ENVIRONMENTAL CHECKLIST FORM
CITY OF HUNTINGTON BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MITIGATED NEGATIVE DECLARATION NO. 19-004

1.0 PROJECT INFORMATION

PROJECT TITLE: Park Avenue Rezone

Concurrent Entitlements: General Plan Amendment No. 19-002
Zoning Map Amendment No. 19-002
Local Coastal Program Amendment No. 19-001

LEAD AGENCY: City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Contact: Ricky Ramos, Senior Planner
Phone: (714) 536-5624

PROJECT LOCATION: 16926 Park Avenue, Huntington Beach CA 92649 (terminus of Park Avenue in Huntington Harbour) – refer to Figure 1

PROJECT PROPONENT: Mike Adams, Michael C. Adams Associates
P.O. Box 392
Huntington Beach CA 92648

Contact Person: Mike Adams
Phone: (714) 376-3060

GENERAL PLAN DESIGNATION: OS-W (Open Space–Water Recreation)

ZONING: OS-WR-CZ-FP2 (Open Space–Water Recreation – Coastal Zone Overlay – Floodplain Overlay)

PROJECT DESCRIPTION (Describe the whole action involved, including, but not limited to, later phases of the project, and secondary support, or off-site features necessary for implementation):

The project is a request to:

GPA - To amend the General Plan land use designation from Open Space–Water Recreation (OS-W) to Residential Low Density (RL);

ZMA - To amend the zoning designation from Open Space–Water Recreation – Coastal Zone Overlay – Floodplain Overlay (OS-WR-CZ-FP2) to Residential Low Density –Coastal Zone Overlay – Floodplain Overlay (RL-CZ-FP2); and

LCPA - To amend the City's Local Coastal Program pursuant to the GPA and ZMA.

The request would change the permitted land uses on the site from water recreation (i.e. marina) to residential. The subject site is a vacant 6,179 square foot property located at the terminus of Park Avenue in Huntington Harbour. It is flat, wedge shaped, and has 168 feet of shoreline. The shoreline is currently unprotected except for some rubble material and the lot slopes toward the water. No development is proposed with this application. Based on the size of the subject site and the existing 10 ft. wide access way from the end of Park Avenue to the subject site, if the GPA, ZMA, and LCPA were approved the site could be developed with a single family dwelling subject to approval by the City of a Coastal Development Permit.

SURROUNDING LAND USES AND SETTING:

North and East:

General Plan:	Open Space–Water Recreation
Zoning:	Open Space–Water Recreation–Coastal Zone Overlay–Floodplain Overlay
Uses:	Midway Channel

South:

General Plan:	Residential High Density-Specific Plan Overlay
Zoning:	Sunset Beach Specific Plan-Coastal Zone Overlay-Floodplain Overlay
Uses:	Single family dwellings

West:

General Plan:	Open Space–Water Recreation
Zoning:	Open Space–Water Recreation-Coastal Zone Overlay-Floodplain Overlay
Uses:	Vacant Land/ Midway Channel

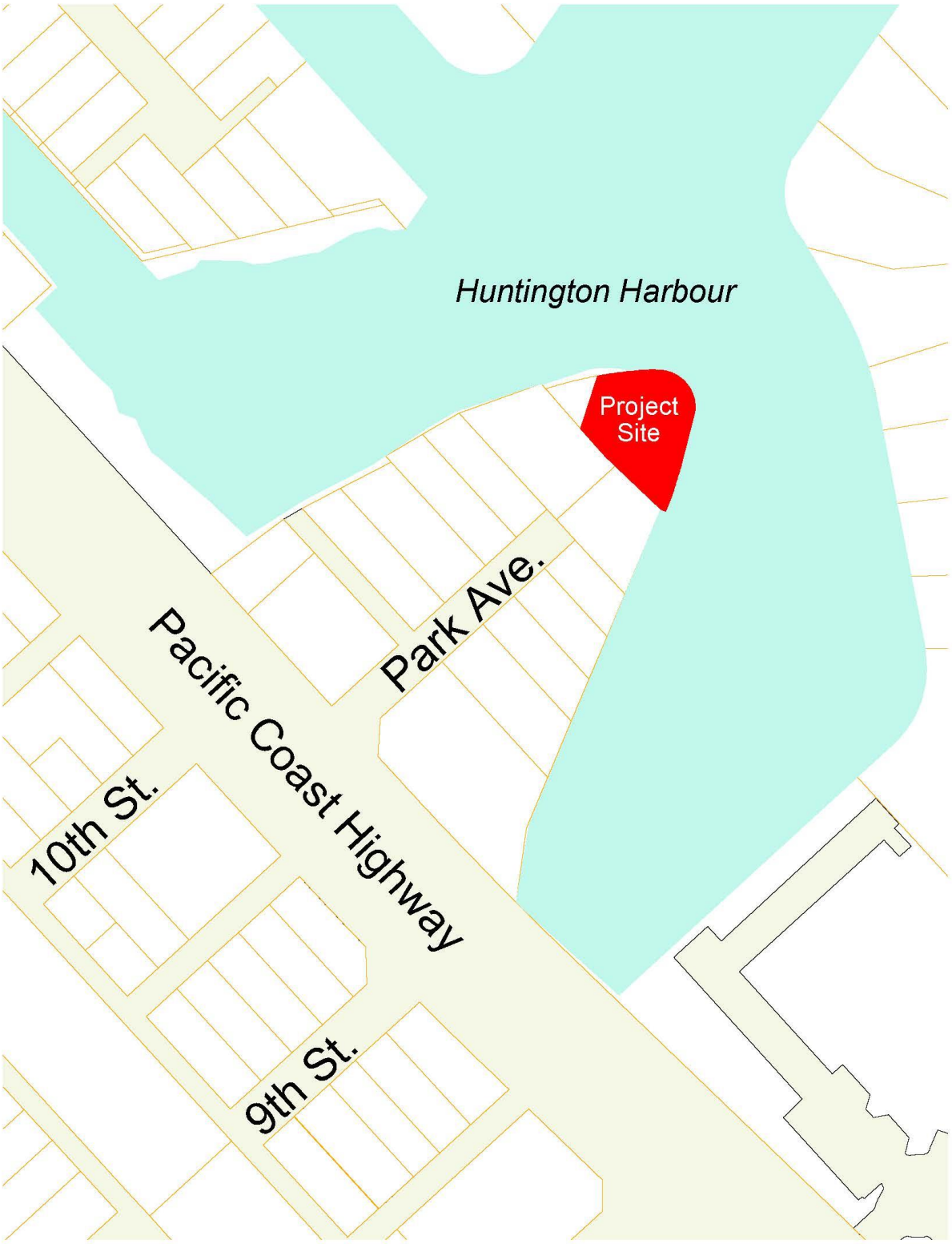
OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:
Mitigated Negative Declaration No. 13-008

OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED) (i.e. permits, financing approval, or participating agreement): California Coastal Commission (LCPA)

HAVE CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA REQUESTED CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3.1? IF SO, IS THERE A PLAN FOR CONSULTATION THAT INCLUDES, FOR EXAMPLE, THE DETERMINATION OF SIGNIFICANCE OF IMPACTS TO TRIBAL CULTURAL RESOURCES, PROCEDURES REGARDING CONFIDENTIALITY, ETC?

Pursuant to Assembly Bill 52, Native American tribes were notified of an opportunity to consult regarding the potential of this project to impact tribal cultural resources as required by CEQA on April 23, 2019. No consultation was requested by Native American tribes.

Figure 1 – Project Location



2.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

	Aesthetics		Agriculture and Forestry Resources		Air Quality
✓	Biological Resources		Cultural Resources		Energy
	Geology and Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use and Planning		Mineral Resources
	Noise		Population and Housing		Public Services
	Recreation		Transportation		Tribal Cultural Resources
	Utilities and Service Systems		Wildfire	✓	Mandatory Findings of Significance

3.0 DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. _____

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared. ✓

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. _____

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. _____

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required.** _____

Ricky Ramos — July 11, 2019

Signature — Date

Ricky Ramos — Senior Planner

Printed Name — Title

4.0 EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.

4. Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section 6 at the end of the checklist.

6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section 6. Other sources used or individuals contacted have been cited in the respective discussions.

7. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

5.0 ENVIRONMENTAL ANALYSIS

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.1 AESTHETICS *Except as provided in Public Resources Code Section 21099, would the project:*				
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✓
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

a) Have a substantial adverse effect on a scenic vista? (Sources: 1, 3)

Less Than Significant Impact. According to the City of Huntington Beach General Plan, enhancing and preserving the aesthetic resources of the City, including natural area, beaches, bluffs, and significant public views is a City objective. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site which is adjacent to Huntington Harbour, one of the visual strengths of the community. The property is surrounded by other single family residences and construction of a single family dwelling on the site in the future would likely maintain the character of the area. The site itself is not a scenic vista and development of the parcel will not have a substantial adverse effect on a scenic vista. Less than significant impacts are anticipated.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 3, and 4)

No Impact. The proposed project will not damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings because there are no scenic resources on the vacant site. The project site is not located along a state scenic highway. No impacts are anticipated.

c) In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Sources: 1, 2, and 4)

No Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site which is located in an urbanized area. A new single family dwelling will require approval of a Coastal Development Permit by the City and will be reviewed for compliance with the General Plan and zoning code to maintain the scenic quality of the area. No impacts are anticipated.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 3, and 4)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site which would add a new source of lighting in the area. However, such a development is anticipated to have lighting that will have a negligible contribution to ambient lighting and will maintain the residential character of the area. Less than significant impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.2 AGRICULTURE AND FORESTRY RESOURCES *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are sign significant environmental impacts, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: 1, 2, and 4)

No Impact. According to CEQA Guidelines and the State Department of Conservation, a project will have a significant effect on the environment if it will convert at least 80 acres of prime agricultural land to non-agricultural uses or impair the agricultural productivity of prime agricultural land. The proposed project will not result in the elimination of land currently farmed and will not affect the productivity of any agricultural land. No impacts are anticipated.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 2 and 4)

No Impact. The current zoning on the property is Open Space–Water Recreation and the proposed is Residential Low Density, both of which do not permit agriculture. There is no agriculturally zoned property in the vicinity of the project and the project will not interfere with any Williamson Act contracts. No impacts are anticipated.

c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production? (Sources: 2 and 4)

No Impact. The subject property is a vacant infill property that is zoned Open Space-Water Recreation. The project will not conflict with existing zoning for or cause rezoning of forest land or timberland. No impacts are anticipated.

d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: 2 and 4)

No Impact. The proposed GPA and ZMA will rezone the subject property to Residential Low Density which would likely result in the development of a single family dwelling. However, the subject property does not contain any forest land and the project will not result in the loss or conversion of forest land to non-forest use. No impacts are anticipated.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources: 1, 2, and 3)

No Impact. There is no existing farmland on the subject property or in the vicinity and the project will not result in conversion of farmland to non-agricultural use. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.3 AIR QUALITY. *The City has identified the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project			✓	

region is non-attainment under an applicable federal or state ambient air quality standard?				
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

a) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 3 and 10)

Less Than Significant Impact. For a project to be consistent with the Air Quality Management Plan (AQMP) adopted by the South Coast Air Quality Management District (SCAQMD), the pollutants emitted from the project should not exceed the SCAQMD daily threshold or cause a significant impact on air quality, or the project must already have been included in the population, housing, and employment assumptions that were used in the development of AQMP. The most recent AQMP is the 2016 AQMP. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and none of the exceptions to the application of this categorical exemption apply to the subject site. Less than significant impacts to air quality is anticipated.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Sources: 3 and 10)

Less Than Significant Impact. See discussion under item a).

c) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 3 and 10)

Less Than Significant Impact. See discussion under item a).

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Sources: 3 and 10)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.4 BIOLOGICAL RESOURCES *Would the project*:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S, Fish and Wildlife Service?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?		✓		

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?		✓		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓	

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S, Fish and Wildlife Service? (Sources: 1 and 6)

Potentially Significant Impact Unless Mitigated. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and none of the exceptions to the application of this categorical exemption apply to the subject site. A new single family dwelling on the site could potentially include a cantilevered deck and private dock.

A public marina project with a floating access ramp and a community dock within Huntington Harbour was previously proposed at the subject site under a separate application. In order to assess the potential impacts of the proposed marina project, a Biological Assessment was prepared by MBC Applied Environmental Sciences (January 2017) (Attachment No. 5). The analysis in the Biological Accessment could be applicable to a new single family dwelling proposed on the site particularly if a private dock were included. The Biological Assessment includes a survey by a biologist-diver recognized by the National Marine Fisheries Service and the Department of Fish and Wildlife as an eelgrass ecologist and *Caulerpa taxifolia* surveyor. Biologists also completed a Terrestrial Survey within the proposed project boundary using Global Positioning System electronics to locate species on site and within the immediate vicinity of the proposed project site. The assessment also discusses the site in terms of listing by the California Department of Fish and Wildlife Natural Diversity Database. The database describes Bolsa Chica Wetlands and Seal Beach as the closest sensitive areas to the proposed project. These areas are considered Southern coastal salt marsh habitats and are listed as special status natural communities. However, the Biological Assessment concludes that habitat type at the project site is not suitable for most of the species listed in the database. The California least tern is the only listed species that may occasionally appear near the site. Below is a discussion of the public marina project's potential impacts to biological resources based on the Biological Assessment. If the proposed GPA and ZMA were approved, these potential impacts could also occur with the construction of a new single family dwelling with a private dock on the site.

<u>Plant Species</u>

In a survey in 1990, five native salt marsh species and three non-native weedy species were found to dominate the site. The dominant native plant is common pickleweed while other common plants include five hook bassia, spear saltbrush, saltgrass, alkali heath, and sea lavender. The most dominant non-native species include two ice plant species. In the 2016 survey, the native species on the site include pickleweed, saltwort, sea lavender, jaumea, alkali heath, saltgrass, shoregrass, seablight, and alkalai mallow. Of the

native species, shoregrass covered the greatest area and was found in many locations on the property intertwined with other native species. The next most common native species was pickleweed and the remainder of the native species were entwined with the shoregrass and pickleweed communities. In regards to the species of environmental concern, no eelgrass or the invasive alga *Caulerpa* was observed during the 2016 survey or during the many surveys in the past.

Approximately 85% of the site is covered by vegetation; however, less than 25% of the site contained native species, all of which are located on the banks. With the grading and construction of any project on the site, the loss of terrestrial habitat on the project site is negligible since most of the site is covered by two non-native invasive plant species of iceplant (hottentot fig and crystalline ice plant). As for the vegetation on the banks of the project, approximately 25 to 30% of the banks are unvegetated or covered by non-native species. The intertidal native plant species, notably pickleweed and saltwort, comprise a large portion of the relatively steep bank and intertidal area. Although these plants are abundant in the Huntington Harbour area, they provide an important habitat desirable to preserve. Terracing the banks would increase the area of the subtidal and allow additional area for the placement of other native saltwater tolerant species at the site. Development of the site would include the removal of several non-native species (i.e. hottentot fig) from the site to allow additional area for native species. In order to mitigate the potential loss of habitat on the banks resulting from any development on the site, the following mitigation measures are proposed:

***BIO-1**: During site grading, the area at the top of the bank shall be graded to reduce the potential for freshwater runoff into the harbor waters and erosion in the intertidal zone. The applicant's grading plans shall demonstrate compliance with this mitigation measure prior to issuance of a grading permit.*

***BIO-2**: Prior to issuance of grading permits, the existing degraded asphalt launch ramp shall be removed from the southeast area of the site and disposed of at a facility equipped to handle the material. Removal of the former ramp will improve water quality and will provide additional space for native plant species.*

***BIO-3**: Prior to issuance of building permits, the former launch ramp area shall be terraced using graded materials to give the water-land interface a more natural appearance. Existing native species in the vicinity shall be removed and replanted within the new bank area. A biologist shall be present on-site to oversee the removal of the ramp, removal and care of native species, and replanting of vegetation after the bank has stabilized to ensure no net loss of native species area. The biologist shall submit a written report of observations and shall verify the applicant's compliance with this mitigation measure to the City of Huntington Beach Community Development Department.*

***BIO-4**: Prior to final building permit approval, the applicant shall remove all invasive, non-native species, such as the Hottentot fig, which currently occupies 25 to 30% of the banks. Pickleweed and/or a palette of other native species shall be transplanted to the barren areas. A biologist shall be present on site to oversee the removal of non-native species and transplanting of pickleweed and/or other native species. A biologist shall submit a written report of observations and shall verify the applicant's compliance with this mitigation measure to the City of Huntington Beach Community Development Department. Six months after final building permit approval, a biologist shall submit a follow-up report to the City of Huntington Beach Community Development Department to verify the survival of the pickleweed and/or other native species or conduct more transplanting if the pickleweed and/or other native species did not survive.*

***BIO-5**: Prior to final building permit approval, the bank areas shall be terraced down to the water's edge in order to provide a more natural transition from the property to the water and increase the available habitat area of the banks for the proposed project. The banks shall then be revegetated using transplanted native species or installation of other native salt marsh species found in the area. The terracing shall be accomplished with materials conducive to promoting transplanting of native salt marsh species in the area as recommended in the MBC Biological Assessment. A biologist shall be present on-site to oversee the terracing and replanting of the banks. The biologist shall submit a written report of observations and shall verify the applicant's compliance with this mitigation measure to the City of Huntington Beach Community Development Department.*

While eelgrass is known to occur in the harbor area, no eelgrass has been observed growing in or near the project site during the 2000, 2006, 2012, and 2016 surveys of the site. Although no eelgrass or the invasive alga was noted anywhere in the vicinity of the site, the following mitigation measures are proposed to mitigate the potential presence of eelgrass:

***BIO-6**: Pre-construction (within 60 days of a disturbing activity) and post-construction (30 days after cessation of any portion of the project over the water and prior to final inspection of a new single family dwelling) eelgrass surveys shall be conducted to determine the level of eelgrass loss, if any, as a result for the project activities.*

***BIO-7**: Prior to final inspection of a new single family dwelling, any reduction in acreage of eelgrass habitat shall be mitigated according to State and Federal environmental policies, which include the in-kind replacement of habitat.*

Subtidal/Intertidal Mudflats Species

There were 17 animal and plant species recorded in the 2016 survey, 15 species recorded in 2012, 13 species in 2006, and 12 species in 2000. Mollusks were the most abundant macrofaunal group of animals. Bivalve feeding siphons of venus clam and jackknife clam were seen emerging from the substrate. Gould's bubble snail was present subtidally and California horn snail was abundant at the water-land interface. Several California sea hare egg masses were also seen attached to the muddy substrate. Mussels were common in the intertidal. Lined shore crab and yellow shore crab were abundant along the shoreline. One species of algal genus Ulva was observed in the shallow areas near the shore. No eelgrass or the invasive alga was noted anywhere in the vicinity of the site. All of these invertebrate species as well as the algal species are common in the Huntington Harbor intertidal and subtidal communities. No invertebrates, fish, plants, or algae species of environmental concern were observed during any of the four surveys of the intertidal and subtidal area of the project site.

With the construction of any improvements on the water, there would be a very small loss of infauna due to the placement of the improvements and removal of the launch ramp but infaunal organisms would rapidly recolonize the area. None of the species are locally impoverished and the surrounding populations would reclaim the area after construction is completed. In addition, the removal of the rubble littered along the banks (125 sq. ft. gain in open water habitat) and the decomposed asphalt launch ramp (240 sq. ft. gain in open water habitat) will allow more and higher quality subtidal/intertidal habitat and improve water quality by eliminating a source of petroleum leaching into the waterway. Therefore, construction of a new single family dwelling with a cantilevered deck and private dock is not expected to have any lasting impacts on the subtidal or intertidal communities. To ensure no potential loss of habitat from the shadowing effect of any future proposed dock and access ramp, the following mitigation is proposed:

***BIO-8**: Any dock and pedestrian walkway proposed for the subject property in the future shall be constructed of building materials that allow the minimum 60% transmittance of light as set forth by the National Marine Fisheries Service and the U.S. Army Corps of Engineers for marine decking material light transmittance. The applicant's plans shall demonstrate compliance with this mitigation measure prior to issuance of a building permit.*

Bird Species

Due to the project's close proximity to coastal wetland systems, moderate bird use is expected, especially during annual nesting periods. A bird survey in 1990 found shorebirds feeding in the vicinity of the project site, including snowy egret, ring-billed gull, western gull, and barn swallow. There were also brown pelican, double-crested cormorant, short-billed dowitcher, Caspian tern, and elegant tern flying overhead or near the project site. The great blue heron and great egret were observed wading in the shallow waters surrounding the site. In 2000, no marine birds were observed. In 2006, four marine bird species, including a snowy egret, least sandpipers, an American coot, and a mallard duck were observed either wading in the

intertidal or swimming in the shallow subtidal. In 2016, only the great blue heron was observed on the project site. California least terns were not observed at the site during all previous surveys.

The close proximity of Huntington Harbour to other environmentally sensitive habitats such as Bolsa Chica suggests that some of these marine species have used and will continue to use the site for forage or roosting. Development of a new single family dwelling at the subject site would not noticeably impact their ability to utilize the area. The removal of the rubble and asphalt launch ramp will allow more fish to forage in the area which may provide a benefit for avian foragers. There will be a small loss of open water habitat if a dock were proposed in the future. However, recontouring the banks and terracing the slope to the water's edge will result in an increase of the intertidal area and removing the asphalt ramp (240 sq. ft.) will increase the usable subtidal area. The additional intertidal and subtidal areas will mitigate for the minor loss of open water habitat by providing foraging area not previously available. The species of primary concern is the California least tern, a migratory water-associated bird present in the harbor from April to October each year. They feed in the shallow water areas on small fish. It is likely that this tern may at times feed in the area, as the site is relatively close to nesting areas in nearby Bolsa Chica and Seal Beach Wildlife Refuge. However, the importance of this area to tern foraging is negligible as there are sufficient foraging areas closer to the existing colonies. Construction on the site will have little or no effect upon the avian populations of Huntington Harbour. Therefore, no further mitigation would be necessary for the impacts to avian resources.

Marine Mammals and Turtles

No marine mammals or turtles were observed during any of the surveys conducted in 2016 or earlier. No impacts are anticipated.

The subject site is not a state or federally protected wetlands. The proposed project will not conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy with the implementation of the following mitigation measure:

BIO-9*: Prior to issuance of building permits, the applicant's site plan shall include the retention onsite of any existing mature trees or 2:1 replacement with 36 inch box trees of any existing mature trees proposed to be removed.*

The proposed project will not conflict with any adopted Habitat Conservation Plan or Natural Community Conservation Plan as no such plan exists for the City of Huntington Beach. With implementation of the mitigation measures recommended above, all impacts to biological resources can be mitigated to a less than significant level.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 1 and 6)

Potentially Significant Impact Unless Mitigated. See discussion under item a).

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 1 and 6)

Less Than Significant Impact. See discussion under item a).

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources: 1 and 6)

Potentially Significant Impact Unless Mitigated. See discussion under item a).

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1 and 6)

Potentially Significant Impact Unless Mitigated. See discussion under item a).

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1 and 6)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.5 CULTURAL RESOURCES *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				✓
c) Disturb any human remains, including those interred outside of formal cemeteries?				✓

a) Cause a substantial adverse change in the significance of a historical resource pursuant to δ15064.5? (Sources: 1 and 4)

No Impact. The project site does not contain any historical resources because it is vacant. Huntington Harbour is a man-made residential marina that was dredged out of mudflats in the early 1960s. It is unlikely that any intact archaeological resources exist on the project site in a context that would provide value.

In accordance with the Public Services Code δ5097.94, if human remains are found, the Orange County Coroner must be notified within 24 hours of the discovery. If the Coroner determines that the remains are not recent, the Coroner will notify the Native American Heritage Commission in Sacramento to determine the most likely descendent for the area. The designated Native American representative then determines in consultation with the City of Huntington Beach the disposition of the human remains. No impacts are anticipated.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to δ15064.5? (Sources: 4)

No Impact. See discussion under item a).

c) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 10)

No Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.6 ENERGY *Would the project:*				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Sources: 3 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and will have to comply with California Building Code energy efficiency standards. Therefore, less than significant impacts to consumption of energy resources, during project construction or operation, are anticipated.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Sources: 3)

Less Than Significant Impact. The scope of the project is not anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Less than significant impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.7 GEOLOGY AND SOILS *Would the project:*				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?			✓	
iv) Landslides?			✓	
b) Result in substantial soil erosion or loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the			✓	

	project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				✓
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?				✓

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Sources: 1 and 13)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3.

The site is located within the seismically active southern California area. Although the site is not located within the Alquist-Priolo Earthquake Fault area, a portion of the Newport-Inglewood fault traverses through Huntington Harbour, northeast of the site. Seismic hazards are experienced by all development in the southern California region. According to the Huntington Beach General Plan, soils in the area have a very high potential for liquefaction but the site is not in an area susceptible to slope instability. The project site and vicinity are flat and not subject to landslides. The structural risks from ground shaking and liquefaction can be mitigated by designing and constructing buildings in conformance with current standards set forth in the California Building Code and engineering practices. Compliance with California Building Code construction standards is a requirement for all proposed development within the City of Huntington Beach. Less than significant impacts are anticipated.

ii) Strong seismic ground shaking? (Sources: 10 and 13)

Less Than Significant Impact. See discussion under item *i).*

iii) Seismic-related ground failure, including liquefaction? (Sources: 1 and 13)

Less Than Significant Impact. See discussion under item *i).*

iv) Landslides? (Sources: 10 and 13)

Less Than Significant Impact. See discussion under item *i).*

b) Result in substantial soil erosion or loss of topsoil?(Sources: 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. In addition, construction will be subject

to standard engineering practices and compliance with the California Building Code to ensure that the completed project will not experience soil erosion or unstable soil conditions. Less than significant impacts are anticipated.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources: 10 and 13)

Less Than Significant Impact. See discussion under item a.i).

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Sources: 10)

No impact. The subject site is not located on expansive soil. No impacts are anticipated.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? (Sources: 4)

No Impact. Development on the subject site would not require an alternative wastewater disposal system, such as a septic tank. Therefore, no impacts are anticipated.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (Sources: 4 and 10)

No Impact. The subject site is not a known location for paleontological resources and does not contain any unique geological feature. Therefore, no impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.8 GREENHOUSE GAS EMISSIONS *Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 3)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. Therefore, the project will have less than significant impacts to greenhouse gas emissions and will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 3)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.9 HAZARDS AND HAZARDOUS MATERIALS *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or pubic use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				✓

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 3 and 10)

No Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. A single family dwelling is not anticipated to result in the transport, use, or disposal of hazardous materials. It will not create a significant hazard involving the handling or release of hazardous materials into the environment including an existing or proposed school. No impacts are anticipated.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 3 and 10)

No Impact. See discussion under item a).

c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 3 and 10)

No Impact. See discussion under item a).

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: 14)

No Impact. The subject site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impacts are anticipated.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (Sources: 12)

No Impact. The subject site is not located within the Airport Environs Land Use Plan (AELUP) planning area for the Joint Forces Training Base Los Alamitos or within two miles of an airport. No impacts to future residents from safety and noise are anticipated.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 10)

No Impact. The proposed project would not result in the possible interference with an emergency response plan or emergency evacuation plan. Future development on the subject site will require compliance with all Fire Department requirements. No impacts are anticipated.

g) Expose people or structures, directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? (Sources: 4)

No Impact. The subject site is an infill property located in a highly urbanized area. Therefore, the proposed project would not expose people or structures to wildland fires. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.10 HYDROLOGY AND WATER QUALITY *Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surface, in a manner which would:			✓	

i) result in substantial erosion or siltation on or off-site?			✓	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
iv) impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			✓	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Sources: 3 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. Therefore, the proposed project is not anticipated to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Sources: 3 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. Therefore, the proposed project is not anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on or off-site? (Sources: 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. Due to its limited scope, the proposed project is not anticipated to result in substantial erosion or siltation on or off-site or to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite or impede/redirect flows. It is also not anticipated to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, less than significant impacts are anticipated.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Sources: 4 and 8)

Less Than Significant Impact. See discussion under item c.i).

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources: 10)

Less Than Significant Impact. See discussion under item c.i).

iv) Impede or redirect flood flows? (Sources: 8)

Less Than Significant Impact. See discussion under item c.i).

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Sources: 3 and 4)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. A single family dwelling also does not generate a significant amount of pollutants compared to other uses. Therefore, less than significant impacts are anticipated.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Sources: 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. Therefore, the proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.11 LAND USE AND PLANNING *Would the project:*				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

a) Physically divide an established community? (Sources: 4)

No Impact. The project is proposed on a vacant lot surrounded by residential development. Access to the project is proposed via Park Avenue, which is a paved street 57 feet away from the subject property. The proposed project will not alter the existing configuration of and access to the surrounding area. No impacts are anticipated.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1)

Less Than Significant Impact. The proposed GPA and ZMA would change the land use and zoning designations of the subject property to be compatible with the surrounding residential area. Approval of the GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and will not cause significant environmental impacts. In addition, the request is consistent with the relevant General Plan goals and policies listed below:

Policy LU-2(D) – Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

Policy N-1(A) – Maintain acceptable stationary noise levels at existing noise-sensitive land uses such as schools, residential areas, and open spaces.

Goal C6 – Prevent the degradation of marine resources in the Coastal Zone from activities associated with an urban environment.

Policy C6.1.2 – Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.12 MINERAL RESOURCES *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: 1)

No Impact. No known mineral resources are located at the proposed project site. No impacts are anticipated.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources: 1)

No Impact. The project site is not located in a mineral resource recovery site delineated in the General Plan. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.13 NOISE *Would the project result in:*				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and would not generate excessive groundborne vibration or noise. A new single family dwelling on the subject site would be an extension of the existing residential character of the area and would be in keeping with the ambient noise levels in the area. Less than significant impacts are anticipated.

b) Generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 12)

No Impact. The subject site is not located within two miles of a private airstrip, public airport, or an airport land use plan. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.14 POPULATION AND HOUSING *Would the project:*				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new			✓	

homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)?				
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources: 3 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and would not result in a substantial population growth. Less than significant impacts are anticipated.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Sources: 4)

No Impact. The project will not displace a substantial number of existing people or housing because the subject site is vacant. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.15 PUBLIC SERVICES *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire protection?			✓	
b) Police Protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities or governmental services?			✓	

a) Fire protection? (Sources: 1 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and would have less than significant impacts to fire protection, police protection, schools, parks, and other public services.

b) Police Protection? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

c) Schools? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

d) Parks? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

e) Other public facilities or governmental services? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.16 RECREATION *Would the project:*				
a) Increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: 1 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and would have less than significant impacts to parks or other recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.17 TRANSPORTATION *Would the project:*				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?				✓
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?				✓
d) Result in inadequate emergency access?			✓	

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities? (Sources: 3 and 10)

No Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3. The project would not conflict with existing City policies or plans such as the Circulation Element of the General Plan or Bicycle Master Plan. No impacts are anticipated.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (Sources: 3 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and will not require any further analysis pursuant to CEQA Guidelines. Less than significant impacts are anticipated.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: 3)

No Impact. The project does not include any alteration to the existing established street pattern and layout in the vicinity of the project. In addition, the project would be subject to code requirements for access and visibility at driveways. No impacts are anticipated.

d) Result in inadequate emergency access? (Sources: 4)

Less Than Significant Impact. The project site is located within the five minute response time of the Warner Fire Station, which will continue to be met after project construction. In addition, new construction will be required to comply with all Fire Department requirements. Less than significant impacts to emergency access are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.18 TRIBAL CULTURAL RESOURCES				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓
ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.?				✓

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Sources: 5,6)

No Impact. The project site does not contain any historical resources because it is vacant. Huntington Harbour is a man-made residential marina that was dredged out of mudflats in the early 1960s. It is unlikely that any intact tribal cultural resources exist on the project site in a context that would provide value. No impacts are anticipated.

Per Assembly Bill 52, Native American tribal leaders were notified on April 23, 2019 of an opportunity to consult regarding the potential of this project to impact tribal cultural resources. No tribal leaders have requested consultation.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.19 UTILITIES AND SERVICE SYSTEMS *Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction of which could cause significant environmental effects? (Sources: 1 and 10)

Less Than Significant Impact. Approval of the proposed GPA and ZMA would likely result in the development of a single family dwelling on the site. Construction of a single family dwelling is categorically exempt from CEQA under Section 15303, Class 3 and would have less than significant impacts to any utilities and service systems such as water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

d) Generate solid waste in excess of State and local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Sources: 1 and 10)

Less Than Significant Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.20 WILDFIRE *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b) Due to the slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Sources: 1 and 4)

No Impact. The subject site is an infill property surrounded by existing development and infrastructure in an urban area and is not subject to wildfire. It is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The proposed project will not impair an adopted emergency response or evacuation plan and will not expose people or structures to significant risks associated with wildfires. No impacts are anticipated.

b) Due to the slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Sources: 4)

No Impact. See discussion under item a).

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Sources: 4)

No Impact. See discussion under item a).

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Sources: 4)

No Impact. See discussion under item a).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
5.21 MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			✓	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1, 3, 4, 6, and 10)

Potentially Significant Impact Unless Mitigated. With implementation of the recommended mitigation measures, the project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. No significant impacts, which could not be mitigated to less than significant levels, are anticipated.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1, 3, 4, 6, and 10)

Less Than Significant Impact. See discussion of items in section 5. With implementation of the recommended mitigation measures, the project will not have impacts that could be cumulatively considerable.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1, 3, 4, and 10)*

Less Than Significant Impact. See discussion of items in section 5. The environmental impacts that have been discussed would not have an adverse impact on human beings.

6.0 EARLIER ANALYSIS/SOURCE LIST.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). Earlier documents prepared and utilized in this analysis, as well as sources of information are as follows:

Reference #	Document Title	Available for Review at:
1	City of Huntington Beach General Plan	City of Huntington Beach Community Development Department, 2000 Main Street, Huntington Beach and at http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main Street, Huntington Beach and at http://www.huntingtonbeachca.gov/government/elected_officials/city_clerk/zoning_code/index.cfm
3	Project Narrative	Attachment No. 1
4	Aerial	Attachment No. 2
5	Recommended Mitigation Measures	Attachment No. 3
6	Biological Assessment of Proposed Huntington Harbour Marina Site (MBC Applied Environmental Sciences, January 2017)	Attachment No. 4
7	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Community Development Department, 2000 Main Street, Huntington Beach
8	FEMA Flood Insurance Rate Map (Mar. 2019)	"
9	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	"

10	City of Huntington Beach CEQA Procedure Handbook	"
11	Trip Generation Handbook, 7th Edition, Institute of Traffic Engineers	"
12	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	"
13	State Seismic Hazard Zones Map	"
14	Hazardous Waste and Substances Sites List	www.calepa.gov/sitecleanup/cortese
15	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office, 2000 Main Street, Huntington Beach and at http://www.huntingtonbeachca.gov/government/charter_codes/municipal_code.cfm

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NARRATIVE
02/15/19

PARK AVENUE
GENERAL PLAN AMENDMENT
ZONING MAP AMENDMENT
LOCAL COASTAL PROGRAM AMENDMENT
ENVIRONMENTAL ASSESSMENT

LOCATION:

16926 Park Avenue
Huntington Beach, CA 92649

REQUEST:

On September 14, 2018 the property owner of 16926 Park Avenue (HOPE HARBOR Medhat Rofael) entered a "Settlement Agreement and Release" with the City of Huntington Beach for the site. In brief the City agreed to process a General Plan Amendment, Zoning Map Amendment, Local Coastal Program Amendment and Environmental Assessment for the property at a fixed fee. The Agreement calls for the Land Use Designation on the property to be changed to Low Density Residential from Open Space-Water Recreation. In exchange the property owner agreed to withdraw the pending Application for the development of a Marina project, upon approval of the Land Use Change to Low Density Residential by the City and the California Coastal Commission.

PROJECT DESCRIPTION:

General Plan Amendment: To change the Land Use designation to Low Density Residential (RL).
Zoning Map Amendment: To change the property Zoning to Low Density Residential (RL).
Local Coastal Program Amendment: To change the property designation to Low Density Residential (RL) in the Coastal Element Land Use Plan.
Environmental Assessment: To re-draft the previous EA's (#00-07 & #13-014) approving Mitigated Negative Declarations.

ZONING AND GENERAL PLAN:

The property is currently Zoned OS-WR (Open Space - Water Recreation Subdistrict), within the Coastal Zone Overlay Boundary and Flood Plain designation of FP2 and Flood Zone AE-8. The General Plan designation is OS-W (Open Space - Water Recreation)

SITE HISTORY:

The site is currently vacant. A Marina proposal was denied by the City Council in March 2007. Following the City's denial the following occurred:

- City agreed to meet with Coastal staff to discuss land use options including redesignation from OS-WR to Low Density Residential
- City staff met with Coastal staff in February 2009 and received direction that Coastal staff would support single family residential land use provided the project included a public space and access component
- Property owner prepared plans for a single family residential and City staff reviewed the proposal at a Development Assistance Team meeting
- Property owner met with Coastal staff in March 2011 and learned that Coastal staff would not support RL Zoning; Coastal staff would support a Marina (existing Zoning)

- Property owner decides to resubmit a downscaled version of the Marina to City, following the direction of the Coastal Commission staff.
- The project was redesigned in response to comments received from the City through the Environmental Assessment Process (7/15).
- The smaller Marina (CUP #13-022, CDP #13-014) was denied by the Planning Commission on July 25, 2017. The application is pending appeal to the City Council and will be withdrawn upon approval of this application.

SURROUNDING USES:

North - Open Space Waterway
East - Single Family Residential
West - Single Family Residential
South - Single Family Residential

ENVIRONMENTAL STATUS:

The City's Environmental Assessment Committee approved the processing of a Mitigated Negative Declaration on April 12, 2017. All of the Mitigation Measures identified addressed construction activity. This application proposes no construction. The same actions were taken on April 17, 2002 (Environmental Assessment No. 00-07) and on May 27, 2015 (Environmental Assessment No. 13-008); both projects proposed larger Marina projects. An updated Biological Assessment was prepared for the site on 12/2/2016. The project site is not within any known hazardous waste and substance site.

LAND USE COMPATIBILITY:

The proposed project is compatible with existing businesses and residents in the surrounding area. The proposed activity will not generate any significant noise or traffic.

COASTAL ZONE OVERLAY DISTRICT:

The goal is to propose a land use (low density residential) which is comparable to the surrounding residential uses in both intensity and scale. A land use that protects and enhances coastal resources, promotes public access and balances development with facility needs.


Project Site
Huntington Harbour
OEX Sunset Beach
Park Ave
Park Ave
Best Western
Harbour Inn & Suites
10th St
Pacific Coast Hwy
7-Eleven
9th St
9th St
Surf Liquor
Google

Aerial

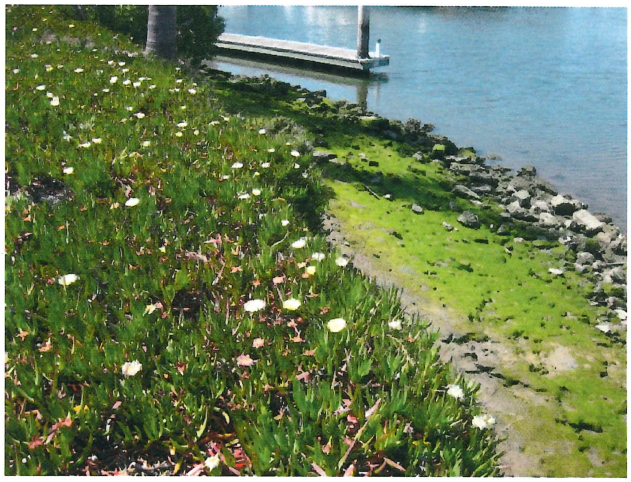
Summary of Mitigation Measures

Description of Impact	Mitigation Measures
▪ Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S, Fish and Wildlife Service ▪ Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service ▪ Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? ▪ Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	**BIO-1**: During site grading, the area at the top of the bank shall be graded to reduce the potential for freshwater runoff into the harbor waters and erosion in the intertidal zone. The applicant's grading plans shall demonstrate compliance with this mitigation measure prior to issuance of a grading permit. **BIO-2**: Prior to issuance of grading permits, the existing degraded asphalt launch ramp shall be removed from the southeast area of the site and disposed of at a facility equipped to handle the material. Removal of the former ramp will improve water quality and will provide additional space for native plant species. **BIO-3**: Prior to issuance of building permits, the former launch ramp area shall be terraced using graded materials to give the water-land interface a more natural appearance. Existing native species in the vicinity shall be removed and replanted within the new bank area. A biologist shall be present on-site to oversee the removal of the ramp, removal and care of native species, and replanting of vegetation after the bank has stabilized to ensure no net loss of native species area. The biologist shall submit a written report of observations and shall verify the applicant's compliance with this mitigation measure to the City of Huntington Beach Community Development Department. **BIO-4**: Prior to final building permit approval, the applicant shall remove all invasive, non-native species, such as the Hottentot fig, which currently occupies 25 to 30% of the banks. Pickleweed and/or a palette of other native species shall be transplanted to the barren areas. A biologist shall be present on site to oversee the removal of non-native species and transplanting of pickleweed and/or other native species. A biologist shall submit a written report of observations and shall verify the applicant's compliance with this mitigation measure to the City of Huntington Beach Community Development Department. Six months after final building permit approval, a biologist shall submit a follow-up report to the City of Huntington Beach Community Development Department to verify the survival of the pickleweed and/or other native species or conduct more transplanting if the pickleweed and/or other native species did not survive. **BIO-5**: Prior to final building permit approval, the bank areas shall be terraced down to the water's edge in order to provide a more natural transition from the property to the water and increase the available habitat area of the banks for the proposed project. The banks shall then be revegetated using transplanted native species or installation of other native salt marsh species found in the area. The terracing shall be accomplished with materials conducive to promoting transplanting of native salt marsh species in the area as recommended in the MBC Biological Assessment. A biologist shall be present on-site to oversee the terracing and replanting of the banks. The biologist shall submit a written report of observations and shall verify the applicant's

Summary of Mitigation Measures

	compliance with this mitigation measure to the City of Huntington Beach Community Development Department. **BIO-6**: Pre-construction (within 60 days of a disturbing activity) and post-construction (30 days after cessation of any portion of the project over the water and prior to final inspection of a new single family dwelling) eelgrass surveys shall be conducted to determine the level of eelgrass loss, if any, as a result for the project activities. **BIO-7**: Prior to final inspection of a new single family dwelling, any reduction in acreage of eelgrass habitat shall be mitigated according to State and Federal environmental policies, which include the in-kind replacement of habitat. **BIO-8**: Any dock and pedestrian walkway proposed for the subject property in the future shall be constructed of building materials that allow the minimum 60% transmittance of light as set forth by the National Marine Fisheries Service and the U.S. Army Corps of Engineers for marine decking material light transmittance. The applicant's plans shall demonstrate compliance with this mitigation measure prior to issuance of a building permit. **BIO-9**: Prior to issuance of building permits, the applicant's site plan shall include the retention onsite of any existing mature trees or 2:1 replacement with 36 inch box trees of any existing mature trees proposed to be removed.

BIOLOGICAL ASSESSMENT OF PROPOSED HUNTINGTON HARBOUR MARINA SITE



December 2, 2016

16926 Park Avenue Lot B Tract 8047 Huntington Harbour

Prepared for:
Dr. Medhat Rofael
Huntington Harbour, California

Prepared by:
MBC *Applied Environmental Sciences*
Costa Mesa, California

ATTACHMENT NO. 4.1

PROJECT STAFF

PARK AVE MARINA

Dr. Medhat Rofael

Michael C. Adams Associates

MBC *APPLIED ENVIRONMENTAL SCIENCES*

Michael D. Curtis – Project Manager

C.L. Paquette

K.M. Curtis

R.H. Moore

D.S. Beck

ATTACHMENT NO. 4.2

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INTRODUCTION

At the request of Dr. Medhat Rofael, MBC Applied Environmental Sciences (MBC) conducted a biological assessment of his proposed Park Marina site at 16926 Park Ave Huntington Harbour at Lot "B", Tract 8047 (a sub-portion of which is Tract 8040) at in the City of Huntington Beach, Orange County, California. This revision of the report dated 2 Dcember 2016 includes an update on the terrestrial, intertidal, and subtidal biological conditions of the site that was conducted on 15 June 2016 during a site visit is one of several revisions by MBC to the original biological assessment conducted in June 2000 (MBC 2000)**;** in addition another reassessment survey of the site was conducted by Coastal Resources Management (CRM on 26 June 2006), a truncated revision looking at only the terrestrial, and mudflat fauna and flora was conducted on 17 April 2012, The scope of this revision is limited to an assessment of existing biological values, emphasizing sensitive species and habitats with methodologies as described below.

PROJECT DESCRIPTION

Huntington Harbour is a highly developed residential/recreational marina in northwest Orange County near the Los Angeles county line. Navigation and tidal access to the harbor is through Anaheim Bay, about two miles up coast. The project site is about 1.6 kilometers southeast of the Seal Beach National Wildlife Refuge and about 1.0 kilometer northwest of the Bolsa Chica wetland complex (Figure 1).

Bay environs such as Huntington Harbour are environmentally sensitive habitats in southern California. Many species of marine life utilize this critical resource for nursery grounds, protection, and living space. However, anthropogenic disturbances of coastal bays and wetlands have resulted in a substantial reduction in this habitat. Therefore, resource agencies require that proponents of projects that may result in the potential disruption or displacement of the species that inhabit these areas complete a biological assessment of potential impacts.

The proposed project (Project) involves water recreational commercial construction at Lot "B", Tract 8047 (and portions of Tract 8040), on Huntington Harbour, at the terminus of Park Avenue in the City of Huntington Beach (Figure 2). The construction plan will result in the grading of 6,179 ft^2 (#5 Table1) of the project site. The flat, peninsular shaped parcel contains 168 feet of shoreline at the water's edge. The shoreline is currently unprotected except for some loose rubble material and slopes towards the water at about a 2.6:1 ratio from an average top of slope elevation of +6ft mean sea level (MSL). The parcel is on the entrance to a small, enclosed basin at the terminus of a 200-foot-wide side channel, about 1,600 feet southwest of the main navigation channel of Huntington Harbour. Concrete bulkheads are common in Huntington Harbour and many of the lots surrounding the

project site have bulkhead protections, with the exception of the five lots fronting the small embayment to the southeast of the project site, which retain mudflat and partial rubble revetment.

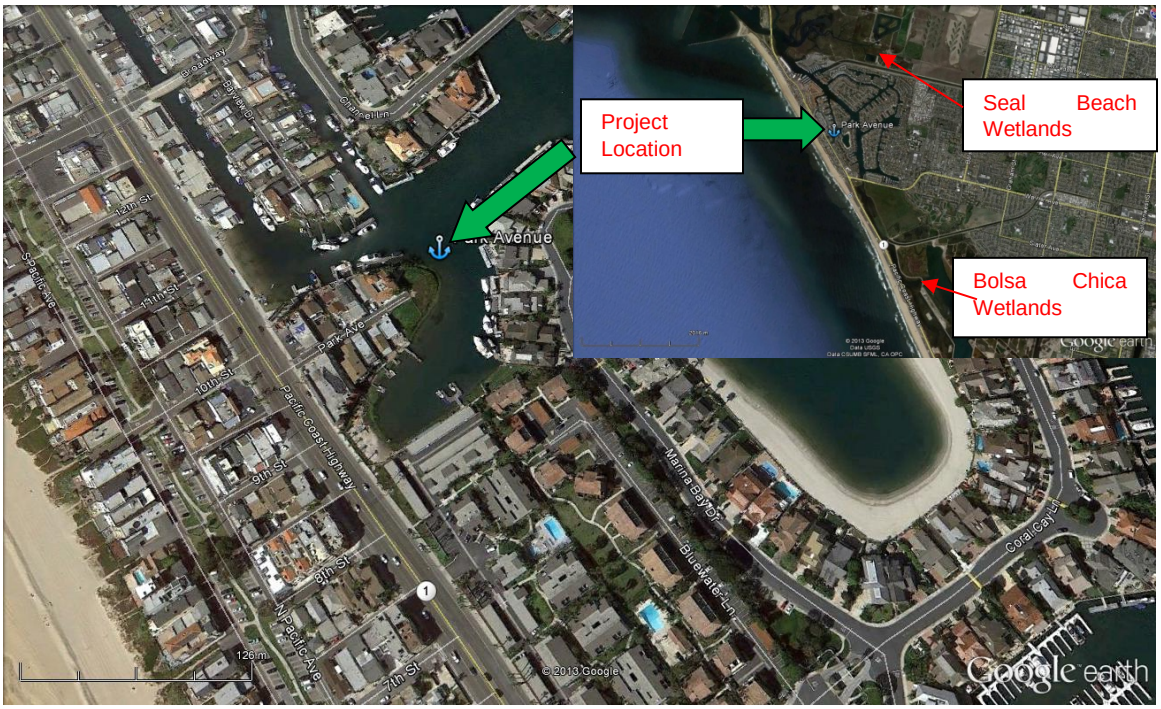

FIGURE 1. LOCATION OF PARK AVENUE MARINA PROJECT

Specific features of the proposed project. A 2-story high caretaker building is proposed to be constructed on the site. This building is permitted by and is consistent with building codes for Huntington Beach

Although initially considered, no bulkhead is proposed for this site, but the site will be graded to increase the elevation at the edge of the bank and ensure runoff does not go to the harbor and to eliminate the previous grading for the launch ramp on the site the mudflat banks will not be graded but the last 6 to 9 ft from the bank will be terraced down to mudflat level to allow additional planting of salt marsh vegetation.
There will not be a retaining wall constructed to shore the banks of the site, instead a small 3 ft high wall will be constructed set back from the bank 6 to 9 ft; the primary purpose of the wall will be to keep non-native ornamental vegetation from encroaching upon the salt marsh vegetation the design of this step down will be with concrete blocks or appropriate construction alternative that will produce the desired result with fill material that will be compacted behind them down to the mudflat level in one foot increments over the length of the setback from the current bank edge allowing more salt marsh habitat to be planted from the mudflat to the small wall
A dock is proposed that will be 5ft wide by 66 ft long covering 330ft^2 (#9 Table1) of open waterDock pilings will be necessary to anchor the dock in place. The pilings will be constructed of concrete 8 to 10 inches in diameter and the dock will require 6 Installation pilings displacing between 2 and 3.5 ft^2 of subtidal habitat (# 12

Table1)the deck of the dock will be composed of Fiber grate® molded 1" deep grating with a 3/4" x 4" rectangular mesh surface which provides a 62% open area. This exceeds the 60% minimum open area requirement set forth by the National Marine Fisheries Service and the U.S. Army Corps of Engineers for the Pacific Northwest for marine decking material light transmittance. The open area is an important factor in protecting seagrass and other shallow marine habitats beneath docks. The dock will also require a gangway/walkway. the dimensions of the walkway will be 5 ft wide by 15 ft long ($75ft^2$)(#10, Table1) it too will be made of FRP Fiberglass reinforced plastic such as fiber grate which passes at least 62%of the light hitting it. And is approved by NMFS for over water coverage of eelgrass and other aquatic vegetation.

This new project description provides additional intertidal and wetland habitat. Plants growing upon and near the decomposed asphalt launch ramp on the east side of the property will be removed prior to excavation of the ramp and replaced. As there is no bank in that area, while grading the lot, some of the graded dirt will be carefully deposited on the slope of the launch ramp to reform the bank. This area will be terraced to hold the sediment and will be replanted with native species from the surrounding area, care will be taken that none of the dirt reaches the lagoon. The terracing (Figure 3) will allow native salt marsh plants to form a transition from the Project to the intertidal zone. Terracing material will be free of potentially hazardous materials for example (e.g.) Creosote soaked or pretreated lumber or pilings).

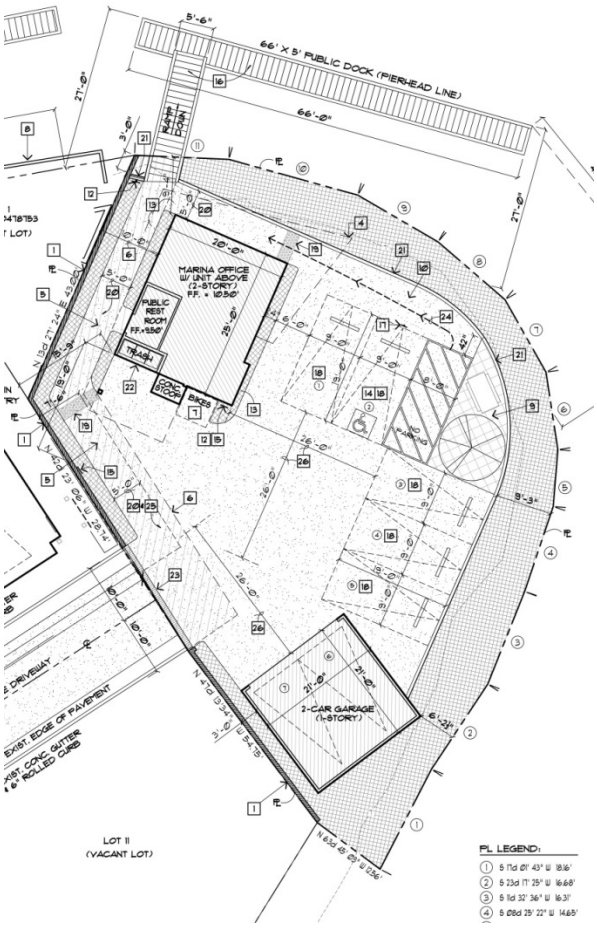

FIGURE 2. PROPOSED SITE PLAN FOR PREFERRED PROJECT, PARK AVE, HB.

BIOLOGICAL RESOURCES

Little published information exists on the biology of the backbay areas of Huntington Harbour. However, unpublished agency reports, along with published information on similar nearby habitats, were used to supplement our results. The California Department of Fish and Wildlife Natural Diversity Database (Database) (http://itbws01.dfw.ca.gov/whdab/cnddb.htm) lists 16 sensitive species that occur in the vicinity of the Project site, which includes Bolsa Chica wetlands and Seal Beach. These areas are considered Southern coastal salt marsh habitats and are listed as special status natural communities. However, the habitat type at the Project site is not suitable for most of the species listed in the database. The California least tern is the only listed species that may occasionally appear near the site. One listed bird species (peregrine falcon), and the previously listed California brown pelican, do not appear in the database but are known to occur in the general vicinity of the Project location. Salt marsh bird's beak, a listed plant species, is found in upper Newport Bay but not at this site or other nearby salt marsh habitats.

Invertebrate Species. Polychaete worms, benthic crustaceans, and mollusks almost exclusively make up Anaheim and Sunset Bay infauna communities. Studies performed by MBC in Huntington Harbour have shown that the diversity and abundance of infauna decline with increasing distance from the harbor entrance (MBC, 1972, 1975). This is most likely due to the decrease in dissolved oxygen in the sediments in the inner harbor. Epifaunal species reported for Sunset Bay include sea slugs, bubble and horn snails, crabs and anemones. Noted fouling communities are dominated by bay mussels and also include sea squirts, slipper limpets, polychaete worms, barnacles, and sponges. The Intertidal and subtidal substrate consists of asphalt and other rubble unsuitable for a fouling community and therefore a robust fouling community is not currently present at the site.

Fish. Periodic fish inventories conducted in Anaheim Bay and Sunset Channel indicate that the fish community is representative of other embayments of southern California. Forty-one species representing 17 families have been recorded in Sunset Bay, including species of economic interest such as California Halibut, Diamond Turbot, Topsmelt, and Shiner Surfperch. Similar to the benthic community, fish diversity and abundance decrease with increasing distance into Huntington Harbour (MBC, 1972).

Birds. Due to the Project site's close proximity to highly productive coastal wetland systems, moderate bird use is expected, especially during annual nesting periods. Gulls, terns and other common shorebirds are expected to visit the Project area regularly. LSA Associates, Inc. (LSA, 1990) conducted a bird survey and found shorebirds feeding in the vicinity of the Project site, including snowy egret (*Egretta thula*), ring-billed gull (*Larus delawarensis*), western gull (*Larus occidentalis*), and barn swallow (*Hirundo rustica*). LSA also noted brown pelican (*Pelecanus occidentalis californicus*), double-crested cormorant (*Phalacrocorax auritus*), short-

billed dowitcher (*Limnodromus griseus*), Caspian tern (*Sterna caspia*), and elegant tern (*Sterna elegans*) flying overhead or near the Project area (LSA, 1990) there have also been observations of the great blue herron (*Ardea herodias*)and great Egret (*Casmerodius albus*) wading in the shallow waters surrounding the site.

Plant Species. In a biological site assessment conducted in 1990, five native salt marsh species and three non-native, weedy species were found to dominate the site (LSA 1990). Plants of the coastal salt marsh community grow along the upper reach of the coastal estuarine community where they receive only periodic inundation by seawater. The salt marsh community embodies several distinct components: pickleweed marsh, salt flat, saltwater channel, saltwater pond, and a disturbed component. The dominant native plant is common pickleweed (*Salicornia bigelovii*). Other common plants include five hook bassia (*Bassia hyssopifolia*), spear saltbush (*Atriplex joaquiniana*), saltgrass, and to a lesser extent, alkali health (*Frankenia salina*) and sea lavender (*Limonium californicum*). Areas of higher elevation may have been subjected to periodic disturbances and are often invaded by ruderal (or non-native weedy) species, the most dominant of which were two ice plant species.

Marine Mammals and Turtles. No marine mammals or turtles were observed during any of the surveys conducted in 2016 or earlier. Although it is possible that marine mammals such as sea lions (*Zalophus californiensis*) or harbor seals (*Phoca vitulina*) visit the vicinity, they would be resting or fishing near the docks. Several dolphins have been sighted in the reaches of the harbor, but it is unlikely they would be found in the back channels. If they were, they likely would be passing through. No turtles, reptiles or amphibians have been observed in the Project area; however, green sea turtles (*Chelonia mydas*) have been observed frequently in Alamitos Bay and the nearby San Gabriel River, so it is known that they occasionally visit Huntington Harbor, but they are not known to haul out at any location in Alamitos Bay or Huntington Harbour.

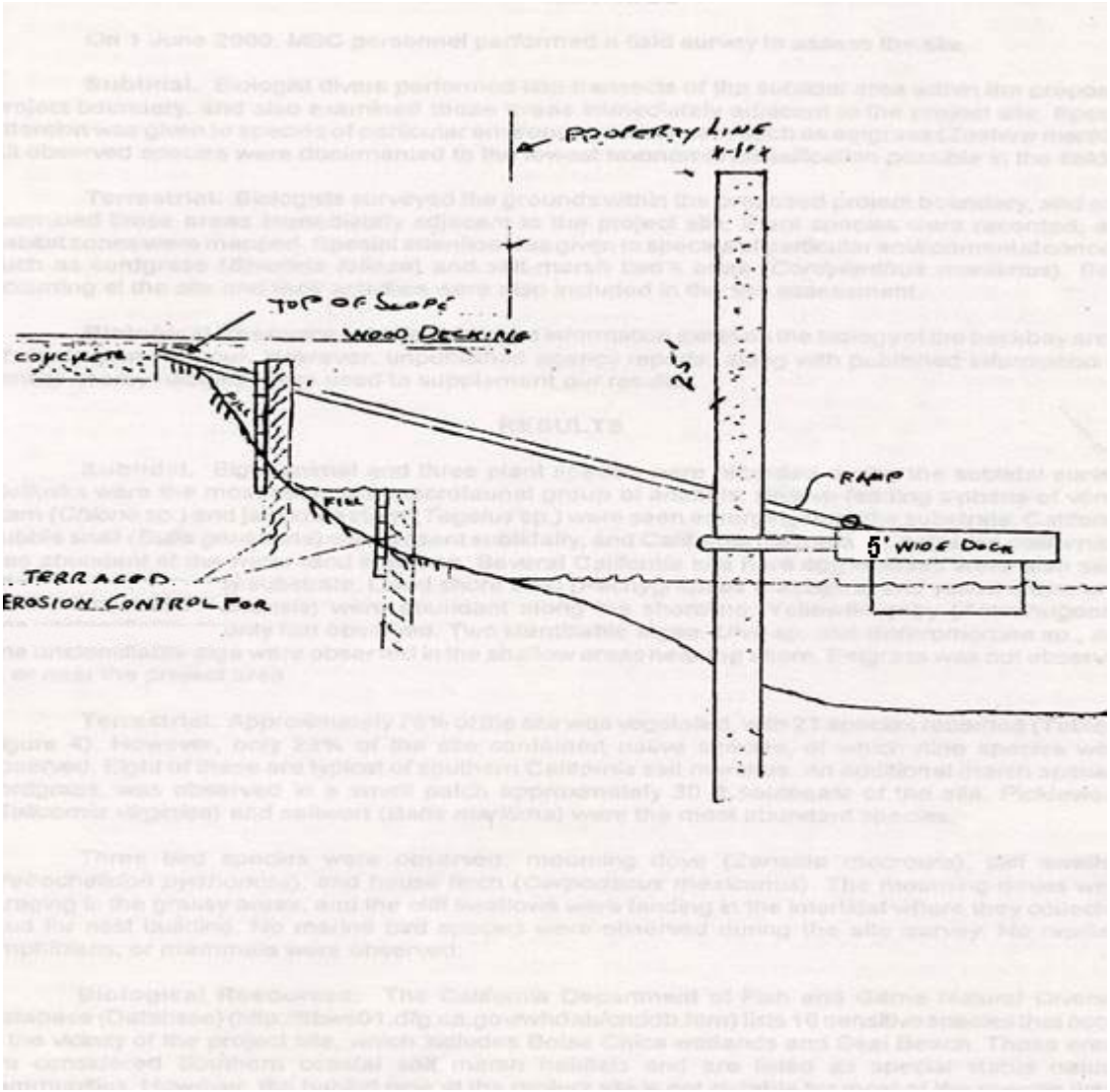

FIGURE 3. TERRACING PLAN FOR THE SEAWARD BANK AND DEPICTION OF ADJACENT DOCK MEASURING 5FT WIDE BY66 FT LONG COVERING 330FT^2 OF OPEN WATER HABITAT.

METHODS

On 25 May 2012, MBC personnel performed field surveys to assess the biological characteristics of the proposed construction site and again conducted surveys of the intertidal/subtidal communities on 18 May and 15 June 2016 to determine if biological conditions had changed during the past two years since the last survey. The site had been previously surveyed by CRM (2006) on 3 and 13 April 2006, and again by MBC on 1 June 2000, 25 May 2012. The major changes observed in the four years since the last survey were a minor reduction in pickleweed coverage and a very large increase in ice plant coverage.

Terrestrial. Biologists surveyed the grounds within the proposed Project boundary using Global Positioning System electronics to exactly locate elements in

the Project area, and also examined those areas immediately adjacent to the Project site. Plant species were recorded, and habitat zones were mapped. Special attention was given to species of particular environmental concern such as Cordgrass (*Spartina foliosa*) and Salt-Marsh Bird's Beak (*Cordylanthus maritimus*) neither of which occur in the project vicinity (although cord grass was reported growing nearby in the 2000 report in front of a neighboring building, a through search in June 2016 noted that it is no longer found in the vicinity. Though no formal bird survey was conducted, birds and their activities occurring at the site observed during other investigations were also included in the site assessment.

Subtidal/Intertidal Mudflats. A biologist-diver recognized by the National Marine Fisheries Services and the Department of Fish and Game as an eelgrass (*Zostera marina*) ecologist and *Caulerpa taxifolia (Caulerpa)* surveyor surveyed the entire intertidal and subtidal area of potential effect (APE) for the presence of eelgrass, algae (including the invasive species *Caulerpa)*, fish, and invertebrates. He performed 26 line transects of 20 m each spaced at about three to four meter intervals (with visibility of about 1.5 to 2 m) radiating out from the intertidal through the subtidal area within the proposed Project boundary, and also examined those areas within 10 m immediately adjacent to the Project site recording fish and invertebrate observations. Special attention was given to species of particular environmental concern such as eelgrass and the potential presence of *Caulerpa*. All observed species were documented to the lowest taxonomic classification possible in the field. No eelgrass or Caulerpa was observed during this survey or has been observed during any of the numerous surveys already conducted. A survey for Caulerpa and eelgrass will again be required as a provision of any construction permit granted for the site.

RESULTS

On 17 April, 29 June 2012, and 15 June 2016. Surveys of the different habitats at the Park Avenue site were conducted with the following results: although the results of the surveys indicated minor impacts to several communities, the positive effects of the analysis indicate the project at this location would benefit the harbor from a biological frame of reference. There will be an increase in intertidal habitat including additional mudflat and subtidal portions and a large increase in saltmarsh vegetation other positive aspects include the removal of the asphalt launch ramp which continues to leach harmful chemicals into the harbor, the removal of non native species from the site. These positive benefits far outweigh the minor loss of openwater habitat compared to the harbor as a whole and the small loss of subtidal is amply mitigated by the removal of the launch ramp.

TABLE 1. HABITAT TYPE, AREA, LOSS, GAINS AND NET IMPACT

Habitat type	Area ft^2	Loss	Gains	Mitigated Net impact
Intertidal/subtidal asphalt ramp 8by30 ft #1	240ft^2	0 ft^2	120ft^2	+120ft^2
Subtidal#2	7144.6ft2	3.5ft^2	**120ft^2**	+120ft2
Mudflat#3	7144.6ft^2	3.5 ft^2	272ft^2	+259.25ft^2
Openwater#4	6937ft^2	430.5ft^2	0	-430.5ft^2
Terrestrial lotsize#5	6175ft^2	0	0	0
Native plants#6	1544ft^2	1544 ft^2	1544ft^2	+1544ft^2plant palate plantng
Nonnative plants removal#7	5249ft^2	5249 ft^2	0	+5249 ft^2
Asphalt launch ramp removal#8	240ft^2	0^2	240ft^2	+240ft^2
Dock shadeSubtidal#9	330ft^2	330ft^2	330ft^2	0 translucent grating
Ramp shademudflat#10	75ft^2	75ft^2	75ft^2	0 translucent grating
Pilings impact#!!	3.5ft^2	$0ft_2$	0	3.5ft^2
Iceplant#12	1138 ft^2	1138ft^2		
Native plants#13	263.5ft^2	263.5ft^2	243ft^2	+243ft^2
Intertidal increase below bank#14	635ft^2	0	635ft^2	+635ft^2
Subtidal from pilings#15	3.5ft2	3.5ft^2		-3.5ft^2
Mudflat rubble #16	125ft^2none	3.5ft^2	0	+121.5 ft^2

In May 2016, MBC personnel performed terrestrial and marine surveys to assess the site; the site had previously been assessed by CRM (2006) on 3 April and 13 April 2006, and the initial field survey by MBC (2000) on 1 June 2000.

Terrestrial Survey.

However, species that were relatively abundant in the June 2000 survey, including Jaumea (*Jaumea carnosa*), Alkali Heath (*Frankenia salina*), and notably Shore grass were less abundant in subsequent surveys. in total there were 10 native species on the site all observed in past surveys covering an area totaling 263.5ft^2. all of these plant species will be salvaged and replanted on the banks and the lower intertidal (as appropriate to their marine tolerance) of the project site

TABLE 2. NATIVE AND NON-NATIVE PLANTS OBSERVED IN 2016, 2012, 2006, AND 2000 WITH AREAL COVERAGES MEASURED OR ESTIMATED PER EACH NATIVE PLANT SPECIES IN 2016.

Species	2016	2012	2006	2000
Salicornia virginica pickleweed	48.5ft^2	X	x	x
Batis maritime saltwort	10ft^2	X	x	x
Limonium californicum sea lavender	25ft^2	x	x	x
Jaumea carnosa fleshy jaumea	10ft^2	x	x	x
Frankenia salina alkali heath	5ft^2	x	x	x
Distichlis spicata saltgrass	25ft^2	x	x	x
Monanthochloe littoralis shoregrass	1,000ft^2	x	x	x
Sueda esteroa estuary seablight	5ft^2	x	x	x
Malvella leprosa alkalai mallow	10ft^2	x	x	x
Spartina foliosa calif cordgrass	0ft^2	no	no	no
Atriplex patula saltbush	no	no	no	no
Carpobrotus (Mesembryanthemum) chilensis common iceplant	188ft^2	x	x	x
Carpobrotus (Mesembryanthemum) edulis Hottentot fig	950ft^2	x	x	x
Hordeum murinum ssp. *Murinum*	>5ft^2	x	x	x
Lolium perenne	>5ft^2	x	x	x
Lolium multiflorum	>5ft^2	x	x	x
Spergularia bocconei	>5ft^2	x	x	x
Chenopodium strictum var. *glaucophyllum*	>5ft^2	x	x	x
Chenopodiaceae *(Bassia ?)*	>5ft^2	x	x	x
Parapholis incurva	>5ft^2	x	x	x
Melilotus indica	>5ft^2	x	x	x
Trifolium sp.	>5ft^2	x	x	x
Sonchus oleraceus	>5ft^2	x	x	x
Fescue arundinacea	>5ft^2	no	no	no
Malva micaensis	>5ft^2	no	no	no
Malva parviflora	>5ft^2	no	no	no
Mesebyanthemum crystallinum	>5ft^2	X	no	No
XErodium sp.	>5ft^2	no	no	no
Rumex crispus	>5ft^2	no	no	no

Species	2016	2012	2006	2000
Taraxacum officinale	>5ft^2	no	no	no
Mesebyanthemum nodiflorum	>5ft^2	no	no	no
Myoporum laetum	>5ft^2	no	x	no
*-native species				

Although covering over 1000 ft^2 in 2016, shoregrass (*Monanthochloe littoralis*), was not mentioned in the 1990 report. By the 2012 survey, six species observed in June 2000 were not present in 2012, while an additional 10 species not observed during the 2000 survey were present. No rare or endangered plants such as Salt Marsh Bird's Beak were found during any of the surveys of the area. Of the native species shoregrass covered by far the greatest area it was found in many locations on the property intertwined with other native species. it is a common hardy turf like grass that forms mats in the summer in areas previously where salinity has encroached, it is ubiquitous in all coastal areas of the harbor. The next most common native species was pickleweed, it is a succulent, halophyte (salt tolerant) flowering plants in the family Amaranthaceae that grows in salt marshes, the remainder of the native species were entwined with the shoregrass and pickleweed communities

Subtidal/Intertidal Mudflats Survey. Thirteen animal and two plant species (15 species) were recorded during the subtidal survey in 2012. There were 12 species recorded in 2000, and 13 in 2006. The core group of species was also present in 2006 and in 2000. The differences were in the presence of fish and the observation of more cryptic or relatively uncommon individuals, and the inclusion of

TABLE 3. INVERTEBRATES, FISH, AND ALGAE OBSERVED IN 2016 2012, 2006, AND 2000.

Species	Common Name	2016	2012	2006	2000
Cerithidea californica	California Horn Snail	x	x	x	x
Mytilus galloprovincialis	Bay Mussel	x	x	x	x
Chione sp	Venus Clams	x	x	no*	x
Bulla gouldiana	Gould's Bubble Snail	x	x	x	no*
Tagelus sp	Jackknife Clam	x	x	no*	x
Aplysia californicus	California Sea Hare	x	x	no*	x
Lepidigobius lepidus	Bay Goby	x	x	x	x
Acanthogobius flavimanus	Yellowfin Goby	no*	no*	no*	x
Ulva spp.	Sea Lettuce	x	x	x	x
Pachygrapsis crassipes	Purple Shorecrab	x	x	x	x
Hemigraphsis oregoniensis	Yellow Shorecrab	x	x	x	x
Uca crenulata	Fiddler Crab	x	x	x	x
Pachycerianthus fimbriatus	Parchment Tube Worm	x	x	x	no*
Navanax inermis	Tectibranch sea slug	x	x	x	no*
Atherinops affinis	Top Smelt	x	x	x	no*

Species	Common Name	2016	2012	2006	2000
Urobatis halleri	Round Stingray	x	no*	x	no*
Paralabrax nebulifer	Barred Sandbass	x	x	no*	no*
Sargassum muticum	Brown Algae	x	x	x	x
*no = not observed					

lower phylogenetic species such as sponges and hydroids (which, while present, were not recorded in 2000 or 2012 due to biological bias towards species of higher biological significance. The Yellowfin Goby (*Acanthogobius flavimanus*), a large predatory fish, was not observed in 2016 or in any previous survey since 2000; instead, numerous small Bay Goby (*Lepidius lepidus*) were common in the shallow subtidal. Mollusks were the most abundant macrofaunal group of animals. Bivalve feeding siphons of Venus clam (*Chione* sp.) and Jackknife clam (*Tagelus* sp.) were seen emerging from the substrate. Gould's Bubble Snail (*Bulla gouldiana*) was present subtidally, and California Horn Snail (*Cerithidea californica*) was abundant at the water-land interface. Several California Sea Hare (*Aplysia californica*) and their egg masses were also observed attached to the muddy substrate. Mussels (*Mytilus galloprovincialis*) were common in the intertidal, but were apparently not observed in the 2000 survey. Lined Shore Crab (*Pachygrapsus crassipes*) and Yellow Shore Crab (*Hemigrapsus oregonensis*) were abundant along the shoreline. Two species of the algal genus, *Ulva* and one species of *Enteromorpha sp*. were observed in 2000 and 2006, but as all species of *Enteromorpha* were synonymized with *Ulva* after the 2006 survey, only the taxon *Ulva* spp was reported in 2012, although the two morphological distinct taxon previously recorded were present. No eelgrass (*Zostera marina*) nor was the invasive alga *Caulerpa taxifolia* noted anywhere in the vicinity of the site during any of the four separate surveys. All of these invertebrate species as well as the algal species are common in the Huntington Harbor intertidal and subtidal communities. No rare or endangered invertebrates, fish, plants, or algae were found during any of the four surveys of the intertidal and subtidal area of the Project.

Avian Survey. In 2016 only the great blue heron (*ardea herodius*) was observed on the project site, it was on top of the bank observing the intertidal area, while in 2006 four marine bird species, a snowy egret *Egretta thula*, least sandpipers *(Calidris minutilla)*, an American coot (*Fulica amerciana*), and a mallard duck (*Anas platyrhynchos*) were observed either wading in the intertidal or swimming in the shallow subtidal. No marine birds were observed in 2000, and none was recorded in 2006. Three non-marine bird species were observed in the 2000 survey: mourning dove (*Zenaida macroura*), cliff swallow (*Petrochelidon pyrrhonota*), and house finch (*Carpodacus mexicanus*). The mourning doves were foraging in the grassy areas, and the cliff swallows were landing in the intertidal where they collected mud for nest building. California least terns (*Sterna antillarum browni*) were not observed at the site during the previous surveys or during the April and June 2012 or during the May and June 2016 surveys.

Turtles and Marine Mammals. No reptiles (turtles), amphibians, or marine mammals were observed in 2016 or during any of the other two surveys in 2012, or 2006 (CRM 2006 and MBC 2000, 2012, 2016).

DISCUSSION

The observed subtidal and intertidal flora and fauna appear to be typical of southern California embayments. The observations of species present made in the April and June 2012 and 2016 surveys agree with past surveys of the Huntington Harbour area (MBC 1972, 1975, 2000, 2012, 2016, CRM 2006)., There would be a very small loss of infauna due to placement of the piles for the dock and incidental to the removal of the launch ramp, but infaunal organisms would rapidly recolonize the area and observed epibiota would move during construction. None of the species noted are locally impoverished and, therefore, surrounding populations would reclaim the area after construction is completed. While eelgrass is known to occur in the harbor area, no eelgrass has been observed growing in or near the Project site during surveys spanning 12 years. No other animal or plant species of environmental concern was observed subtidally. Thus, the Project is not expected to have any lasting effects on the intertidal or subtidal communities.

Only one marine bird species was observed in the Project area in the 2016 survey, though many species are known to use the harbor area for feeding and nesting. The close proximity of Huntington Harbour to other environmentally sensitive habitats such as Bolsa Chica and the Seal Beach wetlands suggests that some of these marine species have and will continue to use the site for forage or roosting. This is expected to be minor and the Project as proposed would not noticeably impact their ability to utilize the area. The species of primary concern is the California least tern. It is a migratory water-associated bird present in the harbor from April to October each year. They feed in the shallow water areas on small fish. It is likely that this tern may at times feed in the area as the site is relatively close to nesting areas in nearby Bolsa Chica and Seal Beach. However, the importance of this area to tern foraging is negligible as there are sufficient foraging areas closer to the existing colonies.

The intertidal plant species, notably Pickleweed and Saltwort (*Batis*), comprise a large portion of the relatively steep bank and intertidal area. Although these plants are abundant in the Huntington Harbour area, they none-the-less provide an important habitat desirable to preserve (Table 1). Terracing the banks as proposed would increase the area of the subtidal and allow additional area for the placement of other native saltwater tolerant species at the site. There are other benefits to the proposed Project including the removal of several non-native species in the area. These species, such as the Hottentot Fig (covering , could and should be removed from the site allowing additional area for native species.

IMPACT ASSESSMENT

The observed subtidal flora and fauna are typical of southern California embayments. The observations made in the June 2000, April 2006 (CRM), and April and June 2012 and2016 surveys agree with past surveys of the Huntington Harbour area and the Project area (MBC 1972, 1975, 2000, 2012, 2016, CRM 2006). The conclusions in both the 2000 and 2006 and 2012 surveys regarding potential environmental effects remain valid for the 2016 survey. MBC in 2000 estimated that approximately 282 ft^2 of native vegetation would be impacted by the Project, the 2006 survey by CRM estimated a slightly smaller impact of 236 ft^2, while the 2012 survey (because of favorable design changes) placed the impact at only 50 ft^2 (the area under the ramp from shore to the dock) with ongoing design changes proposing using materials that transmit light, that impact is estimated to have no negative effect on the project site habitat values so no loss of habitat is expected.

Potential for shading impacts on the intertidal and subtidal this concern is for the potential shade from a 2-story high caretaker building that would be constructed on the site, any shadow from this building would be on unvegetated soft bottom or saltmarsh a small portion of the time depending on time of day and time of year. The construction and operation of the building at the Park Ave site will not result in substantial, adverse impacts to fish and invertebrates. Concerns about impacts due to shading from construction have been raised in recent years. These concerns have been general in nature (i.e., reduction in primary productivity, reduction in diversity and abundance, etc. However, there are no known studies or examples that quantify (or describe) biological effects of shade in southern California.

While it is intuitive that a reduction in available sunlight will reduce primary productivity (photosynthesis), there is no evidence that this cascades to measurable impacts on higher trophic communities such as fish and invertebrates, likely due to the relatively small parcels of water affected by shade from building projects in southern California as a whole. Recent studies in Los Angeles and Long Beach Harbors indicate some higher abundance, biomass, and species richness on a piling subjected to shade compared to unshaded riprap communities, therefore the expected impact due to shading is reduced to zero

Shading impacts due to structures floating on open water the dock and the gangway would potentially shade openwater habitat and could affect eelgrass beds if present; however, the walkway and the deck of the dock will be composed of Fiber grate® molded 1" deep grating with a 3/4" x 4" rectangular mesh surface provides a 62% open area. This exceeds the 60% minimum open area requirement set forth by the National Marine Fisheries Service and the U.S. Army Corps of Engineers

Concerns about the composition of the epifauna and infaunal organisms below the dock which floats with depth to the bottom about 2 to6 ft below the floating dock which depending on tidal level are present on or in a substrate of unconsolidated silt clay There is no mitigation proposed for these impacts because there is no eelgrass present nor has any been observed during the past 12 years of monitoring. The

placement of six dock pilings will impact a very small amount of bottom sediment and result in disruption to less than 3ft^2 of substrate and the use of the appropriate deck material will result in no loss if eelgrass was to appear in the area. Therefore net impact from shading of the open water is expected to be zero

Fish and Invertebrate Subtidal Survey. There would be a very small loss of subtidal habitat (2 to 3.5ft^2) and a small loss of infauna organisms due to the placement of 6 dock pier pilings which each cover an area of less than 1 ft^2, Motile epibiota (invertebrates and fish) would move out of the area temporarily during construction. All of the species noted or known to be in the harbor are common bay residents and none are locally impoverished. The minorimpact of the dock pilings is amply mitigated by the removal of 125ft^2 of rubble in the intertidal

Eelgrass and Algae Subtidal Survey. While eelgrass is known to occur in the harbor area, no eelgrass was noted during the survey at or near the Project site during the 2000, 2006 (CRM) 2012) or 2016 surveys of the site. No other animal or plant species of environmental concern was observed subtidally. Thus, the Project is not expected to have any lasting effects on the subtidal algal, plant, or faunal communities.

Avian Survey. Although no marine bird species were observed in the Project area in the 2000 survey, one species of marine bird was observed during a site visit in 2016 and four species were observed in 2012. Many species of marine birds are known to use the harbor area for feeding and nesting. The close proximity of Huntington Harbour to other environmentally sensitive habitats such as Bolsa Chica suggests that some of these marine species have used and will continue to use the site for forage or roosting. This use is expected to be minor and the Project as proposed would not noticeably impact their ability to utilize the area. The species of primary concern is the California least tern, a migratory water-associated bird present in the harbor from April to October each year. They feed in the shallow water areas on small fish. It is likely that this tern may at times feed in the area, as the site is relatively close to nesting areas in nearby Bolsa Chica and Seal Beach Wildlife Refuge (Figure 1). However, the importance of this area to least tern foraging is negligible as there are sufficient foraging areas closer to the existing colonies

Ter**rrestrial and Salt Marsh Plant Survey**. The intertidal salt marsh plant species, noticeably pickleweed and saltwort, comprise a portion of the relatively steep bank and intertidal area. Although these plants are abundant in the Huntington Harbour area, they none-the-less provide an important habitat desirable to preserve. The Project plan calls for these species to be preserved and enhanced

MITIGATION

The Project as proposed would have little or no impact on the marine or terrestrial habitats at the Project site.

Fish and Invertebrate Subtidal Mitigation. The actual loss of soft bottom habitat would be negligible. The banks of the site are littered with broken concrete and other construction rubble and there is a decomposed asphalt launch ramp on the site perpendicular to the bank and extending through the intertidal and into the subtidal area (Appendix A). The removal of the rubble covering about 125 $ft^2$and asphalt ramp covering about 240 ft^2 (#1Table1)will allow more and higher quality soft bottom habitat and intertidal habitat and improve water quality by removing a source of petroleum leaching into the waterway.

Eelgrass Mitigation. No mitigation is necessary for eelgrass as none exists in or near the Project area. However, the site will be surveyed again for eelgrass and *Caulerpa* at least 60 days prior to construction and reports prepared and sent to the National Marine Fisheries Service, the California Department of Fish and Wildlife, the Army Corps of Engineers, and other interested resource agencies. The potential for eelgrass at this site appears to be rather low as none has been observed at or near this site during numerous surveys of the area spanning over a decade.

Avian Mitigation. The construction on the site will have little or no effect upon the avian populations of Huntington Harbour. Removal of the rubble and debris and the asphalt launch ramp will allow more fish to forage in the area which may provide a slight benefit overall for avian foragers and provide additional habitat for the small gobies that inhabit the intertidal. . The importance of this area to California least tern foraging is negligible as there are sufficient foraging areas closer to the existing colonies. There will be a small loss of open water habitat due to the presence of the dock (325 ft^2)(#9Table1); however, recontouring the banks and terracing the slope to the water's edge will result in an increase in the intertidal area of 168 linear feet by 1.5 ft or 252 ft^2 of additional intertidal area and removing the rubble 125ft^2 and degraded asphalt launch ramp will increase the usable subtidal area by 120 ft^2, and intertidal area by 250ft^2 also. Together these two mitigation items total 497 ft^2 (#14,Table1) of additional intertidal area and 120ft^2 (#2,Table1) of subtidal area and will more than mitigate for the minor loss of open water by providing foraging area not previously available. Therefore no further mitigation would be necessary for the impacts to avian resources.

Terrestrial and Salt Marsh Plant Mitigation. Approximately 85% of the site 5,249$ft^2$is covered by vegetation (Appendix A, Photos 7 and 10); however, less than 25% (1544ft^2)of the site contained native species and all of those were on the banks with the exception of several native Sea lavender plants which will be salvaged prior to construction. Loss of terrestrial habitat on the bulk of the Project site would be negligible and no mitigation is necessary for that terrestrial habitat as most of that area is covered by two non-native plant species of iceplant (hottentot fig and crystalline ice plant (covering approximately 65% (4014ft^2) of the site both species are non-native species desirable to remove.

The only important impact is the potential loss of salt marsh vegetation habitat on the banks. Although small in area, the loss of this salt marsh vegetation would add to the already great loss of wetland habitat in the Huntington Harbour area and will be mitigated by replacement in-kind.

Mitigation Measure 1. Most of the bank, with the exception of a portion shadowed by the access ramp, will be left undisturbed. The area at the top of the bank will be graded higher to reduce the potential for freshwater flow to the harbor and thereby the grading will create additional habitat area. Another mitigation measure would be the removal of the existing degraded asphalt launch ramp on the southeast side of the site (Photos 1 and 2 in Appendix A), that will result in benefits to the water quality of the area as well as providing additional space for native plant species. To mitigate for any potential loss from the shadowing effect of the dock and access ramp fiber Crete will be used for planking which allows at least 62% light transmission to the area beneath the planking and is approved for such use by National Marine Fisheries Service The degraded launch ramp area would be terraced to give the water-land interface a more natural appearance using graded sediments which would be a good substrate for the new bank. A biologist would oversee the removal and care of desirable species and their replacement as soon as the bank has stabilized.

Mitigation Measure 2. An important consideration is the amount of area on the banks that is currently occupied by non-native plant species. Approximately 25 to 30% of the banks are unvegetated or covered by non-native species (Photos 3 and 8, Appendix A). A benefit to the Project would include the removal of invasive, non-native species, such as the Hottentot Fig (currently covering (1000ft^2), providing additional area for native species. Pickleweed and a palette of other native species harvested from the existing marsh or purchased from a native plant nursery would be transplanted to the barren areas.

Alternative Mitigation. A close look at the banks on the property reveals they are steep and undercut in many areas (Photos 8 and 9 in Appendix A). Although we propose to leave them undisturbed if that is preferred by the city and resource agencies, it would be more desirable from a biological perspective to terrace the bank area down to the water's edge. This would provide a more natural transition from the property to the water's edge and increase the available habitat area of the banks for the proposed Project. None of the species found at the site are particularly fragile, and all would respond well to a well orchestrated transplant program at the site. The terracing would be accomplished with materials conducive to promoting the transplant. This would also increase the area of the subtidal and provide additional area for the installation of other native salt marsh species at the site. The removal of the concrete rubble will more than compensate for any reduction in use of the intertidal during construction activities by providing habitat of greater environmental value.

Calculation of Loss of Habitat and Replacement. The loss of salt marsh habitat due to construction shading(access ramp) is approximately 75 ft^2 (#10,Table1). However, since the project will use fiber Crete planking the actual loss is 0. **The net construction loss is 0 ft^2.**

Calculation of Loss of Open Water Habitat. The loss of open water habitat due to construction of a dock is approximately 330 ft^2 (#9, Table 1) **The net construction loss is 330 ft^2.**

Calculation of Gains in Open Water Habitat. The net gain from the proposed mitigation avenues such as removing the asphalt launch ramp and terracing the bank in that area results in a gain of 8 ft by 30 ft (because of the increased slope) of 240 ft^2. **The net mitigation gain is 240 ft^2 of open water previously unusable along with removal of the rubble (125ft^2) totals365ft^2. Resulting in a net unmitigated loss of zero**

Calculation of Gains in Salt Marsh Habitat. The net gain from removing the asphalt ramp and terracing the banks equals an increase of about 168 ft by 1.50 ft^2 and120ft^2 from removing the launch ramp from the bank. The combined two mitigation factors results in **a net mitigation gain of Salt Marsh Habitat of 363ft^2.**

Calculation of Gain in Intertidal Habitat. Terracing of the banks would result in a gain of at least 1.5 feet of Intertidal Habitat by 168 linear feet of shoreline this calculates **to an increase of 252 ft^2 of Intertidal Habitat/Openwater Habitat** and allows the creation of still more Salt Marsh Habitat.

There is a minor loss of subtidal soft bottom habitat amounting to less than3 ft ^{2} from the installation of six piles to keep the dock in place, overall loss of soft bottom habitat split equally between the intertidal and subtidal portions of the site.

- The **overall loss is 75 ft^2** of **Salt Marsh Habitat that is amply mitigated** by a minimum **creation of Salt Marsh Habitat of 150 ft^2**.
- There is a **loss of 330 ft^2** of open water habitat **which** is amply mitigated by the **creation of 363 ft^2 of previously unusable open water habitat by** removal of the asphalt launch ramp (which continues to leach petroleum products into the bay) and by removal of the rubble covering an additional 125ft^2 .of intertidal area
- Additional intertidal habitat is created by the **terracing of the banks** resulting in the intertidal area increasing by 1.5 ft along the entire water front of 168 ft which equates to an **increase in intertidal area of 272 ft^2**.
- **In total** there is an **increase of 635 ft^2** which more than offsets the loss of 330 ft^2 of open water habitat and loss of 3 ft^2 of intertidal, subtidal habitat from the pier pilings.

In addition to the aforementioned mitigation, the Project will observe all standard site related Best Management Practices including berming the construction site to prevent water and sediment from discharging to the bay and restricting operations if marine mammals or turtles are sighted nearby.

With careful construction supervised by a wetland ecologist, the site would result in a more desirable wetland transitional habitat.

CONCLUSION

The Project as proposed would have little or no impact upon the marine or terrestrial habitats at the Project site. The loss of some of the subtidal soft bottom habitat would be mitigated by removal of the eroded and degraded launch ramp at the site. Losses of the terrestrial habitat on the top portion of the bank at the site would be negligible as most of that habitat is covered by non-native species which are desirable to remove. Loss of habitat on the banks, although small in area, would add to the already huge loss of wetland habitat in the Huntington Harbour area. It would be desirable and practical to replace this habitat after the banks are terrraced for the proposed Project. A biologist would oversee the removal and care of desirable species on site until it is feasible to replant into the terraced bank areas. desirable substrate for the transplant and increase intertidal habitat. Another potential benefit of the Project would be to remove the degraded asphalt launch ramp that exists at the site. Part of the area of the bank and intertidal area is covered with asphalt (See photos No. 5 and 6). The removal of this would have a benefit on the water quality of the area as well as provide additional space for native species to be cultivated. Although the overall loss of habitat is insignificant, careful construction on the site could result in a more desirable wetland transitional habitat.

Responses to comments received from the Department of Fish and Wildlife on July 3, 2015 are attached in Appendix B.

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APPENDIX A

Photos of Park Ave Site April 2012

Photo 1. Ice Plant and Salt Grass Looking towards PCH, April 17, 2012 .

Photo 2. Degraded Asphalt Launch Ramp and Debris April 17, 2012 .

Photo 3. Jaumea, Sea Lavender, and Ice Plant Northeast, April 17, 2012 .

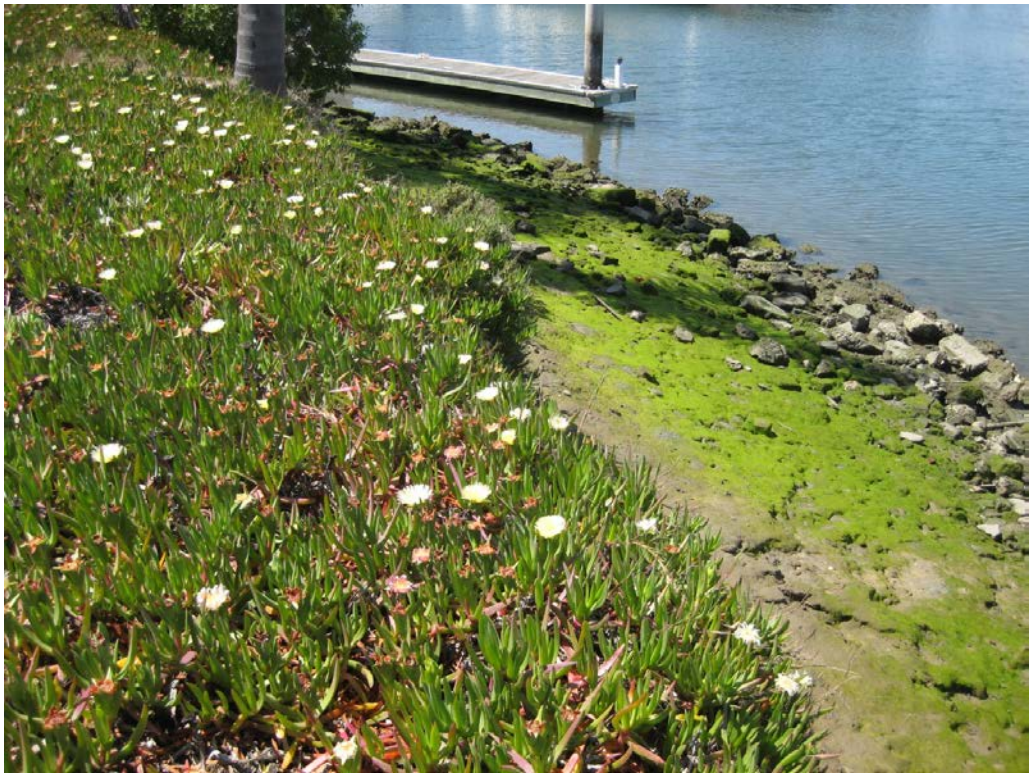

Photo 4. Ice Plant and Rocky Rubble in intertidal, April 17, 2012

Photo 5. Pickleweed, Green Alga *Ulva* in Intertidal, April 17, 2012 .

Photo 6. Intertidal Area showing Seaward Slope with rubble in intertidal and hottentot fig in foreground, April 17, 2012 .

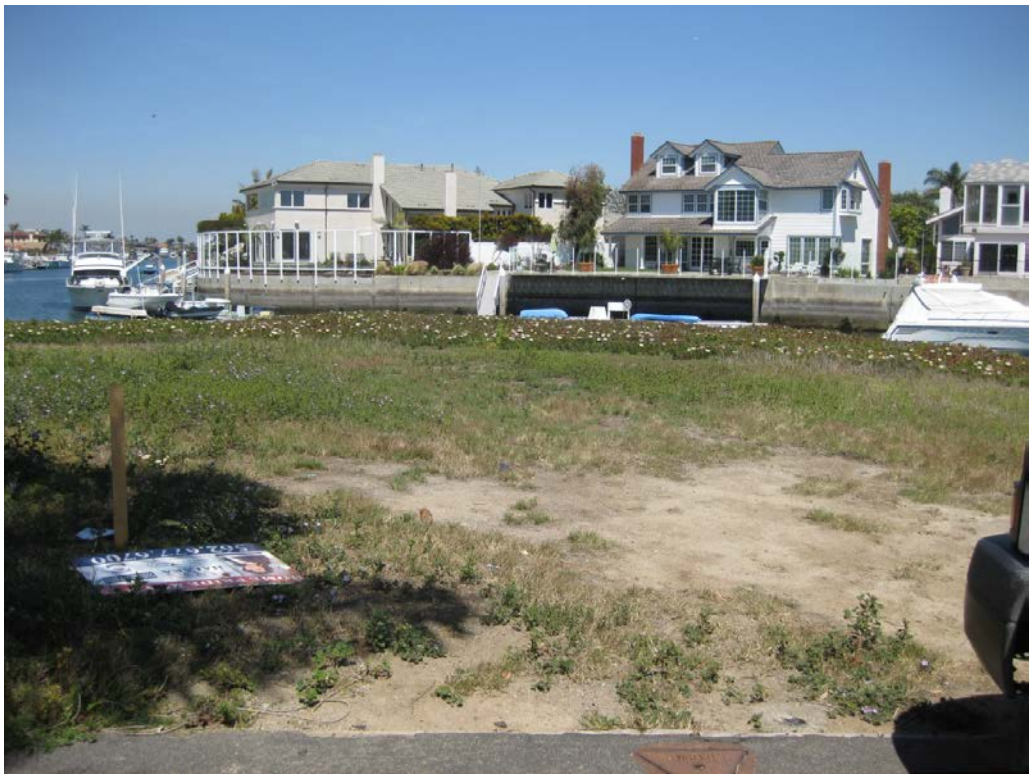

Photo 7.Site Entrance, Salt Grass in Foreground and Ice Plant Looking North, April 17, 2012

Photo 8. Bank with rubble, Jaumea and Iceplant, April 17, 2012 .

Photo 9. Undercut Bank with Ice Plant, Royal Palms in Background, April 17, 2012

Photo 10. Weedy Property Boundary with Ice Plant, Royal Palms in Background, April 17, 2012

APPENDIX B

RESPONSE TO COMMENTS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON THE MITIGATED NEGATIVE DECLARATION

On Wednesday MAY 27, 2015, the Huntington Beach Environmental Assessment Committee approved the processing of a mitigated negative declaration for the Park Avenue Marina Project. The City's action was then circulated for public comment. A response to comments letter was prepared by the applicant and provided to the City on February 16, 2016. Recommendations by Fish and Wildlife were to provide further responses to comments received from the Department of Fish and on 3 July 2015 in that letter they asked that the following items at a minimum be included in a revised biological impact assessment for the project. This should include a comprehensive wetland and shading impact assessment:

1. Provide a wetland delineation map and a habitat loss/gain tabulation and summary table reflecting the net losses of wetland, wetland plants, mudflats and all other native habitats affected by the project proposal. Include offsets in the summary table showing compensation used to offset the impacted area of each habitat. Done in text above
2. Given the amount of pickle weed that was observed at the time of the site visit, we recommend that areas of wetland losses and shading be re-surveyed to update the actual conditions at this point in time. Pickle weed areas to be replanted should be recalculated and presented in a table format. Other species of native wetland plants should be included in the impacts assessment for re-planting. This has been completed for this revision . This is important with respect to demonstrating that impacts are being fully mitigated below a level of significance all affected native plants will be salvaged and replanted to the banks of the project site consisting of every species feasible on the habitat palette.
3. The shading impacts on water and wetland substrates including over water coverage of dock and gangway was either not assessed for some elements or not fully described and discussed for others. A comprehensive assessment of overwater structure shading impacts with appropriate mitigation measures should be included. No mitigation measures are warranted or proposed as the structures will be comprised of products which transmit light negating any potential shading impacts.
4. There were discrepancies and data gaps in the project description and proposed mitigation areas in the MND that need to be rectified, including an explanation for not providing a revision or complete update. There are many inconsistencies between the 2012 survey assessment and the MND that caused confusion. Therefore, revision should be provided to rectify this matter to ensure data it is clear and consistent throughout the environmental description on top of the proposed site and 15 to 20 ft from the edge of the bank a plant palate was produced the surrounding outer edge of the site was colonized by hottentot fig iceplant covering approximately 88 m^2 ($947ft^{2)}$within the site there is also approximately 92.92 m^2($1000ft^2$) of hottentot fig iceplant; in addition a patch of shoregrass was also found on the site covering 93 m2 ($1000ft^2$) and a barren patch covering 29 m^2 ($312ft^2$). There was no pickleweed at the top of the bank but 4.5m2 ($48.42ft^2$)of pickleweed was found on the bank For example, clarify mitigation in the MND for pickleweed (25 feet in MND verses 2013 site assessment report indicates 50 square feet) There is no discrepancy, the patch simply grew larger in the interim between reports. It was slightly smaller during this survey.

5. The elements of the project that would cause significant impacts were not adequately detailed in order for the Department to evaluate the adequacy of the impact assessments. The assessment should be divided in two parts to address terrestrial and marine resources. done
6. The purpose of project elements should be clearly stated as to why these elements are necessary for small boats, kayaks etc. that don't need to be docked in water permanently. They need to be on a secure storage location such as the dock to deter theft and more importantly to reduce potential *damage to the intertidal and saltmarsh habitat from dragging the canoes and kayaks across and trampling the mudflats* Explain necessity for the dredging *none planned in this revision,* piles are necessary to keep dock in place and from being a hazard to navigation if not anchored securely, dock area (330 square feet *to be formed out of fibercrete eliminating shading*), The project description does not provide adequate details on construction design proposed for terracing, dredging, pile and pile driving, docks, gangway and retaining wall. For example: *done below*
    - *Fully describe the* dredge proposal such as the area, volume, before and after depths, mapping, diagrams etc. *there will be no dredging on site in this revision.*
    - Describe the *number (6) and type of piles(concrete 8 in dia)* building materials proposed for piles. and other structures will incorporate fiberglass grating as it is translucent. .
    - Shading area of water or mudflat should be fully described *no shading in this revision*
    - Docks and gangway would use transparent materials such as fibercrete to avoid shading impacts and allow light to pass through to mudflats. done
    - *The intertidal slope will be designed to mimic the natural slopes without a concrete bulkhead or rocks.*
    - *If fill is necessary, then it will be matched to the natural sediments and functions and will not cause erosion.*

- *Native sediments to be placed will be clean and will not bury or smoother native plants or invertebrates within the mudflats.* Concerns about shading due to shading from construction have been raised in recent years. These concerns have been general in nature (i.e., reduction in primary productivity, reduction in diversity and abundance, etc. However, there are no known studies or examples that quantify (or describe) biological effects of shade in southern California.

While it is intuitive that a reduction in available sunlight will reduce primary productivity (photosynthesis), there is no evidence that this cascades to measurable impacts on higher trophic communities such as fish and invertebrates, likely due to the relatively small parcels of water affected by shade from building projects in southern California as a whole. Recent studies in Los Angeles and Long Beach Harbors indicate some higher abundance, biomass, and species richness on a piling subjected to shade compared to unshaded *riprap.communities* There is little chance the 2 story building would pose any additional impact to the barren unvegetated bay bottom on the infaunal or epifauna unvegetated bay bottom such as mudflats .

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JUL 11 2019
Dept. of Community Development

MBC Aquatic Sciences. Robert Moore, Senior Scientist. Revision for clarification of Mitigation Measure 1.

Mitigation Measure 1. Most of the bank, with the exception of a portion shadowed by the access ramp, will be left undisturbed. The area at the top of the bank will be graded higher and level or sloped away from the top of the bank to reduce the potential for freshwater ~~flow~~ runoff to the harbor which would cause erosion in the intertidal zone; ~~and thereby creating~~ additional intertidal habitat area will thus be created below the bank. Another mitigation measure would be the removal of the existing degraded asphalt launch ramp on the southeast side of the site (Photos 1 and 2 in Appendix A). This will result in benefits to the water quality of the area as well as providing additional space for native plant species. To mitigate for any potential loss from the shadowing effect of the dock and access ramp Fiber Crete® will be used for planking which allows at least 62% light transmission to the area beneath the planking and is approved for such use by National Marine Fisheries Service The degraded launch ramp area would be terraced to give the water-land interface a more natural appearance using graded sediments which would be a good substrate for the new bank. A biologist would oversee the removal and care of desirable species and their replacement as soon as the bank has stabilized.