

City of Huntington Beach

Beach and Edinger Corridors Specific Plan

ENVIRONMENTAL IMPACT REPORT

Volume III: Specific Plan Final EIR

SCH No. 2008071143

EIR No. 08-008



Prepared for:
City of Huntington Beach
Planning Department
2000 Main Street, Third Floor
Huntington Beach, California 92648

Prepared by:
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November 2009

CITY OF HUNTINGTON BEACH BEACH AND EDINGER CORRIDORS SPECIFIC PLAN Environmental Impact Report

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CHAPTER 8 Introduction to the Final EIR

8.1 CEQA REQUIREMENTS

Before approving a project, the *California Environmental Quality Act* (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that:

The Final EIR shall consist of:

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

The Lead Agency (the City of Huntington Beach) must also provide each public agency that commented on the Draft EIR (DEIR) with a copy of the City's response to those comments at least ten days before certifying the Final EIR. In addition, the City may also provide an opportunity for members of the public to review the Final EIR prior to certification, though this is not a requirement of CEQA.

8.2 PUBLIC REVIEW PROCESS

The DEIR for the Beach and Edinger Corridors Specific Plan was circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on August 28, 2009, and concluded on October 12, 2009. A public information meeting was held on September 30, 2009, to receive comments on the adequacy of the DEIR. In addition to the verbal comments that were received at the public meeting, 13 written letters were also received during the review period.

8.3 CONTENTS AND ORGANIZATION OF THE FINAL EIR

This Final EIR is composed of three volumes. They are as follows:

Volume I **Draft EIR**—This volume describes the existing environmental conditions in the project area and in the vicinity of the project, and analyzes potential impacts on those conditions due to the proposed project; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts. Text revisions to the Draft EIR

resulting from corrections of minor errors and/or clarification of items are identified in Volume III, as described below. The Draft EIR is incorporated by reference into the Final EIR.

Volume II **Draft EIR Appendices**—This volume includes supporting technical data used in the preparation of the Draft EIR. No text changes were made to the Technical Appendices in preparation of the Final EIR.

Volume III **Final EIR (Text Changes and Responses to Comments)**—This volume contains an explanation of the format and content of the Final EIR; all text changes to the DEIR; a complete list of all persons, organizations, and public agencies that commented on the DEIR; copies of the comment letters received by the City of Huntington Beach on the proposed project; and the Lead Agency’s responses to these comments. As stated above, the DEIR is incorporated by reference into the Final EIR.

8.4 USE OF THE FINAL EIR

Pursuant to Sections 15088(a) and 15088(b) of the CEQA Guidelines, the lead agency must evaluate comments on environmental issues received from persons who reviewed the DEIR and must prepare written responses. The Final EIR allows the public and the City of Huntington Beach an opportunity to review the response to comments, revisions to the DEIR, and other components of the EIR, such as the Mitigation Monitoring and Reporting Program (MMRP), prior to the City’s decision on the project. The Final EIR serves as the environmental document to support approval of the proposed project, either in whole or in part.

After completing the Final EIR, and before approving the project, the Lead Agency must make the following three certifications as required by Section 15090 of the CEQA Guidelines:

- That the Final EIR has been completed in compliance with CEQA
- That the Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project
- That the Final EIR reflects the Lead Agency’s independent judgment and analysis

Pursuant to Section 15091(a) of the CEQA Guidelines, if an EIR that has been certified for a project identifies one or more significant environmental effects, the lead agency must adopt “Findings of Fact.” For each significant impact, the lead agency must make one of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, pursuant to Section 15091(d) of the CEQA Guidelines, the agency must adopt, in conjunction with the findings, a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the Mitigation Monitoring and Reporting Program.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant, unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations is supported by substantial information in the record, which includes this Final EIR. Since the project could result in seventeen significant and unavoidable impacts (nine project-specific and eight cumulative), the City of Huntington Beach would be required to adopt a Statement of Overriding Considerations if it approves the proposed project.

The certifications, Findings of Fact, and the Statement of Overriding Considerations are included in a separate Findings document. The Final EIR will be considered, and, in conjunction with making Findings, the City of Huntington Beach may decide whether or how to approve the proposed project.

CHAPTER 9 Changes to the Draft EIR

9.1 FORMAT OF TEXT CHANGES

Text changes are intended to clarify or correct information in the DEIR in response to comments received on the document, or as initiated by Lead Agency staff. Revisions are shown in Section 9.2 (Text Changes) below as excerpts from the DEIR text, with a ~~line through~~ deleted text and a double underline beneath inserted text. In order to indicate the location in the DEIR where text has been changed, the reader is referred to the page number of the DEIR.

9.2 TEXT CHANGES

This section includes revisions to text, by DEIR Section, that were initiated either by Lead Agency staff or in response to public comments. The changes appear in order of their location in the DEIR.

Page 2-35, Summary of Impacts and Mitigation Measures

MM4.15-3 The City shall require by contract specifications that developers within the project site use locally available building materials, ~~to the extent feasible~~, such as concrete, stucco, and interior finishes, for construction of the project and associated infrastructure.

Page 3-16 and 3-17, Land Use Summary

The proposed land use changes and increases in development intensity would result in additional growth focused within each of the above-mentioned areas. Overall, buildout of the Specific Plan (estimated at 2030) could result in the addition of up to 6,400 new dwelling units (du), 738,400 sf of retail uses, 350 hotel rooms, and 112,000 sf of office uses. This represents the maximum allowable new development (MAND) potential of the proposed project. However, not all of this development would be considered net growth. In many cases, existing structures would be replaced or redeveloped with the new uses. In order to accommodate the proposed development, it is estimated that approximately 1.4 million sf of existing commercial development within the Specific Plan (or approximately 22 percent of existing development) would be demolished. This takes into account that many of the existing buildings would remain on redeveloped parcels (i.e., only part of a parcel would be redeveloped). It is estimated that at buildout, commercial and office space would decrease compared to existing conditions but the 6,400 du would be considered net growth.

Page 3-17, Land Use Summary, final sentence before Table 3-1

Table 3-1 (Projected Specific Plan Development) outlines the projected development scenario over the short-term (Year 2016) and long-term (Year 2030).

Page 4.1-25, Impacts and Mitigation Measures

Table 4.1-1 Proposed Building Heights		
<i>Segment</i>	<i>Min. Height</i>	<i>Max. Height*</i>
Residential Parkway	n/a	4 stories
Neighborhood Parkway	n/a	4 stories
Five Points		
■ Town Center Core	3 stories; (A): 1 story	6 stories
■ Town Center Neighborhood	2 stories	6 stories
Neighborhood Boulevard	1 story	4 stories
Town Center Boulevard		
■ Beach and Edinger Avenues (majority of the corridors in this segment)	1 story	4 stories
■ Town Center Core (edge along Edinger Ave, south <u>east</u> of Gothard)	3 stories; (A): 1 story	6 stories
■ Town Center Neighborhood (north of Town Center Core)	2 stories	6 stories

SOURCE: Beach and Edinger Corridors Specific Plan, Public Review Draft, October 2008.

(A) Exceptions apply to anchor stores

* Special Building Height Limits also apply, which further restrict heights along certain street frontages in some segments.

Page 4.11-1, Environmental Setting

Fire protection and emergency services in the vicinity of the proposed project are provided by the Huntington Beach Fire Department (HBFD). Five of the eight HBFD stations operate in the vicinity of the proposed project site and would serve the area (Maresh 2008). The stations and associated equipment are listed below in Table 4.11-1 (Fire Stations Serving Project Site). Each station is staffed with one Captain, one engineer, and two firefighter/paramedics; stations 2 and 5 also have an additional captain, engineer, and two firefighters. In addition, four of the five stations serving the Specific Plan area have at least a two-person Basic Life Support ambulance. Figure 4.11-1 (Location of Fire and Police Stations) illustrates the location of the stations relative to the project site.

Page 4.11-2, Environmental Setting

Station Number	Location	Area Served	Equipment/Staffing
Station 1: Gothard	18311 Gothard Street	Oakview Area	<ul style="list-style-type: none"> ■ Command Vehicle ■ Paramedic Engine Company ■ Advanced and Basic Life Support Ambulance
Station 2: Murdy	16221 Gothard Street	Area surrounding Bella Terra Mall, Golden West College, and the San Diego Freeway	<ul style="list-style-type: none"> ■ Paramedic/Engine Company ■ Truck Company ■ Advanced and Basic Life Support Ambulance ■ <u>Light Air/USAR Apparatus</u>
Station 5: Lake	530 Lake Street	Downtown area, City beach, and pier	<ul style="list-style-type: none"> ■ Paramedic/Engine Company ■ Truck Company ■ Advanced and Basic Life Support Ambulance
Station 6: Edwards	18591 Edwards Street	Seacliff Area	<ul style="list-style-type: none"> ■ Paramedic/Engine Company ■ Advanced and Basic Life Support Ambulance ■ Hazardous Materials Response Unit
Station 8: Heil	5891 Heil Avenue	North part of the City, including the large industrial area	<ul style="list-style-type: none"> ■ Paramedic/Engine Company

SOURCES: Darin Maresh. Written correspondence with Development Specialist, Huntington Beach Fire Department, December 3, 2008; Hunting Beach Fire Department, "Fire Operations/Fire Stations," http://www.ci.huntington-beach.ca.us/Government/Departments/Fire/Fire_Operations/FireStations/index.cfm (accessed January 15, 2009)

Page 4.11-5, Environmental Setting

Two areas that currently have the highest densities in comparison to the rest of the project site include the Bella Terra Mall and the Five Points Area. These two areas most closely resemble the Town Center Neighborhood District envisioned by the proposed Specific Plan (which encompasses portions of the Five Points Segment as well as a portion north of the Edinger Avenue Corridor along Gothard Street). The average response time at Bella Terra is 4:51 since its inception in 2004, and the average response time in the Five Points area over the past ten years is 5:07. Therefore, because the HBFD currently arrives to areas within the project site within approximately five minutes, 100 percent of the time, they currently exceed the existing goal of arriving within five minutes, 80 percent of the time.

Although not an adopted goal, the HBFD currently strives for arrival of the first ambulance unit to an emergency call within 7 minutes 80 percent of the time, and in all cases within 10 minutes. Based on HBFD records through January 1999, the HBFD has averaged 6 minutes, 47 seconds between call dispatch and the arrival of the first ambulance unit on scene for emergency calls, thereby meeting their target.

Additional staff is available to the City, as needed, through mutual aid and automatic aid agreements with Orange County and other cities including Westminster, Santa Ana, Newport Beach, Fountain Valley, and Costa Mesa. The City receives and provides staffing assistance from and to other fire agencies on a countywide and statewide basis through the Office of Emergency Services when a large fire or disaster occurs.

Page 4.11-9, Impacts and Mitigation Measures

Because the HBFD currently falls below the emergency response time goal within the project site and the City as a whole, it ~~would likely be quite some time before~~ is not expected that the HBFD would require additional personnel and/or equipment in order to maintain an adequate level of service (as defined by the emergency response time goal) within the next three to five years. In order to ensure that an adequate service ratio is maintained throughout full buildout of the Specific Plan, however, the following mitigation measure shall be implemented.

Page 4.13-55, Impacts and Mitigation

The Edinger Avenue crossing and Union Pacific Railroad right-of-way may be subject to increased traffic volumes through the implementation of future projects under the Specific Plan. Future projects under the Specific Plan would be subject to individual environmental review and plan checks that would ensure that the design of future development does not increase hazards or create incompatible land uses in the project area. If future development proposes to introduce residential uses ~~in~~ adjacent to or near the Edinger Avenue crossing or Union Pacific Railroad right-of-way areas, site design features would be incorporated into these future projects in an effort to reduce the potential for conflicts between future residents and/or visitors and vehicles.

Page 4.14-19, Project Impacts and Mitigation

Table 4.14-10 Existing Water Demand for the Beach-Edinger Specific Plan Area

<i>Land Use /Connection Designation</i>	<i>Area</i>	<i>Unit</i>	<i>Demand Factor</i>	<i>Total Demand (AFY)</i>
Commercial Uses^a (Foregone demands with Project Implementation)				
Retail, restaurant; office (4,862,174 sf)	112 acres	—	1,480 gpd/acre	185
Landscaping/ROW ^b	473,497 sf	—	0.01 gpd/sf	5
Total				190
Residential–Hospitality–Medical Service (Unchanged Demands with Project Implementation)				
Residential ^c	—	493 DU	200 gpd/DU	110
Hotel ^d	—	303 rooms	130 gpd/room	44
Hospital ^e	—	264 beds	177 gpd/bed	52
Total^f				207

DU = dwelling unit

gpd = gallons per day

a. Commercial water demands estimated at 1,480 gallons per day per acre based on the City's 2005 Water Master Plan and used in the 2005 UWMP.

b. Estimated sf of landscape areas.

c. Assumes two persons per DU as used in the Bella Terra II Water Supply Assessment, May 2008.

d. Seattle Public Utilities Resource Conservation Section, Hotel Water Conservation, A Seattle Demonstration, July 2002, prepared by O'Neill & Siegelbaum and The RICE Group.

e. Calculated demand based on PSOMAS Water and Sewer Analysis for Pomona Valley Hospital Medical Center 2008.

f. Water service at these facilities remains in perpetuity; therefore, demand associated with these facilities would be unchanged with implementation of the proposed project.

Page 4.14-19, Project Impacts and Mitigation

To determine the water demand of the proposed project, water use demand factors were formulated based on the sources described above. Of the existing 397 AFY of existing demands, the demands of 207 acre-feet associated with residential, hotel and hospital uses will remain. Because these facilities are remaining in-place, water demand at these facilities is assumed to be unchanged at 207 AFY in perpetuity. The 207 AFY would not be considered as part of the proposed project's demand of 1,370 AFY because water service is currently provided to these facilities, nor is it netted out of the proposed project's demand since the facilities are not changing due to implementation of the proposed project, as opposed to the 190 AFY associated with Retail, Restaurant, Office and Landscaping/ROW uses that would be demolished and replaced with commercial or residential components of the proposed project. As shown in Table 4.14-11 (Beach-Edinger Specific Plan Water Demands), the water demand of the entire Specific Plan area is conservatively estimated to be 1,370 AFY, which assumes full build-out of the entire Specific Plan area with all 6,400 DU implemented.

Page 4.14-19, Project Impacts and Mitigation

Table 4.14-11 Beach-Edinger Specific Plan Water Demands				
<i>Land Use/Connection Designation</i>	<i>Area (sf)</i>	<i>Unit</i>	<i>Demand Factor</i>	<i>Total Demand (AFY)</i>
Commercial Uses				
Office	112,000		0.15 gpd/sf	19
Retail ^a	627,640		0.15 gpd/sf	105
Restaurant ^b	110,760		1.5 gpd/sf	186
Landscaping/ROW ^c	473,497		0.01 gpd/sf	5
<i>Subtotal</i>	<i>1,323,897</i>			<i>315</i>
Residential ^d		6,400 DU	140 gpd/DU	1,004
Hotel ^e		350 rooms	130 gpd/room	51
<i>Subtotal</i>				<i>1,055</i>
<i>Total^f</i>				<i>1,370</i>

SOURCE: Draft Water Supply Assessment for the Beach-Edinger Corridor Specific Plan Appendix G.

DU = dwelling unit

a. City of Huntington Beach, Bella Terra II Water Supply Assessment May 2008 (0.15 gpd/sf for restaurant).

b. City of Huntington Beach, Bella Terra II Water Supply Assessment May 2008 (1.5 gpd/sf for restaurant).

c. Estimated sf of landscape areas. Need actual or best guess from SP.

d. Two persons per DU as used in the Bella Terra II Water Supply Assessment, May 2008. In addition, this demand factor is lower than that under existing demand because new residential uses are estimated to be more water efficient.

e. Seattle Public Utilities Resource Conservation Section, Hotel Water Conservation, A Seattle Demonstration, July 2002, prepared by O'Neill & Siegelbaum and The RICE Group.

f. Does not include 207 AFY of existing demand from residential, hotel and hospital remaining in perpetuity.

Page 4.14-19, Project Impacts and Mitigation

Table 4.14-12 Net Change in Demands from Existing to Proposed Project Demands

Land Use/Connection Designation	Total Demand	
	AFY	MGD
Existing Water Demands ^a	190	0.17
Specific Plan Water Demands ^b	1,370	1.22
Net Change in Water Demand^{c,d}	1,180	1.1

SOURCE: Draft Water Supply Assessment for the Beach-Edinger Corridor Specific Plan [included as Appendix G to this EIR].

a. WSA Table 5-4. Existing Water Demand.

b. WSA Table 5-5: Beach-Edinger Specific Plan Water Demands.

c. Assumes existing water demands in the project area were accounted for in the 2005 UWMP. The net change in demands is added to the demand that were not accounted for in the 2005 UWMP and will be added to demand projections beginning in 2010 and extending through 2030.

d. Does not include 207 AFY of existing demand from residential, hotel and hospital remaining in perpetuity.

Page 4.15-20, Impacts and Mitigation Measures

Table 4.15-3 Greenhouse Gas Emission Reduction Measures Incorporated during Project Construction

Greenhouse Gas Emissions Reduction Strategies	Proposed Project Design/Mitigation Measure for Compliance
CAPCOA MM C-1: ARB-Certified Diesel Construction Equipment	Mitigation Measure MM4.15-1 The City shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) to the extent that they are readily available and cost effective when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.
CAPCOA MM C-2: Alternative Fuel Construction Equipment	Mitigation Measure MM4.15-2 The City shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.
CAPCOA MM C-3: Local Building Materials	Mitigation Measure MM4.15-3 The City shall require <u>by contract specifications</u> that developers within the project site use locally available building materials, <u>to the extent feasible</u> , such as concrete, stucco, and interior finishes, for construction of the project and associated infrastructure.
CAPCOA MM C-4: Recycle Demolished Construction Material	Mitigation Measure MM4.15-4 The City shall require developers within the project site to establish a construction management plan with Rainbow Disposal to divert a target of 50 percent of construction, demolition, and site clearing waste.
CCAT Standard Diesel Anti-idling: In July 2004, the California ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling. Post signs that restrict idling; education for truck drivers regarding diesel health impacts.	Mitigation Measure MM4.15-5 The City shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach. Mitigation Measure MM4.15-6 The City shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than five minutes. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach.

Table 4.15-3

Greenhouse Gas Emission Reduction Measures Incorporated during Project Construction

<i>Greenhouse Gas Emissions Reduction Strategies</i>	<i>Proposed Project Design/Mitigation Measure for Compliance</i>
<p>California Attorney General Strategy Diesel Anti-Idling: Set specific limits on idling time for commercial vehicles, including delivery vehicles.</p>	<p>Refer to Mitigation Measure MM4.15-6 above.</p>
<p>California Attorney General Strategy Solid Waste Reduction Strategy: Project construction shall require reuse and recycling of construction and demolition waste.</p>	<p>Refer to Mitigation Measure <u>MM4.15-4</u> above.</p>

SOURCE: PBS&J 2009

Page 4.15-29, Impacts and Mitigation Measures

MM4.15-3 The City shall require by contract specifications that developers within the project site use locally available building materials, to the extent feasible, such as concrete, stucco, and interior finishes, for construction of the project and associated infrastructure.

9.3 FIGURE CHANGES

There were no figure changes to the DEIR.

CHAPTER 10 Responses to Comments

10.1 ORGANIZATION OF THE RESPONSES TO COMMENTS

In total, thirteen comment letters regarding the DEIR were received from three State departments, one municipality, four organizations, and five individuals. In addition, verbal comments were received at the Beach and Edinger Corridors Specific Plan Draft EIR Public Information Meeting that was held on September 30, 2009. Table 10-1 (Comment Letters Received during the Draft EIR Comment Period) provides a comprehensive list of commenters in the order that they are presented in this section.

Table 10-1 Comment Letters Received during the Draft EIR Comment Period			
No.	Commenter/Organization	Abbreviation	Page Where Response Begins
STATE DEPARTMENTS			
1	Department of Transportation, Christopher Herre. October 12, 2009	DOT	10-44
2	Department of Toxic Substances Control, Greg Holmes. October 15, 2009	DTSC	10-45
3	Native American Heritage Commission, Dave Singleton. September 17, 2009	NAHC	10-47
MUNICIPALITIES			
4	City of Seal Beach, Mario Voce. September 30, 2009	CSB	10-49
ORGANIZATIONS			
5	Huntington Beach Environmental Board, Robert Smith. October 7, 2009	HBEB	10-49
6	Huntington Beach Tomorrow, Karen Jackle. October 21, 2009	HBT	10-53
7	McFadden/Sugar Safe Exit (Ryan, Takla, & Gonzalez). September 24, 2009	MSE	10-56
8	Meredith Gardens Homeowners Association, Robert G. Riedesel, October 8, 2009	MGHA	10-58
INDIVIDUALS			
Written Letters			
9	Andrusky, Tom. September 30, 2009	ANDR	10-59
10	Gonzales, Edith. October 2, 2009	GONZ	10-60
11	Mootchnik, Bobbe. October 12, 2009	MOOT	10-61
12	Nguyen, Albert J. October 1, 2009	NGUY	10-61
13	Weber, Gary. October 12, 2009	WEBE	10-62
Verbal Comments			
	Beach and Edinger Corridors Specific Plan Draft EIR Public Meeting, Verbal Comments, September 30, 2009	VERB	10-67
	Stansbury, John. September 30, 2009 (Handout provided with Verbal Comments)	STANS	10-71
	Takla Family. September 30, 2009 (Handout provided with Verbal Comments)	TAKLA	10-72

This chapter of the Final EIR contains all comments received on the DEIR during the public review period, as well as the Lead Agency's responses to these comments. Reasoned, factual responses have been provided to all comments received, with a particular emphasis on significant environmental issues. Detailed responses have been provided where a comment raises a specific issue; however, a general response has been provided where the comment is relatively general. Although some letters may raise legal or planning issues, these issues do not always constitute significant environmental issues. Therefore, the comment has been noted, but no response has been provided. Generally, the responses to comments provide explanation or amplification of information contained in the DEIR.

10.2 COMMENTS ON THE DRAFT EIR

This section contains the original comment letters, which have been bracketed to isolate the individual comments, followed by a section with the responses to the comments within the letter. As noted above, and stated in Sections 15088(a) and 15088(b) of the CEQA Guidelines, comments that raise significant environmental issues are provided with responses. Comments that are outside of the scope of CEQA review will be forwarded for consideration to the decision makers as part of the project approval process. In some cases, a response may refer the reader to a previous response, if that previous response substantively addressed the same issues.

DEPARTMENT OF TRANSPORTATION

District 12
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Post-it® Fax Note	7671	Date	10/12/09	# of pages	3
To	Rosemary Medel	From	John Xu		
Co./Dept	Huntington Beach	Co.			
Phone #			Phone #	949-724-2338	
Fax #	714-374-1540		Fax #		

October 12, 2009

DOT

Ms. Rosemary Medel
City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, California 92648

File: IGR/CEQA
SCH #: 2008071143
Log #: 1957K
SR-39, I-405, SR-1

Subject: Beach and Edinger Corridors Specific Plan

Dear Ms. Medel:

Thank you for the opportunity to review and comment on the **Draft Environmental Impact Report (DEIR) for the Beach and Edinger Corridors Specific Plan**. The proposed Specific Plan is intended to implement a clear and comprehensive vision for growth and change along Beach Boulevard and Edinger Avenue. Overall, buildout of the Specific Plan (estimated at 2030) could result in the addition of up to 6,400 new dwelling units (du), 738,400 square feet (sf) of retail uses, 350 hotel rooms, and 112,000 sf of office uses. To accommodate the proposed development, it is estimated that approximately 1.4 million sf of existing commercial development within the Specific Plan area would be demolished and commercial and office space at buildout would decrease compared to existing conditions. The approximately 459 acres project site extends along Beach Boulevard, from the Coastal Zone boundary in the south to Edinger Avenue, and along Edinger Avenue from Beach Boulevard westward to Goldenwest Street in the City of Huntington Beach.

DOT 1

The California Department of Transportation (Department), District 12 is a responsible agency on this project, and has the following comments:

1. It is stated in the Transportation/Traffic section of the DEIR that the project contributes traffic to a number of deficient I-405 mainline segments and has a significant impact to the northbound I-405 loop on-ramp from Beach Boulevard. Please identify mitigation measures that would help offset the project's impacts.
2. It is likely that the City would have to adopt a Statement of Overriding Considerations for the above mentioned project's significant and unavoidable impacts. However, please note that when preparing such a statement, the full spectrum of potential mitigation measures, both on and off the State Highway System including multi-modal strategies, should all be examined, especially those that could partially mitigate the project's impacts.

DOT 2

DOT 3

3. Regarding Mitigation Measure MM4.13-10, the addition of a fourth northbound through lane to the intersection of Beach Boulevard at Edinger Avenue: The addition of a fourth northbound through lane at this location will interfere with traffic from I-405 southbound loop off-ramp to Beach Boulevard northbound at this location, which in turn will complicate weaving movement at this location. Addition of this lane may require design modification to this off-ramp. The cost of rebuilding this off-ramp should be included in the fair share contribution of the project applicant(s). DOT 4
4. Regarding the Mitigation Measure MM4.13-18, the addition of a separate northbound right turn lane to the intersection of Beach Boulevard at McFadden Avenue: Adding this right turn lane will complicate the weaving movement due to proximity of I-405 northbound off-ramp merge lane to Beach Boulevard and short distance from off-ramp terminus to McFadden intersection. Traffic from I-405 off-ramp merging to the left lanes before McFadden intersection will be in conflict with vehicles that want to merge to the right lane to make a right-turn movement. Comparing to existing geometry, each vehicle would need to change an extra lane in a short distance. This lane addition may require widening Beach Boulevard and redesign and rebuilding of I-405 off-ramp. The cost of rebuilding of this ramp should also be included in the fair share contribution of the project applicant(s). DOT 5
5. Regarding the Mitigation Measure MM4.13-11, the addition of a third westbound through lane to the intersection of Beach Boulevard at Edinger Avenue: The Department issued a permit in October 2007 to Makena Great American for The City of Westminster. Included in this permit was provision of widening Edinger Avenue from Beach Boulevard to 500 feet east of Edinger Avenue and adding a second left turn lane from westbound Edinger Avenue to southbound Beach Boulevard, which has already been completed. Implementing MM4.13-11 may require widening Edinger Avenue again at this location. The feasibility of any future projects at this location must be studied. DOT 6
6. Please discuss in detail what mechanism will be used to ensure that future project applicants within the Specific Plan area pay their fair share toward the mitigation measures. For example, will the City set up a mitigation fee account to collect fair share contributions from developers? Note that under CEQA, the City as the Lead Agency is responsible for mitigating the project's significant impacts. DOT 7
7. There is no discussion of how the fair share contribution would be calculated. The Department has an established methodology standard used to properly calculate equitable project share contribution. This can be found in Appendix B of the Department's Guide for the Preparation of Traffic Impact Studies which is available at:
<http://www.dot.ca.gov/hq/traffops/devlopserv/operationalsystems/reports/tisguide.pdf>. DOT 8
8. The Department has interest in working cooperatively to establish a Traffic Impact Fee (TIF) program to mitigate such impacts on a "fair share" basis. Local development project applicants would pay their "fair share" to an established fund for future transportation improvements on the state highway system. If there is an existing TIF program, it can be amended to include mitigation for the state highway system or a new TIF program may be considered. The Department requests the opportunity to participate in the TIF for state highway improvements development process. DOT 9

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Zhongping (John) Xu at (949) 724-2338.

DOT 10

Sincerely,



CHRISTOPHER HERRE
Branch Chief, Local Development/Intergovernmental Review

c: Terry Roberts, Office of Planning and Research



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue
Cypress, California 90630

DTSC



Arnold Schwarzenegger
Governor

October 15, 2009

Ms. Mary Beth Broeren
Planning Department
City of Huntington Beach
2000 Main Street, Third Floor
Huntington Beach, California 92648

NOTICE OF A DRAFT ENVIRONMENTAL IMPACT REPORT 08-008 FOR THE BEACH AND EDINGER CORRIDORS SPECIFIC PLAN PROJECT, HUNTINGTON BEACH, ORANGE COUNTY (SCH#2008071143)

Dear Ms. Broeren:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice, Environmental Impact Report (EIR) and Environmental Impact Report Appendices for the above-mentioned project. The following project description is stated in your document: "The Proposed Specific Plan is intended to implement a clear and comprehensive vision for growth and change along Beach Boulevard and Edinger Avenue. In particular, the proposed project is designed to coordinate private and public investment activities in the project site that will enhance the visual quality and economic vitality of primary commercial corridors in the City. The proposed Specific Plan establishes the primary means of regulating land use and development intensity and standards relate to site layout, building design, and landscaping within the project site. The total acreage of the Specific Plan is approximately 459 acres. Overall, build out of the Specific Plan could result in the addition of up to 6,400 new dwelling units, 738,000 s.f. of retail uses, 30 hotel rooms, and 112,000 s.f. of office uses." Most of the comments from our DTSC, Chatsworth, California office letter dated September 3, 2008 sent to the City of Huntington Beach have been addressed. In addition, DTSC has these following comments; please address if applicable.

DTSC 1

- 1) Your document states: "Land Use:" The Specific Plan Area is primarily developed with and designated for commercial uses." The EIR should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment.

DTSC 2

- 2) The EIR should identify the mechanism to initiate any required investigation

DTSC 3

and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No. 8 below for more information.

DTSC 3
Cont'd

- 3) Your document states: "If contamination is determined to be on site, the City, in accordance with appropriate regulatory agencies, shall determine the need for further investigation and/or remediation.If remediation is required as identified by the local oversight agency, it shall be accomplished in a manner that reduces risk to below applicable standards...." All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table. All closure, certification or remediation approval reports by these agencies should be included in the EIR. All closure, certification or remediation approval reports by these agencies should be included in the EIR.

DTSC 4

- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Also, if weed abatement occurred in the project area, pesticides may be present in soil. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project. Any contaminants should be remediated in compliance with California environmental regulations and policies.

DTSC 5

- 5) Project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

DTSC 6

- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

DTSC 7

7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

DTSC 8

8) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

DTSC 9

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, at thom@dtsc.ca.gov or by phone at (714) 484-5477.

Sincerely,



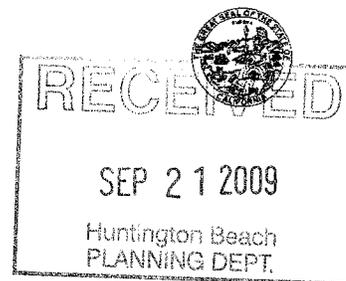
Greg Holmes, Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
nritter@dtsc.ca.gov

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



September 17, 2009

Ms. Mary Beth Broeren, Planner

CITY OF HUNTINGTON BEACH DEPARTMENT OF PLANNING

2000 Main Street
 Huntington Beach, CA 92648

Re: SCH#2008071143; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Beach and Edinger Corridors Specific Plan EIR; located in the City of Huntington Beach; Orange County, California

Dear Ms. Broeren:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

NAHC 1

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within one-half mile of the APEs.. However, there are Native American cultural resources in close proximity to the APE. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental study.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11..

NAHC 2

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list ,should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f]et se), and NAGPRA (25 U.S.C. 3001-3013), as appropriate. .

NAHC 3

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

NAHC 4

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance' may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C, 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

NAHC 5

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

NAHC 6

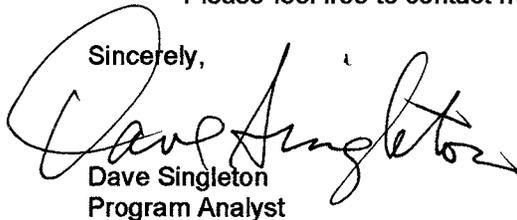
Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

NAHC 7

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contact
Orange County
September 17, 2009

Gabrielino-Tongva Tribe
Bernie Acuna
501 Santa Monica Blvd, # 500 Gabrielino
Santa Monica , CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code, and federal NEPA (42 USC 4321-43351), NHPA Sections 106, 4(f) (16 USC 470(f) and NAGPRA (25 USC 3001-3013)

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008071143; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Beach and Edinger Corridors Specific Plan EIR; located in the City of Huntington Beach; Orange County, California.



September 30, 2009

City of Huntington Beach Planning Department
Attn: Rosemary Medel, Associate Planner
2000 Main Street
Huntington Beach, CA 92648



CSB

SUBJECT: CITY OF SEAL BEACH COMMENTS RE: "DRAFT ENVIRONMENTAL IMPACT REPORT – BEACH AND EDINGER CORRIDORS SPECIFIC PLAN"

Dear Ms. Medel:

The Environmental Quality Control Board of the City of Seal Beach has reviewed the above referenced "*Draft Environmental Impact Report – Beach and Edinger Corridors Specific Plan*" (DEIR). The DEIR evaluates potential environmental impacts of the proposed "*Beach and Edinger Corridors Specific Plan*." The Specific Plan project site extends along Beach Boulevard, from the Coastal Zone boundary in the south to Edinger Avenue, and along Edinger Avenue from Beach Boulevard westward to Goldenwest Street.

The proposed land use changes and increases in development intensity would result in additional growth focused within each of the above-mentioned areas. Overall, buildout of the Specific Plan (estimated at 2030) could result in the addition of up to 6,400 new dwelling units (du), 738,400 sf of retail uses, 350 hotel rooms, and 112,000 sf of office uses. However, not all of this development would be considered net growth. In many cases, existing structures would be replaced or redeveloped with the new uses. In order to accommodate the proposed development, it is estimated that approximately 1.4 million sf of existing commercial development within the Specific Plan (or approximately 22 percent of existing development) would be demolished. This takes into account that many of the existing buildings would remain on redeveloped parcels (i.e., only part of a parcel would be redeveloped). It is estimated that at buildout, commercial and office space would decrease compared to existing conditions but the 6,400 du would be considered net growth.

CSB 1

Due to the location of the proposed project in relation to the City of Seal Beach, the proposed project would not appear to generate any major areas of environmental concern to the City of Seal Beach. The DEIR contains Section 4.15, Climate Change, which provides an excellent overview of the current regulatory efforts being undertaken regarding identifying appropriate environmental thresholds and mitigation measures to effectively address the issue of greenhouse gas emissions, and develop appropriate mitigation measures, and we wish to recognize the helpfulness of that particular section of the DEIR. The City has no additional comments on the DEIR.

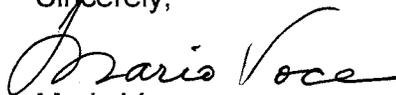
CSB 2

The Environmental Quality Control Board considered and discussed the DEIR document on September 30, 2009, and authorized the Chairman to sign this letter, representing the official comments of the City of Seal Beach.

CSB 3

Thank you for your consideration of the comments of the City of Seal Beach. Please do not hesitate to contact Mr. Jerry Olivera, Senior Planner, City Hall, 211 Eighth Street, Seal Beach, 90740, telephone (562) 431-2527, extension 1316, if you have any questions regarding this matter.

Sincerely,



Mario Voce
Chairman, Environmental Quality Control Board
City of Seal Beach

Distribution:

Seal Beach City Council
Seal Beach Planning Commission
Seal Beach Environmental Quality Control Board
City Manager
Senior Planner



CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

October 7, 2009

Planning Department
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

Attention: Rosemary Medel, Associate Planner

Subject: Environmental Impact Report No. 08-008 for the Beach and Edinger Corridor Specific Plan.

Dear Ms Medel:

The Board is pleased that the Beach-Edinger specific plan is being developed and to have an opportunity to review the DEIR. Without a fresh look at the plan for the future of the area, future development will tend to be haphazard and not cohesive. Each of the five segments may allow private investment decisions, especially those facilities where 22% will be demolished and rebuilt, resolving the “blighted strip mall” and similar issues with mixed use and smart planning ideas.

With this new plan, the five segments can develop and evolve in a logical and methodical way. It is only with the creative, wise, and diligent efforts in the earliest stages of development that true progress in sustainable processes becomes viable and practical for the City of Huntington Beach.

Now, with Huntington Beach pressing forward as a sustainable community, a responsibility is created insuring that essential resources are not depleted or permanently diminished. The Specific Plan looks at a future corridor which creates a more urban atmosphere. However, the Board believes, the plan could make this corridor into an excessively densely populated area. And taking many unrealistic and unfunded approaches to attempt to justify those high densities at build-out (2020 to 2030) is a risky endeavor.

1) The Board notes the effective reference to Green Policies, Water Policies, Climate Change Policies, and partial references to Energy Policies. Policies are less risky, especially when backed by future based scenarios. We commend this approach, and encourage use of SCAG’s Scenario Based Planning, especially for Transportation and Land Use. (See Bryn Davidson, Climate

HBEB 1

HBEB 2

Change and the Future of Southern California, Released July, 2009, <http://www.scag.ca.gov/sotr/climatechange.htm>). The Board also found no requirement for green building such as LEED or Build it Green and recommends such requirements be included.

HBEB 2
Cont'd

2) The Board notes the rigour of Table 2-1 Summary of Environmental Effects and Code Requirements/Mitigation Measures for each of the identified impacts. Given the recent improvements in construction cost estimating, SB 642's impacts on a City's ability to use Integrated Design Build, and Building Information Modeling, the Board encourages consideration of these sustainability enhancing methods for the benefit of property owners, developers, and City staff.

HBEB 3

3) Density is a major issue. The proposed plan allows growth of 2,700 dwelling units along the Edinger corridor. With the addition of the Village at Bella Terra project the cumulative number of dwelling units along the one mile stretch of Edinger Ave. will be 3400 units. This will result in one of the highest (if not the highest) population density areas in all of Orange County. The Board does not wish to see this area urbanized to such an extreme and recommends a significantly lower limit on dwelling units along the Edinger corridor. To support this reduction it is further recommended that the building height limits be reduced from six to four stories.

HBEB 4

4) The study shows that there is adequate primary and secondary school capacity in the city but the Board notes that the capacity is not necessarily where the buildup in population is planned. These schools need to be located near the housing. But only three schools are located near the Edinger corridor where a cumulative total of over 3400 dwelling units are planned. The Board considers this to be inadequate and further evidence that the Edinger corridor is to dense.

HBEB 5

5) The Board is concerned with the direction the Beach/Edinger Corridor is taking the city and northern end community regarding the maintenance of a sustainable environment. Development is outstripping transportation. One such major issue is transportation performance which impacts both personal standard of living and commercial enterprises. The Board has compared the performance of the 100 intersections analyzed and notes the following trends.

At the current time 9 percent of intersections perform at LOS D or worse. In 2016 the prediction is that 23 percent of intersections will degrade to LOS D or E. The trend continues; in 2030 the prediction is that 36 percent of intersections will perform at LOE D through F. The trend occurs with or without the project, with the project contributing to this degradation.

HBEB 6

While the city considers LOE D to be acceptable, it is not desirable for a user friendly community. And the trend is for traffic to continue to get worse. Based on this the Board strongly recommends that;

- The city undertakes a study to determine how to alleviate continued degradation in traffic performance.
- The city looks for less intrusive alternatives for the proposed plan.

The bottom line is that the trends projected for traffic levels are not sustainable.

HBEB 6
Cont'd

6) The development alternatives (Alt 2 and 3) analyzed, trade reduced numbers of dwelling units for increased commercial space. The consequence is that changes in environmental impacts are minimal. The Board notes that a true alternative with both reduced dwelling and commercial space should have been considered. Such an alternative, with reduced impacts, would be preferable to the Board. However, between the choices of the proposed plan, Alternative 2 and Alternative 3, the Board recommends Alternative 2.

HBEB 7

7) The Specific Plan notes that development will be limited by the MAND (Maximum Allowable Net New Development) and that the MAND will be measured by EDU (Equivalent Development Units). Thus these parameters are extremely important. The Specific Plan also states that the MAND and EDU will be defined as part of the EIR. However the DEIR makes no mention of the MAND or EDU's. The DEIR does identify the number of dwelling units, commercial and office space and hotels rooms evaluated at build-out but make no statement that these figures are the maximum allowable. This leaves a significant ambiguity in the development limits. The Board requests that the EIR clearly state that the dwelling units, commercial and office space and hotels rooms evaluated in the DEIR be the MAND and EDU's and that these values also be stated in the final Specific Plan.

HBEB 8

8) Additionally the Board is concerned that after development reached the MAND, waivers will be granted such that the MAND will not really be an effective barrier to further development. Physical boundaries are a much better barrier and currently the physical building size limits in the Specific Plan are not consistent with the build-out development limits quoted. The Board recommends lowering building heights to be consistent with the proposed development limits.

HBEB 9

We appreciate the opportunity of reviewing this project. Please feel free to contact us with any questions.

Very truly yours,
HB Environmental Board

Robert Smith, Ph.D.
Robert Smith, Ph.D.
Chair

CC: Mayor Keith Bohr and City Council Members



HUNTINGTON BEACH TOMORROW

"Making a difference today for Huntington Beach tomorrow"

P.O. BOX 865, HUNTINGTON BEACH, CA 92648

(714) 840-4015

WWW.HBTOMORROW.ORG

October 21, 2009

Planning Commission
City of Huntington Beach
2000 Main Street
Huntington Beach, California 92648

Attention Rosemary Medel, Associate Planner

Subject: Beach and Edinger Specific Plan Environmental Impact Report

Huntington Beach Tomorrow supports efforts to improve the Beach and Edinger Corridors. We agree that years of inconsistent planning have brought about the conditions that exist in those corridors.

HBT 1

The Environmental Impact Report for the Beach and Edinger Corridors is rooted in Form Based Planning. The Planning Department defines the perimeter for the project area and leaves the parameters to the developer. The EIR is deficient in that it provides no protection against the negative impacts of Form Based Planning. Housing densities are increased. This causes increased traffic volume and congestion is worse than before the plan is implemented (4.13.4, page 4.13-57). There are no plans for mitigation with adjoining neighborhoods and communities (McFadden at Sugar Drive, page 1.13.51). Traffic volumes by 2030 will be at LOS D to LOS F. Improvement is left to "discretionary" mitigations (Table 4.13-19, page 4.13-50). The taxpayer and traveler need more exact definitions for mitigation.

HBT 2

- OPEN SPACE Obligations are left to the fee process and no specificity as to where this space will be if not part of a development. See EIR 4.12.4. "Speculation" as to where open space can be provided or where open space will be available is the excuse for the lack of specificity.

HBT 3

The EIR needs to state where and who is going to provide the open space required.

- Impact 4.12-2 RECREATION. Obligations to the Quimby Act, as identified by code requirement CR45.12-1, specify that 5 acres per 1,000 residents be devoted to local park and recreational purposes, are dismissed by mitigation that includes (4.12.3), "dedication of land or payment of park fees, or a combination of the two." The EIR anticipated demand for 85 acres of park land for a projected population growth of over 17,000 people coupled with the additional parkland obligation for development population growth in other parts of the city and the fact that the city has limited land availability, create a planning paradox. Fees again would be the tool to avoid specificity. To call this Impact "significant and unavoidable" means the City has issues that are unresolved and the City should not dismiss their resolution as "unavoidable".

HBT 4

The EIR needs to state where and who is going to provide the recreation space required and where the city will get funds for the continued maintenance of those facilities.

FORM BASED CODE. There is a pattern for implementation of Form Based Coding and Smartcoding to provide incentives to developers that include lower parking space obligation among others. "Developers are provided a variety of incentives to select this option, including an expedited permitting process for developments of 40,000 square feet or less (larger developments are subject to "special exception review"), financial incentives such as modified tax increment financing and rehabilitation tax credits, and relaxed

HBT 5

parking requirements.” (Zoning Practice, AMERICAN PLANNING ASSOCIATION, May 2004, David Rouse and Nancy Zobl)

- **Impact 4.11-2** The Huntington Beach Police Department does not meet the standard of 1.2 officers per 1000 residents (4.11.6 Project Impacts and Mitigation, page 4.11-16). Response time to calls, particularly Priority 1, is also a standard used to evaluate service. “Implementation of the project could result in the need for additional officers.” (Impacts 4.11-2, page 4.11-17) Using the average household size in the city of Huntington Beach of 2.66 persons per household in 2008, the Specific Plan could result in 17,024 new residents by 2030.” (Page 4.11-17) The EIR goes on to indicate staffing is evaluated annually during the “budgetary process”.

HBT 5
Cont'd

The EIR needs to specify the levels of service that will be maintained and where the funding for sworn personnel, equipment and support personnel will come from, beyond the annual general fund budget competition for general fund resources by all city departments.

TRANSPORTATION AND TRAFFIC

- **Impact 4.13-1 Transportation/Traffic** mitigation requires the taking or dedication of property from businesses and landowners. The City has no record of using eminent domain to acquire the properties for traffic improvement. This impact is reported as “significant and unavoidable”.

HBT 6

The EIR needs to list or consider in the report the properties that must be taken for traffic mitigation purposes. The EIR needs to state the impacts if the City is unable to obtain property owners’ agreements for this action. The EIR needs to define the resources available to the city to make the needed, yet inadequate, improvements indicated.

OTHER CITIES AND AGENCIES

- **Impact 4.13-2 OTHER CITIES AND AGENCIES.** Infrastructure and traffic improvements with other cities and agencies are required for the plan to be successful.

HBT 7

The EIR needs to state agreements with other cities and agencies that are obtained prior to approval of the plan. The EIR does not state the impacts if necessary agreements are not obtained.

- **Impact 4.13-4** Noted as “less than significant” are the demands on the Golden West Transportation Center with its present parking availability for alternative transportation users. The EIR evidently assumes passengers on the buses will walk to the station. In addition, the parking space requirement for “site-specific” parking elsewhere is not indicated.

HBT 8

The EIR needs to identify where users of the transportation center will park if they do not walk to the center and that OCTA has agreed to expand parking at that facility. The EIR needs to identify minimum parking space obligations within the planning area with parameters on a site-specific basis.

In summary, the EIR is so seriously deficient that feasible planning and development cannot be accomplished. The inherent problems with the proposed plan should be solved and a new EIR be authorized based on a feasible plan before proceeding with the current EIR.

HBT 9

Karen Jackle
President
Huntington Beach Tomorrow



MSE

M

S

McFadden/Sugar Safe Exit

September 24, 2009

E

Rosemary Medel, Associate Planner
City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648

Dear Members of the City Council and Planning Department,

Comments about the EIR Draft for the Beach/Edinger Corridor in Huntington Beach

Although these comments are focused on the EIR Draft for the Beach/Edinger Corridor in Huntington Beach, there are comments which focus on adjacent activities because they also influence the intersection of McFadden Avenue and Sugar Drive.

MSE 1

The Sugar/McFadden intersection serves approximately 158 homes immediately north of that intersection. This is the only open entrance to this tract. Some years ago, another entrance to the tract on Cascade Lane was blocked off to eliminate the fast moving traffic which used Cascade Lane as a shortcut. Elimination of this entrance improved the safety and quality of life in the tract. We are extremely grateful to the City for solving the Cascade Lane issue. We would like to see this closure maintained.

As the years have gone by, building activity in the general area has increased traffic on McFadden Ave. such that residents feel they are being strangled by a noose of traffic. Because of the tract's location at the extreme north eastern corner of Huntington Beach, the residents feel that they have sort of an "orphan" status. Just as the City helped with our Cascade Lane decision, we now request your help again by erecting a signal at Sugar Dr. and McFadden Ave.

In reading the EIR, Volume II Appendix F2, it was noted that the traffic study claimed that a signal is not justified at this intersection. We believe that the traffic study is seriously flawed and does not adequately take into account traffic, safety, and the likelihood of the increased use of McFadden as Edinger Street becomes more impacted.

MSE 2

We thereby request that a new traffic study be instituted with representatives of the Sugar/McFadden tract being consulted with regards to the choice of traffic experts doing the study as well as assumptions made in the computer modeling. The cost of the new study should be borne by the City of Huntington Beach. An alternative could be to erect a signal without further study thereby saving the money a new study might require.

We think the fact that the impact of Bella Terra and Goldenwest College, along with other future projects in the area, were not included in the specific plan makes the EIR suspect. Further, the safety of bussed children was also overlooked.

MSE 3

In reviewing the land use summary, we find it ludicrous that the addition of 6400 new dwelling uses, 738,000 sq. ft. of retail, 350 hotel rooms, and 112,000 sq. ft. of office uses does not justify a signal on a major arterial which provides the only entrance to the 158 homes of the Sugar/McFadden tract.

MSE 4

Summary

Currently, the only traffic access to this housing tract is at Sugar Dr. and McFadden Ave. The ability to access McFadden Ave. is severely impaired by the continuous east-west flow of traffic on McFadden. The traffic volume is such that school buses leaving the tract southbound on Sugar cannot safely make a left turn onto McFadden Ave. Consequently, the Westminster School District has a policy that school buses can make only right turn from Sugar Dr. onto McFadden Ave. This situation indicates that non-school vehicular traffic is also faced with a dangerous situation.

It is likely that the traffic on McFadden Ave. will increase by virtue of the projects currently approved or recently built in the Edinger Corridor area. These include:

1. A residential/ commercial development on the Montgomery Ward site
2. Addition of a commercial activity on the southeast corner of Goldenwest and McFadden
3. Addition of a Girls' and Boys' Project on Goldenwest Campus
4. A commercial/ residential development on the southeast corner of Gothard and Center Drive
5. Expansion of various facilities on the Goldenwest campus including new nursing facility
6. Increasing student enrollment by virtue of the lower student costs compared to four year universities

Possible future projects which would further impact the Sugar-McFadden intersection include:

1. Development of the Levitz site
2. Low cost housing along the rail corridor west of Bella Terra
3. Addition of higher volume customer activity with a big box development on the Mervyn's site
4. Eventual widening of the McFadden bridge over the 405 Freeway which gives substance to the increased traffic on McFadden Ave.
5. Building a multi-story parking structure on the transportation center on Gothard and Center Drive

MSE 4
Cont'd

Traffic studies may not show the issues on McFadden Ave., however, with increased development in this area, the traffic on Edinger will increase substantially. Such increase will cause vehicle drivers to search for less crowded streets such as McFadden.

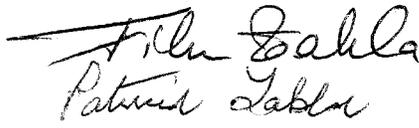
The residents in the above mentioned tract will virtually become strangled by a noose of traffic on McFadden. In addition, although traffic warrants may not show it, the potential for traffic accidents could increase dramatically and the safety of school children in school buses could become more impacted.

For these reasons the residents of the tract north of McFadden Ave., whose access is on Sugar Dr., respectfully request that a traffic signal be placed at that intersection before any further development occurs. It is recognized that the intersection lies in the City of Westminster, however, it is Huntington Beach projects that will impact the intersection, thus Huntington Beach should take steps to alleviate this difficult and dangerous traffic situation by erecting the requested traffic signal.

Respectfully submitted,



Diane Ryan,
7701 Etna Cir.
Huntington Beach, CA 92647



Fikri & Patricia Takla,
15431 Cottonwood Cir.
Huntington Beach, CA 92647



Gary & Eedie Gonzales
15291 Cascade Ave.
Huntington Beach, CA 92647

Representatives from the McFadden/Sugar Tract

Also attached are copies of traffic studies done from 1990 to 1992 on McFadden and on Cascade Lane.



MSE 5

CASCADE LANE AREA - 24 HOUR TRAFFIC VOLUME DATA

DATE OF SURVEY	STREET NAME	BETWEEN	TRAFFIC VOLUME
SEPTEMBER 26, 1990	CASCADE	AT CITY BOUNDARY	2870
OCTOBER 31, 1990	CASCADE	AT CITY BOUNDARY	2626
JULY 23, 1991	CASCADE	AT CITY BOUNDARY	2148
DECEMBER 18, 1991	CASCADE	AT CITY BOUNDARY	2224
FEBRUARY 2, 1992	CASCADE	AT CITY BOUNDARY	2770
OCTOBER 31, 1990	SUGAR	MC FADDEN AND RUSHMOOR	3117
JULY 23, 1991	SUGAR	MC FADDEN AND RUSHMOOR	2724
DECEMBER 18, 1991	SUGAR	MC FADDEN AND RUSHMOOR	2763
FEBRUARY 5, 1991	SUGAR	MC FADDEN AND RUSHMOOR	2979
OCTOBER 31, 1990	SUGAR	RUSHMOOR AND SHASTA	2480
JULY 23, 1991	SUGAR	RUSHMOOR AND SHASTA	2122
FEBRUARY 5, 1992	SUGAR	RUSHMOOR AND SHASTA	2369
OCTOBER 31, 1990	RUSHMOOR	SUGAR AND ETNA	623
JULY 23, 1991	RUSHMOOR	SUGAR AND ETNA	915
DECEMBER 17, 1991	RUSHMOOR	SUGAR AND ETNA	614
FEBRUARY 5, 1992	RUSHMOOR	SUGAR AND ETNA	704
JULY 23, 1991	CASCADE	SHASTA AND WHITNEY	1800
DECEMBER 17, 1991	CASCADE	SHASTA AND WHITNEY	2370
FEBRUARY 5, 1992	CASCADE	SHASTA AND WHITNEY	2023
JULY 23, 1991	SHASTA	SUGAR AND WHITNEY	176
DECEMBER 17, 1991	SHASTA	SUGAR AND WHITNEY	172
FEBRUARY 5, 1992	SHASTA	SUGAR AND WHITNEY	166
JULY 23, 1991	WHITNEY	CASCADE AND SHASTA	604
FEBRUARY 5, 1992	WHITNEY	CASCADE AND SHASTA	579
JULY 23, 1991	WHITNEY	SHASTA AND RUSHMOOR	455
FEBRUARY 5, 1992	WHITNEY	SHASTA AND RUSHMOOR	548

MSE 5
Cont'd



City of Westminster

TRAFFIC COUNT SHEET

DATE: 3-26-92 DAY: _____ BY: H.B./G.C. WEATHER: _____

LOCATION: SUGAR @ MCFADDEN

CITY

MSE 5
Cont'd

STREET NAME	Sugar Ln	McFadden	McFadden	Temple
TIME / DIRECTION	SB 3-26-92	E.B. 3-26-92	WB 3-26-92	NB 10-2-90
12:00 TO 1:00 A.M.	5	89	41	9
1:00 TO 2:00	6	57	32	1
2:00 TO 3:00	7	45	32	4
3:00 TO 4:00	4	23	8	7
4:00 TO 5:00	5	14	10	8
5:00 TO 6:00	17	29	35	32
6:00 TO 7:00	48	75	93	121
7:00 TO 8:00	99	213	124	185
8:00 TO 9:00	101	449	194	164
9:00 TO 10:00	98	530	73	100
10:00 TO 11:00	97	448	69	100
11:00 TO NOON	107	384	199	131
NOON TO 1:00 P.M.	130	353	379	169
1:00 TO 2:00	93	471	486	108
2:00 TO 3:00	74	606	552	151
3:00 TO 4:00	96	670	607	153
4:00 TO 5:00	96	820	709	200
5:00 TO 6:00	135	901	856	211
6:00 TO 7:00	107	953	897	139
7:00 TO 8:00	59	839	448	94
8:00 TO 9:00	34	480	301	80
9:00 TO 10:00	31	372	240	73
10:00 TO 11:00	30	420	158	41
11:00 TO 12:00	11	201	72	22
TOTALS	1490	9442	6615	2307

MCFADDEN TOTAL 16,057
IN MARCH '92

MGHA

From: briedesel@socal.rr.com [mailto:briedesel@socal.rr.com]
Sent: Thursday, October 08, 2009 6:16 PM
To: Medel, Rosemary
Subject: BEACH-EDINGER CORRIDOR EIR COMMENTS

Rosemary Medel
City of Huntington Beach
Huntington Beach CA 92648

Rosemary;

The Meredith Gardens Homeowners Association (MGHA) has reviewed the subject EIR and submits the following comments on impacts that would directly affect our residents on a daily basis.

MGHA 1

The EIR findings state that the traffic lanes leading to and from the intersection of Brookhurst and Adams will have significant and unavoidable impacts under the proposed plan. The seven mitigation measures (MM4 .13 -3 through 13-9) callfor providing additional traffic lanes in all directions, a north bound right turn lane and two right turn overlap lanes.

The intersection is currently at level of service (LOS) D with frequent long waits for signal recycling. Level D is the lowest acceptable city standard. LOS E is projected in 2016 and LOS F in 2030.

We submit that the right turn lane mitigation measures will never be implemented because they require the taking or dedication of property, and this will never occur. Downey Savings (now US Bank) has previously refused City efforts to acquire property. We believe Wells Fargo will also refuse to give up their property. The City has a record of not condemning property to make traffic improvements.

MGHA 2

Therefore we believe it is incumbent on the city not to approve plans which will increase traffic volumes and lower the level of service at Brookhurst and Adams.

We request that the City determine what the impacts and level of service will be if the additional turning lanes are not implemented under the proposed plan.

We request that the City gain agreement with the cities of Costa Mesa and Fountain Valley to increase the number of traffic lanes to four, an action that will pour additional traffic into their cities, before approving the Beach- Edinger specific plan.

MGHA 3

We request that the City gets agreement with Brookhurst and Adams property owners for the taking of their property before the City approves the Beach - Edinger Specific Plan.

MGHA 4

Robert G. Riedesel
President, MGHA
P.O Box 6883
Huntington Beach CA 92615

ANDR



September 30, 2009

To: Rosemary Medel Associate Planner

From: Tom Andrusky
5812 Trophy Drive
Huntington Beach, CA 92649
e-mail - tomandrusky@verizon.net
phone - 714-840-6325

Subject: Comments on the Draft Environmental
Impact Report for Beach and Edinger
Corridors Specific Plan

I have read the Draft EIR for Beach and
Edinger Corridors Specific Plan and I have
two comments.

1. There are no diagrams showing what the
area would look like at build-out.
It appears that the Planning Department does
not want citizens to know what the area
would look like at build-out. It is suggested
that diagrams be added so citizens could
have more knowledge of the meaning of the
zoning policies being recommended.

ANDR 1

2. I believe that the EIR does not give
adequate attention to transportation options
and alternatives relative to the 6000 plus
dwellings proposed/allowed.

ANDR 2

I suggest that a Comprehensive Transportation
Strategic plan be added to the document.
Please let me know how my comments will be
processed. Thank you. Tom Andrusky

M

S

McFadden/Sugar Safe Exit

E

Date: September 30, 2009

To: Huntington Beach Planning Dept.

Re: EIR for the Beach/Edinger Corridor Plan

Thank you for having this public comment meeting and being willing to listen to those whose lives are impacted every day by the traffic on the McFadden Avenue/ Sugar Drive intersection.

I am also personally thankful that on May 21, 1992, the city of Huntington Beach, after exhausting every other option, installed a barricade at the end of Cascade Lane to stop the extremely heavy traffic flow we were experiencing at that time. (Please see attachment for a summary from September, 1990 through February, 1992.)

Why am I so thankful? Because in 1992 we had almost 3,000 cars a day going down our street and with the increase in traffic on McFadden the number would be much greater today.

The Huntington Beach city officials knew back in 1992 that Sugar needed a traffic signal at McFadden. I personally talked to the city engineer and council members regarding it. They promised me and others in my tract that they would put a signal there but wanted to wait until the widening of McFadden was accomplished which was a part of the original Measure 'M.'

I stayed in contact with the city engineering department for many years anticipating the widening of McFadden. A few years ago I was informed that my hopes would be delayed because the Orange County Transportation Authority would be widening the 405 freeway. I now know

GONZ 1

this means McFadden will not be widened until sometime in the distant future.

This being the case we should no longer have to wait for a signal at the McFadden/Sugar exit. After all, we have been waiting seventeen years already. Without this signal we are left with a major health and safety issue.

GONZ 1
Cont'd

I feel we have **three major problems** that a signal would alleviate:

1. The fact that McFadden narrows, going from four lanes to two lanes, on both sides approaching Sugar Drive causes the traffic to bottleneck and makes exiting slower and even more dangerous.
2. Add to that the major increase in traffic over the last seventeen years. Especially the Goldenwest College traffic which is not reflected in your traffic count of 19,000 cars a day since you took the count when the college and the local schools were not in session.
3. On top of those two problems we have to deal with the cars that are driving eastbound as they come flying over the McFadden bridge and the person on Sugar trying to make a left has maybe a two second warning a car is coming before they pull out because they cannot see the car until it is coming down the east side of the bridge. This poses the greatest danger of all.

GONZ 2

GONZ 3

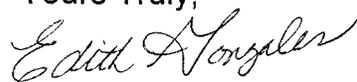
GONZ 4

These three problems greatly affect the men, women, and children who live in our tract and all who come to visit or do work. The health and safety problem that is posed is one of great bodily injury but there is also a significant amount of stress placed upon each of us almost every time we leave our tract. This needs to be recognized.

GONZ 5

As homeowners and residents of this city we are asking you to care about our health and safety and give us the traffic signal we were promised and so desperately need. Thank you.

Yours Truly,



Edith Gonzales

CASCADE LANE AREA - 24 HOUR TRAFFIC VOLUME DATA

DATE OF SURVEY	STREET NAME	BETWEEN	TRAFFIC VOLUME
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JULY 23, 1991	WHITNEY	SHASTA AND RUSHMOOR	455
FEBRUARY 5, 1992	WHITNEY	SHASTA AND RUSHMOOR	548

GONZ 6

MOOT

From: Bobbe Mootchnik [mailto:b.mootchnik@verizon.net]
Sent: Monday, October 12, 2009 12:01 PM
To: Medel, Rosemary
Subject: Beach-Edinger

Ms. Medel:

There is so much congestion presently at the Beach-Edinger intersection and adding all the proposed new stores and condos will make it so much more excessively congested. This will definitely impact the quality of the lives of those of us living near this intersection, making it so much more difficult to get around. A less impacted alternative should be selected.

MOOT 1

Sincerely,
Bobbe Mootchnik

NGUY

-----Original Message-----

From: Albert J. Nguyen [mailto:albertjnguyen@gmail.com]
Sent: Thursday, October 01, 2009 6:10 PM
To: Medel, Rosemary
Cc: dfallin@djmcapital.com
Subject: Bella Terra Crossing Edinger Corridor Safety Improvement

Dear Rosemary Medel - Associate Planner of the Beach Corridor ,

I found your contact information on the Surf City website:
http://www.ci.huntington-beach.ca.us/Government/Departments/Planning/major/beach_Edinger.cfm

First off, I would like to say congratulations on the Beach Boulevard and Edinger Avenue Corridor project. I think this project will improve on the city's outlook and cement its identity for the residence and visitors who come to Huntington Beach for business and pleasure. Regarding this email, I would like to take the opportunity to discuss a safety matter with you.

NGUY 1

The safety matter is in regards to the pedestrian intersection across Edinger from Sher Lane into the Bella Terra Mall and vice versa. The intersection poses as a hazard to pedestrians crossing Edinger - as there is no turning signal for vehicles coming out of the Bella Terra Mall nor is there a turning signal for vehicles coming out of Sher Lane. Pedestrians are vulnerable to aggressive driver behavior as some drivers believe they have the 'right-away'.

Being part of this community since 2003, I lived here before there was a Bella Terra Mall; I can say that people local to the community use this intersection as entrance into the Bella Terra Mall as the Bella Terra is a beautiful commercial attraction. However, I have seen mothers with their babies in their baby carriage use this intersection with impatient drivers eager to pounce on the turn once pedestrian has cross their path regardless of whether the pedestrian has reached the sidewalk. (I was taunted three times by vehicles, albeit not at the same time.) I believe this occurrence may continue to expand as the Corridor is completed and as more businesses and visitors will be attracted to the area.

NGUY 2

I believe adding turn signals to both sides of the intersection or providing pedestrians a priority - that is, an exclusive grace period for crossing, may greatly improve the safety of the pedestrians.

I have attached various media files for clarification about the location and included a video as an example I have also carbon copied Bella Terra on the subject so as to inform them of the issue.

NGUY 3

If you need more clarification or photos please do not hesitate to contact me. If I have reached you in error, please do notify me of the supervisor in charge who can actively make improvements.

Sincerely,

Albert
714.414.7104

WEBER CONSULTING
2024 NORTH BROADWAY, SUITE 202, SANTA ANA, CA 92706
TEL 714-569-0216 FAX 714-569-0218

WEBE

October 12, 2009

VIA E-MAIL & U.S. MAIL

Rosemary Medel, Associate Planner
City of Huntington Beach Planning Department
2000 Main Street
Huntington Beach, CA 92648

**RE: BEACH AND EDINGER CORRIDOR SPECIFIC PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT**

Dear Ms. Medel:

I am writing this letter on behalf of *Freeway Industrial Park* (Janette Ditkowsky) who, as you know, owns approximately 23 acres of land in the Beach and Edinger Corridor Specific Plan area, including the former Levitz site. The *Freeway Industrial Park* (FIP) parcels affected by the Specific Plan are primarily situated around the intersection of Edinger Avenue and Gothard Street, and represent nearly 400,000 square feet of existing commercial/retail development (including the Levitz property). It is important to point out that FIP also owns substantial properties just south of the Specific Plan area.

As one of the major stakeholders directly affected by the proposed Specific Plan, FIP has monitored and actively participated in the planning process since 2005. FIP recognizes this is a significant planning effort for the City and we look forward to working with the City to create viable projects. As part of our on-going participation in the planning and environmental review process we have reviewed the Draft Environmental Impact Report and offer the comments on the attachment.

WEBE 1

Respectfully,


Gary Weber

CC: Janette Ditkowsky (FIP) w/ attachment

**COMMENTS REGARDING:
BEACH AND EDINGER CORRIDOR SPECIFIC PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT**

Page 3-15, Town Center Neighborhood: The Draft Specific Plan (October 2008) identifies a "Specific Public Open Space" in the discussion of the Town Center Neighborhood. In addition, various exhibits in the Specific Plan document depict the location of the Specific Public Open Space in the area currently occupied by the Levitz building. The Draft EIR (Project Description) does not include any reference to the proposed open space. Please explain.

WEBE 2

Page 3-16, Town Center Core Edge: The Draft EIR describes the Edinger Avenue Town Center Core Edge as a "*linear portion at the edge of... Edinger Avenue...*" between Gothard and Bella Terra. The EIR should provide a more thorough description of this component, including the anticipated depth of this linear edge. We are concerned that this is the only case in the Specific Plan area that has two different use designations and different development standards on the same property. Moreover, because of this "edge" and its adjacency to the Village at Bella Terra, it is important to discuss physical and jurisdictional characteristics. For example, will the Village at Bella Terra have the same development standards (e.g., land use, setbacks, lot dimensions, building height, etc.) along the Edinger frontage as the Town Center Core Edge?

WEBE 3

Page 3-17, Table 3-1 (Projected Specific Plan Development): Define, in general terms, the difference between Short Term and Long Term. Do these terms relate to the 2016 and 2030 horizons uses in the traffic analysis?

WEBE 4

Page 3-17, Section 3.5 (Relationship to the General Plan): Provide a statistical summary of permitted development within the Specific Plan area as governed by the current General Plan land use designations (or zoning). Include as a column on Table 3-1. Also, since this DEIR is intended to analyze the proposed General Plan Amendment, please provide a statistical comparison of the existing General Plan and the General Plan Amendment.

WEBE 5

Pages 3-20 through 3-21, Cumulative Projects: We understand that there are at least five proposed projects that are known to fall within the boundaries of the Specific Plan area, including the Red Oak project (for which an EIR has already been certified) and the Murdy Commons, which was described in the Notice of Preparation/Initial Study (7/31/08) for the Specific Plan Project. After the public NOP/IS public review period, the City determined that the "known projects" would be analyzed separately. Since this document is intended to be a Program Level EIR, we question whether the "known projects" within the Specific Plan area can be accurately classified as Cumulative Projects. We also question whether this is a type of "double counting". We feel strongly that the "known projects" should be included in the Specific Plan Project Description, with a disclaimer that future, more detailed analyses may be required. Moreover, since this Program EIR is intended to be the primary environmental document from which these future projects will be tiered, the description of these projects should be as thorough as possible, including their relationship to the Specific Plan Districts. We believe the project description in the Cumulative Development Scenario (Table 3-2) is inadequate for the purposes of describing these known projects.

WEBE 6

Page 4.1-24, Streetscape Improvements: It should also be noted in this narrative that the implementation of the Classic Boulevard concept along Edinger would allow for greater building setbacks from the current Edinger Avenue right-of-way, which should be considered an enhancement to the streetscape and visual character of the area. What is the anticipated width of the additional right-of-way? Will the Bella Terra development be required to implement the classic boulevard concept along their Edinger frontage?

WEBE 7

4.1-25, Table 4.1-1 (Proposed Building Heights): The table includes a reference to the "Town Center Core (edge along Edinger Ave, south of Gothard)". Gothard is a north/south running street. Please correct.

WEBE 8

Page 4.7-7 (Table 4.7-1) and Page 4.7-11 (Figure 4.7-1A): The DEIR calls for a new storm drain along Gothard (north of Edinger) and an improved storm drain in Edinger (TAZs 21 and 23). Please identify the specific source document(s) for this determination. Do the source documents define the conceptual design (size) for these proposed improvements? If so, what are the design parameters for these improvements? How will these improvements be paid for? (Fair share contribution?)

WEBE 9

Page 4.7-40, Project Impacts and Mitigation: Pervious asphalt and pervious concrete are being used more frequently for water quality and runoff purposes. Will the City permit implementation of this mitigation technique?

WEBE 10

Page 4.8-14, First Full Paragraph, Housing Element/Specific Plan Consistency: Please discuss the apparent discrepancy between this discussion (bullet points 1 and 2) and the statistics shown in Table 3-1 (page 3-17).

WEBE 11

Pages 4.11-27 and 2-27, Mitigation Measures CR4.11-1 and CR4.11-3: The developer fees listed in school district mitigation measures are different than our information indicates. For example, recent review shows that HBCSD fees are \$2.53/sf for residential and \$0.4029/sf for commercial. Please confirm.

WEBE 12

Page 4.13-19, Project Impacts: Discuss the benefits of mixed-use development with respect to transportation and traffic. For example:

- Does the traffic study assume special trip generation factors and traffic distribution for mixed-use development, as opposed to traditional residential and commercial uses? Please describe how this is taken into account in the traffic model.
- In addition, does the traffic study assume that students and employees living in close proximity to Golden West College or Bella Terra may not generate as much traffic as others who rely on the automobile to get to work or school?

WEBE 13

Page 4.13-42, Edinger Avenue Boulevard Treatment: To be consistent with the Specific Plan, this should be described as a Classic Boulevard. What process will the City use to acquire the right-of-way necessary for the proposed frontage road, on-street parking, and landscape separator? Will the implementation of a frontage road along Edinger have a demonstrable affect on traffic flow?

WEBE 14

Pages 4.13-45 through 4.13-46 and 2-28 through 2-30, Mitigation Measures MM4.13-2 through MM4.13-18: These mitigation measures call for a "fair share contribution" for various transportation improvements.

- Please define how a fair share contribution will be established for development projects within the Specific Plan Area.

WEBE 15

- Does the City have an adopted “fair share formula” for transportation improvement projects? Please describe.
- Doesn't a fair share contribution assume there is a direct connection between a development project and a transportation improvement? For example, what is the connection between a development project at Edinger and Gothard and a transportation improvement at Adams and Brookhurst?
- Will fair share contributions be collected for development projects outside the Specific Plan boundary for transportation improvements within the Specific Plan area?
- Some mitigation measures call for transportation improvements that will require approvals from other jurisdictions (CalTrans and City of Westminster).
 - Will these transportation improvements require CEQA review and who will act as the lead agency?
 - How does this Program EIR relate to those projects?
- At what point in the entitlement/permit process will fair share contributions be collected?

WEBE 15
Cont'd

Page 4.13-54, Edinger Avenue Crossing & UPRR Right-of-Way: Please provide a map and/or description of these areas. Under what scenario could residential uses be introduced to the UPRR right-of-way or the Edinger Crossing?

WEBE 16

Page 4.14-1 and Appendix G (Water Supply Assessment): The Water Supply Assessment (WSA) is designated as a Draft. Will the final report be included in the FEIR?

WEBE 17

Page 4.14-20, Table 4.14-12 (Net Change in Water Demand): According to Table 4.14-10 (and WSA Table 5-4) existing water demands also includes 207 AFY for residential/hospitality/medical service. Why wasn't this counted in Table 4.14-12?

WEBE 18

Page 4.14-25, Table 4.14-15 (Supply and Demand): Based on information in the WSA (Appendix G) regarding the Plan for Obtaining Sufficient Water Supply (WSA, page 7-2) the proposed Poseidon Seawater Desalination could provide enough potable water to offset the shortfall described in Table 4.14-15.

WEBE 19

Page 4.14-36, Sewer Upgrades: The DEIR (and the Sewer Analysis Report, Appendix H) discuss the need for sewer upgrades throughout the Specific Plan area, however the DEIR doesn't include important exhibits that depict the location of various upgrades. The SAR exhibits (3-2a through c) should be added to the EIR.

WEBE 20

VERB

Beach and Edinger Corridors Specific Plan Draft EIR Public Meeting—Summary of Comments September 30, 2009

Edith Gonzales (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- In 1992, there were approximately 3,000 cars on Cascade Lane so the City erected a barricade on Cascade Lane
- City promised a signal after widening of McFadden Bridge
- Believes that a signal is warranted; lack of one presents 3 health and safety issues
 - Narrowing of 4 lanes down to 2 lanes makes exiting slow and dangerous
 - Project would result in increased traffic, and counts were not taken when school (Golden West College) was in session
 - Hidden curve is very dangerous, making it very stressful for residents to leave the tract

VERB 1

Diane Ryan (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- McFadden bridge narrows from 4 lanes to 2 lanes, which makes traffic worse
- Dangerous situation
- Traffic will only increase with the project plus other recent projects in area as well as increased enrollment at Golden West College
- Doesn't agree with EIR conclusions regarding the traffic signal at this intersection
- School buses are only allowed to turn right due to the dangerous situation
- Asks City to consider the residents before moving forward

VERB 2

Fikri Taka (MSE)—provided handout

- Concerned about traffic at McFadden/Sugar intersection
- When construction begins on nearby projects, the traffic on the bridge is awful
- Traffic wall prevents drivers from seeing what's coming on the other side of the bridge; visibility is a major issue
- School buses are only allowed to turn right due to the dangerous situation
- A signal is needed to slow down traffic on the bridge

VERB 3
(see
handout)

John Stansbury (MSE)—provided handout

- Concerned about traffic at McFadden/Sugar intersection
- Disagrees with traffic conclusion regarding the signal at the intersection
- Believes that a signal is warranted and justified

VERB 4
(see
handout)

Deanne Frink (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- Was denied into her home twice in the past five years due to traffic accidents on McFadden because there's only one ingress/egress
- Suggests either putting in a signal or opening up Cascade Lane

VERB 5

Gary Gonzales (MSE)

- Stated that there is a separate access point into tract at the northern end that can be used when primary access is closed
- Submitted photos of the access point

VERB 6

Barbara Otaguro (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- Denied access to her home and told to park in Westminster and walk into tract alone at 10pm
- Residents should've been given access

VERB 7

Robert Sternberg

- Bike lanes (not on Beach Blvd. but in other areas) were not analyzed in EIR
- EIR needs more consideration for public services; increases in response time
- Open space and recreation not addressed thoroughly enough
- Costco should've been given more consideration in traffic impacts
- Right-hand turning lanes

VERB 8

Brian Grant (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- Many accidents over the past 30 years; block walls have been replaced repeatedly

VERB 9

Gay Oaks (MSE)

- Concerned about traffic at McFadden/Sugar intersection
- Putting a traffic policeman behind the barricade would raise the money for a signal

VERB 10

Bob Sandovall

- To avoid already congested roadways, traffic is going to use the Golden West entrance/exit to I-405, rather than Beach Boulevard, even if it is less convenient, to save drive time.
- Project is going to add traffic to I-405.

VERB 11

Tom Schiff

- Decron Properties; Beach/Warner development owner – mixed-use

VERB 12

- Live-work on ground floor
- Encourages open space; open space in project should count
- Respect the scale already there – 5 to 6 stories



VERB 12
Cont'd



VERB 13

Ray Bartling

- The traffic increase over the last 7 years has created time delays.

M

S

McFadden/Sugar Safe Exit

E

Date: September 30, 2009

To: Huntington Beach Planning Dept.

Re: EIR for the Beach/Edinger Corridor Plan

My Name is Fikri Takla and my family lived on Cottonwood Circle from 1979 when the Tract was just build.

Thank you for having this public meeting to hear comments regarding the new information in the EIR for this project. Your staff worked hard to address our concerns that we presented in the meeting in May. Our concerns were heard and being addressed in the new EIR. We believe it is a good start, and more work must be done to improve the safety of the entry and exit from our Track, as well as the traffic on the Mcfadden Bridge.

Everybody is aware of all the Projects that will be approved and/or planned for this area. Keeping this in mind you can rest assure that we are expecting more TRAFFIC., in Edinger, Gothard ,Mcfadden. and of course the BRIDGE.

TAKLA 1

I am pleased to remind you that CalTrans have a project to widen the Freeway and eventually the Bridge. That is a Future Project, but the Beach/Edinger project is today.

Traffic count today is before any construction begin and any additional new Business and more people that is generated from all the planned development . We are not kidding ourselves, Please drive to our Track and have a look at that bridge.

Coming from Beach going west to go Home to our Track, I am forced to merge into the one lane that is allowing me to make a right turn on Sugar. I am forced to give a lot of notice to the driver behind me so he can slow down to give me a chance to turn right, safely.

He has to climb up the Bridge next to a wall protecting 4 residential Homes. This driver cannot see more than half of the Bridge and what is coming on the other side of the Bridge.

That is the same scene for anyone coming out of Sugar and want to turn left.

We cannot see what is coming from the other side of the Bridge.
Making a left turn out of Sugar is a high risk.

Ladies and gentlemen Traffic count is a only one factor, Visibility is a whole another issue.

This intersection of Sugar and Mcfadden is a dangerous one. It is a miracle that NO big accidents happened there.

School District Buses would not exit and turn left from our Track, I respect that decision. It is also Oil Company truck avoid going over that Bridge.

We are here today to ask you to take a ride on Mcfadden and turn right into Sugar and drive out , see how risking it is to turn left.

We are asking you to prevent any accident in this area by slowing down the traffic going to the bridge.

The only solution we see and support to install a traffic light and slow down the traffic on the bridge.

SAFETY IS NO ACCIDENT.

TAKLA 1
Cont'd

TAKLA 2

TAKLA 3

Respectfully,

The Takla Family

M

S

E

McFadden/Sugar Safe Exit

Date: September 30, 2009
To: Huntington Beach Planning Department
Re: EIR for the Beach/Edinger Corridor Plan

My name is John Stansbury. I reside at 15412 Cottonwood Circle in the City of Huntington Beach, and have done so for the past 13 ½ years. My wife has resided there since 1979.

STANS 1

I appreciate the opportunity granted us to speak on the EIR draft for the Beach/Edinger Corridor Plan in Huntington Beach, and will confine my focus on the intersection of McFadden & Sugar Avenues as it relates to said draft.

In reviewing the draft EIR, it was noted that traffic studies indicate that a traffic signal is not justified at this intersection. We who reside in what I shall refer to as the "SUGAR TRACT" which is "landlocked" by this intersection are all Huntington Beach residents, and feel that a traffic signal at this intersection is not only justified – but necessary for our safety based on the following:

STANS 2

1. Westbound traffic on McFadden Avenue is reduced from 2 lanes to 1 just east of the intersection, and traffic moves quite rapidly in anticipation of road position and the uphill climb to the I-405 overpass – a 2 lane structure. Because of the speeds on McFadden Avenue, even a simple Right Turn out of the tract onto McFadden Avenue is fraught with danger due to the necessity for rapid acceleration from a "dead" stop into an uphill traffic pattern.

STANS 3

2. Eastbound traffic on McFadden Avenue is unable to be seen until it is at the eastern edge of the I-405 overpass and is already moving rapidly as it goes downhill toward the intersection, A major factor in the braking distance required to stop and avoid a collision.

STANS 4

3. The nature and volume of the traffic described above, and how it affects our safety, can best be amplified by the policy of the Westminster School District which mandates that any school bus exiting the Tract may ONLY make a right turn onto McFadden Avenue.

STANS 5

4. In reviewing the land use summary of the plan, I find it ludicrous for the report to claim that the addition of 6,400 New Dwelling Units, 738,000 Sq. Ft. of Retail Space, 112,000 Sq. Ft. of Commercial Use Area and 350 New Hotel Rooms will not adversely affect traffic on McFadden Avenue as most drivers travelling in an easterly or westerly direction will opt for McFadden Avenue as a means to avoid the congestion on Edinger Avenue, or Bolsa Avenue in the vicinity of Westminster Mall.

In 1992, when Cascade Lane was closed off at the northern edge of the Sugar Tract, the residents of the Tract were promised a traffic signal at the McFadden/Sugar intersection. These residents have

STANS 6

exhibited a great deal of patience waiting for other "necessary" peripheral events to occur..... only to see these events delayed indefinitely or cancelled outright.

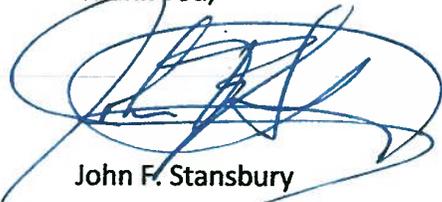
Seventeen years have passed without any action, while the residents of the "Sugar Tract" have waited patiently for the promised signal, only to learn recently that the intersection was an accident of Geography: i.e. the intersection of McFadden/Sugar, the **ONLY** exit from the Tract, is controlled by the City of Westminster, leaving these Huntington Beach residents all but forgotten and then told that the request for the basic safety of these taxpayers is "without justification."

My late father had a favorite verse:

"Patience is a virtue,
Virtue is a grace;
And Grace is a little girl
Who didn't wash her face."

After seventeen years Grace's face is so dirty that her face is cracking. It is time that our patience be rewarded by granting our only request of these past seventeen years: namely, that a traffic signal at the intersection of McFadden/Sugar be given its proper recognition and priority, allowing for the safety of these **HUNTINGTON BEACH** residents. We sincerely ask your assistance in bringing an old promise to reality.

Thank You,

A handwritten signature in blue ink, appearing to read 'John F. Stansbury', enclosed within a large, loopy blue scribble.

John F. Stansbury

STANS 6
Cont'd

10.3 RESPONSES TO COMMENTS ON THE DRAFT EIR

10.3.1 State Departments

■ Department of Transportation (DOT), October 12, 2009

- DOT-1 This comment contains introductory or general information, and correctly reiterates the buildout scenario and location of the proposed project. Please refer to responses to specific comments and recommendations below. No further response is required.
- DOT-2 Improvements presented in the February 2008 I-405 Project Study Report/Project Development Assistance (PSR/PDA) by Albert Grover & Associates would provide adequate capacity for future volumes at this location.
- DOT-3 The DEIR does propose a Statement of Overriding Considerations for impacts to State Highways and facilities. As noted in Response DOT-2, improvements to I-405 and the northbound loop on-ramp from Beach Boulevard as presented in the PSR/PDA are being evaluated by Caltrans in the on-going Project Report (PR) preparation.
- DOT-4 It is recognized that design of a fourth northbound through lane will need to consider the southbound loop off-ramp. A preliminary review of the existing conditions indicates that there may be an alternative for providing this improvement with only minor ramp modifications, depending on the acceptability to Caltrans and FHWA. Ultimate improvements for this location are part of the PR noted in response DOT-3.
- DOT-5 As noted in Responses DOT-3 and DOT-4, the ongoing PR for this section of I-405 is evaluating improvements to this interchange. It is unclear at this time what level of interim rebuilding of the off-ramp would address this condition short of the improvements being contemplated as part of the I-405 Improvement Project.
- DOT-6 It is recognized that the additional third westbound through lane at the Beach Boulevard/Edinger Avenue intersection will require widening of Edinger Avenue at this location. The land for such an improvement was reserved as part of the recent development (City of Westminster Self-Storage project) of the northeast corner of the intersection. The Beach-Edinger Specific Plan traffic study did not consider detailed design issues as part of the Specific Plan process.
- DOT-7 The environmental documentation for this project has been prepared as a “program level” document. The Specific Plan provides rules and guidance, establishing a framework within which new development proposals can be evaluated and considered. Each substantial project will be required to complete separate

environmental impact evaluations to identify potentially significant adverse impacts, mitigation measures and a mitigation plan. Fair share contributions towards any impacts will be determined based on these “project level” analyses. Appropriate conditions of approval for projects will then be developed and compliance required through our project approval process. There is the possibility that the City may pursue completion of improvements prior to actual project impacts being identified. If this should occur, it is anticipated that a mechanism would be developed where new development would contribute a fair share reimbursement towards the cost of the improvement project.

- DOT-8 It is expected that appropriate calculations will be included in the project level analyses prepared for each project as noted in Response DOT-7.
- DOT-9 The City of Huntington Beach is interested in discussing funding options for improvements along Beach Boulevard, including the potential for implementation of a specific Traffic Impact Fee (TIF) for state highways. While not a formal component of the Specific Plan at this time, this strategy is consistent with goals of the Specific Plan and is one of many viable options for completing public improvements.
- DOT-10 This comment contains concluding or general information. It is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. No response is required.

■ Department of Toxic Substances Control (DTSC), October 15, 2008

- DTSC-1 This comment contains introductory or general information, and correctly reiterates a summary of the proposed project. The commenter states that the majority of comments from the previous DTSC letter sent on September 3, 2008 have been addressed in the DEIR. Please refer to responses to the additional comments and recommendations below.
- DTSC-2 Table 4.6-2 in DEIR Section 4.6 (Hazards and Hazardous Materials) identifies existing sites that may potentially contain hazardous materials. However, any new development occurring on these documented hazardous materials sites would have to be preceded by remediation and cleanup pursuant to applicable regulations before construction activities could begin, if such actions have not already occurred. The environmental documentation prepared for the Specific Plan is a “program level” analysis that does not include site-specific information. As individual projects are submitted to the City, project-specific hazards analyses will be prepared to address site-specific concerns and necessary remediation.

In order to address the potential for encountering contamination within the project site, mitigation measures MM4.6-1 and MM4.6-2 would minimize the potential risk

of contamination to the public or the environment by implementing investigation and remediation efforts at future development sites.

- DTSC-3 Mitigation measures MM4.6-1 and MM4.6-2 in DEIR Section 4.6 (Hazards and Hazardous Materials) identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight.
- DTSC-4 As discussed in Impact 4.6-2 of DEIR Section 4.6 (Hazards and Hazardous Materials), all demolition that could result in the release of lead and/or asbestos must be conducted according to Cal/OSHA standards, and adhere to existing federal and state regulations pertaining to appropriate testing and abatement actions for hazardous materials. Further, mitigation measures MM4.6-1 and MM4.6-2 would minimize the potential risk of contamination by implementing investigation and remediation efforts at future development sites. Per DEIR page 4.6-14, DTSC is one of the primary state agencies responsible for issues pertaining to hazardous materials. Furthermore, a review of federal and state regulatory databases was conducted by Environmental Data Resources, Inc. (EDR, Inc.), the results of which are summarized in Table 4.6-1 (Summary of Permitted Facilities using Hazardous Materials) and Table 4.6-2 (Type and Number of Environmental Cases and Spill Sites) in the DEIR. A Phase I assessment was not prepared for the proposed project, but may need to be prepared for future development within the Specific Plan area to address areas identified with previous contamination.
- DTSC-5 See response DTSC-2 for a response to appropriate investigations and remedial actions to be taken at the project site. Per DEIR page 4.6-14, DTSC is one of the primary state agencies responsible for issues pertaining to hazardous materials.
- DTSC-6 As discussed in Impact 4.6-2 of Section 4.6 (Hazards and Hazardous Materials) of the EIR grading and excavation of sites for future development resulting from implementation of the proposed project may also expose construction workers and the public to potentially unknown hazardous substances present in the soil. However, in order to address the potential for encountering contamination within the project site, mitigation measures MM4.6-1 and MM4.6-2 would minimize the potential risk of contamination to the public or the environment by implementing investigation and remediation efforts at future development sites. These mitigation measures could account for both known and unknown sources of soil contamination in the area.
- DTSC-7 As discussed in Impact 4.6-3 of DEIR Section 4.6 (Hazards and Hazardous Materials), although hazardous materials and waste generated from future development may pose a health risk to sensitive receptors such as schools, all businesses that handle or transport hazardous materials would be required to comply with the provisions of the local, state, and federal regulations for hazardous wastes.

In particular, Chapter 6.95 of the California Health and Safety Code requires businesses that handle more than a specified amount of hazardous materials on-site to submit a Hazardous Materials Business Plan. Compliance with existing regulations would minimize the risks associated with the exposure of sensitive receptors, including schools, to hazardous materials.

- DTSC-8 As discussed on DEIR page 4.6-25, the precise potential future increase in the amount of hazardous materials utilized as a result of the Specific Plan cannot be predicted because specific development projects have not been identified. Furthermore, as discussed in Impact 4.6-1 of Section 4.6 (Hazards and Hazardous Materials) of the EIR, operation of future development under the proposed project, including residential, office, and commercial uses, would not require the handling of hazardous or other materials that would result in the production of large amounts of hazardous waste. During the construction of new development, future projects within the Specific Plan may generate hazardous and/or toxic waste depending on the age of structures to be redeveloped or other potential soil or groundwater contamination based on previous uses. Federal, state, and local regulations govern the disposal of wastes identified as hazardous which could be produced in the course of demolition and construction. Asbestos, lead, or other hazardous materials encountered during demolition or construction activities would be disposed of in compliance with all applicable regulations for the handling of such waste. The California Hazardous Waste Control Law and appropriate hazardous waste control regulations referred to in this comment are referenced in DEIR Section 4.6.2 (Regulatory Framework [Hazards and Hazardous Materials]).
- DTSC-9 Comment noted. The comment states that DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement for private parties. No further response is required.

■ Native American Heritage Commission (NAHC), September 17, 2009

- NAHC-1 This comment provides introductory or general information regarding the role of the Native American Heritage Commission and applicable CEQA statutes, and is not a direct comment on the content or adequacy of the DEIR. Please refer to responses to specific comments and recommendations below.
- NAHC-2 As discussed in DEIR Section 4.4 (Cultural and Paleontological Resources), the NAHC submitted a letter on the IS/NOP for the proposed project that suggested the following be completed to assess project-related impacts: conduct a records search from the appropriate CHRIS information center, conduct an archaeological survey if warranted by the results of the records search, request a search of the Sacred Lands File, contact the NAHC-provided list of Native American contacts to obtain their input on the project, and include in the DEIR procedures for the

identification and treatment of accidentally discovered archaeological resources and human remains. With the exception of an archaeological survey of the project site, which was not conducted due to the programmatic level of the current investigation, all of the NAHC recommendations were followed in the cultural resource investigation conducted for the proposed project, as documented in the DEIR. Mitigation measures MM4.4-1 through MM4.4-3(b) provide measures and appropriate actions in the event that cultural resources (archaeological, paleontological, human remains) are unexpectedly encountered during construction activities. Furthermore, these mitigation measures provide for actions that should take place prior to earth-disturbing activities to protect potential resources on a site-specific basis. As future development applications are received by the City, site-specific investigations will need to be completed, per mitigation measures MM4.4-1 through MM4.4-3(b).

- NAHC-3 As discussed in Impact 4.4-2 of DEIR Section 4.4 (Cultural and Paleontological Resources), representatives from the Gabrieliño Tongva Nation contacted PBS&J to express their concerns about the sensitivity of the project area for Native American resources and burial grounds. Therefore, the project site is considered to be sensitive for the presence of Native American cultural resources, including human remains. Implementation of mitigation measures MM4.4-2(a) and MM4.4-2(b) would require (a) a qualified professional to conduct site-specific cultural resource investigations and impact mitigation for future development that could encounter undisturbed soils, and (b) all earth-disturbing activity to be halted within 100 feet of any discovered cultural resources until a qualified professional can assess the significance of the find and implement appropriate mitigation. See also Response NAHC-2.
- NAHC-4 See Response NAHC-2 and Response NAHC-3, which provide discussions about mitigation measures for accidentally discovered archaeological resources, including human remains, during construction.
- NAHC-5 As discussed in Impact 4.4-1 of DEIR Section 4.4 (Cultural and Paleontological Resources), a cultural resources records search performed by the SCCIC failed to find any historical resources within the project boundary, although the search results did identify the Newland House Museum (the restored Victorian home of Huntington Beach pioneers, Mr. and Mrs. W.T. Newland) within a quarter-mile radius of the project site. Implementation of mitigation measure MM4.4-1 would require a qualified professional to conduct site-specific historical resource investigations for future developments within the project area that would demolish or otherwise physically affect buildings or structures 45 years old or older or affect their historic setting. Also see Response NAHC-3 regarding Native American cultural resources.
- NAHC-6 See Response NAHC-2 and Response NAHC-3, which provide discussions about mitigation measures for accidentally discovered archaeological resources, including

human remains, during construction, pursuant to Section 15064.5 of the CEQA Guidelines, Section 5097.98 of the State Public Resources Code, and Section 7050.5 of California’s Health and Safety Code.

- NAHC-7 See Response NAHC-2 and Response NAHC-3, which provide discussions about mitigation measures for accidentally discovered archaeological resources, including human remains, during construction, pursuant to Section 15064.5 of the CEQA Guidelines, Section 5097.98 of the State Public Resources Code, and Section 7050.5 of California’s Health and Safety Code.

■ City of Seal Beach (CSB), September 30, 2009

- CSB-1 This comment contains introductory or general information and is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. This comment also correctly reiterates the proposed land use changes as provided in DEIR Section 3.4.2 (Land Use Summary).
- CSB-2 Comment noted. The commenter states that the proposed project would not generate any major areas of environmental concern to the City of Seal Beach. No further response is required.
- CSB-3 This comment contains concluding or general information. It is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue.

10.3.2 Organizations

■ Huntington Beach Environmental Board (HBEB), October 7, 2009

- HBEB-1 The comment expresses support for the fundamental objectives of the Specific Plan but believes that “the plan could make this corridor into an excessively densely populated area...which [takes] many unrealistic and unfunded approaches to attempt to justify those high densities at buildout.” This is a comment related to the Specific Plan but is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. All comments will be forwarded to decision-makers prior to their consideration of project approval.
- HBEB-2 This comment notes the effective reference to various Green Policies, Water Policies, Climate Change Policies, and Energy Policies in the DEIR. The comment encourages future documents to also reference SCAG’s Scenario Based Planning, especially for Land Use and Transportation (July 2009). In addition, the comment recommends that the DEIR include requirements for green building such as LEED or Build It Green. This is a comment related to the Specific Plan but is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific

environmental issue. All comments will be forwarded to decision-makers prior to their consideration of project approval.

HBEB-3 This comment states “given the recent improvements in construction cost estimating, SB 642’s impacts on a City’s ability to use Integrated Design Build, and Building Information Modeling, the Board encourages consideration of these sustainability-enhancing methods for the benefit of property owners, developers, and City staff.”

Assembly Bill 642 allows any city to use design-build contracts (as opposed to the design-bid-build method) for the construction of buildings or improvements directly related to the construction of a building. This authority does not extend to construction of streets and highways, public rail transit, or water resource facilities and infrastructure.

It is unclear from the comment in what capacity the imposition of SB642 would reduce potentially significant impacts identified in the DEIR, particularly because the Specific Plan does not currently include any specific development projects but rather outlines a change in land use categories and densities compared to the General Plan. Therefore, it is assumed that this is a comment related to the Specific Plan and is not a direct comment on the content or adequacy of the DEIR as it does not raise any specific environmental issue. All comments will be forwarded to decision-makers prior to their consideration of whether to approve the proposed project.

HBEB-4 This comment expresses concern regarding the residential density along Edinger Avenue proposed in the Specific Plan. The commenter “does not wish to see this area urbanized to such an extreme.” Additionally, the commenter recommends a significantly lower limit on dwelling units as well as a reduction in the proposed height limits from six to four stories. This is a comment related to the Specific Plan and is not a direct comment on the content or adequacy of the DEIR as it does not raise any specific environmental issue that was not previously addressed. All comments will be forwarded to decision-makers prior to their consideration of whether to approve the proposed project.

HBEB-5 The commenter opines that schools within proximity of the Edinger Avenue corridor, specifically, are inadequate to accommodate the proposed 3,400 dwelling units suggested for this area by the commenter. However, the commenter does not provide additional information or statistics to substantiate the suggested deficiency of the existing schools. The three schools nearest the Edinger Avenue Corridor include Circle View Elementary, College View Elementary, and Sun View Elementary schools.

As discussed in DEIR Section 4.11 (Public Services), population growth resulting from implementation of the proposed Specific Plan would increase the number of

students within the three school districts serving the area (HBCSD, OVSD, and HBUHSD) through 2030. However, the majority of schools serving the Specific Plan project site are currently operating below maximum capacity. Additionally, all three of the identified school districts anticipate that the enrollment will be lower in the upcoming years and will continue to decline in the future. Due to declining enrollment within each district, new students generated as a result of future development would not result in overcrowding and would likely help offset the current declining student population.

Further, as discussed in the DEIR Section 4.11 (Public Services), the State of California is responsible for the funding of public schools. To assist in providing facilities to serve students generated by new development, the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. Payment of these fees is required through adherence to code requirements CR4.11-1 through CR4.11-3 as proposed in the DEIR. As individual development projects are proposed to the City, each project would be required to pay the applicable fees to the appropriate school districts, depending on the site-specific location. Although “the Board considers this to be inadequate ... ,” as expressed in the comment letter, the payment of such fees is the result of an established nexus, and is deemed to be full and complete mitigation for the purposes of CEQA. No additional mitigation, such as the construction of new school facilities, is required because these fees would ensure that impacts to schools would be less than significant. The proposed project was found to result in a less than significant impact to schools in the area of the Specific Plan, including the Edinger Avenue corridor identified by the commenter. All comments will be forwarded to decision-makers prior to their consideration of whether to approve the proposed project.

HBEB-6

The commenter summarizes current and future statistics regarding transportation in the City through the horizon of the Specific Plan. The comment also recommends that a traffic study be prepared to determine how to alleviate continued long-term degradation in traffic performance and to analyze less intrusive alternatives.

Traffic studies were prepared for the proposed project, including the City’s Beach Boulevard and Edinger Avenue Corridor Specific Plan Traffic Study (DEIR Appendix F1) and the McFadden Avenue/Sugar Drive Traffic Evaluation (DEIR Appendix F2). Based on the data provided in these studies, potential improvements to reduce project impacts through 2030 are included in mitigation measures MM4.13-1 through MM4.13-18 in DEIR Section 4.13 (Transportation/Traffic). Implementation of these mitigation measures would result in all but two of the study intersections to operate at acceptable levels of service and would mitigate the project impact for all intersections. However, buildout of the proposed project would result

in a significant impact at six Caltrans intersections because implementation of potential mitigation measures cannot be guaranteed by the City.

As discussed in DEIR Section 6.2 (Alternatives Rejected as Infeasible), the project-related traffic impacts to identified intersections can be mitigated to less-than-significant levels. However, because any additional trips to the I-405 are considered significant due to the existing deficient condition, and because there is no alternative that would generate zero vehicle trips, there is no feasible alternative to reduce this impact.

HBEB-7

The commenter states that an alternative considering reduced dwelling units and reduced commercial space should have been considered in the EIR. However, the commenter does not provide substantial information regarding such an alternative, nor do they provide information that such an alternative would reduce project-related impacts to a less-than-significant level, such that an additional alternative would provide substantial additional benefit. As discussed in DEIR Section 6.3 (Alternatives to the Proposed Project), the primary contention of the proposed Specific Plan has been the perceived significant increase in residential units that would be permitted in the area. In an effort to identify an alternative that would reduce project-related impacts and address the known contention to the project, consideration was given to alternatives that reduced residential units. As no specific alternative could reduce any of the project-related significant impacts to a less than significant level, consideration was given to reductions in residential units in an effort to determine the varying levels of impacts (based on varying levels of residential units) and how those impacts would compare to the proposed project.

The commenter also states that between the proposed project, Alternative 2, and Alternative 3, the Board recommends Alternative 2. This is not a direct comment on the content or adequacy of the DEIR; however, all comments will be forwarded to decision-makers prior to their consideration of project approval.

HBEB-8

As discussed on page 3-16 of DEIR Section 3.4.2 (Land Use Summary), overall buildout of the Specific Plan could result in the addition of up to (i.e., a maximum of) 6,400 new dwelling units, 738,400 square feet of retail uses, 350 hotel rooms, and 112,000 square feet of office uses.

However, the following text change has been included in Chapter 9 of the FEIR to clarify that the build-out analyzed throughout the DEIR represents the maximum allowable new development:

The proposed land use changes and increases in development intensity would result in additional growth focused within each of the above-mentioned areas. Overall, buildout of the Specific Plan (estimated at 2030) could result in the addition of up to 6,400 new dwelling units (du), 738,400 sf of retail uses, 350 hotel rooms, and 112,000 sf of office uses. This represents the maximum allowable new development (MAND) potential of the proposed project. However, not all of this

development would be considered net growth. In many cases, existing structures would be replaced or redeveloped with the new uses. In order to accommodate the proposed development, it is estimated that approximately 1.4 million sf of existing commercial development within the Specific Plan (or approximately 22 percent of existing development) would be demolished. This takes into account that many of the existing buildings would remain on redeveloped parcels (i.e., only part of a parcel would be redeveloped). It is estimated that at buildout, commercial and office space would decrease compared to existing conditions but the 6,400 du would be considered net growth.

- HBEB-9 The comment expresses concerns “that after development reached the MAND, waivers will be granted such that the MAND will not really be an effective barrier to further development.” This is a comment related to the Specific Plan and is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. Moreover, this is a comment pertaining to how the City may, or may not, grant development permits in the future. Entitlement actions such as this would be subject to approval by the Planning Commission and City Council and are not issues for environmental analysis at this time because no project-specific applications have been submitted to the City. All comments will be forwarded to decision-makers prior to their consideration of whether to approve the proposed project.

■ Huntington Beach Tomorrow (HBT), October 21, 2009

- HBT-1 Comment noted. This is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue.

- HBT-2 This comment states that the DEIR does not provide protection against the negative impacts of Form Based Planning. As the City has determined that a Program EIR is the appropriate document to analyze the potential significant impacts of the proposed project, the DEIR provides a programmatic analysis of the Specific Plan, and, if a later activity would have significant effects that were not examined in this Program EIR, subsequent environmental documentation must be prepared, consistent with Sections 15162 through 15164 of the CEQA Guidelines. At this time, individual development applications have not been submitted to the City for analysis.

The commenter goes on to state that “Housing densities will be increased. This causes increased traffic volume and congestion is worse than before the plan is implemented ...” Further, the commenter opines that “Improvement is left to ‘discretionary’ mitigations. The taxpayer and traveler need more exact definitions for mitigation.” The commenter is correct that housing densities will be increased. However, DEIR Section 4.13 (Transportation/Traffic) fully addresses potential impacts to traffic in the Specific Plan area. Further, DEIR Section 4.13 (Transportation/Traffic) identifies mitigation measures MM4.13-1 through

MM4.13-18 to mitigate potential project impacts. Implementation of these mitigation measures would result in all but two of the study intersections operating at acceptable levels of service and would mitigate the project impact for all intersections. However, buildout of the proposed project would result in a significant impact at six Caltrans intersections because implementation of potential mitigation measures cannot be guaranteed by the City.

HBT-3

As discussed in Impact 4.12-2 of the DEIR, specific open space and recreational amenities for future development are not yet known for the Specific Plan area. Future development would be required to satisfy Section 230.20 and/or Section 254.08 of the City's Zoning Ordinance, which implements the provisions of the Quimby Act. Specifically, Section 230.20 requires payment of a park fee for all new commercial and industrial development and all new residential development, such as apartments, not covered by Chapter 254. For new residential subdivisions, Chapter 254 requires that five acres of property for each 1,000 residents be devoted to local parks and recreational purposes. This could be met through land dedication or payment of park fees, or a combination of both. While dedicated parkland directly increases the available recreation space within the City for residents, the payment of park fees from new development could be allocated to fund the acquisition and/or development of future parks or facility renovations associated with increased use of public facilities. Because the City considers payment of fees and/or land dedication full mitigation for impacts on parks, this is considered a less-than-significant impact in the DEIR.

However, the potential construction of recreational amenities would occur as part of specific development projects in the future. While direct physical effects could result as part of the individual construction scenarios, future development allowed under the proposed Specific Plan would be subject to individual environmental analysis to ensure adequate review of potential impacts and would be required to adhere to CR4.12-1 (Impact 4.12-1), which would require the dedication of land or the payment of in-lieu fees, or both, at the discretion of the City. Therefore, it is likely that all on-site construction of future recreational facilities would be adequately mitigated either through implementation of Code requirements or through the implementation of future mitigation measures at the discretion of the City during individual environmental clearance. As no specific development applications have been submitted to the City for approval, the requirements for open space and the proposals for provision of such open space cannot be determined at this time.

HBT-4

See Response HBT-3.

HBT-5

This comment states “the EIR needs to specify the levels of service that will be maintained and where the funding for sworn personnel, equipment and support personnel will come from, beyond the annual general fund budget competition for general fund resources by all city departments.” The HBPD was contacted during

preparation of the DEIR to solicit their input on the potential effects of the project as well as any potential mitigation measures deemed necessary. The Police Department did not indicate that any impacts would result. The staffing level information cited by the commenter is a target ratio of 1.2 officers per 1,000 residents. However, the HBPD ultimately weights their staffing decisions more heavily on whether the existing HBPD concludes that their staffing levels would be impacted by the proposed project. Because, the HBPD did not indicate that any impacts would result from project implementation, it is not necessary to provide any additional mitigation measures with respect to future staffing levels. As discussed in Impact 4.11-1, mitigation measure MM4.11-1 would require that the City would provide sufficient funding to maintain the City's standard level of public services through the use of General Fund monies. Furthermore, as individual development applications are submitted to the City in the future, potential impacts to police will be determined during the project-specific environmental clearance.

HBT-6 This comment states that in Impact 4.13-1 (DEIR Section 4.13 [Transportation/Traffic]), "mitigation requires the taking or dedication of property from business and landowners ... The EIR needs to list or consider in the report the properties that must be taken for traffic mitigation purposes. The EIR needs to state the impacts if the City is unable to obtain property owners' agreements for this action. The EIR needs to define the resources available to the city to make the needed, yet inadequate, improvements indicated." Consistent with the commenters assertions, Impact 4.13-1 does identify mitigation measures to reduce potential project-related impacts. However, the identified mitigation measures (MM4.13-1 through MM4.13-14) do not presume that property will need to be acquired, or if it is necessary that it would have to be acquired through dedications "taking" or eminent domain. Property acquisition may be needed in some cases and appropriate means to pursue acquisition can be considered. The mitigation measures require a fair-share payment toward proposed improvements. These mitigation measures would require approval by Caltrans and the City of Westminster. Because the City of Huntington Beach cannot guarantee approval by other jurisdictions (Caltrans and the City of Westminster), where mitigation measures would require outside jurisdictional approval, impacts were determined to be **significant and unavoidable**. No further response is required.

HBT-7 This comment states "the EIR needs to state agreements with other cities and agencies that are obtained prior to approval of the plan. The EIR does not state the impacts if necessary agreements are not obtained." See Response HBT-6. As some of the mitigation measures proposed to reduce impacts to traffic would require approval by jurisdictions outside of the City of Huntington Beach (Caltrans and the City of Westminster) that have not been received at this time, impacts to traffic at these locations were determined to be **significant and unavoidable**. Therefore, the DEIR does state the agreements (as referred to by the commenter) with other cities

and agencies and does state the impacts if these agreements are not obtained. No further response is required.

HBT-8 This comments states “the EIR needs to identify where users of the transportation center will park if they do not walk to the center and that OCTA has agreed to expand parking at that facility. The EIR needs to identify minimum parking space obligations within the planning area with parameters on a site-specific basis.” It should be noted that it is not the responsibility of the Beach/Edinger Specific Plan traffic study to address parking at the Golden West Transportation Center, which is located outside of the proposed Specific Plan boundary and not operated by the City of Huntington Beach. As the owner and operator of the Golden West Transportation Center, OCTA is responsible for the evaluation and planning of facility improvements, as warranted by current and projected demand. However, the Beach/Edinger Specific Plan document itself (prepared by Freedman, Tung and Bottomley) does contain the Development Standards for Parking pertinent to the proposed project. As discussed under Impact 4.13-7, a primary objective of the proposed project is to promote alternative methods of transportation, specifically to promote an active pedestrian environment and the use of public transit. In consideration of the project area’s close proximity to the OCTA transit center, as well as anticipated mixed-use development in the area, it’s highly likely that visitors and residents of the Beach Boulevard and Edinger Avenue Corridors would be utilizing alternative methods of transportation (i.e., walking, biking, or transit). Further, site-specific parking requirements elsewhere cannot be specified at this time since environmental considerations of site-specific projects, including parking, cannot be evaluated in this program-level analysis. However, as development applications are received by the City in the future, at a minimum, parking requirements will be consistent with the parking ratios outlined in the Specific Plan. All impacts to parking of specific projects in the future will be identified during the project-specific environmental clearance.

HBT-9 As discussed in the DEIR Section 1.3 (EIR Review Process), this EIR has been prepared to meet all of the substantive and procedural requirements of CEQA (*California Public Resources Code* Section 21000 et seq.), as amended; California CEQA Guidelines (*California Code of Regulations*, Title 14, Section 15000 et seq.); and the rules, regulations and procedures for the implementation of CEQA as executed by the City of Huntington Beach. Additionally, this comment provided concluding thoughts of the commenter. No further response is required.

■ **McFadden/Sugar Safe Exit (MSE), September 24, 2009**

MSE-1 This comment provides introductory or general information regarding the project, and is not a direct comment on the content or adequacy of the DEIR. No further response is required.

- MSE-2 As discussed in Impact 4.13-2 of the DEIR Section 4.13 (Transportation/Traffic), the City prepared an evaluation of potential traffic impacts at the intersection of McFadden Avenue at Sugar Drive. With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not warrant installation of a traffic signal. Further, a traffic signal is not part of the proposed project and the decision to install a traffic signal at this intersection would be at the City's discretion, along with approval from the City of Westminster. However, the traffic analysis did determine that a minor operational improvement could be implemented to better serve the McFadden Avenue/Sugar Drive intersection. City staff will work with the City of Westminster to explore the feasibility of extending the east leg's two-way left turn lane to Sugar Drive to provide an acceleration/refuge area for motorists.
- MSE-3 The traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 (page 5-5) of the traffic study) and DEIR Appendix F1 for a full documentation of the cumulative projects. The commenter states that the safety of bussed children was overlooked. However, as discussed in Impact 4.13-5 of DEIR Chapter 4.13 (Transportation/Traffic), with implementation of code requirements, the proposed project would not substantially increase roadway hazards (i.e., changes to circulation patterns that could result in unsafe driving or pedestrian conditions). This analysis is applicable to the safety of school children. Further, future projects under the proposed Specific Plan would not introduce design features incompatible with current circulation patterns.
- MSE-4 The commenter summarizes the proposed development plan for the entire Specific Plan area. It is important to note that the entirety of this development will not occur along the Edinger Avenue corridor, as the commenter implies. As shown in Table 3-1 of the DEIR Chapter 3 (Project Description), not all projected residential growth (i.e., 6,400 dwelling units) would occur in the Edinger Avenue area.
- The commenter continues by providing anecdotal information regarding schools bus routes at the McFadden Avenue/Sugar Drive intersection. The comment also includes a summary of approved, recently built, and future projects in the area that the commenter states will increase traffic on McFadden Avenue. Further, the commenter summarizes issues raised in Comments MSE-1 through MSE-3. See Responses MSE-1 through MSE-3 for responses to these comments, including Response MSE-2 related to the request for a traffic signal at the McFadden Avenue/Sugar Drive intersection.
- MSE-5 Comment noted. The commenter attached copies of traffic studies performed from 1990 to 1992 on McFadden and on Cascade Lane. This is not a direct comment on the content or adequacy of the DEIR. No further response is required.

■ Meredith Gardens Homeowners Association (MGHA), October 8, 2009

- MGHA-1 This comment provides introductory or general information regarding the project, and is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue.
- MGHA-2 Table 4-11 (DEIR page 4.13-47) of the traffic study summarizes the level of service for with and without the identified mitigation improvements, including the intersection of Brookhurst Street at Adams Avenue. Implementation of these mitigation measures is likely to require acquisition of additional street right-of-way from adjacent property owners. If and when implementation of the improvements becomes necessary as a result of traffic generated by Beach/Edinger Corridor development or other area traffic growth, property acquisition would be attempted under standard, legal procedures. Acquisition of right-of-way is not limited to exercising eminent domain proceedings and can be accomplished through various means including negotiation. It should also be noted that the level of improvements identified would be needed at the intersection even without implementation of the Specific Plan. MGHA-3 The improvements proposed for the Brookhurst Street and Adams Avenue intersection were identified as part of a Memorandum of Understanding (MOU) between the Cities of Huntington Beach, Costa Mesa, Fountain Valley, and OCTA. The MOU requires the City of Huntington Beach to update the Circulation Element to designate the Garfield-Gisler Bridge as Right-of-Way Reserve, and represents an agreement between the parties to pursue implementation of these improvements.
- The Beach-Edinger Specific Plan has a project impact at this location and therefore, will contribute a “fair share” towards the cost of implementing these improvements, per mitigation measures MM4.13-3 through MM4.13-9.
- MGHA-4 The City cannot initiate any negotiation with property owners near the intersection of Brookhurst and Adams prior to taking action on the proposed Specific Plan or before more detailed information regarding the design and property requirements has been developed. The Specific Plan presents detailed policies and goals that dictate how properties could be developed, but does not provide project-level approval. Gaining property owners’ agreement as suggested is not appropriate for a program-level document.

10.3.3 Individuals

■ Andrusky, Tom (ANDR), September 30, 2009

ANDR-1 The commenter states that the DEIR did not have diagrams showing what the Specific Plan area would look like at buildout. However, Figure 3-4 (Project Area Depicting Proposed Specific Plan Segments) of the EIR does depict the five general geographic transition areas (also referred to as segments in the DEIR) that are proposed as part of the Specific Plan. The commenter is encouraged to review the diagrams and illustrations of the Specific Plan, which is incorporated by reference in the EIR, that depict the concepts embodied by the Specific Plan. However, because the Specific Plan is a programmatic document that does not include specific projects, no site specific plans or elevations are available. No further response is required.

ANDR-2 The commenter states that the EIR does not provide adequate attention to transportation options and alternatives related to the proposed uses. As discussed in Section 6.2 (Alternatives Rejected as Infeasible), few alternatives were available that would reduce any of the identified significant impacts. This is primarily because any variation of a long-term planning document such as a Specific Plan, regardless of land use changes, would result in the same significant impacts due to the speculative nature of individual development projects. Those issue areas that were found to have alternatives that could potentially reduce the severity of the identified impacts (DEIR Section 4.10 [Population and Housing] as well as DEIR Section 4.12 [Recreation]) were analyzed in the DEIR. Of the three alternatives to the proposed project that were analyzed, one alternative (Alternative 2 [Decreased Residential]) was the only alternative that resulted in traffic impacts less than those identified for the proposed project. The other two alternatives that were analyzed either had similar or slightly greater traffic impacts than those identified for the proposed project. As such, these alternatives were rejected as infeasible.

Furthermore, the commenter suggests that a “Comprehensive Transportation Strategic Plan” be added to the DEIR. It is not clear what type of information is ultimately requested, and comprehensive plans are typically a function of a General Plan Circulation Element and not an individual specific plan. As such, no further response can be provided. However, the commenter is encouraged to review DEIR Appendix F1 (Beach Boulevard and Edinger Avenue Corridor Specific Plan Traffic Study) and DEIR Appendix F2 (McFadden Avenue/Sugar Drive Traffic Evaluation) for information regarding traffic and transportation study prepared for the proposed project.

■ Gonzales, Edith (GONZ), October 2, 2009

- GONZ-1 This comment provides an anecdotal history of the neighborhood located at the McFadden Avenue/Sugar Drive intersection primarily with respect to the previous closing of Cascade Lane and the suggestion of a traffic signal at the McFadden Avenue/Sugar Drive intersection. The commenter requests that the signal proposed for this intersection 17 years ago should be installed now. No further response is required.
- GONZ-2 The commenter states three major problems that a signal would alleviate. As discussed in Impact 4.13-2 of DEIR Section 4.13 (Transportation/Traffic), the McFadden Avenue/Sugar Drive Traffic Evaluation concluded, based on existing conditions, that the intersection is currently operating at an acceptable LOS (LOS D or better). Based on examination of accident data from the last five years, no safety issues were determined to exist at the intersection. With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not warrant installation of a traffic signal at this location. Compared to the existing General Plan, the proposed Specific Plan would result in slightly fewer delays during the peak hour periods with the exception of the PM eastbound left turn, where the delay would be unchanged. The analysis indicates that proposed Specific Plan slightly improves vehicle delays compared to the General Plan.
- Further, a traffic signal is not part of the proposed project and the decision to install a traffic signal at the McFadden Avenue/Sugar Drive intersection would be at the City's discretion, along with approval from the City of Westminster. However, the traffic analysis did determine that a minor operational improvement could be implemented to better serve the McFadden Avenue/Sugar Drive intersection. City staff will work with the City of Westminster to explore the feasibility of extending the east leg's two-way left turn lane to Sugar Drive to provide an acceleration/refuge area for motorists.
- GONZ-3 The commenter states that traffic at Goldenwest College was not reflected in the traffic count of 19,000 cars per day since the traffic count was taken when the college was not in operation. The traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 (page 5-5) of the traffic study (Appendix F1 of the DEIR) for a full documentation of the cumulative projects. See also Response GONZ-2.
- GONZ-4 See Response GONZ-2.
- GONZ-5 See Response GONZ-2.

GONZ-6 Comment noted. The commenter provides 24-hour traffic volume data for the Cascade Lane area. This is not a direct comment on the content or adequacy of the DEIR. No further response is required.

■ Mootchnik, Bobbe (MOOT), October 12, 2009

MOOT-1 The commenter states that the Beach-Edinger intersection is currently congested, and that adding the proposed uses would contribute to the existing congestion. As discussed in Impact 4.13-2 of DEIR Section 4.13 (Transportation/Traffic), potential improvements to reduce project impacts at this intersection are identified in mitigation measures MM4.13-10 and MM4.13-11. These mitigation measures would ensure that project applicant(s) would make a fair share contribution to improvements (i.e., the addition of a fourth northbound through lane and a third westbound through lane) at this intersection.

The commenter also suggests that “a less impacted alternative should be selected.” As discussed in Section 6.2 (Alternatives Rejected as Infeasible), few alternatives were available that would reduce any of the identified significant impacts, including traffic. This is primarily because any variation of a long-term planning document such as a Specific Plan, regardless of land use changes, would result in the same significant impacts due to the speculative nature of individual development projects. Those issue areas that were found to have alternatives that could potentially reduce the severity of the identified impacts (DEIR Section 4.10 [Population and Housing] as well as DEIR Section 4.12 [Recreation]) were analyzed in the DEIR. Of the three alternatives to the proposed project that were analyzed, one alternative (Alternative 2 [Decreased Residential]) was the only alternative that resulted in traffic impacts less than those identified for the proposed project. The other two alternatives that were analyzed either had similar or slightly greater traffic impacts than those identified for the proposed project. As such, these alternatives were rejected as infeasible. This information will be passed on to the decision makers prior to their consideration of project approval.

■ Nguyen, Albert (NGUY), October 1, 2009

NGUY-1 This comment provides introductory or general information regarding the project, and is not a direct comment on the content or adequacy of the DEIR. No response is required.

NGUY-2 The commenter states concerns regarding the pedestrian crossing at Edinger Avenue and Sher Lane, at the entrance to the Bella Terra Mall as there is no turning signal for vehicles coming out of the Bella Terra Mall or Sher Lane. The commenter suggests adding turn signals to both sides of the intersection to protect pedestrians crossing. This is a comment on the existing conditions of the project area, and not on the content or adequacy of the DEIR. Additionally, the traffic studies prepared for the

proposed project (DEIR Appendices F1 and F2) did not identify a warrant for installation of left-turn signals at this location. The decision to install left turn signals at this intersection would be at the City’s discretion. As such, this information will be passed on to decision makers prior to their consideration of project approval.

NGUY-3 Comment noted. The commenter provides media files for clarification on the existing conditions of the specified intersection. This is not a direct comment on the content or adequacy of the DEIR. No further response is required.

■ **Weber, Gary (WEBE), October 12, 2009**

WEBE-1 This comment contains introductory or general information, and is not a direct comment on the content or adequacy of the DEIR. The commenter introduces themselves as a property owner within the Specific Plan area. Please refer to responses to specific comments and recommendations below.

WEBE-2 This is a comment primarily related to the Specific Plan. However, the commenter also states that the DEIR (Project Description) does not include reference to an area of proposed open space as identified in the Draft Specific Plan (October 2008) in the Town Center Neighborhood. The EIR incorporates the Specific Plan by reference, and identifies that individual projects will meet public open space requirements through dedication or payment of in-lieu fees. Further, the Specific Plan shows that the property identified by the commenter will have a public open space component and calls for open space on the property to serve the anticipated residential development. The open space requirement and provision would be analyzed at the project level upon receipt of a development application.

WEBE-3 This comment is primarily related to the Specific Plan. Specific development standards are contained in the Specific Plan for the proposed project, and they would not conflict with those from the Bella Terra Specific Plan. The depth of the Town Center Core Edge that the commenter refers to is 150 feet, as provided in the Specific Plan. Further, as described in DEIR Section 3.4 (Project Description), new development in the Town Center Core Edge would include retail, restaurant, and entertainment uses contiguous with those planned for The Village at Bella Terra.

WEBE-4 The following text change is proposed for DEIR Section 3 (Project Description), Page 3-17, last sentence before Table 3-1 (Projected Specific Plan Development):

Table 3-1 (Projected Specific Plan Development) outlines the projected development scenario over the short-term (Year 2016) and long-term (Year 2030).

WEBE-5 The commenter suggests providing a statistical summary of permitted development within the Specific Plan area, and providing a statistical comparison of the existing General Plan and the General Plan Amendment. Furthermore, the commenter suggests that the intent of the DEIR is “...to analyze the proposed General Plan

Amendment and therefore, a statistical comparison of the existing General Plan and the General Plan Amendment.” Page 3-3 of DEIR Section 3.1.4 (Project Description-General Plan/Zoning Designations) provides a discussion of the existing General Plan land use designations (also shown in Figure 3-3 of the DEIR) and the proposed land use designations of the General Plan Amendment. As part of the proposed project, the General Plan designation for properties included in the Specific Plan would be changed to Mixed-Use.

WEBE-6

The commenter questions whether all “known” projects within the Specific Plan area were considered in the cumulative development scenario. As discussed in DEIR Section 3.10 (Project Description), pursuant to Section 15130(b) of the CEQA Guidelines, cumulative development may be based on “a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts...” This list is to be prepared at the time the Notice of Preparation is prepared and circulated for a proposed project. Table 3-2 (Cumulative Projects) of the DEIR provides the list of cumulative projects that were on file in October 2008 and subsequently updated in December 2008 and April 2009. The list of cumulative projects was identified by the City of Huntington Beach and neighboring jurisdictions, as well as build-out of the General Plan or other criteria, depending upon the specific impact being analyzed. This information was considered in the program-level environmental analysis prepared for the Specific Plan.

Subsequent to preparation of the program-level environmental analysis for the Specific Plan, project applications with the City will have to undergo their own, separate environmental clearance to ensure that all impacts have been addressed. While much of this analysis for individual projects within the Specific Plan area can be tiered off the program-level document, as suggested by the commenter, it is required that all projects receive environmental clearance.

As the commenter also discusses, after the public IS/NOP review period, the City did determine to prepare the project-level analysis of certain “known projects” (term used by the commenter), including the Red Oak and Murdy Commons projects identified by the commenter. However, as discussed in DEIR Section 3 (Project Description), the Specific Plan project description includes development of a maximum of 6,400 new dwelling units (du), 738,400 sf of retail uses, 350 hotel rooms, and 112,000 sf of office uses. Future projects within the Specific Plan area would be considered under this “umbrella” of development (the maximum allowable new development concept discussed in DEIR Section 3 [Project Description]) and would not be additive to the Specific Plan development but rather considered against the total amount of development previously considered as part of the Specific Plan. Therefore, “known” or cumulative projects are not considered to be “double counted” as suggested by the commenter. In direct response to the commenter’s suggestion, it is important to note that while the Murdy Commons project would be required to undergo individual, or project-level, environmental review, the

development proposed for such project was considered in the maximum development proposed under the Specific Plan and is not being double counted.

WEBE-7 The commenter states the EIR should note that implementation of the Classic Boulevard concept would allow for greater building setbacks from the current Edinger Avenue right-of-way, and should be considered an enhancement to the streetscape and visual character of the area. As discussed in Impact 4.1-2 of DEIR Chapter 4.1 (Aesthetics), the proposed project's streetscape improvements would contribute significantly to the enhancement of the visual appeal and identity of the corridors. No additional analysis is necessary.

The commenter also questions if the Bella Terra development would be required to implement the Classic Boulevard concept along their Edinger frontage, and requests the anticipated width of the Edinger Avenue right-of-way. These comments are related to the Specific Plan, and are not direct comments on the content or adequacy of the DEIR. No further response is required.

WEBE-8 The DEIR has been corrected to state in Table 4.1-1 as follows:

Town Center Core (edge along Edinger Ave, ~~south~~ east of Gothard)

WEBE-9 The commenter questions the source for new storm drains in Gothard and Edinger referenced in the DEIR. The specific source document for the data and conditions presented in Table 4.7-1 (Existing Project Site Drainage Characteristics and Capacity Constraints) and Figure 4.7-1a (Existing Project Site Drainage Characteristics and Capacity Constraints [Northern]) is the City's Master Plan of Drainage model of General Plan buildout runoff (City of Huntington Beach Public Works Division, 2008). There are no conceptual design parameters for the proposed storm drain improvements since site-specific development has not been determined; however, mitigation measure MM4.7-4 requires that adequate capacity in the storm drain system is demonstrated from the specific development site, and if capacity is not adequate, the City must identify corrective actions required by the developer.

WEBE-10 The commenter asks whether pervious asphalt and concrete will be permitted by the City as mitigation for water quality. This is not a direct comment on the content or adequacy of the DEIR and no further analysis is required. Use of such building materials will be determined based on future site conditions and project design. However, refer to Chapter 4.7 (Hydrology and Water Quality) for a discussion of best management practices that will be implemented as part of the proposed project to minimize runoff and potential water quality impacts.

WEBE-11 The commenter suggests that there is a discrepancy in the number of housing units identified in DEIR Section 4.8 (Land Use and Planning) and DEIR Section 3 (Project Description). The new housing units discussed in Impact 4.8-1 of DEIR Section 4.8 (Land Use and Planning) are unit "goals" according to the Housing

Element. The analysis further states that it is anticipated that a maximum of 6,400 new housing units could be developed as part of the proposed Specific Plan, which is consistent with the total 6,400 units presented in Table 3-1 (Projected Specific Plan Development).

- WEBE-12 The commenter states that developer fees listed in the mitigation measures for schools are different than information that the commenter has access to. As discussed in code requirements CR4.11-1, CR4.11-2, and CR4.11-2 within DEIR Section 4.11 (Public Services), a project applicant shall pay all applicable development impact fees *in effect at the time of building permit issuance* to cover additional school services required by a new development. The fee at the time of preparation is provided for reference but the code requirement clearly states that the fees will be assessed at the time of development, indicating that the fees may be different at the time of development. The information provided by the commenter may be correct at the time of issuance of their comment letter, but this may again change before a development application is provided to the City. No further response is required.
- WEBE-13 The Huntington Beach Traffic Model (HBTM) uses a Mixed-Use Non-residential trip rate, which is lower than traditional commercial trip rates and takes into account the mix of commercial, restaurants and office land uses that are typically placed in mixed-use development. The residential component of the mixed-use trip rate is similar to that of apartments, which is lower than other residential trip rates. While it is recognized that mixed use development may have lower trip rates compared to traditional uses, only limited reductions (noted above) have been assumed for EIR purposes.
- While it is recognized that students and employees living in close proximity to Golden West College or Bella Terra may generate less traffic than others who rely on the automobile, only limited reductions have been assumed for EIR purposes.
- WEBE-14 The implementation of a frontage road along Edinger Ave is generally within the typical front setback for development and includes provisions for parking. It has not been determined at this time whether the frontage road would be dedicated to the City or remain private property with necessary public easements. Implementation is not considered to have any significant effect on traffic flow along Edinger Avenue.
- WEBE-15 The City of Huntington Beach is currently working on defining the formula to determine the “fair share contribution” for individual projects. Additionally, the actual mechanism for payment of such shares is currently being developed.
- WEBE-16 The commenter requests a map and/or description of the Edinger Avenue crossing and the Union Pacific Railroad right-of-way. As discussed in DEIR Section 3 (Project Description), this crossing is in the Town Center Neighborhood. If future development proposes to introduce residential uses adjacent to or near the Edinger

Avenue crossing or Union Pacific Railroad right-of-way areas, site design features would be incorporated into these future projects in an effort to reduce the potential for conflicts between future residents and/or visitors and vehicles.

The following text change has been made to page 4.13-55 of DEIR Chapter 4.13 (Transportation/Traffic) to clarify that future residential uses would not be located in the Edinger Avenue crossing or Union Pacific Railroad right-of-way:

The Edinger Avenue crossing and Union Pacific Railroad right-of-way may be subject to increased traffic volumes through the implementation of future projects under the Specific Plan. Future projects under the Specific Plan would be subject to individual environmental review and plan checks that would ensure that the design of future development does not increase hazards or create incompatible land uses in the project area. If future development proposes to introduce residential uses ~~in~~ adjacent to or near the Edinger Avenue crossing or Union Pacific Railroad right-of-way areas, site design features would be incorporated into these future projects in an effort to reduce the potential for conflicts between future residents and/or visitors and vehicles.

WEBE-17 The commenter correctly states that the Water Supply Assessment (WSA) is designated as a Draft in the DEIR. The WSA will be finalized as part of the FEIR process. A copy will be available at the City of Huntington Beach, Public Works Department and the City Clerk.

WEBE-18 The commenter questions why Table 4.14-12 did not include the 207 AFY existing water demand for residential/hospitality/medical service. As stated on page 4.14-19 of DEIR Section 4.14 (Utilities and Service Systems):

Of the existing 397 AFY of existing demands, the demands of 207 acre-feet associated with residential, hotel and hospital uses will remain.

However, to further clarify the method used in determining the net change in water demands from existing to proposed project demands, the following text changes have been incorporated into the FEIR:

To determine the water demand of the proposed project, water use demand factors were formulated based on the sources described above. Of the existing 397 AFY of existing demands, the demands of 207 acre-feet associated with residential, hotel and hospital uses will remain. Because these facilities are remaining in-place, water demand at these facilities is assumed to be unchanged at 207 AFY in perpetuity. The 207 AFY would not be considered as part of the proposed project's demand of 1,370 AFY because water service is currently provided to these facilities, nor is it netted out of the proposed project's demand since the facilities are not changing due to implementation of the proposed project, as opposed to the 190 AFY associated with Retail, Restaurant, Office and Landscaping/ROW uses that would be demolished and replaced with commercial or residential components of the proposed project. As shown in Table 4.14 11 (Beach-Edinger Specific Plan Water Demands), the water demand of the entire Specific Plan area is conservatively estimated to be 1,370 AFY, which assumes full build-out of the entire Specific Plan area with all 6,400 DU implemented.

In Table 4.14-10, the following text changes have been made:

Residential–Hospitality–Medical Service (Unchanged Demands with Project Implementation)^f

f. Water service at these facilities remains in perpetuity; therefore, demand associated with these facilities would be unchanged with implementation of the proposed project.

In Table 4.14-11, the following footnote has been added:

f. Does not include 207 AFY of existing demand from residential, hotel and hospital remaining in perpetuity.

In Table 4.14-12, the following footnote has been added:

d. Does not include 207 AFY of existing demand from residential, hotel and hospital remaining in perpetuity.

- WEBE-19 Comment noted. The commenter states that the WSA indicates the proposed Poseidon Seawater Desalination Plant could provide enough potable water to offset the shortfall described in Table 4.14-15. As discussed on DEIR Page 4.14-52, because the Poseidon Seawater Desalination Plant is not yet fully permitted, under construction, or operational, reliance on this as a source of water at this time does not better solve the potential deficit. However, components of future projects in the Specific Plan area will incorporate measures (identified in MM4.14-1) to ensure that conservation and efficient water use practices are implemented per project to reduce water demands of the project and, additionally, if new sources of water come online in the future that could serve the proposed project area such as the Poseidon Seawater Desalination Plant, these sources will be considered.
- WEBE-20 The commenter requests that exhibits from the SAR be incorporated into the DEIR to show the location of various sewer upgrades as discussed in DEIR Section 4.14 (Utilities and Service Systems). The Sewer Analysis Report is provided as Appendix H to the DEIR for easy reference to these exhibits.

■ Verbal Comments (VERB), September 30, 2009

- VERB-1 As discussed in Impact 4.13-2 of DEIR Section 4.13 (Transportation/Traffic), the City prepared an evaluation of potential traffic impacts at the intersection of McFadden Avenue and Sugar Drive. With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not qualify warrants for traffic signal installation. Further, a traffic signal is not part of the proposed project and the decision to install a traffic signal at this intersection would be at the City's discretion, along with approval from the City of Westminster. However, the traffic analysis did determine that a minor operational improvement could be implemented to better serve the McFadden Avenue/Sugar Drive intersection. City staff will work with the City of Westminster

to explore the feasibility of extending the east leg's two-way left turn lane to Sugar Drive to provide an acceleration/refuge area for motorists.

The commenter also provides anecdotal information regarding Cascade Lane and the previous work to barricade that street. It is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. This information will be forwarded to decision makers prior to their consideration of project approval.

As to the comment regarding traffic counts, the traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 (page 5-5) of the traffic study (Appendix F1 of the DEIR) for a full documentation of the cumulative projects. See also Response GONZ-2.

VERB-2 Refer to Response VERB-1 for information regarding the McFadden Avenue/Sugar Drive intersection.

The commenter suggests that traffic in the area will increase due to other projects in the area and increased enrollment at Golden West College. As discussed in VERB-1, the DEIR traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 [page 5-5] of the traffic study and Appendix F for a full documentation of the cumulative projects) which addressed future enrollment at the college.

The commenter also provides anecdotal information regarding school bus routes in the area of the McFadden Avenue/Sugar Drive intersection. No further response is required. This information will be forwarded to decision makers prior to their consideration of project approval.

VERB-3 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection.

VERB-4 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection.

VERB-5 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection. The commenter also provided anecdotal information about how they were denied access to their home (twice) due to vehicular accidents along McFadden Avenue which blocked the only access into the commenter's housing tract. This is not a direct comment on the content or adequacy of the DEIR, and does not raise a specific environmental issue related to implementation of the proposed project. This information will be forwarded to decision makers prior to their consideration of project approval.

- VERB-6 Comment noted. The commenter provides anecdotal information regarding access to the commenter's housing tract, suggesting that the emergency only access area can be used by residents when the primary access is closed. This is not a direct comment on the content or adequacy of the DEIR, and does not raise a specific environmental issue related to implementation of the proposed project. This information will be forwarded to decision makers prior to their consideration of project approval.
- VERB-7 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection. The commenter also provides anecdotal information about how they were denied access to their home due to a vehicular accident along McFadden Avenue that blocked access to their housing tract. This is not a direct comment on the content or adequacy of the DEIR, and does not raise a specific environmental issue related to implementation of the proposed project. This information will be forwarded to decision makers prior to their consideration of project approval.
- VERB-8 Impact 4.13-8 of DEIR Section 4.13 (Transportation/Traffic) evaluated whether the proposed project would conflict with adopted policies supporting alternative transportation, including bike lanes. The proposed project is consistent with the City of Huntington Beach General Plan Land Use and Transportation Elements, including provisions regarding alternative transportation modes, including bicycle use. As to the comment regarding public services, as discussed in Impact 4.11-1 and Impact 4.11-2, mitigation measure MM4.11-1 would ensure that adequate staffing levels are maintained.
- Open space and recreation were addressed in Impact 4.12-2 of the DEIR. As stated, specific open space and recreational amenities for future development are not yet known for the Specific Plan area. However, the Development Code of the Specific Plan includes private and public open space regulations and standards for development within each of the various segments. The potential construction of these recreational amenities would occur as part of individual development projects in the future. While direct physical effects could result as part of the individual construction scenarios, future development allowed under the proposed Specific Plan would be subject to individual environmental clearance to ensure adequate review of potential impacts and would be required to adhere to CR4.12-1, which would require the dedication of land or the payment of in-lieu fees, or both, at the discretion of the City to reduce potential impacts to future development. Therefore, it is likely that all on-site future construction of recreational facilities would be adequately mitigated either through implementation of code requirements or through the implementation of future mitigation measures, at the discretion of the City during individual environmental clearance.
- Additionally, the traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 [page 5-5] of the traffic study and

Appendix F1 for a full documentation of the cumulative projects). The commenter suggests that Costco should have been given more consideration in the determination of traffic impacts. However, there is no Costco project application on file with the City of Huntington Beach. Therefore, it was not incorporated into the 29 cumulative projects analyzed.

VERB-9 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection. The comment is noted and will be forwarded to decision makers prior to their consideration of project approval.

VERB-10 Refer to Response VERB-1 and VERB-2 regarding the McFadden Avenue/Sugar Drive intersection. The commenter also provides anecdotal information regarding putting a traffic policeman behind the barricade at Cascade Lane with the idea that money raised from traffic warnings or citations could go toward paying for a traffic signal at the McFadden Avenue/Sugar Drive intersection. This is not a direct comment on the content or adequacy of the DEIR, and does not raise a specific environmental issue related to implementation of the proposed project. The comment is noted and will be forwarded to decision makers prior to their consideration of project approval.

VERB-11 The commenter suggests that to avoid existing congested roadways, traffic is going to use the Golden West Street exit/entrance to I-405 rather than using the Beach Boulevard exit, even if it is less convenient, to cut down on drive time. Comment noted. This is not a direct comment on the content or adequacy of the DEIR because it does not raise any specific environmental issue that was not previously addressed. In response to the comment about increased traffic on the I-405, as discussed under Impact 4.13-1 and Impact 4.13-2 of DEIR Chapter 4.13 (Transportation/Traffic), implementation of the proposed project would contribute to traffic to the I-405 freeway system. Specifically, the project would increase traffic to the I-405 northbound loop ramp from Beach Boulevard, which is currently deficient. Substantial reconstruction of the I-405/Beach Boulevard interchange and other components of the I-405 would be required to improve this condition and there is no feasible mitigation measure that could be implemented in conjunction with the project.

VERB-12 This is a comment related to the Specific Plan and is not a direct comment on the content or adequacy of the DEIR because it does not raise any specific environmental issue that was not previously addressed. All comments will be forwarded to decision-makers prior to their consideration of project approval.

VERB-13 The commenter provides anecdotal information that over the last seven years, the traffic increase has created time delays. This is not a direct comment on the content or adequacy of the DEIR because it does not raise any specific environmental issue that was not previously addressed. However, as shown in Table 4.13-1 of the DEIR

Chapter 4.13 (Transportation/Traffic), the vast majority of the analyzed intersections currently operate at an acceptable level of service (LOS D or better).

■ Stansbury, John (STANS), September 30, 2009

STANS-1 This comment contains introductory or general information and is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. Please refer to responses to specific comments and recommendations below.

STANS-2 Comment noted. The comment contains anecdotal information regarding existing conditions at the McFadden Avenue and Sugar Drive intersection and is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue related to implementation of the proposed project. As noted under Impact 4.13-5 in DEIR Section 4.13 (Transportation/Traffic):

Future projects under the proposed Specific Plan would not substantially increase hazards due to design features or incompatible uses. Future projects under the proposed Specific Plan would also not introduce design features incompatible with current circulation patterns.

As discussed in Impact 4.13-2 of DEIR Section 4.13 (Transportation/Traffic), the City prepared an evaluation of potential traffic impacts at the intersection of McFadden Avenue at Sugar Drive. With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not warrant installation of a traffic signal. Further, a traffic signal is not part of the proposed project and the decision to install a traffic signal at this intersection would be at the City's discretion, along with approval from the City of Westminster. However, the traffic analysis did determine that a minor operational improvement could be implemented to better serve the McFadden Avenue/Sugar Drive intersection. City staff will work with the City of Westminster to explore the feasibility of extending the east leg's two-way left turn lane to Sugar Drive to provide an acceleration/refuge area for motorists.

STANS-3 Comment noted. Refer to Response STANS-2.

STANS-4 Comment noted. Refer to Response STANS-2.

STANS-5 Comment noted. As stated on pages 3.13-51 and 3.13-52 of the DEIR Section 4.13 (Transportation/Traffic) regarding the McFadden Avenue/Sugar Drive intersection:

In the 2030 timeframe, the Traffic Study projects a 14 percent increase in eastbound traffic and eight percent decrease in westbound traffic in the AM peak hour at buildout. In the PM peak hour, the Traffic Study projects a seven percent increase in eastbound traffic and a 13 percent increase in westbound traffic at buildout. The projected traffic increase would not be expected to result in increased traffic volumes on Sugar Drive or for the turn movements into the tract.

With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not qualify warrants for traffic signal installation. Compared to the existing General Plan, the proposed Specific Plan would result in slightly fewer delays during the peak hour periods with the exception of the PM eastbound left turn, where the delay is unchanged. The analysis indicates that proposed Specific Plan slightly improves vehicle delays compared to the General Plan.

In addition, as shown in Table 3-1 of the DEIR Chapter 3 (Project Description), not all projected residential growth (i.e., 6,400 dwelling units) would occur in the Edinger Avenue area.

STANS-6 Comment noted. The comment contains anecdotal information regarding existing conditions at the closure of Cascade Lane, existing conditions at the McFadden Avenue/Sugar Drive intersection, and how the housing tract at this location has been waiting for seventeen years for a traffic signal. This is not a direct comment on the content or adequacy of the DEIR, and does not raise any specific environmental issue. No further response is required.

■ Takla, Fikri (TAKLA), September 30, 2009

TAKLA-1 This comment contains introductory or general information. As to the comment regarding future projects, the traffic study identifies and includes 29 known cumulative projects in the analysis, including the Golden West College Master Plan and the Village at Bella Terra (refer to Chapter 5, Table 5-1 [page 5-5] of the traffic study and Appendix F1 for a full documentation of the cumulative projects). Further, the comment contains anecdotal information regarding existing conditions at the McFadden Avenue/Sugar Drive intersection and the commenters driving experience in the area. Please refer to responses to specific comments and recommendations below.

TAKLA-2 As discussed in Impact 4.13-2 of DEIR Section 4.13 (Transportation/Traffic), the City prepared an evaluation of potential traffic impacts at the intersection of McFadden Avenue and Sugar Drive. With implementation of the proposed Specific Plan, the critical intersection movements would still operate at an acceptable LOS and traffic volumes would not qualify warrants for traffic signal installation. Further, a traffic signal is not part of the proposed project and the decision to install a traffic signal at this intersection would be at the City's discretion, along with approval from the City of Westminster. However, the traffic analysis did determine that a minor operational improvement could be implemented to better serve the McFadden Avenue/Sugar Drive intersection. City staff will work with the City of Westminster to explore the feasibility of extending the east leg's two-way left turn lane to Sugar Drive to provide an acceleration/refuge area for motorists. The commenter also provides anecdotal information regarding the path routes of school buses and Oil Company trucks in the area.

TAKLA-3 Comment noted. Refer to Response TAKLA-2.