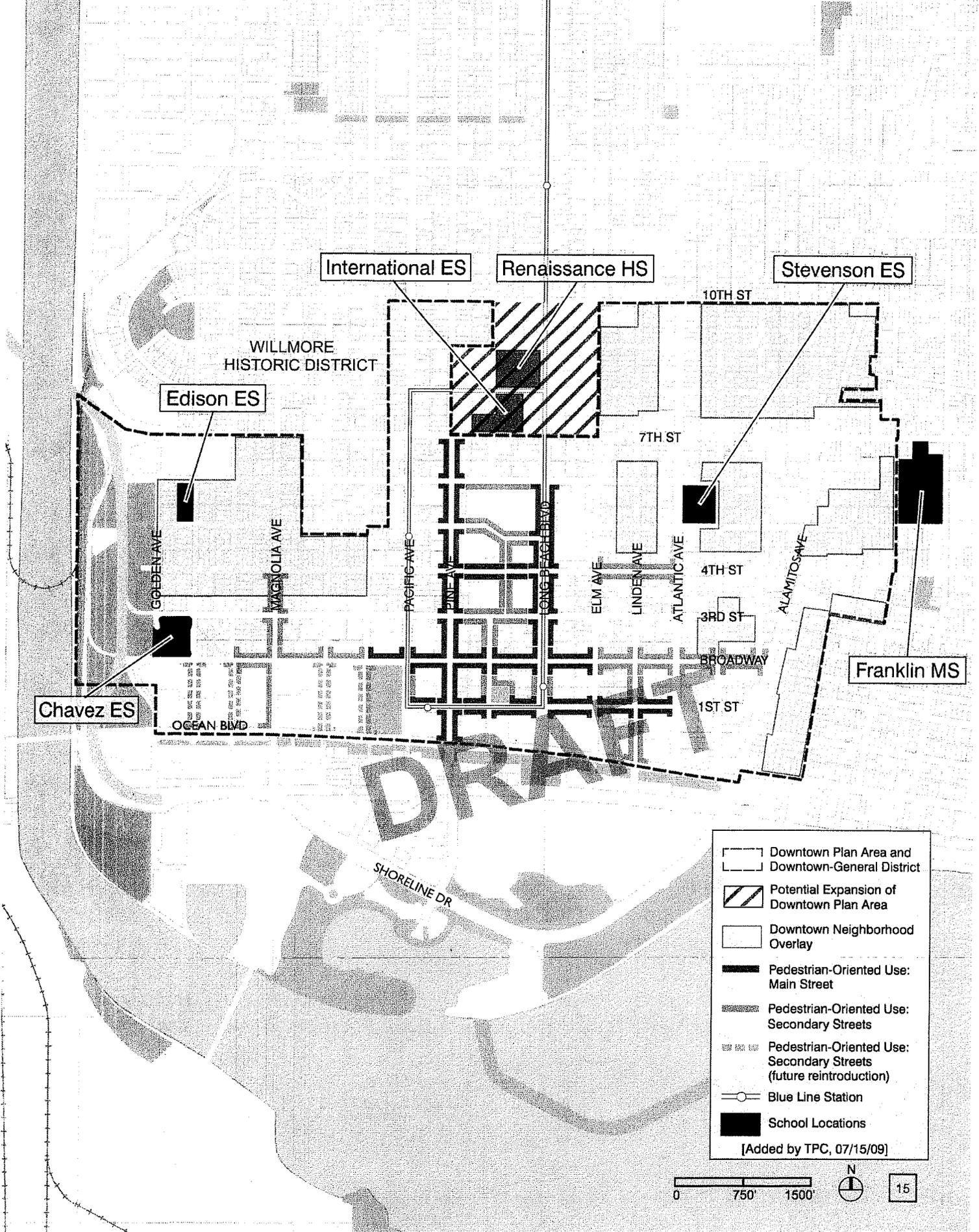
Carri M. Matsumoto
Executive Director
Facilities Development & Planning Branch
Long Beach Unified School District

KHR:sa

Attachment: Existing Schools Exhibit

cc: Chris Steinhauser – LBUSD Superintendent of Schools
Kim Stallings – LBUSD Chief Business & Financial Officer
Karl Rodenbaugh – The Planning Center

Figure 1. Draft Downtown Community Plan (06/18/09) Proposed Use Areas and Existing School Locations





LONG BEACH TRANSIT

August 13, 2009

Steve Gerhardt, AICP
Senior Planner, Advance Planning
Development Services
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

Dear Mr. Gerhardt:

Long Beach Transit (LBT) is responding to the Draft Environment Impact Report for the Downtown Community Plan dated on June 18, 2009 with the following comments:

1. The report should update the downtown mobility network description in page 10 with the latest operation information. The Long Beach Transit Mall serves as a focal point for local and regional transit systems including Blue Line and 32 of 38 LBT bus routes, and bus routes from Torrance, Metro and LADOT.
2. We support the reduction of required parking in Blue Line station areas approach in page 26, and we also recommend extending this policy to the main and secondary streets in the areas of required pedestrian-oriented uses. Since these street corridors are likely to encourage more walking and transit use, less parking is required.
3. Nearly every transit trip begins and ends with a walking trip – the linkage between bus stop locations and the sidewalk is essential in creating a transparent pedestrian-oriented environment. We recommend that the report discuss how to integrate the bus stop amenities (real-time signage, bench, shelter, lighting) with the sidewalk, curb ramp and roadway crossing in order to achieve a safe and convenient setting in light of ADA compliance requirements.
4. Learning from cities like Toronto, ON and Portland, OR, where streets that are well designed for transit can encourage more people to get out of their cars and onto the bus. These beneficial results are likely to happen when streetscape design standards place a balanced emphasis on transit and parking issues. We recommend that the revised report discuss how bus stops locations can best be situated in relationship with future development curb cuts, driveways and existing intersections.

It is our hope to work closely with city planning staff, public works and the consultant team to develop an integrated land use-transportation interface approach for this project. Your support in incorporating more transit related guidelines in various sections of the Downtown Community Plan would be greatly appreciated.

Thank you in advance for your efforts.

Sincerely,

Shirley Hsiao
Manager Service Development

cc: Derek Burnham, Long Beach Development Services
Sumire Gant, Long Beach Public Works
Brynn Kernaghan, Long Beach Transit