City of Seal Beach Housing Element and Zoning Code Updates Project

Final Environmental Impact Report

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Prepared for:
City of Seal Beach
211 Eighth Street
Seal Beach, California 90740

Prepared by:
Stantec Consulting Services Inc.
2999 Oak Road, Suite 800
Walnut Creek, CA 94597

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Acronyms and Abbreviations

AB	Assembly Bill
ADU	accessory dwelling unit
AELUP	Airport Environs Land Use Plan
ALUC	Airport Land Use Commission
BEA	Basin Equity Assessment
BPP	Basin Production Percentage
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
City	City of Dixon
CL-	Comment Letter
County	Orange County
EIR	Environmental Impact Report
EQCB	Environmental Quality Control Board
GSWC	Golden State Water Company
JFTB	Joint Forces Training Base
MET	Metropolitan Water District of Southern California
MMRP	Mitigation Monitoring and Reporting Program
MWDOC	Municipal Water District of Orange County
NOP	Notice of Preparation
OCWD	Orange County Water District
ORCC	Old Ranch Country Club
PRC	Public Resources Code
Project	City of Seal Beach Housing Element and Zoning Code Updates Project
RA	Replenishment Assessment
RHNA	Regional Housing Needs Allocation
ROW	right-of-way
SB	Senate Bill
SCH	State Clearinghouse

UWMP	Urban Water Management Plan
WSA	Water Supply Assessment

1.0 INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Seal Beach (City), as the lead agency, has evaluated the comments received on the City of Seal Beach Housing Element and Zoning Code Updates Project (Project) Draft Environmental Impact Report (EIR) (State Clearinghouse [SCH] No. 2023110425). The Draft EIR was circulated for a 45-day public review between May 9, 2025, and June 23, 2025. The responses to the comments and other documents, which are included in this document, together with the Mitigation Monitoring and Reporting Program (MMRP), comprise the Final EIR for use by the City of Seal Beach, City Council in its review.

1.1 BACKGROUND AND PURPOSE OF THE EIR

CEQA requires a Lead Agency that has prepared a Draft EIR to provide a copy of the Draft EIR to responsible and trustee agencies that have jurisdiction by law with respect to the Project and to provide the general public with an opportunity to comment on the Draft EIR. The Final EIR is the mechanism for responding to these comments. This Final EIR has been prepared to respond to comments received on the Draft EIR, which are reproduced in this document; and to present corrections, revisions, and other clarifications and amplifications to the Draft EIR as a result of the City's ongoing planning efforts. The Draft EIR and Final EIR will be used to support the City's decision regarding whether to approve the Project.

This Final EIR can also be used by responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or that have jurisdiction over portions of the project. The following agencies may serve as responsible and trustee agencies:

- California Department of Transportation, District 12
- Regional Water Quality Control Board #8
- State Water Resources Control Board
- California Department of Fish and Wildlife Region #5
- Native American Heritage Commission
- South Coast Air Quality Management District
- Department of Toxic Substances Control
- Coastal Commission

1.2 PROJECT SUMMARY

The Project is located in the City of Seal Beach in northwestern Orange County (County), California. The Project evaluated in this Program EIR involves implementation of the Housing Element Update and Zoning Code Update which includes establishment of the new zoning designation and rezoning of sites to meet the City's Regional Housing Needs Assessment (RHNA) requirements.

The Housing Element, which integrates/updates supporting socioeconomic, demographic, and household data, is specifically intended to accommodate the City's RHNA allocation of 1,243 new dwelling units. The RHNA allocates regional housing needs by income-level among member jurisdictions. This Program EIR evaluates the potentially significant, adverse, and beneficial environmental impacts resulting from the Project, which involves implementation of the Housing Element Update and Zoning Code Update, including establishment of the new zoning designation and rezoning of sites resulting from Project implementation which would result in increased densification of residential uses.

The site inventory included in the City's Housing Element Update shows how the City will meet its RHNA requirement through housing opportunity sites, accessory dwelling units (ADUs), and pipeline projects. The Housing Opportunity Sites include a total of eight sites that have been identified by the City as having the potential for providing additional housing to meet the City's RHNA allocation. The sites are broken into two categories: (1) underutilized sites that do not require zoning code changes and (b) sites where zoning modifications are proposed. Beyond the site inventory, the City has also identified the Main Street Program in its Housing Element Update. The Housing Element Update's Main Street Program does not identify specific housing opportunity sites but would modify the existing Main Street Specific Plan to allow for residential units to be developed on the second floor of properties located within the Main Street Specific Plan area.

The Housing Element Update identified Old Ranch Country Club (ORCC) Pipeline Project as a pipeline project towards meeting the City's RHNA requirement. The ORCC Pipeline Project is a proposed 155-acre Specific Plan on the existing Old Ranch Country Club and would convert a portion of the existing golf course to a mixed-use development with 167 residential units. The 167 residential units of ORCC Pipeline Project (herein referred to as the residential component of the ORCC Specific Plan Project) are programmatically evaluated within the Draft EIR as these 167 residential units are included within the City's site inventory to meet its RHNA requirements. The other portions of the ORCC Specific Plan Project are not included within RHNA requirements and therefore are not included within this analysis. As such, specific impact findings associated with the development of the ORCC Pipeline Project are being evaluated separately by the City in a standalone EIR. This EIR is not rezoning or entitling the ORCC Specific Plan Project. Rather, this EIR evaluates the residential component of the ORCC Specific Plan Project as a basis for implications associated with housing production associated with the ORCC Specific Plan Project, only.

A detailed description of the Project is provided in Section 2.0 Project Description of the Draft EIR.

1.3 CEQA PUBLIC REVIEW PROCESS

The following provides a summary of the environmental review process to date for the Project that has resulted in the preparation of this Final EIR.

1.3.1 Notice of Preparation

The Notice of Preparation (NOP) for the Draft EIR was submitted for a 30-day public review period on November 16, 2023. The comment period for the NOP closed on December 15, 2023. A Public Scoping Meeting was held on December 6, 2023 to solicit input from interested agencies and the public. The City received oral comments at the scoping meeting and also received several written comment letters during the public review period. The comments received were considered during the preparation of the Draft EIR and are summarized in Appendix A of the Draft EIR.

1.3.2 Draft EIR

The Draft EIR was circulated for a 45-day public review between May 9, 2025, and June 23, 2025. The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website.

1.3.3 Final EIR

The City received comment letters from the SCH and the public regarding the Draft EIR. This document responds to the written comments received as required by CEQA. This document also contains any edits to the Draft EIR, which are included in Section 3.0 Revisions to the Draft EIR. This document constitutes the Final EIR.

1.4 CERTIFICATION OF THE FINAL EIR/PROJECT CONSIDERATION

The City will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the City may certify the Final EIR. The rule of adequacy generally holds that the EIR can be certified if it does the following: (1) shows a good faith effort at full disclosure of environmental information; and (2) provides sufficient analysis to allow decisions to be made regarding the Project in contemplation of its environmental consequences.

Upon review and consideration of the Final EIR, the City may act to adopt, revise, or reject the Project. A decision to approve the Project would be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. Public Resources Code (PRC) Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of the Project approval to mitigate or avoid significant impacts on the environment.

1.5 INTENDED USE OF THE EIR

The EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the Project. Please refer to Section 2.0 Project Description of the Draft EIR for a detailed description of the Project.

1.6 ORGANIZATION AND SCOPE OF THE EIR

This document is organized into the following sections:

Section 1: Introduction

Section 1 provides an overview of the EIR process to date and the requirements of the Final EIR.

Section 2: Comments and Responses to the Draft EIR

Section 2 provides a list of the agencies, organizations, and individuals that commented on the Draft EIR. Copies of all the letters received regarding the Draft EIR and responses thereto are included in this section.

Section 3: Revisions to the Draft EIR

Section 3 includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated as a result of comments or staff-initiated changes.

Mitigation Monitoring and Reporting Program

Measures that have been adopted or made a condition of the project approval in order to mitigate or avoid significant impacts on the environment have been included in the Mitigation Monitoring and Reporting Program, provided under separate cover.

Because of its length, the text of the Draft EIR is not included with these written responses; however, it is included by reference in this Final EIR. None of the revisions or clarifications to the Draft EIR identified in this document constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5. As a result, recirculation of the Draft EIR is not required.

2.0 COMMENTS AND RESPONSES TO THE DRAFT EIR

2.1 LIST OF COMMENTERS

Written comments on the Draft EIR received during the public review period and verbal comments received during the Environmental Quality Control Board (EQCB) meeting held on June 5, 2025, are included in this section.

The format of the responses to all the comments is based on a unique letter and number code for each comment. The first set of letters refers to the format the comment was received in (comment letter [CL]; verbal comment at the EQCB meeting held on June 5, 2025 [EQCB]). The second set of letters refers to the individual agency, business, group, organization, or individual member of the public that provided the comment. The number at the end of the code refers to a specific comment within the individual communications. Therefore, each comment has a unique code assignment so that comments can be cross-referenced with the responses. Following this list, the text of the communication is reprinted and followed by the corresponding response. When similar comments are made by multiple parties, the response is provided the first time the comment is made, and all other similar comments are referred back to that response.

Additionally, a number of comments received on the Draft EIR focused on several main issues and topics associated with the Project and the CEQA analysis of project impacts. As such, the City determined it would be appropriate, and would facilitate public review, to provide master responses to address these comments and provide the necessary context for considering the issues raised.

A list of public agencies, organizations, and individuals that provided comments on the Draft EIR is presented below.

Table 2-1: List of Commenters

Commenter(s)	Agency/Organization	Comment Date (mm/dd/yyyy)	Comment Format	Commenter Code
Agencies				
Vincent Ray	California Department of Transportation (Caltrans) Division of Aeronautics	6/19/2025	Comment Letter	CL-CaltransDOA
Scott Shelley	Caltrans District 12	6/23/2025	Comment Letter	CL-Caltrans
Ron Noda	City of Los Alamitos	6/23/2025	Comment Letter	CL-LosAlamitos
Individuals				
Board Member Hsu	City of Seal Beach EQCB	6/5/2025	EQCB Meeting	EQCB-Hsu
Board Member Depew	City of Seal Beach EQCB	6/5/2025	EQCB Meeting	EQCB-Depew
Chair Perrell	City of Seal Beach EQCB	6/5/2025	EQCB Meeting	EQCB-Perrell

Commenter(s)	Agency/Organization	Comment Date (mm/dd/yyyy)	Comment Format	Commenter Code
Board Member Horning	City of Seal Beach EQCB	6/5/2025	EQCB Meeting	EQCB-Horning
Board Member Villanueva	City of Seal Beach EQCB	6/5/2025	EQCB Meeting	EQCB-Villanueva
Richard Coles		6/5/2025	EQCB Meeting	EQCB-Coles
Councilwoman Patty Senecal		6/5/2025	EQCB Meeting	EQCB-Senecal
Shelley Sustarsic		6/5/2025	EQCB Meeting	EQCB-Sustarsic
Belle Hsu	City of Seal Beach EQCB	6/20/2025	Comment Letter	CL-Hsu
Gary Miller		6/22/2025	Comment Letter	CL-Miller
Susan Perrell	City of Seal Beach EQCB	6/18/2025	Comment Letter	CL-Perrell1
Susan Perrell	City of Seal Beach EQCB	6/20/2025	Comment Letter	CL-Perrell2
Shelley Sustarsic		6/23/2025	Comment Letter	CL-Sustarsic
Tom Lasser		6/14/2025	Comment Letter	CL-Lasser

Comments received in person at the EQCB Meeting held on June 5, 2025 are provided under Appendix A.
Written comments received on the Draft EIR are provided under Appendix B.

2.2 REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

State CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issues raised and must be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines Section 15204).

State CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways that the significant effects of the project might be avoided or mitigated. State CEQA Guidelines Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to State CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence supporting such a conclusion.

State CEQA Guidelines Section 15088 also recommends that where a response to comments results in revisions to the Draft EIR, those revisions be incorporated as a revision to the Draft EIR or as a separate section of the Final EIR.

2.3 MASTER RESPONSES

A number of comments received on the Draft EIR focused on several main issues and topics associated with the Project and the CEQA analysis of project impacts. As such, the City determined it would be appropriate, and would facilitate public review, to provide master responses to address these comments and provide the necessary context for considering the issues raised. The main issues and topics warranting master responses are provided in full, below, and include the following:

Table 2-2: Master Responses

Topics	Master Response No.
Program vs. Project EIR/Subsequent Environmental Review	1
Old Ranch Country Club (ORCC)	2
Cumulative Analysis	3
Non-CEQA Related Concerns	4

2.3.1 Master Response No. 1: Program vs. Project EIR/Subsequent Environmental Review

Several commenters expressed concerns regarding the level of analysis contained within the Draft EIR and questioned the level of subsequent environmental review that would be required for future development projects developed as a result of the Project. Individual comment letters are summarized below in Section 2.4 Response to Comments. Individual comment letters that included comments pertaining to Master Response No. 1 summarized in Section 2.4 Response to Comments below are directed to this section for a response to their comments.

As stated under CEQA Guidelines Section 15168, a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- Geographically,
- As logical parts in the chain of contemplated actions,
- In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

1. If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration. That later analysis may tier from the program EIR as provided in Section 15152.



2. If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.

3. An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into later activities in the program.

4. Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.

5. A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

A project-level EIR generally focuses on the environmental changes caused by a development project, including planning, construction, and operation. A program EIR, on the other hand, generally looks at the broad policy of a planning document, i.e., a general plan, and may not address potential site-specific impacts of the individual projects that may fall within the planning document.

As identified in the Draft EIR, the Project does not propose any actual development at this time and certification of the Project and Draft EIR would only change the proposed land use of the identified sites. As there are no actual developments proposed at this time on the Housing Opportunity Sites (a specific project is proposed on the ORCC pipeline site, see Master Response 2), the potential impacts that could result from actual development are unknown. Therefore, a program EIR approach was used for the Project. When future developments are proposed on Housing Opportunity Sites or within the Main Street Program area and site plans are established, then each future development project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. The level of subsequent environmental review required for the future development project would be evaluated at the time of application review and would be determined by the City. Unless and until further project-level details are developed, analysis at a project level would be incomplete.

Some commenters expressed concerns that adoption of this program EIR would allow for future developments to be approved without going through its own independent environmental review process. However, future development projects would be required to undergo their own environmental review process. As outlined by J.W. DeShazer Foundation v. City of Glendale Redevelopment Agency (1999) 70 Cal.App.4th 242, the courts rejected agency reliance on a general plan EIR alone to approve a specific development, emphasizing that the project's unique impacts must be independently assessed. Therefore,



future development projects would not be allowed to rely solely on the Housing Element Program EIR for approval and would require independent environmental analysis. However, future development projects' environmental analysis may utilize the Housing Element Program EIR to tier off of to streamline its environmental review. If the future project were to utilize the program EIR for subsequent project-level EIRs or CEQA filings, the project would be required to be consistent with the overarching analysis provided in the EIR.

Though it would be anticipated that future developments located on the Housing Opportunity Sites and within the Main Street Program area would require subsequent environmental review at the time of the proposed development application, some future developments may not require significant environmental review under CEQA.

Assembly Bill (AB) 130 and Senate Bill (SB) 131 were recently signed into state law on June 30, 2025 which contained significant reforms to CEQA relevant to housing projects. AB 130 exempts qualifying "infill" housing-rich projects from CEQA, with no labor or wage standard requirements for projects up to 85 feet tall, unless the project is 100 percent affordable. It also imposes a new 30-day deadline for agencies to act to approve or disapprove qualifying projects, which is a significant change from current law. For housing developments that qualify under the criteria for AB 130's CEQA exemption, the project would be exempt from preparing a full environmental analysis document.

SB 131 also constrains CEQA review for projects that narrowly fail to qualify for a CEQA exemption (including AB 130's new statutory exemption for infill housing). Under SB 131, if a housing project would qualify for a CEQA exemption "but for a single condition" of that exemption, CEQA review for the housing project is limited to environmental effects caused by that single condition. Therefore, the initial study or environmental impact report for these "near-miss" projects is only required to examine environmental effects that are caused "solely" by the presence of the single condition that precluded qualification.

As many of the Housing Opportunity Sites and the Main Street Program area identified for the Project are located on infill sites, future developments proposed on these sites could potentially utilize the recently adopted CEQA review laws under AB 130 and SB 131. If a future development project is determined to qualify under AB 130 or SB 131, then the project may not be required to prepare an environmental analysis document or may be limited in the scope of impacts that it may be required to analyze. Each future development project will be reviewed for consistency with applicable CEQA laws and guidelines by the City to determine the level of subsequent environmental review required. The level of subsequent environmental review required for the future development project would be evaluated at the time of application review and would be determined by the City.

2.3.2 Master Response No. 2: Old Ranch Country Club (ORCC)

Several commenters had concerns related to potential future development proposed on the ORCC Specific Plan Project site due to its location within proximity to the Los Alamitos Joint Forces Training Base (JFTB), land use conflicts, drainage, and increased population and traffic in the area as a result of the project.

As stated in Section 2.0, Project Description, of the Draft EIR, housing developments that have already been proposed and are not expected to be issued a certificate of occupancy until July 1, 2021 or after, but are expected to be completed before the end of the planning period (October 15, 2029), can be credited



toward the RHNA and are considered pipeline projects. Therefore, the Housing Element Update identified ORCC Specific Plan Project as a pipeline project towards meeting the City's RHNA requirement. The 167 dwelling units proposed through the ORCC Specific Plan Project are programmatically evaluated in the Draft EIR as the units are included within the City's site inventory to meet its RHNA requirements. Specific impact findings associated with the development of the ORCC Specific Plan Project are being evaluated separately by the City in a standalone EIR. The site is being evaluated in its own EIR as the development application for the site includes the preparation of a specific plan that would redevelop the site with a mix of residential and commercial uses and therefore, cannot be analyzed at a programmatic level in the Housing Element Draft EIR.

This EIR is not rezoning or entitling the ORCC Specific Plan Project. Rather, the Draft EIR evaluated the residential component of the ORCC Specific Plan Project as a basis for implications associated with housing production associated with the ORCC Specific Plan, only. Therefore, the location of the proposed residential developments and its potential safety impacts and associated land use conflicts are being evaluated in a standalone EIR by the City and is not required to be analyzed in this Draft EIR.

2.3.3 Master Response No. 3: Cumulative Analysis

Several commenters questioned what was included in the cumulative impact analysis and stated careful consideration should be taken in the Draft EIR's cumulative impact analysis due to the Project and other developments in the vicinity of the City's creation of population growth and that potential impacts that could occur as a result.

As outlined in Section 3.0 Environmental Analysis of the Draft EIR, section 15130(a) of the State CEQA Guidelines requires a discussion of the cumulative impacts of a project when the project's incremental effect is cumulatively considerable. Cumulatively considerable, as defined in CEQA Guidelines Section 15065(a)(3), means that the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The State CEQA Guidelines Section 15355 defines a cumulative impact as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant projects taking place over time.

A cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other past, present and reasonably foreseeable projects causing related impacts. In this case, the Housing Element Update itself is a plan-level document which provides for increased residential development within the City across a relatively broad geography, including potential housing development that exceeds the regional forecast included for the City in regional plans.

The nature of the Project does not alter the need to analyze cumulative impacts, and consistent with CEQA Guidelines Section 15130(b)(1), regional growth projections prepared for Connect SoCal 2024 and contained in the County's transportation model are used for the analysis of VMT and related topics such as air quality, energy, greenhouse gas emissions, and noise.

The geographic area analyzed for cumulative impacts is dependent on the resource being analyzed. The geographic area associated with a Project's environmental impacts defines the boundaries of the area used for compiling the list of past, present, and reasonably foreseeable projects considered in the



cumulative impacts analysis. Some analysis including air quality, energy, greenhouse gas emissions, transportation, and population and housing, relies on much larger geographic areas such as the Southern California region. For analysis that may have more localized or neighborhood implications (biological resources, cultural resources, noise, public services, utilities), the cumulative impact analysis includes development projects that have recently been approved or have a pending application. Additionally, it includes potential future developments and opportunity sites that have been identified in the Housing Element Update for the adjacent cities. A list of cumulative past, present, and probable future residential projects in the City and surrounding area that has been identified to be included in the cumulative analysis, including cumulative developments such as the Lampson Project, is identified in Table 3.0-3 of the Draft EIR.

The analysis contained in the Draft EIR focuses on the Seal Beach Housing Element and associated Zoning Code Update; however, the Seal Beach Housing Element's larger implications of growth such as to transportation systems utilized by people that reside outside of the City are considered and analyzed in the Draft EIR. Other entity's housing elements and individual projects proposed outside of the City but within the region that could impact Seal Beach are analyzed at a cumulative level. Other entity's housing elements are considered as part of the cumulative impact analysis as future housing projects proposed on the candidate sites identified in the individual housing element could result in increase growth in the area and contribute to cumulative impacts. However, other General Plan elements are not considered in the cumulative impact analysis as individual General Plan elements by itself would not result in increased growth in a specific area, unlike the housing element. The cumulative impact analysis is provided at the end of each resource section analyzed in the Draft EIR. Though the Draft EIR includes a cumulative analysis of the Project in conjunction with past, present, and reasonably foreseeable projects in the area, as the Draft EIR is a program level document and analyzes the land use modifications and increased growth opportunity within the City that could occur as a result of the Project, site specific impacts that could result from the future development of the sites and its potential cumulative contributions are unknown.

Commenters expressed concerns with cumulative impacts related to transportation, circulation, and congestion that may occur as a result of the Project in combination with other individual projects and developments in the area (i.e., development projects located adjacent to and/or in the vicinity of Seal Beach). As the Project does not propose any specific development at this time and would only result in modifications to the proposed land uses for certain sites within the City, the potential impacts that could result on these identified sites are unknown and speculative at this time. Though a specific development application has been submitted for the ORCC Specific Plan Project, specific impact findings associated with the development of the ORCC Specific Plan Project are being evaluated separately by the City in a standalone EIR. The site is being evaluated in its own EIR as the development application for the site includes the preparation of a specific plan that would redevelop the site with a mix of residential and commercial uses and therefore, cannot be analyzed at a programmatic level in the Housing Element Draft EIR. When future developments are proposed on Housing Opportunity Sites and site plans are established, then subsequent analysis of the future development's contribution to impacts (including cumulative) such as transportation and congestion, air quality, and noise, will be prepared if it is determined to be required for the individual development. As stated above under Master Response 1, each future development project will be reviewed for consistency with applicable CEQA laws and guidelines by the City to determine the level of subsequent environmental review required. The level of



subsequent environmental review required for the future development project would be evaluated at the time of application review and would be determined by the City. Additionally, development projects located in and within the vicinity of Seal Beach would have to take into account the Seal Beach Housing Element EIR's potential impacts within their own CEQA document's cumulative impact analysis and mitigate any potentially significant cumulative impacts to the extent feasible.

2.3.4 Master Response No. 4: Non-CEQA Related Concerns

Several commenters stated concerns for topics such as availability and affordability of homeowners insurance and financial and economic impacts of the Project.

For the purposes of CEQA, the purpose of the Draft EIR is to identify the significant effects of the Project on the environment, not the significant effects of the environment on the Project. (South Orange County Wastewater Authority v. City of Dana Point (2011) 196 Cal.App.4th 1604, 1614-1618; City of Long Beach v. Los Angeles Unified School Dist. (2009) 176 Cal.App.4th 889, 905.) While identifying the environmental effects of the Project to an area is consistent with CEQA's legislative purpose and statutory requirements, identifying the effects on the Project and its users of locating the Project in a particular environmental setting is neither consistent with CEQA's legislative purpose nor required by the CEQA statutes. Appendix G of the CEQA Guidelines is a sample checklist form that is suggested for use in preparing an initial study, and which the City has employed to assist in the preparation of the Draft EIR (see Guidelines, § 15063, subd. (f)). Nevertheless, a few of the questions on the checklist form do concern the exposure of people or structures to environmental hazards and could be construed to refer to not only the Project's exacerbation of environmental hazards but also the effects on users of the Project and structures in the Project of preexisting environmental hazards. To the extent that such questions may encompass the latter effects, the questions do not relate to environmental impacts under CEQA and cannot support an argument that the effects of the environment on the Project must be analyzed in an EIR. (Ballona Wetlands Trust v. City of Los Angeles (2011) 201 Cal.App.4th 455, 473- 474.). Additionally, potentially fiscal and economic impacts of a Project would not require analysis under CEQA as impacts related to fiscal and economic changes are not considered to be an effect of the Project on the environment.

2.4 RESPONSES TO COMMENTS

In accordance with the CEQA Guidelines Section 15088, the City of Seal Beach, as the lead agency, evaluated the comments received on the Draft EIR (SCH No. 2023110425) for the City of Seal Beach Housing Element and Zoning Code Updates Project, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the Project in accordance with CEQA Guidelines Section 15132.

The verbal and written individual comments received on the Draft EIR and the responses to those comments are provided below. The comment letters and verbal comments made at the EQCB meeting are reproduced in their entirety and are followed by the response(s). All comments are indicated by a line bracket and an identifying number in the margin of the comment letter.



2.4.1 Response to EQCB-Hsu: Board Member Belle Hsu

Response to Comment EQCB-Hsu-1

The commenter raised concerns about the affordability and availability of homeowners insurance, especially for low-income residents. Potential impacts related to homeowners insurance are not a required topic of analysis under CEQA and therefore, is not included in the Draft EIR analysis. However, the forces and resources which could cause implications to affordability and availability of homeowners insurance, such as hydrology and flooding, earthquakes, and wildfire hazards, were evaluated in the Draft EIR. Nevertheless, as it is not a CEQA topic of analysis, the risk and fees associated with insurance are not evaluated in the Draft EIR as CEQA statutes stay out of the market effects and economics related to project implementation. The state's site evaluation guidelines are very specific about the feasibility of proposing sites such as proposing development on sites that are not wholly contained within a floodplain or have risks related to flooding and as such, the state places restrictions on where developments are allowed to be proposed.

For the purposes of CEQA, the purpose of the Draft EIR is to identify the significant effects of the Project on the environment, not the significant effects of the environment on the Project. Though economic and social effects can be considered in determining the significance of physical changes caused by a proposed project, the comment does not relate to the potential impact significance determination for resources analyzed in the Draft EIR. Therefore, the topic of potential concerns related to affordability and availability of homeowners insurance is not a CEQA related issue and does not require discussion in the Project's Draft EIR. See also Master Response 4 for a discussion of non-CEQA related concerns.

Response to Comment EQCB-Hsu-2

The commenter stated their concern with drainage issues in the City and questions how drainage issues are going to be handled so that they don't further compound the other drainage issues that exist.

Hydrology and stormwater drainage are analyzed in Section 3.9 Hydrology and Water Quality and Section 3.17 Utilities and Service Systems of the Draft EIR. As identified in the Draft EIR, the Draft EIR proposes Mitigation Measure HYD-1 which requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation measures to resolve impacts to the City's storm water infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. The requirements for contribution to funding improvements and the anticipated cost would be analyzed at the time of project-specific environmental analysis. As identified in the Draft EIR, implementation of Mitigation Measure HYD-1 was determined to reduce potential impacts related to hydrology, flooding, and storm water drainage to a less than significant level.



2.4.2 Response to EQCB-Depew: Board Member Michael Depew

Response to Comment EQCB-Depew-1

The commenter stated their concerns with the mitigation imposing fees on the developers for water supply and questioned the effectiveness of using developer fees to mitigate water supply issues as we can't buy more water if it does not exist. The commenter suggested other methods to utilize the collected fees to mitigate such as recycled water.

Mitigation Measure UTIL-1 is included in the Draft EIR to reduce potential impacts related to water, sewer, and stormwater facilities by requiring future proposed developments to mitigate their proportionate impacts to utility infrastructure by way of fair-share/in-lieu fee payments or other alternative financing arrangements. This mitigation is proposed to reduce impacts to the infrastructure of utilities, not to mitigate impacts related to water supply. The funds collected through the proposed mitigation measure can be used by the City to improve utility infrastructure within the City to serve its residents, including installing a recycled water system if it was determined to reduce deficiencies that require infrastructure improvements. How the City utilizes the funds collected would be at the discretion of the City.

As identified under Section 3.17 Utilities and Service Systems of the Draft EIR under Impact UTIL-2, the Project was determined to have a less than significant impact related to water supply and did not require mitigation to reduce impacts as sufficient water supplies are available to serve the Project.

As identified in Section 3.17 Utilities and Service Systems of the Draft EIR, a Water Supply Assessment (WSA) was prepared to determine if sufficient water supplies would be available to serve buildout of the Project. As identified in the WSA, based on the estimated additional water required for the Project, an approximate 8 percent increase in supply is required to meet these demands for the City, and approximately 1 percent increase in supply is required to meet the demands for Golden State Water Company (GSWC).

According to both the City's 2020 Urban Water Management Plan (UWMP) and GSWC's 2020 UWMP, after 2025, the Basin Production Percentage (BPP) within the OC Basin is assumed to be set at 85 percent for retail water suppliers. This would mean that the portfolio for each retail water supplier that pumps groundwater from the OC Basin would be composed of 85 percent groundwater and 15 percent imported water. As part of the Orange County Water District's (OCWD's) Groundwater Reliability Plan, the groundwater levels are managed within a safe operating range to mitigate land subsidence, provide sustainability to the basin, and reduce the risk of overdraft. OCWD assesses the basin annually and sets a BPP uniformly for all producers, which is defined as the percentage of the retail water supplier's total water demand that comes from groundwater. The BPP is based on estimated demands from all groundwater producers, the amount of imported water available from the Metropolitan Water District of Southern California (MET), the estimated basin operating range, basin storage conditions, the amount of recharge water available to OCWD, and other factors. Groundwater producers meet bi-annually with OCWD to establish a Replenishment Assessment (RA) based on demands estimated from the previous year and the amount of groundwater that has been pump during the year. While there is no legal limit as to how much a groundwater producer pumps from this basin, agencies that pump above the established BPP are charged a RA fee plus a Basin Equity Assessment (BEA) fee.



As identified in the Draft EIR, the City's and GSWC's projected water supplies identified in their respective 2020 UWMPs would not be adequate to serve the additional demand that would result from maximum buildout of the Project. However, each retail water supplier would be able to meet the projected and additional demand associated with the Project through 2045 with a combination of groundwater production and imported water purchased. Imported MET water purchases through Municipal Water District of Orange County (MWDOC) and groundwater production within the OC Basin are established annually via agency coordination based on the estimated demands and various other factors in Orange County.

Based on MET's reliability and sustainable management of the OC Basin by OCWD, the WSA concluded that the additional demand from the Project along with the projected demands from the UWMP can be met as these additional demands would be accounted for during coordination and BPP establishment for the following year. For any demands beyond the annual estimates within the retail water suppliers service area, the retail water supplier may either have to increase groundwater production beyond the BPP established by OCWD, which may result in costs incurred associated with RA and BEA or would need to purchase more imported water from MWDOC to provide adequate supplies to meet the increased demand.

The commenter questioned the effectiveness of using developer fees to mitigate water supply issues as we can't buy more water if it does not exist. As identified in the Draft EIR Section 3.17 Utilities and Service Systems, there is no legal limit as to how much a groundwater producer pumps from this basin. Additionally, as identified under Impact UTIL-2 of the Draft EIR, each retail water supplier that serves the City would be able to meet the projected and additional demand associated with the Project through 2045 with a combination of groundwater production and imported water purchased. Therefore, as there would be more water available for use, the City is not anticipated to run into a problem of additional water not existing as outlined in the Draft EIR analysis. Additionally, the developer fees are intended to mitigate impacts related to utility infrastructure and any improvements that could be required as a result of increased growth. The developer fees are not intended to mitigate water supply issues.

2.4.3 Response to EQCB-Perrell: Board Member Susan Perrell

Response to Comment EQCB-Perrell-1

The commenter agreed with comment EQCB-Hsu-1 related concerns about affordability and availability of homeowners insurance and also stated that insurance costs are part of the first two objectives of the EIR "protect and improve quality of life for current and future residents."

Potential impacts related to homeowners' insurance are not a required topic of analysis under CEQA and therefore, is not included in the Draft EIR analysis. However, the forces and resources which could cause implications to affordability and availability of homeowners insurance, such as hydrology and flooding (Draft EIR Section 3.9), earthquakes (Draft EIR Appendix A - Initial Study), and wildfire hazards (Draft EIR Appendix A - Initial Study), were evaluated in the Draft EIR. Nevertheless, as insurance is not a CEQA topic of analysis, the risk and fees associated with are not evaluated in the Draft EIR as CEQA statutes stay out of the market effects and economics related to project implementation. The state's site evaluation guidelines related to Housing Element law are very specific about site feasibility such as proposing development on sites that are not wholly contained within a floodplain or have risks related to flooding

and as such, the state places restrictions on where developments are allowed to be proposed. For the purposes of CEQA, the purpose of the Draft EIR is to identify the significant effects of the Project on the environment, not the significant effects of the environment on the Project. Though economic and social effects can be considered in determining the significance of physical changes caused by a proposed project, the comment does not relate to the potential impact significance determination for resources analyzed in the Draft EIR. Therefore, the topic of potential concerns related to affordability and availability of homeowners insurance is not a CEQA related issue and does not require discussion in the Project's Draft EIR. This comment does not address the adequacy or completeness of the Draft EIR, does not raise environmental issues, and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to CEQA Guidelines Section 15088. No further response is necessary. See also Master Response 4 for a discussion of non-CEQA related concerns.

There are no specific parameters for the quality-of-life objective and the definition of what quality of life constitutes depends on how the reader interprets the objective. Though rising insurance costs could result in diminishing quality of life for existing residents, rising insurance costs is neither an impact of the project on the environment nor is it a topic of analysis under CEQA. Increased housing opportunities in the City could increase quality of life for existing and future residents by providing a more diverse housing stock for the city including a variety and range of residential development types and affordability levels. Additionally, the purpose of the Draft EIR is to identify the significant effects of the Project on the environment under CEQA and identify mitigation measures to reduce the identified impacts to protect quality of life. The purpose of the CEQA analysis is to identify any potential impacts that could impact a population's quality of life in terms of potential environmental impacts and to mitigate or minimize to the extent feasible those potential impacts. Therefore, the preparation of the Draft EIR for the Project and the analysis and mitigation measures included in the Draft EIR will protect City residents' quality of life in terms of potential environmental impacts by identifying impacts and mitigating those impacts to the extent feasible. The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment EQCB-Perrell-2

The commenter commended staff and CEQA consultants on the preparation of the document noting its organization, clarity, and addressing comments received on the NOP. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment EQCB-Perrell-3

The commenter voiced concerns about conflicting project objectives included in the Draft EIR related to protecting quality of life vs. complying with RHNA mandates. The commenter stated 1,243 new housing units will create significant impacts that would not allow for the project to protect and improve quality of life for the City's residents. The commenter suggested different approaches to reduce impacts and ensure



objectives do not conflict such as lowering density, reducing flooding by putting in permeable pavement, reducing transportation impacts by requiring bike lanes. The commenter stated that more emphasis needs to be put on the quality-of-life project objective.

The purpose of the Draft EIR is to identify the significant effects of the Project on the environment under CEQA and identify mitigation measures to reduce the identified impacts to protect quality of life. The purpose of the CEQA analysis is to identify any potential impacts that could impact a population's quality of life in terms of potential environmental impacts and to mitigate or minimize to the extent feasible those potential impacts. Therefore, the preparation of the Draft EIR for the Project and the analysis and mitigation measures included in the Draft EIR will protect City residents' quality of life in terms of potential environmental impacts by identifying impacts and mitigating those impacts to the extent feasible. The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment EQCB-Perrell-4

The commenter stated their agreement with comment EQCB-Depew-1 related to mitigating water supply impacts.

Mitigation Measure UTIL-1 is included in the Draft EIR to reduce potential impacts related to water, sewer, and stormwater facilities by requiring future proposed developments to mitigate their proportionate impacts to utility infrastructure by way of fair-share/in-lieu fee payments or other alternative financing arrangements. This mitigation is proposed to reduce impacts to the infrastructure of utilities, not to mitigate impacts related to water supply. As identified under Section 3.17 Utilities and Service Systems of the Draft EIR under Impact UTIL-2, the Project was determined to have a less than significant impact related to water supply and did not require mitigation to reduce impacts as sufficient water supplies are available to serve the Project. The funds collected through the proposed mitigation measure can be used by the City to improve utility infrastructure within the City to serve its residents, including installing a recycled water system if it was determined to reduce deficiencies that require infrastructure improvements. How the City utilizes the funds collected would be at the discretion of the City.

Response to Comment EQCB-Perrell-5

The commenter stated they have the same concerns as EQCB-Hsu-2 related to stormwater flooding and encouraged others to come up with more comments and submit the comments before the deadline.

See response to EQCB-HSU-2 for a response related to stormwater drainage. The comment encouraging submittal of comments is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment EQCB-Perrell-6

The commenter called for the preparation of a separate EIR for Housing Opportunity Site 8 - 99 Marina Drive, citing its unique ecological and recreational value.



The comment is noted. As the Draft EIR presented is a programmatic EIR, it looks at each specific site at a broader level than a project level EIR and does not analyze site specific impacts. Site specific impacts would be analyzed in the future as specific development projects are proposed at the Housing Opportunity Sites included in the Draft EIR. Each individual project proposed at the Housing Opportunity Sites or within the Main Street Program area will require its own subsequent entitlement process through the City and its planning division. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. The level of subsequent environmental review required for the future development project would be evaluated at the time of application review and would be determined by the City. See also Master Response 1 for a discussion of environmental effects analyzed in a programmatic level document and subsequent environmental review.

Response to Comment EQCB-Perrell-7

The commenter asked procedural questions regarding whether certification of the EIR would mean the specific sites are not evaluated during subsequent entitlements process.

The comment is related to the procedure of the CEQA process and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Future development projects subsequently proposed at the Housing Opportunity Sites or within the Main Street Program area included in the Draft EIR will require their own subsequent entitlement process through the City and its planning division and certification of the Draft EIR would not preclude subsequent environmental review by the City for future projects. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. The level of subsequent environmental review required for the future development project would be evaluated at the time of application review and would be determined by the City. See also Master Response 1 for a discussion of subsequent environmental review process.

2.4.4 Response to EQCB-Horning: Board Member Donald Horning

Response to Comment EQCB-Horning-1

The commenter asked procedural questions related to who would respond to comments from Leisure World. The comment is related to the procedure of how comments received on the Draft EIR are addressed and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary. All comments received on the Draft EIR are addressed by the consultants and the City preparing the Final EIR.

Response to Comment EQCB-Horning-2

The commenter outlined that the Draft EIR includes significant impacts for five topics including air pollution, greenhouse gases, public services, recreation, and transportation and stated the importance of disclosing specific site impacts early such as why a particular site has not been previously developed and when they should be brought up.



As identified in the Draft EIR, the five resource topics that were determined to have a significant and unavoidable impact were air pollution, greenhouse gases, public services, recreation, and transportation. Impacts related to air pollution are discussed in Section 3.2 Air Quality of the Draft EIR, greenhouse gas impacts are discussed in Draft EIR Section 3.7, public service impacts are discussed in Draft EIR Section 3.13, recreation impacts are discussed in Draft EIR Section 3.14, and transportation impacts are discussed in Draft EIR Section 3.15. The comment is a general comment and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Public comments are valued during the Draft EIR review process as they can reveal specific impacts residents of a project area face that are not formally documented in other readily available environmental documents. Whether the comments received come from a specific agency or board or it comes from a quadrant of a community or representation of a few neighbors or individuals, all comments received are considered and responded to with the same level of weight and consideration.

Response to Comment EQCB-Horning-3

The commenter questioned how nearby entities such as Rossmoor and Los Alamitos that have their own Housing Element studies fit together with the Seal Beach Housing Element Update Draft EIR and questions if the Draft EIR only focuses on the opportunity sites identified for Seal Beach and how cumulative impacts are discussed.

The analysis contained in the Draft EIR focuses on the Seal Beach Housing Element and related Zoning Code Amendments; however, the larger implications of growth in the vicinity of the City are considered and analyzed in the Draft EIR. Other entities' housing elements and individual projects proposed outside of the City but within the region that could impact Seal Beach are analyzed at a cumulative level. The geographic scope of cumulative impact analysis for each resource section analyzed in the Draft EIR is dependent on the cumulative impact setting for each resource. The geographic scope of cumulative impacts for each resource is outlined in Table 3.0-2 in the Draft EIR. The cumulative impact analysis is provided at the end of each resource section analyzed in the Draft EIR. See also Master Response 3 for a discussion of cumulative impact analysis.

Response to Comment EQCB-Horning-4

The commenter stated the purpose of the meeting is to motivate the community with education and to solicit comments and suggested everyone compile their comments and send it in before the deadline. The comment is a general statement encouraging the public to provide comments on the Draft EIR and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment EQCB-Horning-5

The commenter states the importance that each individual site is evaluated in depth before being offered as an opportunity site; however, understands they don't have a say in the housing element process and therefore, providing comments is necessary to be their own defense team.



The Housing Opportunity Sites presented in the Seal Beach Housing Element Update were determined using a variety of methods. A Housing Element Ad Hoc Committee was established and held two meetings to assist in identifying and evaluating potential sites for housing development. In addition, City staff contacted several property owners to assess interest in multi-family or mixed-use redevelopment. To ensure sites selected for the site inventory do not have existing uses that are impediments to housing development, an analysis was conducted to select sites that are most likely to develop during the planning period. Development likelihood and feasibility were determined by a number of different variables, including improvement-to-land value ratio, existing lot coverage, lot size, future development potential, and existing uses, and by recent patterns and trends in the region. The identified Housing Opportunity Sites were also reviewed by the Planning Commission and City Council at public hearings, and property owners and other interested stakeholders had the opportunity to provide comments on sites that should be considered for additional residential development. Therefore, each individual Housing Opportunity Site was evaluated in depth related to the feasibility and compatibility of development or redevelopment of the site before being chosen as an opportunity site and opportunities were provided for public input on the Housing Opportunity Sites. Site evaluation and selection was performed in advance of the Draft EIR in order to create a project description for evaluation by the Draft EIR. Additionally, see Master Response 1 for a discussion of the level of analysis provided in a program-level vs. project-level CEQA analysis.

2.4.5 Response to EQCB-Villanueva: Board Member James Villanueva

Response to Comment EQCB-Villanueva-1

The commenter stated they agree with EQCB-Perrell-3 regarding the quality-of-life project objective and what impacts would occur but requested people consider a broader definition of quality of life as increasing the amount of residents in the City would allow for property tax revenue to increase and would increase activity on Main Street which would be beneficial and would improve quality of life.

The purpose of the Draft EIR is to identify the significant effects of the Project on the environment under CEQA and identify mitigation measures to reduce the identified impacts to protect quality of life. The purpose of the CEQA analysis is to identify any potential impacts that could impact a population's quality of life in terms of potential environmental impacts and to mitigate or minimize to the extent feasible those potential impacts. Therefore, the preparation of the Draft EIR for the Project and the analysis and mitigation measures included in the Draft EIR will protect City residents' quality of life in terms of potential environmental impacts by identifying impacts and mitigating those impacts to the extent feasible.

The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment EQCB-Villanueva-2

The commenter commended staff and CEQA consultants on the preparation of the document. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information



relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment EQCB-Villanueva-3

The commenter stated that they think it would be a shame to see the 99 Marina property be developed with a dense development due to its unique value and contemplates whether a portion of the site can be set aside for open space while the remainder is available for development

The comment regarding the commenter's feelings about Housing Opportunity Site 8 – 99 Marine Drive and their desire to set aside a portion of the property for open space is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.6 Response to EQCB-Coles: Richard Coles

Response to Comment EQCB-Coles-1

The commenter stated their relevant experience working with and reviewing EIRs. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment EQCB-Coles-2

The commenter stated they believe there should be separate EIRs for geologically distinct sites. The comment is noted. As the Draft EIR presented is a programmatic EIR, it looks at each specific site at a broader level than a project level EIR and does not analyze site specific impacts. Site specific impacts would be analyzed in the future as specific development projects are proposed at the Housing Opportunity Sites included in the Draft EIR. Each individual project proposed at the Housing Opportunity Sites or within the Main Street Program area will require its own subsequent entitlement process through the City and its planning division. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. The level of subsequent environmental review required for a future development project would be evaluated at the time of application review and would be determined by the City. See also Master Response 1 for a discussion of analysis contained in a programmatic level document such as the Draft EIR and subsequent environmental review.

Response to Comment EQCB-Coles-3

The commenter highlighted concerns about stormwater, aging infrastructure, traffic, and air quality. The commenter stated concerns related to air quality specifically at the 99 Marina site due to Long Beach passing three new major developments in the vicinity. Additionally, the commenter expressed concerns



with redeveloping the Main Street area with up to 115 new units diminishing the existing visual character of the area.

Stormwater and utility infrastructure are analyzed in Section 3.9 Hydrology and Water Quality and Section 3.17 Utilities and Service Systems of the Draft EIR. Traffic impacts are analyzed in Section 3.15 Transportation and air quality impacts are analyzed in Section 3.2 Air Quality of the Draft EIR. Additionally, potential cumulative impacts related to the three Long Beach developments referenced by the commenter are included in the cumulative impact analysis for the Project and air quality impacts related to these developments have been evaluated. The cumulative air quality impact analysis is provided at the end of Section 3.2 Air Quality of the Draft EIR. In addition, redevelopment of the Main Street area with up to 115 second-story units is the highest intensity scenario, which was analyzed in the Draft EIR to ensure that potential future impacts from development of residential units within the Main Street area are included and evaluated in the Draft EIR. As identified in the City's Housing Element Update, the City realistically anticipates permitting the construction of two residential units in the Main Street area during the Housing Element Update's planning period. Additionally, the Project's amendment to the Main Street Specific Plan to allow for second-story residential uses would not result in modifications to the development standards for the area. The development standards such as those related to the height of proposed structures would not change as a result of the Project as two-story structures are already allowed in the area. Therefore, future residential uses within the area would be developed in accordance with the existing development standards and in character with the existing development pattern of the area and would not result in changes to the existing visual character of the area. Response to EQCB-Senecal: Patt Senecal

Response to Comment EQCB-Senecal-1

The commenter criticized the VMT metric and raised concerns about traffic congestion, air quality, particulate pollution, and noise that could result. The commenter questioned whether they can require the South Coast AQMD to put air monitoring on these sites or near the sites on a continual tracking basis for air quality to understand potential impacts.

As identified in the Section 3.15 Transportation of the Draft EIR, in accordance with state guidelines, VMT analysis that incorporates the requirements of SB 743 was utilized as one measure of the Project's potential transportation impacts. SB 743 required OPR to establish guidelines under CEQA for identifying and mitigating VMT transportation impacts. Generally, SB 743 moves away from using delay-based LOS as the metric for identifying a significant impact and instead uses VMT. The City of Seal Beach adopted an SB 743 Implementation Policy and a new Transportation Analysis Guidelines. The methodology and threshold of significance identified in the Transportation Analysis Guidelines were used in the VMT analysis provided in the Draft EIR. The commenter's criticism of the VMT metric is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088. Traffic impacts are analyzed in Section 3.15 Transportation and air quality and particulate pollution impacts are analyzed in Section 3.2 Air Quality and Section 3.7 Greenhouse Gas Emissions of the Draft EIR. Additionally, noise impacts are analyzed in Section 3.11 Noise of the Draft EIR.



The commenter questioned if the City can require the South Coast AQMD to put air monitoring on the sites or near the sites on a continual tracking basis of the air quality so that they can monitor and know what air quality impacts are occurring. The Project was evaluated in the Draft EIR utilizing required standards under the State CEQA Guidelines and the Draft EIR evaluates the Project against the existing conditions which serve as the baseline for potential impacts. As outlined in CEQA Guidelines Section 15125, the baseline constitutes the existing physical conditions by which a lead agency determined whether an impact is significant. Though the City could implement air monitoring at these sites to see how future developments impact air quality , such activity would not result in changes to the significance determination included in the Draft EIR as future conditions are unknown. The comment is noted and will be forwarded to City decision-makers for their review and consideration.

2.4.7 Response to EQCB-Sustarsic: Shelley Sustarsic

Response to Comment EQCB-Sustarsic-1

The commenter stated that there are existing storm drainage and hydrology impacts that exist within the City and expressed their concerns that the Project will exacerbate the existing problem.

Hydrology and stormwater drainage are analyzed in Section 3.9 Hydrology and Water Quality and Section 3.17 Utilities and Service Systems of the Draft EIR. As identified in the Draft EIR, the Draft EIR proposes Mitigation Measure HYD-1 which requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation measures to resolve impacts to the City's storm water infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. The requirements for contribution to funding improvements and the anticipated cost would be analyzed at the time of project-specific environmental analysis. As identified in the Draft EIR, implementation of Mitigation Measure HYD-1 was determined to reduce potential impacts related to hydrology, flooding, and storm water drainage to a less than significant level. Each future development project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. If subsequent environmental review, such as the preparation of a project-specific EIR, is determined to not be required, that is a result of the individual project meeting CEQA exemption requirements which determines that the level of risk of the individual project resulting in significant impacts are low and therefore does not require a full environmental analysis or mitigation measures to reduce impacts. See Master Response 1 for a discussion of potential subsequent environmental review requirements.

Response to Comment EQCB-Sustarsic-2

The commenter questioned how tall the subsequent developments would be due to the proposed density (for example for the Shops at Rossmoor) and the potential impacts that could result due to JFTB and Los Alamitos airport related to light and glare, noise, and safety.

As specific development applications have not been submitted for the Housing Opportunity Sites or Main Street Program area, the actual development and structures that would be constructed at these sites are



currently unknown. However, all future development projects proposed on the Housing Opportunity Sites and within the Main Street Program area would be required to comply with the City's design standards and guidelines, including those related to the maximum building heights. Potential impacts related to Los Alamitos JFTB are evaluated in Section 3.8 Hazards and Hazardous Materials of the Draft EIR under Impact HAZ-1. The evaluation included an analysis of noise, safety, and height restriction impacts and determined that future developments under the Project would comply with the noise, safety, and height standards established in the Airport Environs Land Use Plan (AELUP) for the Los Alamitos JFTB and impacts would be less than significant.

Response to Comment EQCB-Sustarsic-3

The commenter expressed concerns with cumulative developments and potential impacts and stated cumulative impacts on traffic, hydrology, sewer, light and glare have to be considered. See Master Response 3 for a response related to the cumulative impact assessment provided in the Draft EIR.

Response to Comment EQCB-Sustarsic-4

The commenter expressed their concerns about increased traffic and stated traffic impacts should be considered on each proposed site as well as cumulative traffic impacts.

Traffic impacts are analyzed in Section 3.15 Transportation of the Draft EIR. Section 3.15 Transportation includes an analysis of the Project and the potential effects future development projects on the Housing Opportunity Sites and within the Main Street Program area may have on the existing transportation network as well as cumulative transportation impacts that could result from a combination of the Project with other various development proposals in the area. As identified in the Draft EIR, the Project would have a significant and unavoidable impact related to transportation and the Project would require a Statement of Overriding Consideration from the City. See also Master Response 1 for a discussion of environmental effects analyzed in a programmatic level document and subsequent environmental review, and Master Response 3 for a discussion of cumulative impact analysis contained in the Draft EIR.

Response to Comment EQCB-Sustarsic-5

The commenter expressed their concerns with a finding of no significant impact related to airport hazards due to potential noise and safety impacts from flight paths and states the General Plan has a goal to discourage further encroachment into the Los Alamitos JFTB flight path

Potential impacts related to Los Alamitos JFTB are evaluated in Section 3.8 Hazards and Hazardous Materials of the Draft EIR under Impact HAZ-1. The evaluation included an analysis of noise, safety, and height restriction impacts and determined that future developments under the Project would comply with the noise, safety, and height standards established in the AELUP for the Los Alamitos JFTB and impacts would be less than significant. As identified in the Draft EIR, future developments proposed under the Project that are exposed to existing or projected noise, including aircraft noise, that exceeds noise standards identified in Figure N-3 of the General Plan would be required to prepare a project-specific acoustical study and identify mitigation measures to ensure interior noise levels do not exceed 45 dBA. Following the noise level standards set in the City’s Noise Element and preparing an acoustical study would minimize potential impacts and ensure that future developments would be compatible with the AELUP noise policies. Additionally, based on a review of the AELUP, none of the Housing Opportunity



Sites nor the Main Street Program area are located within the Clear Zones/ Runway Protection Zones for the Los Alamitos JFTB. As such, the Project was determined to not present a safety hazard for persons in relation to airport-related accidents.

Response to Comment EQCB-Sustarsic6

The commenter asked a procedural question related to the next housing element cycle and what would happen if the City is required to provide even more housing and questioned if everything will become a tall tower in the City.

The state is currently in its 6th cycle of the housing element which covers the planning period between 2021 to 2029. The RHNA requirement for the City for the 7th housing element cycle is currently unknown. Once the next housing element cycle commences, the City would be required to update its Housing Element and plan for any additional housing allocation at that time.

The comment is a procedural question, and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment EQCB-Sustarsic-7

The commenter questioned who would bear the cost of infrastructure upgrades if a large development necessitates an upgrade to the City's infrastructure and questions the potential burden it would put on City tax payers.

As identified in Section 3.17 Utilities and Service Systems of the Draft EIR, Mitigation Measure UTIL-1 is included in the Draft EIR to reduce potential impacts related to water, sewer, and stormwater facilities by requiring future proposed developments to mitigate its proportionate impacts to utility infrastructure by way of fair-share/in-lieu fee payments or other alternative financing arrangements. Therefore, future development projects that are facilitated by the Project would be required to fund infrastructure upgrades that would be required as a result of the proposed development. If a large development is proposed in the City that would necessitate an upgrade to the City's infrastructure, the development would be required to undergo its own environmental review process that would then, if required, analyze its impacts on utility infrastructure and implement mitigation measures to reduce impacts as necessary. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. See Master Response 1 for a discussion of potential subsequent environmental review requirements and also Master Response 4 for a discussion of non-CEQA related concerns.

2.4.8 Response to CL-CaltransDOA: Caltrans Division of Aeronautics – Vincent Ray

Response to Comment CL-CaltransDOA-1

The commenter outlined the goal of the Division to assist cities in ensuring compliance with the State Aeronautics Act and outlined the Project and its Housing Opportunity Sites located closest to the Los



Alamitos JFTB. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment CL-CaltransDOA-2

The commenter outlined that though the AELUP for Los Alamitos JFTB does not depict off-base accident potential zones, safety related exposure is a consideration and a portion of the Housing Opportunity Sites falls within the 65 CNEL contour indicating exposure to aircraft overflight noise. The commenter states that while sound insulation, aviation easements, and disclosure statements may serve as mitigation, the measures do not reduce exterior noise levels or eliminate the potential for noise or vibration annoyances to residents.

Noise and vibrational impacts are discussed in Section 3.11 Noise of the Draft EIR. As outlined in Section 3.11 Noise of the Draft EIR, the City's General Plan requires for where noise-sensitive projects are proposed within areas which exceed standards in Figure N-3 of the General Plan, future developments will be required to prepare a report that performs a project specific analysis of noise and vibration impacts and recommend mitigation measures to reduce noise and vibration levels in the site to comply with standards set in Figure N-3. Therefore, any Housing Opportunity Sites located in areas which exceed standards in Figure N-3 of the General Plan, such as Housing Opportunity Sites 4 and 5, would be required to prepare an acoustical study and implement mitigation to reduce interior noise levels. Therefore, future development projects located on Housing Opportunity Sites 4 and 5 would reduce potential impacts resulting from aircraft overflight noise to the extent feasible and would eliminate the potential for noise and vibration annoyances to residents.

The preparation of a project specific analysis of noise and vibration impacts would reduce interior noise levels. However, as stated by the commenter, it would not reduce exterior noise levels or eliminate the potential for noise and vibration annoyances to residents from existing overhead aircraft noise. The purpose of CEQA and the Draft EIR are to identify and mitigate the potential impacts of the Project on the environment, not the impacts of the existing environment on the Project. Therefore, the Project is not required to mitigate potential impacts that could result for future Project residents from existing noise sources in the area. The existing overhead aircraft noise is a matter outside of the City’s control and the City is not required to reduce existing exterior noise levels or eliminate the potential for noise and vibration annoyances to future residents as those potential impacts would not be an impact that would result as a result of the Project onto the environment. See Master Response 1 for a discussion of the level of analysis contained in the Draft EIR and see Master Response 4 for a discussion of non-CEQA related concerns.

Response to Comment CL-CaltransDOA-3

The commenter suggested the City consider relocating or eliminating Housing Opportunity Sites 4 and 5 to minimize potential land use conflicts with ongoing aviation activities and reduce long-term exposure of residents to aircraft noise, vibration and potential safety hazards.



Aircraft noise and vibration hazards are discussed in Section 3.11 Noise of the Draft EIR and potential safety hazards related to aircraft safety are discussed in Section 3.8 Hazards and Hazardous Materials of the Draft EIR. As identified in the Draft EIR, the Project would result in less than significant impacts related to aircraft safety and noise hazards. Any Housing Opportunity Sites located in areas which exceed standards in Figure N-3 of the General Plan, such as Housing Opportunity Sites 4 and 5, would be required to prepare an acoustical study and implement mitigation to reduce interior noise levels and therefore, future development projects located on Housing Opportunity Sites 4 and 5 would reduce potential impacts resulting from aircraft overflight noise to the extent feasible. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. See Master Response 1 for a discussion of potential subsequent environmental review requirements.

As identified in the Draft EIR, based on a review of the AELUP, none of the Housing Opportunity Sites are located within the Clear Zones/Runway Protection Zones for the Los Alamitos JFTB and would not present a safety hazard for persons in relation to airport-related accidents. Additionally, future developments under the Project would comply with the noise, safety, and height standards established in the AELUP for the Los Alamitos JFTB. With compliance with existing regulations and requirements related to Los Alamitos JFTB, the Project would not result in land use conflicts with ongoing aviation activities.

The Housing Opportunity Sites presented in the Seal Beach Housing Element were determined using a variety of methods in accordance with the statutory requirements outlined in HCD's Housing Element Site Inventory Guidebook, including ensuring sites selected for the site inventory do not have existing uses that are impediments to housing development and development likelihood and feasibility. Feasibility of sites considered any potential environmental restrictions such as being located in a flood zone, compatibility with existing nearby uses, and any potential known safety hazards. Therefore, each individual Housing Opportunity Site identified for the Project was evaluated in depth related to feasibility and compatibility of development or redevelopment of the site before being chosen as an opportunity site.

Response to Comment CL-CaltransDOA-4

The commenter provided a conclusion statement of their comments and expressed appreciation for the opportunity to review and comment and provided their contact information. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.9 Response to CL-Caltrans: Caltrans District 12 – Scott Shelley

Response to Comment CL-Caltrans-1

The commenter expressed their appreciation for allowing them to provide comments on the Draft EIR and provided a description of the Project and City's location in relation to Caltrans owned highway systems. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information

relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment CL-Caltrans-2

The commenter outlined that they encourage the City to work collaboratively with local agencies to create a safe, functional, interconnected, multi-modal transportation network through use of design of Complete Streets, placement of bicycle parking through the City, use of transit, and addition of high visibility crosswalks and ADA curb ramps on intersections close to future project locations.

As outlined in Section 3.15 Transportation of the Draft EIR, as part of the standard development review process, the City would require all future development of the identified Housing Opportunity Sites and development within the Main Street Program area to prepare a review of the circulation system to ensure that development does not conflict with existing or planned facilities supporting these travel modes. Any pedestrian, bicycle, or transit facilities proposed as part of the development of Housing Opportunity Site or within the Main Street Program area would be designed using the appropriate City design standards. Any request to modify or develop new transit, bicycle, and pedestrian facilities would be subject to and designed in accordance with all applicable General Plan policies. The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment CL-Caltrans-3

The commenter requested that appropriate detours and safety measures be in place for future construction activities.

As identified in Section 3.15 Transportation of the Draft EIR, the Project does not currently include site specific designs and construction activities. However, as individual development applications are received and approved by the City, the City would require each individual project to comply with City construction requirements including preparing a Traffic Control Plan that identifies detours and safety measures for construction activities that would require partial or full roadway closures. The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088.

Response to Comment CL-Caltrans-4

The commenter states the Draft EIR does not include a discussion of regional freight corridors located near the City and the addition of new residential units through the Project could impact or be impacted by existing freight routes. The commenter requests the Draft EIR identify and map the proximity of Housing Opportunity Sites to regional truck corridors and utilize the Caltrans Freight-Land Use Compatibility Matrix to evaluate potential land use conflicts with potential freight sensitive uses.

Caltrans freight corridors refer to designated routes within California's transportation network that are critical for the movement of goods and freight. Within Seal Beach, those would the 605, 405, 22 Freeways and the Pacific Coast Highway, which are under the jurisdiction of Caltrans; and Westminster Avenue and



Seal Beach Boulevard, which are under the jurisdiction of the City of Seal Beach. However, the Project itself would not have direct impacts to freight routes as the Project does not propose any actual development at this time and would only lead to modifications to the proposed land use and/or zoning for identified sites within the City. Though subsequent developments located on the identified Housing Opportunity Sites and Main Street Program area could lead to increased vehicles on roadways and potential minor changes to the circulation system of the specific sites, future development projects are not anticipated to result in substantial changes to the City's circulation network. Certification of the Project would not result in direct impacts to existing freight routes or result in potential land use conflicts with freight sensitive uses.

The commenter states the Draft EIR lacks an evaluation of potential freight sensitive use conflicts such as exposure to truck noise, emissions, and vibrations and requests the use of Caltrans Freight-Land Use Compatibility Matrix to evaluate potential land use conflicts and apply mitigation strategies. The purpose of CEQA and the Draft EIR are to identify and mitigate the potential impacts of the Project on the environment, not the impacts of the existing environment on the Project. Existing freight corridors are not considered an environmental impact and therefore, the Draft EIR is not required to analyze the impacts of the existing freight corridor conditions on the Project. For these reasons, the Draft EIR does not include an analysis of potential impacts related to freight corridors. See Master Response 1 for a discussion of the level of analysis contained in the Draft EIR and see Master Response 4 for a discussion of non-CEQA related concerns.

Additionally, as identified in Section 3.11 Noise of the Draft EIR, the City’s Noise Element includes actions to control the development of noise-sensitive land uses in areas exposed to existing or projected noise which exceed the levels specified in Figure N-3 of the General Plan unless the project includes specific and effective mitigation measures to reduce noise levels. Where noise-sensitive projects are proposed within areas which exceed standards in Figure N-3 of the General Plan, future developments will be required to prepare a report that performs a project specific analysis of noise impacts and recommend mitigation measures to reduce noise levels in the site to comply with standards set in Figure N-3 of the General Plan as required by City standards. Therefore, following the noise level standards set in the City’s Noise Element for noise exposure from transportation noise sources would reduce any potential impacts for future residential uses including from potential impacts that could result from the site being located in the vicinity of a freight corridor.

Response to Comment CL-Caltrans-5

The commenter states the Draft EIR omits how increased density may affect truck routes, delivery access, or curbside loading conflicts and requests the EIR include a discussion of how future development will coexist with ongoing truck access needs. As stated in Section 3.15 Transportation of the Draft EIR, as part of the standard development review process, the City would require all future development of the identified Housing Opportunity Sites and development within the Main Street Program area to prepare a review of the circulation system to ensure that development does not conflict with existing or planned facilities supporting these travel modes. Future developments on the Housing Opportunity Site or within the Main Street Program area would be designed using the appropriate City design standards which would ensure that the future development would not result in conflicts with existing circulation systems including truck routes, delivery access, or curbside loading. Potential impacts related to future development on truck routes, delivery access, and curbside loading would be analyzed at



the time of individual development application as specific site plans and circulation details are unknown at this time. Due to the programmatic level analysis provided in the Draft EIR, the Draft EIR does not include an analysis of project-specific buildout conditions such as construction or improvements to roadways and circulation systems. Future developments under the Project would be designed and constructed in accordance with City requirements and standards. See Master Response 1 for a discussion of the type of analysis included in a programmatic level document.

Response to Comment CL-Caltrans-6

The commenter requests the Draft EIR add a freight resilience section to the Draft EIR to consider how emergency goods movement or freight continuity would be affected in the context of climate adaptation.

The commenter requests that the Draft EIR include a section on how emergency goods movement and freight continuity would be affected in the context of climate adaptation as the City is located in a coastal zone. See Master Response 4 for a discussion of non-CEQA related concerns. For the purposes of CEQA, the purpose of the Draft EIR is to identify the significant effects of the Project on the environment, not the significant effects of the environment on the Project. (South Orange County Wastewater Authority v. City of Dana Point (2011) 196 Cal.App.4th 1604, 1614-1618; City of Long Beach v. Los Angeles Unified School Dist. (2009) 176 Cal.App.4th 889, 905.) While identifying the environmental effects of the Project to an area is consistent with CEQA's legislative purpose and statutory requirements, identifying the effects on the Project and its users of locating the Project in a particular environmental setting is neither consistent with CEQA's legislative purpose nor required by the CEQA statutes. Additionally, the Project is not a transportation project and therefore, would not result in impacts to emergency goods movement and freight continuity. Sea level rise and climate adaptation may affect emergency goods movement and freight continuity within the City gradually in the future if the City is impacted by climate change; however, this potential effect is not relevant to the Project and is not an impact on the environment caused by the Project. Therefore, an analysis of climate adaptation and related impacts to freight service is not a required topic under CEQA and does not require analysis in the Draft EIR.

Response to Comment CL-Caltrans-7

The commenter requests the Draft EIR include a policy consistency review with the regional freight goals in SCAG's Connect Socal 2024 or Caltrans Freight Mobility Plan 2020.

The commenter requests the EIR address freight-supportive and freight-compatible development for consistency with regional freight goals in SCAG's Connect Socal 2024 or Caltrans Freight Mobility Plan 2020. As stated in the Draft EIR, the Project identifies specific sites within the City for potential development with residential uses in the future and does not propose any actual development at this time. The Project identifies sites for potential future development with residential uses on sites that are already developed with existing uses or are located in an extremely urbanized environment surrounded by existing developments. The Project is not a transportation project and future developments facilitated by the Project would not be anticipated to result in significant changes to the surrounding environment and existing circulation system. Additionally, the purpose of CEQA and the Draft EIR are to identify and mitigate the potential impacts of the Project on the environment, not the impacts of the existing environment on the Project. Impacts related to regional freight corridors are not considered an environmental impact under CEQA. As potential conflicts with freight corridors is not a required topic of



analysis under CEQA, an analysis of regional freight goals and policies is not required for the EIR. See Master Response 4 for a discussion of non-CEQA related concerns.

Response to Comment CL-Caltrans-8

The commenter notes if future projects disrupt or impede traffic circulation or the local state highway system, Caltrans will request a Traffic Impact Analysis be prepared and would require analysis of potential short-term and long-term traffic impacts with respect to VMT. Additionally, the commenter requests if impact analysis leads to a findings of significance on state facilities, coordination with Caltrans on development of a Traffic Mitigation Agreement be completed.

As identified in Section 3.15 Transportation of the Draft EIR, as required by Mitigation Measure TRANS-1, at the time of application for development, each site would be responsible for providing a quantitative VMT analysis consistent with the methodology in the City of Seal Beach Transportation Analysis Guidelines and would be responsible for identifying appropriate TDM measures to reduce VMT. Future development projects would be required to go through the appropriate environmental review process for the respective project and would be required to comply with City and other agency requirements such as coordinating with Caltrans on preparation of traffic mitigation measures to be implemented. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. If subsequent environmental review, such as the preparation of a project-specific EIR, is determined to not be required, that is a result of the individual project meeting CEQA exemption requirements which determines that the level of risk of the individual project resulting in significant impacts are low and therefore does not require a full environmental analysis or mitigation measures to reduce impacts. See Master Response 1 for a discussion of potential subsequent environmental review requirements.

Response to Comment CL-Caltrans-9

The commenter states any work performed within Caltrans right-of-way (ROW) require discretionary review and approval by Caltrans and an encroachment permit prior to construction. The commenter outlines specific steps to be taken such as submitting a permit application, payment of deposit, review of project plans and traffic control plans, and required documentation for application submittal.

Future development projects facilitated by the Project would be required to comply with City and other agency requirements for construction of the Project. If the individual development project is anticipated to require construction within Caltrans ROW, the Project would be required to comply with applicable Caltrans requirements including obtaining an encroachment permit prior to construction. The specific requirements for the individual development project would be determined at the time of application submittal. This comment does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. This comment will be forwarded to City decision-makers for their review and consideration. No further response is necessary.



Response to Comment CL-Caltrans-10

The commenter outlined Caltrans' mission and provided contact information. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.10 Response to CL-LosAlamitos: City of Los Alamitos – Ron Noda

Response to Comment CL-LosAlamitos-1

The commenter expressed their appreciation for allowing them to provide comments on the Draft EIR and provided a description of the Project. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment CL-LosAlamitos-2

The commenter expressed their concerns with the Housing Opportunity Sites identified to provide the highest lower-income units being located adjacent to the City of Los Alamitos and as a result, the potential impacts that would result from placing higher density units near Los Alamitos leading to a concentration of noise, air quality, and transportation impacts through increased volume of traffic that would travel the northbound 605 interstate. The commenter also stated the proximity of these units would also add cumulative rush hour inconvenience and health issues for Los Alamitos residents.

Housing Opportunity Sites 4 and 5 are identified to be located closest to Los Alamitos and are the two sites that are identified to provide the most units out of the 8 Housing Opportunity Sites. However, this is a result of the quantity of developable acres that these sites provide compared to the remaining Housing Opportunity Sites. Housing Opportunity Sites 4 and 5 are both identified to provide the largest developable area compared to the remaining sites and therefore, would be able to be developed with more units compared to the remaining sites. Additionally, the City's Housing Element Appendix B Site Inventory and Methodology outlines the reason for selection of each Housing Opportunity Site. As outlined in the Housing Element's Appendix B, Housing Opportunity Sites 4 and 5 were selected due to the reasons provided below.

Housing Opportunity Site 4 – the Shops at Rossmoor was selected due to

> *"An abundance of underutilized parking accompanied by owner interest in development of housing units. The site's ratio of improvement value to land value is less than 1.0 (0.85), meaning the site is economically underutilized, despite being a generally successful retail center. However, with a number of "big box" type tenants subject to changes in the retail landscape, this center is vulnerable to store closures that could result in significant vacant space. A new mixed-use zone would allow for greater flexibility to utilize the land, and by adding housing units, increase the viability of the retail that remains. Additionally, high density residential already exists along the western edge of the retail center, increasing compatibility of the use." (City of Seal Beach 2024)*



Housing Opportunity Site 5 – Old Ranch Town Center was selected due to

> *"Having a significant amount of underutilized parking, and primarily big box uses. Currently, the former Bed Bath and Beyond store is vacant. The addition of housing to this site is feasible as it is immediately adjacent to goods and services, has excellent access along a major thoroughfare, and can integrate well with the scale of the existing development, bolstering retail uses with on-site residents. The improvement to land value ranges by parcel, with the largest parcel at 0.95 and the second largest parcel at 0.07, demonstrating ripeness for additional development." (City of Seal Beach 2024)*

Therefore, these sites were selected due to their availability for redevelopment, current underutilization of land, access to major roadway networks, and existence of high density residential developments in the adjacent areas.

As identified in the City's Housing Element Update, state law establishes a "default density" of 30 units per acre that is suitable for lower-income housing in communities with a population over 25,000, including Seal Beach. All lower-income sites in the City's sites inventory are consistent with this general affordability assumption. However, state law provides that sites smaller than 0.5 acre, or larger than 10 acres, are not deemed adequate to accommodate lower-income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower-income housing units as projected for the site or unless the locality provides other evidence to HCD that the site is adequate to accommodate lower income housing. All sites smaller than 0.5 acre in the City's sites inventory have been allocated to the moderate or above moderate income categories. Therefore, as many of the sites identified in the City's site inventory were determined to not be suitable for lower income housing, the majority of the City's lower income housing was allocated to Housing Opportunity Sites 4 and 5 as these sites would be the most suitable for development with lower density housing under state requirements. These Housing Opportunity Sites are consistent with state requirements for affirmatively furthering fair housing.

Potential impacts related to noise are analyzed in Section 3.11 Noise of the Draft EIR. Impacts related to air quality are analyzed in Section 3.1 Air Quality and transportation impacts are analyzed in Section 3.15 Transportation of the Draft EIR. These sections also provide a cumulative impact analysis.

Response to Comment CL-LosAlamitos-3

The commenter stated they urge the City to request that Orange County Transportation Authority increase bus connections and frequent bus routes throughout high-traffic periods and providing additional bike lane connections through planning as a City policy with links to the Los Alamitos' existing and future bike lanes.

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



Response to Comment CL-LosAlamitos-4

The commenter provided their contact information. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.11 Response to CL-Hsu: Belle Hsu

Response to Comment CL-Hsu-1

The commenter stated their appreciation for the opportunity to comment on the Draft EIR. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment CL-Hsu-2

The commenter requested the Project include an analysis of rising insurance costs due to the increased flooding risk from the additional buildings that would be developed as part of the Project. The commenter requested the EIR include an economic evaluation of insurance costs, discuss how insurance costs and availability affect housing affordability, provide assurances that the proposed flooding mitigation will be effective, and consider having developers pay into a flood monitoring/mitigation/insurance fund.

Flooding impacts are analyzed in Section 3.9 Hydrology and Water Quality of the Draft EIR. As identified in the Draft EIR, the Draft EIR proposes Mitigation Measure HYD-1 which requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation measures to resolve impacts to the City's storm water infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. The requirements for contribution to funding improvements and the anticipated cost would be analyzed at the time of project-specific environmental review. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. See Master Response 1 for a discussion of potential subsequent environmental review requirements.

As identified in the Draft EIR, implementation of Mitigation Measure HYD-1 was determined to reduce potential impacts related to hydrology, flooding, and storm water drainage to a less than significant level. The MMRP for the Project would specify how the mitigation measure would be implemented, who would monitor the mitigation, and specify the monitoring frequency. Potential impacts related to homeowners insurance are not a required topic of analysis under CEQA and therefore, is not included in the Draft EIR analysis. However, the forces and resources which could cause implications to affordability and availability of homeowners insurance, such as hydrology and flooding (Draft EIR Section 3.9),



earthquakes (Draft EIR Appendix A - Initial Study), and wildfire hazards (Draft EIR Appendix A - Initial Study), were evaluated in the Draft EIR. As it is not a CEQA topic of analysis, the risk and fees associated with insurance are not evaluated in the Draft EIR as CEQA statues stay out of the market effects and economics related to project implementation. However, the state's site evaluation guidelines are very specific about the feasibility of proposing sites such as proposing development on sites that are not wholly contained within a floodplain or have risks related to flooding and as such, the state places restrictions on where developments are allowed to be proposed. The Draft EIR analyzes the Project's impacts on the environment and as the cost and availability of insurance is not an environmental topic, it does not require analysis in the EIR. See also Master Response 4 for a discussion of non-CEQA related concerns.

Response to Comment CL-Hsu-3

The commenter expressed their appreciation for preparation of the Draft EIR and consideration of comment provided. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.12 Response to CL-Miller: Gary Miller

Response to Comment CL-Miller-1

The commenter stated that the proposed housing projects on Old Ranch Country Club violate the City's Housing Element that is developed for the protection of the community from any unreasonable risk. The commenter states that the proposed location of the Old Ranch Country Club residential development is risky as it sits at the end of the main runway for the Los Alamitos JFTB just outside of the former crash zone. Additionally, the commenter states a portion of the residential development would remove the general recreational golf driving range and is also under the traffic flight path for aircraft that take off and bank over the area. The commenter states the proposed residential developments were found inconsistent by the Airport Land Use Commission (ALUC), citing a letter from Caltrans DOA from 2022 and noted the residential developments would encroach onto the Los Alamitos JFTB flight path and would pose significant risks to residents living there. See Master Response 2 for a discussion environmental analysis prepared for the ORCC Specific Plan Project.

2.4.13 Response to CL-Perrell1: Susan Perrell

Response to Comment CL-Perrell1-1

The commenter expressed their appreciation for the opportunity to comment on the Draft EIR and commended City staff on the preparation of the document. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.



Response to Comment CL-Perrell1-2

The commenter states 99 Marina Drive should be evaluated in its own site-specific EIR, similar to the ORCC Specific Plan Project due to its undisturbed nature of the site and the likelihood of the site to support biological resources. The commenter also notes the 99 Marina Drive site provides a large naturalized open space that supports public recreation, biological resources, and large permeable surface area that provides stormwater drainage, infiltration, flood mitigation, and groundwater recharge. The commenter states the Project would impact the site's hydrological features which would increase flooding risk and diminish housing insurability/affordability. The commenter notes the site's recreational features and biological resources have not been adequately described in the Draft EIR. Additionally, the commenter states the site should be zoned at a lower density to be consistent with the adjacent residential uses. The commenter also states that the Draft EIR states that developers/owners are ready to move on development at this site and states that the Draft EIR can entitle them to do so as written.

The commenter stated that the Draft EIR states that the ORCC site, unlike other sites, will be reviewed under a separate site specific EIR as the ORCC is a golf course and therefore, is more likely to support biological resources warranting site-specific CEQA review. This statement is incorrect. As identified in the Draft EIR, the ORCC site is being evaluated under its own site-specific EIR as there was already a development application submitted to the City at the time of preparation of the Housing Element Update. The site is not being evaluated in a separate EIR due to its potential biological resources that exist onsite. The site is being evaluated in its own EIR as the development application for the site includes the preparation of a Specific Plan that would redevelop the site with a mix of residential and commercial uses and therefore, City staff made a determination to require an EIR be prepared under CEQA as a part of the entitlement process for the proposed activity. See Master Response 2 for an explanation of the ORCC environmental analysis.

Stormwater drainage and groundwater recharge is discussed in Section 3.9 Hydrology and Water Quality of the Draft EIR. As identified in the section, sources of groundwater recharge for the Basin include Santa Ana River base flow, storm flow, imported water, recycled water, incidental recharge, and in-lieu programs. As identified in the Draft EIR, though the Housing Opportunity Site 8 - 99 Marina Drive site is undeveloped and contains pervious surfaces and therefore, provides some potential for the site to provide opportunities for groundwater recharge, the OCWD’s Groundwater Management Plan identifies the Santa Ana River base flow and recycled water as the largest sources of groundwater recharge for the basin. Therefore, as this site is an extremely small site area compared to the OC Basin and not within the basin recharge areas, the site would not result in a significant decrease in groundwater recharge potential.

The commenter states the Project will impact the sites hydrological features which would in turn increase flooding risk and diminish housing insurability/affordability and states these impacts have not been addressed in the EIR. Potential impacts related to homeowners insurance are not a required topic of analysis under CEQA and therefore, is not included in the Draft EIR analysis. See Master Response 4 for a discussion of non-CEQA related issues. However, the forces and resources which could cause implications to affordability and availability of homeowners insurance, such as hydrology and flooding (Draft EIR Section 3.9), were evaluated in the Draft EIR. See Draft EIR Section 3.9 Hydrology and Water Quality for an analysis of how the Project would impact hydrological features.



The commenter states that the Draft EIR does not adequately describe the recreational features on the 99 Marina Drive site nor does it adequately assess or mitigate the impacts to these features. Recreation impacts are analyzed in Section 3.14 Recreation of the Draft EIR.

The commenter states the Draft EIR does not fully document the protected species and habitats that may be present on the 99 Marina Drive site and its proposed mitigation measures do not adequately mitigate the loss of habitat. Biological resources are analyzed in Section 3.4 Biological Resources of the Draft EIR. As identified in the Draft EIR and the Biological Resources Technical Report provided as an appendix to the Draft EIR, two special status plants, one special status reptile, three special status birds, and birds protected under the MBTA were determined to have potential to occur on the Housing Opportunity Site 8 - 99 Marina Drive site. However, with implementation of mitigation measures identified in the Draft EIR, impacts were reduced to a less than significant level.

The commenter incorrectly stated that the Draft EIR states that developers and owners are ready to move on development at this site. There is no known or pending development application for this site. See Master Response 1 for a description of the purpose of a programmatic level document such as the Draft EIR and the subsequent environmental review process.

Response to Comment CL-Perrell1-3

The commenter states that the Draft EIR's first project objective "improve quality of life for current and future residents" conflicts with the third project objective" amend land use standards and designations in the City's Zoning Code, Specific Plans, and General Plan as needed to comply with state law and meet the required RHNA." The commenter states the Draft EIR's significant and unavoidable impacts do not protect and improve quality of life for city residents and would actually diminish quality of life. The commenter provided some suggested solutions such as reducing residential density for sites, mitigating significant impacts to the extent feasible, requiring protection of recreational, hydrological and biological resources, considering construction of bike paths and pedestrian bridges to reduce transportation impacts.

The purpose of the Draft EIR is to identify the significant effects of the Project on the environment under CEQA and identify mitigation measures to reduce the identified impacts to protect quality of life. The purpose of the CEQA analysis is to identify any potential impacts that could impact a population’s quality of life in terms of potential environmental impacts and to mitigate or minimize to the extent feasible those potential impacts. Therefore, the preparation of the Draft EIR for the Project and the analysis and mitigation measures included in the Draft EIR will protect City residents’ quality of life in terms of potential environmental impacts by identifying impacts and mitigating those impacts to the extent feasible.

The comment is a general statement and does not raise specific environmental concerns regarding the adequacy or accuracy of the Draft EIR's coverage of physical environmental impacts. Therefore, no further response to these comments is required pursuant to CEQA Guidelines Section 15088. The Draft EIR has already mitigated any potential impacts to the extent feasible with the mitigation measures proposed in the Draft EIR. The commenter's suggestions are noted and will be considered by the City.



Response to Comment CL-Perrell1-4

The commenter states that mitigating recreation impacts by requiring dedication of land or payment of in-lieu fees is not effective mitigation as there is little or no land with recreational value left to be acquired by these fees. The commenter states the proposed use of fees for "rehabilitating" existing recreational resources cannot adequately mitigate for the further loss of the little remaining potential recreational space, nor will it mitigate the impacts of adding more recreational users to existing overburdened recreational acres. Therefore, the commenter suggests that the EIR should ensure that all recreational impacts resulting from the Project will be required to provide mitigation that is real, meaningful, site-specific, localized, and "like for like." For sites that currently provide recreational value, like 99 Marina Drive, the site-specific impacts and the site-specific mitigation should be publicly reviewed and decided through a discretionary process.

As stated in Section 3.14 Recreation of the Draft EIR, the City does not currently meet the desired acreage requirements as a significant portion of the City has been developed prior to the time the Quimby Act was passed and excess park and recreation land does not exist to meet the forecast demand that would be generated by future residents. As the City does not currently meet its parks standard requirements and there is little land available in the City for development with a park, the Draft EIR identified that the Project would have a significant and unavoidable impact related to parks and recreation. The Draft EIR identified mitigation measure PUB-1 which requires subsequent environmental review at a project specific level for individual development projects which will include an analysis of the Project's contribution to potential impacts to parks and recreation facilities. The proposed mitigation requires that individual development projects mitigate any potential impacts to the extent feasible. Even with preservation of portions of Housing Opportunity Sites with parks space, the Project would continue to have a significant and unavoidable impact related to parks and recreation as the City does not have enough available land to offset the existing and future deficit of park space.

Additionally, the Draft EIR's discussion of alternatives included an alternative that proposed dedication of portions of Housing Opportunity Sites for parkland. As identified in Section 4.0 Alternatives to the Proposed Project of the Draft EIR, the Draft EIR identified alternatives that were considered by the lead agency but were rejected from further consideration. As identified under Section 4.4.2 Dedication of Land for Parkland of the Draft EIR, the City considered an alternative to reduce the significant impact to parks determination to less than significant by providing more parkland while keeping the amount of housing needed to satisfy the RHNA was considered. Under this alternative, future developments facilitated by the Project would be required to dedicate a portion of the project site for development of onsite parkland. This alternative would require developing the sites at a higher density than was envisioned in the Housing Element Update to accommodate the allocation of a portion of the project site for parkland uses and would require an increase in vertical development to accommodate the higher density required on the same size parcels. As identified in the Draft EIR, the resulting population growth from future developments facilitated by the Project would require an additional 14.46 acres of parkland within the City. The eight Housing Opportunity Sites and the Main Street Program area was determined to have a total land area of 104.45-acres; however, only 56.05-acres of the total land area was developable. Therefore, the Draft EIR determined that there would not be enough land available within the eight Housing Opportunity Sites and Main Street Program area to accommodate the additional parkland required while also providing enough dwelling units to meet the City's RHNA requirements. As such, this



alternative was determined to not be feasible and was not further analyzed in the Draft EIR. Therefore, the potential impacts of the Project have been mitigated to the extent feasible. See Master Response 1 for a discussion on the level of analysis provided in a programmatic level document such as the Draft EIR.

Response to Comment CL-Perrell1-5

The commenter states while the Draft EIR provides Mitigation Measure CUL-1: Development Review Process for Historical Resources, the Draft EIR does not make adequately clear how impacts to historic character and other historic resources would be adequately avoided or mitigated by MM CUL-1.

As identified in Section 3.4 Cultural Resources of the Draft EIR, the Project would not have any direct impacts on historic resources as the Project's actions would not directly cause a substantial adverse change to historical resources due to demolition, destruction, relocation, or alteration resulting in a loss of integrity. However, the Project was determined to potentially have indirect impacts on historical resources as it may facilitate future development activities that would directly or indirectly cause a substantial adverse change to historical resources located in the within or in the vicinity of the Housing Opportunity Sites and Main Street Program. Therefore, the Draft EIR identified Mitigation Measure CUL-1 to reduce potential indirect impacts. Implementation of Mitigation Measure CUL-1 would reduce impacts to historical resources by requiring a process for the identification of historical resources and the analysis of potential impacts on historical resources resulting from future development activities. As identified in the mitigation measure, a qualified consultant would analyze potential project impacts and provide recommendations for avoiding or otherwise mitigating potentially significant impacts to historical resources, which would be enforced as conditions of approval for the project.

Response to Comment CL-Perrell1-6

The commenter states development of the 99 Marina Drive site would eliminate a large existing stormwater infiltration basin. The commenter states Mitigation Measure HYD-1 should require future development projects to identify and fully mitigate, the extent feasible, site-specific impacts to adjacent streets, parks, and neighborhoods, not just to the "City's storm drain infrastructure". The commenter suggests the Draft EIR should more clearly require that any reduction of existing stormwater infiltration capacity and any addition to stormwater runoff volume will need to be completely mitigated by upgrading the City's already overburdened stormwater system to effectively accommodate those volumes with new development required to accommodate stormwater from a 50-year or 100-year storm, either through on-site avoidance and mitigation measures, or by upgrading the City's systems to accommodate, or a combination of both. Additionally, the commenter suggests all impacts to water quality and hydrology, along with any proposed mitigation, should be subject to public review, involving the surrounding impacted community

Though the Housing Opportunity Site 8 - 99 Marina Drive site does provide some opportunity for stormwater infiltration for the City due to its undeveloped nature, the site is not an identified infiltration basin and does not provide significant infiltration opportunities. As identified in Section 3.9 Hydrology and Water Quality of the Draft EIR, Mitigation Measure HYD-1 requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development project could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation



measures to resolve impacts to the City's storm drain infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. As the potential future impacts resulting from future development projects to the City's stormwater infrastructure are unknown at this time, the mitigation provides a reduction in the potential impacts to the extent feasible at this time.

2.4.14 Response to CL-Perrell2: Susan Perrell

Response to Comment CL-Perrell2-1

The commenter provided additional comments in addition to the comment letter previously provided identified as CL-Perrell. The commenter states the 99 Marina Drive site is located in between two areas that have experienced severe flooding in the past and the permeable surface at the site provides stormwater infiltration. The commenter states the loss of this stormwater infiltration area will result in significant flood impacts and therefore, the Project must provide specific, effective, and measurable mitigation for these impacts. The commenter suggests preservation of permeable surface area and installation of stormwater retention basins to mitigate impacts and states the Draft EIR did not adequately describe or mitigate flood related impacts in the Draft EIR and the 99 Marina Drive site should be reviewed under a site specific EIR.

Though the Housing Opportunity Site 8 - 99 Marina Drive site does provide some opportunity for stormwater infiltration for the City due to its undeveloped nature, the site is not an identified infiltration basin and does not provide significant infiltration opportunities. As identified in Section 3.9 Hydrology and Water Quality of the Draft EIR, Mitigation Measure HYD-1 requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development project could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation measures to resolve impacts to the City's storm drain infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. As the potential future impacts resulting from future development projects to the City's stormwater infrastructure are unknown at this time, the mitigation provides a reduction in the potential impacts to the extent feasible at this time.

As the Draft EIR presented is a programmatic EIR, it looks at each specific site at a broader level than a project level EIR and does not analyze site specific impacts. See Master Response 1 for a discussion of the level of impacts addressed in a programmatic analysis and subsequent analysis. Site specific impacts would be analyzed in the future as specific development projects are proposed at the Housing Opportunity Sites or Main Street Program area. Each individual project proposed at the Housing Opportunity Sites or within the Main Street Program area will require its own subsequent entitlement process through the City and its planning division. The level of subsequent environmental review required for the future development project, such as one that would take place on the Housing Opportunity Site 8 - 99 Marina Drive site, would be evaluated at the time of application review and would be determined by the City pursuant to CEQA laws and guidelines. As there is no specific development application submitted to the City for the Housing Opportunity Site 8 - 99 Marina Drive site at this time and implementation of the Project would not result in actual development, only entitlements, the site does not warrant a site specific



EIR at this time as the proposed development and resulting impacts are unknown. See also Master Response 1 for a discussion of environmental effects analyzed in a programmatic level document and subsequent environmental review.

2.4.15 Response to CL-Sustarsic: Shelley Sustarsic

Response to Comment CL-Sustarsic-1

The commenter states the Draft EIR should require site specific hydrological studies for any project in or near the areas of the City subject to flooding including Old Town, Bridgeport and College Park East. The commenter states there are already significant deficits to the drainage system and cumulative hydrological impacts from nearby developments such as the Lampson Project would intensify impacts. The commenter states the Draft EIR only considers aspects of the ORCC project but the EIR for the ORCC project indicates that there is an intent to change the drainage flow on the ORCC site which could affect College Park East's ability to get stormwater into the retention basin if not designed with proper consideration for College Park East's stormwater flows.

As identified in Section 3.9 Hydrology and Water Quality of the Draft EIR, Mitigation Measure HYD-1 requires future development projects to prepare a site-specific evaluation to determine the potential impacts the proposed development project could have on the existing deficiencies to the City's storm drainage system and provide onsite mitigation measures to resolve impacts to the City's storm drain infrastructure. If it is found that using onsite mitigation measures does not resolve all impacts consistent with federal, state, and local requirements, then it would be required to fund improvements to the storm drainage system as a condition of approval for the proposed development. As the potential future impacts resulting from future development projects to the City's stormwater infrastructure are unknown at this time, the mitigation provides a reduction in the potential impacts to the extent feasible at this time. Cumulative hydrological impacts are also discussed in Section 3.9 Hydrology and Water Quality of the Draft EIR. The effects of the Lampson Project and ORCC Specific Plan Project are both analyzed in their own site specific environmental analyses. The commenter states that the EIR for the ORCC Specific Plan Project may be changing the drainage flow on the ORCC site which could affect College Park East's ability to get stormwater into the retention basin. See Master Response 2 for a discussion related to the ORCC site. As the Project only considers the number of residential units the ORCC Specific Plan Project would contribute and analyzes the units at a programmatic level, the potential impacts that could result from implementation of the ORCC Specific Plan Project and any associated stormwater infrastructure and hydrological changes are being analyzed in its own specific EIR. Therefore, the Project's Draft EIR does not require an analysis of the potential impacts that could result from implementation of the ORCC Specific Plan Project and any associated stormwater infrastructure and hydrological changes and considers any changes at a cumulative impact level.

Response to Comment CL-Sustarsic-2

The commenter stated placing housing on the current ORCC driving range would result in a loss of recreational opportunity and would result in additional impacts to the already significant and unavoidable impact to recreation.

As outlined in Section 3.14 Recreation of the Draft EIR, the City does not currently meet the desired acreage requirements as a significant portion of the City has been developed prior to the time the Quimby Act was passed and excess park and recreation land does not exist to meet the forecast demand that would be generated by future residents. As the City does not currently meet its parks standard requirements and there is little land available in the City for development with a park, the Draft EIR identified that the Project would have a significant and unavoidable impact related to parks and recreation. The Draft EIR identified Mitigation Measure PUB-1 which requires subsequent environmental review at a project specific level for individual development projects which will include an analysis of the Project's contribution to potential impacts to parks and recreation facilities. The mitigation requires that individual development projects mitigate any potential impacts to the extent feasible. Even with preservation of portions of Housing Opportunity Sites with parks space, the Project would continue to have a significant and unavoidable impact related to parks and recreation as the City does not have enough available land to offset the existing and future deficit of park space. Therefore, the potential impacts of the Project have been mitigated to the extent feasible. The driving range at the ORCC site is not identified by the City as one of its recreational amenities that count towards the parks standards ratio, however, it does provide recreational opportunities to city residents on a fee basis. Additionally, the ORCC Specific Plan Project as currently proposed is not removing the driving range, but is rather reconfiguring it and therefore would not result in a lost amenity. See Master Response 2 for a discussion related to the ORCC Specific Plan Project's environmental analysis. The impacts that would result from the loss of the driving range are being analyzed in the site specific EIR that is being prepared for the ORCC Specific Plan Project.

Response to Comment CL-Sustarsic-3

The commenter states cumulative impacts of development north of I-405 need to be studied carefully as the Lampson Project and ORCC would add traffic in the area which is also utilized by College Park East residents. The commenter states site plan for traffic needs to be completed for each project proposed at the sites for site circulation and cumulative impacts to local congestion.

Cumulative transportation impacts, including those from cumulative developments such as the Lampson Project and other cumulative developments listed in Table 3.0-3 of the Draft EIR, are discussed in Section 3.15 Transportation of the Draft EIR. As identified in the Draft EIR, future developments facilitated by the Project, in conjunction with cumulative development in the City or projects that may utilize City roads, like the Lampson Project, would increase housing development in previously developed areas and could result in transportation impacts. OPR's Technical Advisory states that "a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa" (OPR 2018 page 6). Therefore, since the Project was found to have a significant and unavoidable impact with mitigation related to transportation, the Draft EIR identified that the Project would also have a cumulative significant and unavoidable transportation impact. As the specific development of Housing Opportunity Sites and Main Street Program area is unknown at this time, there is no site circulation studies that can be completed until a specific development application has been submitted for those sites. Each project will be reviewed for consistency with applicable CEQA laws and guidelines to determine the level of subsequent environmental review required. Once specific development applications are submitted for the site, the City would determine the level of subsequent environmental review required for the individual project and if required, future developments would require a project level assessment of potential



impacts, including impacts to transportation and circulation. See Master Response 1 for a discussion of potential subsequent environmental review requirements and Master Response 3 for a discussion of the cumulative impact analysis contained in the Draft EIR.

Response to Comment CL-Sustarsic-4

The commenter states the addition of housing units would have an impact on the current utility infrastructure and though developers would be required to pay their fair share of required improvements, the City and its taxpayers would bear the cost to perform capital improvements and would result in a financial impact to the City.

The Project's impacts to utility infrastructure are provided in Section 3.17 Utilities and Service Systems of the Draft EIR. As identified in the Draft EIR, implementation of the Project could 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 facility, the construction or relocation of which could cause significant environmental effects. However, with implementation of Mitigation Measure UTIL-1, impacts were determined to be less than significant. Mitigation Measure UTIL-1 requires the preparation of supplemental evaluation related to determining if the proposed site would require improvements to the water, sewer, and stormwater facilities to meet the state, County, and local standards and requirements to serve the specific site location. The mitigation requires that if improvements are required due to deficiencies to meet state, County, and local standards and requirements at the specific site location, the proposed development may be required to mitigate its proportionate impacts by way of fair share/in-lieu fee payments, or other alternative financing arrangements that would mitigate its impacts. Though this may in turn require the City to complete capital improvements, funds collected from impact fees would fund the construction of capital improvements. The Draft EIR analyzes the Project's impacts on the environment and does not require an analysis of potential fiscal impacts a project may have. See Master Response 4 for a discussion of non-CEQA related concerns.

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

Response to Comment CL-Sustarsic-5

The commenter states placing housing on the ORCC golf course would result in safety impacts from the Los Alamitos JFTB. Additionally, the commenter states in 2022, Caltrans Aeronautics showed concern about the Shops at Rossmoor and Old Ranch Town Center which is located near the military runways of JFTB at the time of the City's overrule decision of inconsistency with the AELUP for JFTB (the letter from Caltrans Aeronautics is provided as an attachment to the comment letter). The review was completed when a 35 foot height limit for the City was in place and the commenter states that developments with the new zoning are anticipated to be 2 to 5 stories high, which is an increase in height from what was reviewed in 2022 by the ALUC. The commenter states future projects proposed at the ORTC and Shops at Rossmoor could result in tall residential towers and will need to be reviewed by the ALUC for potential light and glare issues, as well as aircraft safety and noise. Therefore, the commenter states the Draft EIR

cannot guarantee that there are no significant impacts related to airport safety for people living and working in the area of the airport.

As identified in the Draft EIR, the Project does not propose any actual development on Housing Opportunity Site 4 - Shops at Rossmoor or Housing Opportunity Site 5 - Old Ranch Town Center sites at this time and certification of the Project and Draft EIR would only change the proposed land use of the identified sites. As there are no actual developments proposed at this time on the sites, the potential impacts that could result from actual development is unknown. As a General Plan amendment, the Housing Element must be submitted to ALUC for review, as does the associated Zoning Code Ordinance update. Further, as identified in Section 3.8 Hazards and Hazardous Materials of the Draft EIR, future developments proposed under the Project that are located within the airport planning area for the Los Alamitos JFTB that require any amendment to a General Plan or Specific Plan and any proposed changes to a zoning ordinance or building regulation are subject to review by the ALUC. See Master Response 2 for a discussion of the ORCC Specific Plan Project's environmental analysis

Response to Comment CL-Sustarsic-6

The commenter expressed their appreciation for the opportunity to provide comments. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

2.4.16 Response to CL-Lasser: Tom Lasser

Response to Comment CL-Lasser-1

The commenter provided information on their background. The comment is a general statement and does not address the adequacy or completeness of the Draft EIR; does not raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. Such comments do not require a response pursuant to State CEQA Guidelines Section 15088. No further response is necessary.

Response to Comment CL-Lasser-2

The commenter stated the two developments proposed adjacent to the Los Alamitos JFTB airfield on the end of the main runway and on Lampson would be a hazard and encroaches on flight operations at Los Alamitos. The commenter suggests direct communication with the aviation subject matter experts on the airfield staff to learn about the impacts of encroachment on flight operations. The commenter requests these developments be reconsidered and the airfield be taken into consideration.

The two developments the commenter references are assumed to be the residential components of the ORCC Specific Plan Project. As stated in Section 2.0 Project Description of the Draft EIR, housing developments that have already been proposed and are not expected to be issued a certificate of occupancy until July 1, 2021 or after, but are expected to be completed before the end of the planning period (October 15, 2029), can be credited toward the RHNA and are considered pipeline projects. Therefore, the Housing Element Update identified ORCC Specific Plan Project as a pipeline project



towards meeting the City's RHNA requirement. The 167 dwelling units proposed through the ORCC Specific Plan Project are programmatically evaluated in the Draft EIR. Specific impact findings associated with the development of the ORCC Specific Plan Project are being evaluated separately by the City in a standalone EIR. This Project's Draft EIR is not rezoning or entitling the ORCC Specific Plan Project and there is no nexus. Rather, the Project's Draft EIR evaluated the residential component of the ORCC Specific Plan Project as a basis for implications associated with housing production associated with the ORCC Specific Plan Project, only. Therefore, the location of the proposed residential developments and its potential safety impacts related to location near the JFTB and associated land use conflicts are being evaluated in a standalone EIR by the City and is not required to be analyzed in this Draft EIR. Additionally, the ORCC Specific Plan Project would be subject to review by ALUC. See Master Response 2 for a discussion of ORCC Specific Plan Project's impact analysis as it relates to the Draft EIR.



3.0 REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

This section includes minor edits to the Draft EIR. These modifications resulted from minor clarifications and staff-initiated changes.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

There were no minor changes or edits required to the Draft EIR as a result of comments received during the public comment period for the Draft EIR.

4.0 REFERENCES

City of Seal Beach. 2024. City of Seal Beach 6th Cycle Housing Element 2021-2029, Adopted February 2022, Revised August 2024. https://www.sealbeachca.gov/Portals/0/Users/027/27/27/Seal%20Beach_HEU%20MainBody_Clean-compressed.pdf?ver=2024-08-20-083139-120. Accessed July 2025.

City of Seal Beach. 2025. City of Seal Beach Housing Element and Zoning Code Updates Project, Draft Environmental Impact Report SCH 2023110425. PDF.

Appendix A
EQCB Meeting Transcript

Environmental Quality Control Board Special Meeting – Thursday, June 5, 2025

https://www.youtube.com/watch?v=ZzvMD7jF-fs

Chair Perrell: Good evening everyone and welcome to the June 5th special environmental quality control board meeting. Um before we start, we should probably introduce our our new board member, Belle Hsu, and she's from District 4. And welcome. Thank you. And I'll now call the meeting to order. Could we have a pledge of allegiance? Don, would you like to lead that?

Horning: Yeah, I'm happy to. Hand over heart. Begin.

All: Pledge of Allegiance.

Chair Perrell: Director Smittle, will you please call the roll?

Director Smittle: Thank you board member Villanueva is currently absent. Hopefully on his way. Board Member Depew?

Depew: here.

Director Smittle: Chair Perell?

Chair Perrell: I'm Here.

Director Smittle: Board member Hsu?

Showalter: Here.

Director Smittle: And Vice Chair Horning?

Horning: Here.

Director Smittle: Thank you.

Chair Perrell: At this time, members of the public may address the environmental quality control board regarding any items within the subject matter jurisdiction of the board. Pursuant to the Brown Act, the board cannot discuss or take action on any items that are not on the agenda unless authorized by law. These members of the public wishing to speak are asked to come forward to the microphone and state their name for the record. All speakers will be limited to a period of five minutes. Any comments specific to tonight's EIR for the housing element zoning code update may be reserved until after the presentation has been provided later tonight. We'll offer public comment then as well. Um so you can speak now or wait till we um get through the presentation. Is there anyone that would like to speak now in general? Okay. Has staff received any written comments for tonight?

Director Smittle: Thank you, chair. There have been no written comments so far.

Chair Perrell: Does anyone before we leave this um part of the agenda, does anyone want to speak? No. Okay. All right. Let's go to the agenda approval by motion of the Environmental Quality Control Board. This is the time to notify the public of any changes to our agenda, rearrange the order of the agenda, and provide an opportunity for any member of the board or staff to request an item to be removed from the consent calendar for separate action. May I have a motion to approve the agenda?

Horning: I would like to make that motion.

Chair Perrel: Great, could I get a second, please.

Depew: I second.

Chair Perrell: Thank you, Director Smittle will you please call the roll?

Director Smittle: Yes, thank you. Board Member Villanueva

Villanueva: I

Director Smittle: Board Member Depew:

Depew: Here

Director Smittle: Chair Perrell

Chair Perrell: I

Director Smittle: Board Member Hsu

Hsu: I

Director Smittle: and Vice Chair Horning

Horning: Yes

Director Smittle: All votes Yes, passed unanimously. Thank you.

Chair Perrell: Item A is the approval of the March 19, 2025 environmental quality control board minutes on the consent calendar. That is item B is the approval of the April 16th, 2025 Environmental Quality Control Board and Recreation, Parks, and Commission minutes. May I have a motion in a second to approve those items on the consent calendar?

Horning: Yes, I would like to make the motion to approve them.

Chair Perrell: And a second please.

Depew: I will second them.

Chair Perrell: Thank you, Director Smittle, will you please call the roll.

Director Smittle: Thank you. Board Member Villanueva

Villanueva: yes

Director Smittle: Board Member Depew:

Depew: Here

Director Smittle: Chair Perrell

Chair Perrell: yes

Director Smittle: Board Member Hsu

Hsu: yes

Director Smittle: and Vice Chair Horning

Horning: Yes

Director Smittle: Thank you, unanimously approved.

Chair Perrell: There are no continued items, so we'll go to scheduled matters. Item C is to solicit comments regarding the content of the environmental impact report for the housing element and zoning code updates. Director Smittle is there a presentation this evening?

Director Smittle: Thank you very much, chair, and environmental quality control board members. And I apologize. I'm hoping the uh projector is going to wake up here a little bit, but if all else fails, the the TV there looks fairly clear. And I would like to let um the audience and anyone watching know that this presentation will be available on our website after this evening. Just Yeah, perfect. Thank you. We're going to start with just a quick reminder of um why we're here this evening. So, we are looking at an environmental document that relates to our housing element and zoning code update. The housing element is a chapter within our general plan and it identifies our local housing needs and provides a work plan for us to strategize to achieve um reaching those housing goals and housing needs that that are in part assigned to us. It's required under state law and we go through this process every eight years. This is the sixth cycle. So this is the sixth time we have been through a housing element cycle. We do this for a number of reasons. First of all, the law says that we have to. It's not optional. It's required to be within our general plan and we are required to update it. Having a certified housing element, which is the end goal, does provide us access to funding um particularly as it relates to state grants for transportation or even um in some cases federal grants that come to us through the county such as our CDBG program that takes place in Leisure World for the bathroom renovation programs. There are local benefits because we are able to um supply housing as it is needed. And then of course if we don't comply, we do put ourselves at a legal risk for lawsuits for for non-compliance. And there are different ways that that the state can carry forward um those actions if we remain out of compliance. There are also private remedies if we do not have an approved certified housing element for builders to come in and build projects that have a streamlined process regardless of what our existing zoning is. The RHNA is a big part of why we're here tonight. So, the regional housing needs allocation is a pretty lengthy process that is initiated in advance of the housing element cycle. This has been going since 1980 and each year it's it's a little bit different. The allocation process is different. The formulas they use are different. But the end result is that every community, every jurisdiction is is assigned RHNA target. It's the number of housing units that we need to be able to accommodate within our housing element and within our community. This process, as I mentioned, is a little bit different every year. And this last cycle was significantly different than it had been in previous cycles. And there are a couple big parts of that. The first is that this time the state not only looked forward for future housing need but included existing demand. Previously it was a forward-looking projection. This time it was the compilation of both existing pentup demand for housing as well as a forecast of the future. So a much larger number was the starting point of the RHNA allocation. It then filters down through our um regional transportation planning agency which is SCAG and SCAG um determines the formula by which each jurisdiction within SCAG is allocated a number. So you can see in those historical look there the starting number for SCAG was much bigger this time around and as a result our allocation was much bigger. Last time we were assigned to find room for two units and this time it was almost 1300 1,243 units. That allocation does come in tiers

based on affordability for the housing. So this is um our assigned allocation for very low, low, moderate and above moderate housing units.

Anna Radonich: Hi everybody. My name is Anna Radnich. I'm with Stantech. We're the environmental consultant for preparation of this EIR. So your housing element in the housing element update includes five kind of buckets. the updated housing goals, policies, and programs, your site inventory. So for Seal Beach, the site inventory is comprised of eight housing opportunity sites, ADUs, and any pipeline projects. And these are all identified units that the city has identified to meet the 1243 RHNA allocation. Of the eight sites, six would require rezoning. And of those six, five would be rezoned to the new designation mixeduse residential high density. Additionally, the housing element includes policies related to AFFH or affirmatively furthering fair housing. So these are policies to ensure that there's no discrimination in housing. Here's a list of the eight housing opportunity sites that are identified in your housing element update currently. I'll just let you read through these, but these are the eights that are evaluated throughout our document. Here's a figure showing those eight. So, this figure, I know it's a little hard to see. The numbers, you could kind of see it. The numbers one through eight correlate to the previous slide. Sites one through eight. The blue portion in the bottom of the figure is the main street program which is a program identified in your housing element. And up in the upper right is purple and that's the residential portion of the old ranch country club pipeline project.

Director Smittle: If I could interject real quick just just so we're clear with these sites. So um our our sites kind of fall into these different buckets. We have the traditional housing opportunity sites. Those are in the red. Our main street um program that is not a um housing opportunity site, but we do agree in the housing element to rezone for or to amend the specific plan to allow for residential uses above the ground floor. So, the second story. And then finally, the Old Ranch Country Club. It is on its own path. It does have its own EIR and it is a pipeline site within our housing element. So we have kind of these different buckets but at the end of the day these sites do represent where we are essentially making room for housing as a part of this housing element process.

Anna Radonich: Great. And so to follow up on what Alexa just said, this is what is evaluated in the EIR and it's exactly what she just outlined. The EIR evaluates the housing opportunity sites, Main Street program, and the Old Ranch Country Club residential portion of that pipeline project. And here are the buildout assumptions. So, you can see in the first column, it's the type housing opportunity, ADUs, Main Street. What's been, I'll use identified in the site inventory in your housing element is the next column. In the third column is the buildout assumptions for the dwelling units that we're assuming for the EIR purposes, which Trevor will get into in the next couple slides. And then the areas, so the parcel versus the developable portion of the parcel. So that's what this is outlining.

Trevor Macenski: Yeah. One thing I just uh Hi everybody, my name is Trevor Minsky. I'm also with Stantech. thing I want to point out is that as you'll notice the total number of units is actually greater than the regional housing need allocation. Right? And the purpose for doing that is to make sure that we provide the city with flexibility in the event that there's certain applications that come forward on one of these eight sites because again this is a higher level evaluation. So we don't necessarily know hey site one is going to absolutely guarantee generate x number of units. So we provide a larger buffer to provide the city with flexibility and we do that because there's certain laws called no net loss in California which

make it incredibly hard for the city to kind of retroactively go back and identify new opportunity sites after this process.

Anna Radonich: And it's a larger buffer in the CEQA analysis not in us identifying more more units for you. So Trevor.

Trevor Macenski: so uh for those that haven't ever participated in an environmental review process or a CEQA process, there's basically four primary objectives, right? The the whole intent of CEQA is it's a disclosure statute. We want to make sure that all the discretionary boards and bodies that are involved in a particular action fill in form. They understand the implications related to what the potential impacts are going to be. The second and almost most importantly is to engage with the community at large that the boards and bodies represent to make sure that they feel informed related to the potential environmental impacts and disclose those potential impacts so that there is no uh you know behind closed doors conversation about what the implications are going to be and that this is a transparent process for the city as the lead agency. And lastly, it's to make sure that you can either avoid or reduce potential impacts that you identify through this analysis. The objective of the statute is to try to reduce impacts and impacts on the environment. So if there's a mechanism to mitigate them or come up with alternatives, that's what happens through CEQA. Um this is an important flowchart for uh the public. Um if you remember quite some time ago back in uh November and December of 23, we actually issued something called a notice of preparation. That notice of preparation is a notice to the community saying, "Hey, we're starting the race of this environmental impact report. Uh, and that NOP establishes the baseline or the regulatory framework for which this document will be prepared." Uh, in which case we worked with the city staff and our team to put together the draft environmental impact report and it is now released for the public for a 45-day review period. Um, just to be clear, the draft has all the information. for the community that's watching, make sure that if you are interested that you don't just click on the final that might be coming up in the future. Please review the draft. It's where all the details are. Um our 45-day public comment period, we're in the middle of that now and it ends in on June 23rd. And so one of the reasons we are here this evening is to make sure that we can solicit feedback and comments from the public to make sure that their comments are taken into consideration before we put together the final the project final EIR is an amalgamation of comments in which we receive from the public as well as responses to those comments. We are statutorily required to uh respond to comments in which we receive related to the merits of the environmental analysis. So there is a few slides at the end which we'll try to give you some guidance on what's the best way to try to comment in this process. um after we respond to those comments and if there's any other editorial or um minor changes that need to be made that all goes into the final EIR and that entire package is what is the environmental review record which is presented to the discretionary body for consideration. Um one thing to make note of is the type of environmental review document. In this case this is a policy consideration. Policy considerations often undergo programmatic environmental review. If you have seen project level environmental review, it's probably a little bit more tangible. It is like, hey, on site A, we're going to build 10 units. And you evaluate all the unique nuances and impacts associated with that particular project location, its construction impacts, its operational impacts. When you do a programmatic environmental review, you're actually coming up with a set of assumptions which we talked about earlier related to the ultimate buildout and identifying kind of larger inconsistencies or uh programmatic impacts which would result to the community from this decision. Here's just a simple high overview of the comparison of the

two. Um, one thing that I will uh mention on this slide is that the intent of preparing a programmatic environmental review is actually to ensure the city greater flexibility moving forward after the housing element so that there is an opportunity for the city to utilize this document for uh as a starting off point for future environmental reviews for subsequent entitlement applications. When you prepare a CEQA document, we all have to play by the same rules. The rules are established in our California public resources code under appendix G. The appendix G checklist is a resource consideration which identifies I think it's 22 in total resource categories of which there are individual questions are in each resource category and we have to answer every single one of those. So, um, that's one of the reasons why our documents a thousand pages, but, uh, in doing so, we identified potential issues that were scoped out as part of the notice of preparation process. And so, we want to point those out to you here this evening. So, if you try to go look for forestry resources chapters within the ER, it's not going to be there because as part of the NOP, we scoped it out because of the lack of a and forestry resources within the city, right? So it is a scoping process which the statute encourages to ensure that you can focus on what's important. Okay. So this is the ITEST chart. Uh the itest chart identifies uh the resources where we've identified impacts where we've identified impacts that require mitigation and where we've identified impacts that have required mitigation but we couldn't get them to a less than significant level thus resulting in something called a significant and unavoidable impact. As you'll know, there are five significant and unavoidable impacts that are identified in the EIR. Three of which actually started with what I'll use the phrase a compromised baseline in the sense that the city had already previously identified that that was an issue for that resource. A good and easy tangible example to kind of wrap your head around is related to recreation resources. So, the city has a threshold related to recreational space per populace and currently this Yeah. And currently the city didn't meet that and the city didn't meet it before we started. So for uh us to make a determination that would have a less than significant impact would uh be disingenuous. So as a result there's impacts that are in the document that started with a compromised baseline and thus the document reflects that.

Anna Radonich: And just so these tables that we're including on these slides are all in the executive summary portion of the EIR. So you don't need to worry about quickly. And that's I know it's small.

Trevor Macenski: Yeah, that's actually a great point for the community that's watching as well as the commission here is that the executive summary is kind of like the cliff's notes. Yeah. So, if you ever want to have a conversation about or somebody approaches you with a question related to hey, is this going to have impacts on X? That's where you go and look, it identifies each of the resource areas and questions and you can identify just like this which impact will result in a mitigation and then subsequently it'll provide a reference to where you can go read in detail how we got to that information. Um, one thing that's incredibly important related to this particular decision in the environmental review is cumulative impacts. Because this is a multifaceted project which has multiple sites in different geographies, the potential for cumulative impacts to result in an additive impact are very important. Cumulative impacts underneath the CEQA statute uh for all intents and purposes are you might have project A, B and C, but you have to additively evaluate them in a holistic manner to determine if the cumulative nature of those individual minuscule actions would result in an impact which is greater than the individual project. If you can imagine that really comes into play when it comes to like resource consideration. Think of like water supply or think of like uh endangered species habitats, right? You might have a individual projects which take a little bit of the pie but overall you might have a larger

impact on that particular habitat or your long-term water supply etc. So we have a full cumulative analysis which is identified and identifies all the projects which we evaluated as well as those within the city and the surrounding area. As I had mentioned these are your five significant unavoidable impact areas that are identified in your EIR. Um, it is okay to have significant unavoidable impacts, but you can't give up on the analysis is what the statute says. You have to functionally try to mitigate all impacts to a less than significant level. So, in each of those resource considerations, you will see a proposed mitigation and if it worked, it would go to less than significant. If that mitigation didn't get below the significance threshold, that's when you have a significant unavoidable impact. Um, for the city as the lead agency to move forward, you have to then adopt something called overriding considerations. Those overriding considerations are a series of specific statute questions that you have to answer to ensure that the city has done their best to mitigate all potential environmental effects. Alternatives, so beyond mitigation in an EIR the other method in which we try to uh reduce impacts is through the development of alternatives. Um, beyond the no project alternative, there was actually two other alternatives which we considered prior to even moving forward with the analysis to ensure that we had the ability to try to reduce impacts. Um, at the end of the day through the alternatives analysis, we determined that the no project alternative is the only feasible alternative and it also is the environmentally superior alternative. There's a unique thing here related to the statute in which you have an EIR evaluation which identifies the no project is the environmentally superior you automatically default to the proposed project.

Anna Radonich: And can I just add so uh when Trevor just said that we identified two alternatives that were considered and rejected before moving forward with the analysis is before moving forward with the project alternative analysis because you don't your alternatives and your project alternatives are derived based on the impacts that are identified in the analysis of the main portion of your report. They're not.

Trevor Macenski: just good ideas.

Anna Radonich: Yeah, they're not ideas that we just think of ahead of time so we can scratch them off the list. They're derived to try to reduce impacts that we identified. So those five significant unavoidable impacts. That's what drove the alternatives for this project.

Trevor Macenski: Great point. Thank you. We had talked about the environmentally superior alternative and the nuance related to the fact that when it is a no project alternative, it basically defaults to the proposed action. Um that's all that this slide identifies. And the big thing here is because when you evaluate alternatives, they have to be consistent with your project objectives. Your project objectives are the intent or the motivating reason for considering this action.

Anna Radonich: So now that we know what the CEQA document is covering, we're here at tonight's meeting. And then how do we move forward from here? How do you as members of the EQCB, how do members of the public stay informed on this entire process? So, the draft EIR is posted on the city's website. The link is provided on the slide deck and the slide deck will be available made available to the public after this meeting. The best way to provide comment because we want to receive your comment. We want to know what you might know about this project that we may be missed in the analysis or you feel isn't quite robust. The best way to do that is to send an electronic email basically to Alexa. She will gather everything, send it to us. We are required to provide responses as Trevor had said earlier and should you choose to send written snail mail comments that address is here to city hall as well. Effective

commenting really is ideal. Um there's definitely going to be members of the public who maybe don't like the idea of more housing in Seal Beach. We definitely welcome those comments. But in terms of CEQA our responsibility is to respond on the merits of our analysis. So we will note a comment, but what's helpful for us is if you could identify, like I said, did we maybe miss something? Um maybe focus on the completeness. Was there editorial comments are great really, but you know, is there something maybe we missed? Um maybe and so here's an example of you know I think the EIR is not complete because you know X Y and Z. Maybe you drive a certain route regularly and you've identified a traffic impact that maybe we didn't include or you feel it wasn't quite robust enough or maybe you know there's flooding in a certain area of the city that wasn't called out in our document. Those are the comments that are helpful because we are required, as Trevor said, as part of the process in preparation of the final EIR. We are required to respond to those comments and either point the reader to where that is included in our analysis or to include supplemental analysis. So, our recommendation tonight is that we're receiving public comment um during this meeting here, this community meeting tonight. No action is being taken on the draft EIR tonight or on the project. This is simply an opportunity to provide comment to encourage the public to provide comment.

Trevor Macenski: And the only other thing that I would offer to the folks that are watching and the folks in the room here is that the intent is not for us to try to rebut any of the comments which are presented here this evening. We're here to provide clarity of where you might be able to find that information. uh but we are going to be more actively listening to make sure that we're documenting the comments that for those that have had the opportunity to review and read it and then there'll be a formal response in that final EIR. So with that I'll hand it back over to Alexa to see if there's anything else.

Director Smittle: Thank you Anna and Trevor. That concludes our presentation for this evening. So chair I'll turn the floor back over to you. Thank you.

Chair Perrell: Thank you very much. It was very very helpful presentation. Um before we um dive in, I'd just like to make one more comment about public comments. Is that okay? Um so a good comment. I'm not an attorney, but um as far as I understand, the CEQA process kind of um focuses down over time through all these steps, it it kind of narrows the opportunity for your comment to matter. In other words, if we get through all the process of the NOP, the comments on that, the draft, the comments on that, the final, the comments on that, the project gets approved, and then you go to court to sue the city because they they messed up this one of the studies and they forgot to the sewer is broken or whatever, the judge doesn't really have to listen to you. And the further the longer you wait to to submit your comments, the less it counts, the less it's going to be addressed in general. So now is the time in the draft EIR if you have concerns and you have comments, now is the time to get them in the record because you will most influence the final draft and you will get yourself into the process. And if anyone says, well, where was where were you three years ago when we started this, you could have brought that up then. So it's just really helpful and really important that you do it now by June 23rd.

Trevor Macenski: That is correct, yup.

Chair Perrell: Okay. Thank you. Um so now um is the time for the board to discuss. Um I think that some of us have comments that we want to discuss, but this thing is such a beast. It's a nice beast, a friendly beast, but anyone has been through this document. It's thousands of pages and it's kind of complicated. So I thought I would like to ask y'all, the board uh members to make some suggestions about how best

tonight we can review this. Um, I'm thinking maybe we take turns and we discuss each item brought up. Um, you know, one district at a time. Um, I'm thinking maybe if we have a general concern about the the overall EIR, we might address that first and get down to any specific sites or any specific issues after and just go around and maybe we'll have time and energy to address your one number one, number two, or number three concern. But I'd like to hear other is it okay? I'd like to hear other suggestions on on a process for tonight to for us to kind of share our concerns, our questions, and our comments.

Trevor Macenski: Chair, if it's helpful, I have a recommendation. Yes. Having done this at least once before. No, I'm just kidding. Um usually, you're on the right path. If you can uh kind of structure your comments in a sense of like clarifying remarks about maybe what the project is and is not, right, the project description. um additional questions about maybe resource considerations. Maybe you have something about air or traffic and then overall maybe uh analysis to where you might have a connection from one section to another or you want uh to understand about cumulates or alternatives, but making sure that and it's inevitable that you're going to hear something that one of your commissioners is going to say. You're going to be like, "Oh, well, you know, let's talk about water." And then water talks about wetlands and wetlands talks about drainage and you know they're covered in a lot of different topics but the bucket methodology is probably the most effective and then that way you can kind of move on. Yeah.

Chair Perrell: Yeah. Okay. I that makes sense. Does that make sense to everyone? I'm seeing some nodding here. Um, I still think it might be nice to talk about general before we get into site specific just general how the document's structured and um overall. Thank you. So, um, if you all agree, let's start and we'll just go around since we're in order of district. Oh, That's five. I guess doesn't matter. We could start with with board member. Okay, we'll start with board member.

Horning: I'd be happy to start. Um, my concern is that we have um some focused comments for particular districts and of course I'm included with Leisure World. So um and Leisure World's kind of a city unto itself. So I was just wondering the mechanics of actually who needs to respond if the response is going to be needed. Is that the Golden Rain Foundation or is it the individual HOAs? It's just like a procedural kind of question or is it individual people you know shareholders of that and um we talked about the merits of analysis and I also wanted to talk about the limits of the analysis in that um the things that we have knowledge of that was in this report had to do with the uh the significant impact areas those five air pollution greenhouse gases public services recreation and transportation well there's also also um the observation that there have been doing the no on-site testing to verify if there's not anything else and I understand that that's a later part of this particular process but if we know about something right now say one of our sites opportunity site that we should reveal that now or is that something that's going to be done automatically in the future by some developer.

EQCB-Horning-1

EQCB-Horning-2

Trevor Macenski: yeah that is a perfect example of where all commoners can add additional value because this is the community that you live in every single day, and if you understand oh hey there is a particular we'll use Anna's analogy related to like storm water you know in heavy rain events the southeast corner of this particular site always gets more than enough amount of flooding that takes place or something or if there's a historic condition which might not be well documented but people are aware of all that type of information is incredibly important to get into the analysis.

Horning: Yeah, one of the other things is the the determination of if rezoning is going to be needed or no rezoning and uh leisure world at that particular site there is no rezoning is needed. So that's a target for somebody some developer at least that's what I would assume. So if we have information that leads us to believe that this was a site that we didn't develop for a particular reason and I have no actual documented knowledge of that but I've heard people say that. So um that would be a part that need to be consideration in the future. So I just wanted to uh identify as to what entity in leisure world as an example how that how those comments should be formed and presented.

EQCB-Horning-2 cont.

Trevor Macenski: I'll offer the technical response and then I'll look to Alexa for maybe some clarifying community input is that the answer is yes. Whether it comes from a certain level or a board or even just a quadrant of the community or representation of five or six neighbors or an individual at the end of the day we have we treat those comments with the same level of weight and actually the statute's very clear and that the public has a vested interest. So public comments are actually valued even more than like agency comments in certain instances.

Horning: So yeah, and then my final comment has to do with there's three other entities um cities uh Rossmoor, Los Alamitos, and Seal Beach, and they're act each having their own um housing element studies. So um how does these all fit together or does does this particular study just focus on these opportunity sites?

EQCB-Horning-3

Trevor Macenski: Um this particular environmental review focuses on the opportunity sites for the city of Seal Beach. The regional blueprint model or the sustainable community strategy which is prepared by the regional no looks at kind of the larger implications of growth across the region and that's the process which identifies how they come up with the regional housing need allocation for each of the communities and the in theory in theory the investment related to infrastructure funding and growth and population should align such that the state and the federal level are providing dollars and in and support to communities that are uh planning to grow and accommodate additional population, when you and I say that in theory because it's

Horning: so when you talk about cumulative impact that is only within Seal Beach and the various projects rather than all three of the

EQCB-Horning-3 cont.

Trevor Macenski: um your intuition is uh very common but not incredibly accurate. Uh in our in our uh cumulative impact section there's actually a table which provides the analysis footprint related to each of the resources. So a good example would be uh for air quality it's actually the air quality basin which is encapsulate greater than the city's geographic footprint right but for noise for example the city has a very specific noise ordinance and that applies to the city's jurisdiction

Horning: that's all the comments I have at this moment .

Anna Radonich: would it be okay can I add a couple things Trevor I think it might be helpful if we um maybe explain we do the programmatic EIR are what happens if a project comes in and the type of CEQA excuse me environmental review that would need to happen and then also the baseline for cumulative or future projects maybe in a nearby city if they change. Yeah.

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https://www.youtube.com/watch?v=ZzvMD7jF-fs

Trevor Macenski: So if you um if it's okay by the chair to cover you okay the um the idea around this is that we had talked about the issuance of the NOP kind of starting this race and once the NOP is issued it actually sets the regulatory framework in which the EIR is prepared. So if you could think about it you could constantly always be trying to catch up with changes and modifications that take place within a particular municipality but at the time and the NOP is actually released is a time and when kind of the book ends get fixed for everything that we have to consider. Now, that doesn't mean that there aren't projects going on in neighboring communities at that particular point in time that we might have already identified in our cumulative analysis list. But if those other projects in another jurisdiction decide that we get bigger or get smaller, their own individual environmental review would have to be supplemented to account for those changes. Um, but as far as our cumulative analysis, you'll see in that list that we document all the projects that were contemplated and we did we developed that in consultation with the surrounding communities and staff and everyone's understanding. Yeah.

Chair Perrell: That answer your question for now. Okay. Belle.

Hsu: So, since I'm new here, I'm really like I basically reviewed the best I could. Um, tried to understand what the scope of, you know, this project is, what we're trying to accomplish. Um, I have some preliminary questions. Um, I guess what struck me is, um, something I thought about because just as a homeowner here, I've had trouble getting um, new home insurance when I'm shopping around for home insurance. Um, so is insurance something that's being considered when we talk about all these different sites? Um, I saw that flood insurance was not supposed to be within the scope of CEQA. Um, but just overall homeowners insurance is such a issue these days and its affordability. Um, the reason why I'm shopping around for insurance is because it's it I found it uh my current insurance to have shot up a lot. So, um, I was very limited though in what I could get. So, I it's just something that I am concerned about when it comes to future housing care. Um, especially, you know, low income housing. It's very important that people can get insurance. So I that's something that um I thought about

EQCB-Hsu-1

Perrell: I would like to just suggest um that insurance is part of the first two objectives in the EIR. Protect and improve quality of life for current future residents. You're uninsured and you have and your house floods, you have no quality of life. Um and encourage new housing for households at all income levels. Well, people that aren't rich can't afford expensive insurance, so I think that's totally in scope. I But I'll ask Alexa what she thinks.

EQCB-Perrell-1

Director Smittle: Thank you, chair. Um, I'll I'll ask Trevor to speak to the um specifics of the CEQA guidelines as they relate to insurance, but your point is well taken.Um, there have been insurance companies picking up and leaving California entirely, and it is very challenging. There have been attempts at the state level to address some of these challenges, but as it um as it is looked at through CEQA, it is not included as a part of the analysis.

Trevor Macenski: Yeah. And I do want to provide you because I think you're you're again your intuition spot on, right? You're wanting to know like, hey, did we account for these forces which could cause implications with this decision? and the forces and the resources are accounted for and that comes related to hydrology and flooding and the implications that hydrology and flooding would have on these particular locations or earthquakes or wildfire hazards. All those evaluations have been completed related to these sites. Now to speak to the risk and fees associated with insurance as Alexa had mentioned we are silent on that. The statute kind of stays out of the market effects and al also the

economics of that. However, what I will speak to is that before these sites were even getting to this level, the state's site evaluation guidelines is very specific about uh the feasibility of proposing sites that are wholly contained or have risk related to flooding. Uh so the state actually doesn't allow you to do those things anymore. Uh previously it was not as strenuous and um diligent in evaluating them. So you might have had a site that was like, "Oh yeah, it's 25 acres, but it really can only be developed with two acres because the rest is in a flood zone or something like that." So the state has gotten a lot more uh restrictive and even allowing those to consider through the process. But your comments are incredibly valid. It is a force in the market which every community is dealing with.

Hsu: Yeah, I think that's all I have at this time.

Chair Perrell: Okay, my turn. Um, first of all, just quickly, I do want to commend staff and Stantech. Um, you guys built a pretty sturdy document um that should withstand a lot of of scrutiny. Um, very thorough, well organized, very a lot of clarity and uh it was it was clear you tried to address the comments you received after the NOP. So, so thank you for that. Um I do have a general comment and then later I hope we'll have another round here to address a more um specific comment. Is that okay with everyone? Um so our project objectives which we were just talking about um and you know insurance would be a way of saying affordability I think you know you could phrase it under that but um so the objectives that we have while they're all good objectives um two of them seem to be in direct conflict with each other and that is the first the first project objective to protect and improve quality of life for households and then the third objective to amend land use standards and designations in the city code specific plans general plans to comply with the state laws and the RHNA. So why are these conflicting? Well, because according to the draft environmental impact report, complying, you know, building that, 1243 new housing units, meeting that RHNA will create many significant and supposedly unavoidable impacts in several impact categories. So, we're going to result in a project that will not protect and improve the quality of life for the city's households. So, those two objectives are really in in somewhat conflict and somewhat opposition with each other. So, what do we do about that? You know, well CEQA guidance tells us that when that happens, when objectives oppose or conflict, we must balance them as best we can. And so we evaluate project alternatives that meet some of those objectives um and have less impacts or we find overriding cons considerations to convince ourselves to justify ourselves that you know we're combashing some of the objectives in order to achieve some of the others and and we have to ensure that we're mitigating those impacts to the extent feasible. So we have this balanced meeting of the objectives. So, you know, if we had a project objective to make our air cleaner and then we had another project objective to increase air pollution emission sources, how would we balance those, right? Um, and it would be hard, but you know, we would we would try to do that with alternatives and and mitigation and considerations, but which one would we try the hardest to meet? Would we try and meet the the cleaner air or the more polluted air? Right? Would we and and that's the question I ask us here to to think about would we go for the quality of life in Seal Beach for the residents or adherence to a policy political driven policy. So if we have to balance gosh and we have to air a little bit on one side I I hope we will think about airing on the side of quality of life for Sil Beach residents. So, so I just this general concern that the draft environmental impact report, it fails to meet that number one objective, it fails a lot. It fails pretty hard. It falls on its face for meeting that first objective to protect and improve the quality of life for households in Seal Beach. I ask us to consider a little bit more balancing. How can we do that? we can mitigate more. Um we can consider a slightly

EQCB-Purrell-2

EQCB-Purrell-3

lower density or we consider um reducing flooding by putting in um permeable pavement or consider reducing transportation by requiring bike lanes to go more bike lanes or whatever we do. I'm sure it's all very creative. There's a lot of things that haven't been proposed yet in the draft that we could maybe think to mitigate. So we we put the weight a little bit more weight on quality of life project objective, you know, because I just I think it's got the short end of the stick right now here. I think we have a little a little tiny bit more work to do. Okay. And I I would like to hear from from y'all on that. Um the other board members if you have any thoughts on that.

EQCB-Purrell-3 cont.

Villanueva: I did have a comment and I very much appreciate your comment about quality of life and the potential impact that you know some of these rezoning allocations would have on the quality of life of existing residents. Um and I think that's very true. I would also ask that you know everybody consider you know maybe a broader definition of quality of life. If we have if we were to increase the amount of folks residing in Seal Beach we would have more you know our property tax revenue would go up. You know as an impact for perhaps just District 1. We would have more activity on Main Street. if you walked up and down Main Street, it's, you know, there's some vacant shops here and there. So, you know, I just I think we need to take a very holistic view and a very broad view of what, you know, what we define as quality of life. Um, and just making sure that, you know, we're taking into account that, you know, quality of life doesn't necessarily mean, you know, I have, you know, room on, you know, every side of my property to agree plant a few trees or, you know, what have you,

EQCB-Villanueva-1

Chair Perrell: right? And and yet, you know, significant and unavoidable impacts or significant impacts, you know, that does reduce the quality of life and we have a lot of those in here. So, yeah, a balance. We need to balance and be holistic. And I just think it's worth considering if we've done the best job we can on that. And so that's just my general comment and your comments.

EQCB-Purrell-3 cont.

Depew: My turn. Huh?

Chair Perrell: Yes, Mike. On your comment or just mine? No. Oh, no. On on your comments. Okay. Unless you have a comment on my comment.

Depew: I'm I have a concern on how on the mitigating factors uh specifically water is a big issue with me always and we've identified it as less than significant and the mitigating factor there is uh to impose fees on the developers uh which I assume is with the idea that that money can go for buying more water. Well, you can't buy more water when it doesn't exist. So, I think we should concentrate on what to do with those fees to actually mitigate the issue of the population growth impacting the supply of water. Uh, and with that, I would say, you know, what are we going to do with those funds once we collect them? They don't necessarily buy more water if all of a sudden the sources tell us, "Sorry, you've gotten your maximum allocation. So, can we divert that to something else to help mitigate it, like recycling or other avenues other than just buying more water?"

EQCB-Depew-1

Chair Perrell: Okay. Yeah, that's a great comment. I totally agree and we're seeing more and more fighting over Colorado River water which we use in part here. So when you look at all the cumulative impacts of all these other projects, there's a lot more demand for water and a lot more demand for um storm water um runoff too. So yeah, great great comment.

EQCB-Perrell-4

Depew: Well, that that's it for me.

Chair Perrell: And board member Villanova.

Villanueva: Actually, I don't have a laundry list this time. I just want to commend staff and the consultant team. I think uh the sites that were identified, at least as it relates to district one, you know, this was done with a lot of consideration, a lot of care. You know, I appreciate the level of detail here. So, I just want to thank you guys and commend you on a job well done. We like to take notes on those.

EQCB-Villanueva-2

Anna Radonich: Yes. Thank you.

Horning: The only follow any other the only other follow-up comment I have is the purpose for tonight's meeting is to is to motivate the community with more education, which is what this presentation is about to see if there's any particular areas that they feel strongly enough that they need to comment on. And I think that we've identified I I didn't really focus on the quality of life but that's a very important consideration and then all these other things as to the the insurance which I'd never thought about that specifically but that impacts all of us so you know if you tie all these things and compile them all and you know I think we do have enough information that we can have suggest comments are we supposed to suggest comments that would be coming from the council or just um Alexa.

EQCB-Horning-4

Director Smittle: comments from you um or if you've had you know conversations with neighbors or you know things that you would want to share now is now is the time for you to just speak for yourself or for things that you've heard anything that's of a concern.

Horning: Yeah. So one of the things I would intend to do when I get back is Leisure World has a newspaper. So write a little column suggesting as to here's the information that's available. here's some of my thoughts and y'all decide what you want to do and either you know as to the foundation or for individual HOA mutuals they can have their own comments as well as individuals. So it's a motivation tool and I think you've done a nice job with that and we've had some great comments that um I'd not thought about particularly but um it all kind of ties together so yeah thank you.

EQCB-Horning-4 cont.

Chair Perrell: Great. Board member Hsu.

Hsu: Um I just thought of something which is that um something that's of I think chief concern well in my district because um I see it happen is that we have drainage issues right throughout various places in Seal Beach. Um I guess in terms of these particular housing elements um I'm trying to understand better how the drainage issue is going to be handled um so that we don't further compound the other drainage issues that we have um which are outstanding and seem to get worse every time we have a major rain storm. So um that's just something I'm concerned about.

EQCB-Hsu-2

Chair Perrell: Yeah, my in my district as well, same concerns. Okay. Well, I have I have my site my specific concern. Uh, and by the way, I'm going to write up all of my questions, concerns and issues and suggestions and I'm going to submit them in writing and I and I encourage everyone else to do because there'll be things we think about. You know, I'm sure I'm getting stimulated in my thoughts by hearing you and um and things will come up when you talk to neighbors more and all that and you go for your second or third or fourth reading of the draft. You'll come with up with more. So, I encourage everyone to give it some more thought um and and submit your comments before the deadline. And I'm going to but this is one I I'm really grateful to share tonight because I really feel strongly about this site um right

EQCB-Perrell-5

now. Um so this is really um okay I'll just pick one of the two. Right. Okay. This is this is really about site number eight which is the 99 Marina Drive. And um 99 Marina Drive is really quite different from any other sites. Um most of the other sites are heavily disturbed pieces of land, often paved over parking lots in the middle of a commercial um or industrial facility and and uh and opportunity site 8 is really quite different. So, one of the reasons that the draft environmental impact report gave for for having Old Ranch Country Club that pipeline site to be reviewed in a separate project specific EIR rather than in this programmatic EIR. One of those reasons was because unlike those paved parking lots and uh those heavily disturbed opportunity sites, the Old Ranch Country Club is a golf course and therefore it's the DEIR state is more more likely to contain protected biological resources and and those might warrant a specific detailed assessment more than any of the other sites and and we have gone that way with that we will do a separate doing we are the city is doing a separate um environmental impact report for Old Ranch Country Club. But this opportunity site number eight, 99 Marina Drive, that's even less disturbed than a golf course. So, a golf course is is really kind of a sterilized open space. It's persistently irrigated and groomed and fertilized and insect controlled with pesticides and sometimes herbicides. It's not really a natural space and it's not a public recreation space. It's private. It's a very tough place for um protected plants and species to um to survive and do well. On the other hand, the baseline condition for Opportunity Site 8, the 99 Marina Drive is it's a naturalized open space. It's a public recreation space. That's its baseline uh land use at the current time. It has been for many years. It's full of trees and shrubs and grasses and birds and reptiles, insects and mammals and people and kids and families. So the draft environmental impact report says it contains an abandoned handball court, but in reality the handball court is not abandoned and it's often used by families, athletes, and others for a whole bunch of different sports and play. And that's just one part of this site. The site is unique and it's a rare, very rare open space left in our city that's somewhat naturalized. It's proximal to our river and and our coastal recreation and those ecosystems. So, it it's kind of special. When I look at the draft environmental report, it documents 11 special status plants and animals at 99 Marina Drive. But it seems it seems clear to me from looking at um published nearby bird counts and other studies that the draft environmental impact report didn't fully document the protected species and habitat in that are present on that site. Um I I'm concerned that without an accurate baseline assessment of recreational and biological resources, we really won't know the impacts and we really don't know how to mitigate them. So, I'm just I'm just rather concerned about this. The city doesn't always doesn't even yet meet its recreation um requirements. We're we're way underboard underwater on recreation space in in Sil Beach and um we had have hardly any naturalized space. So, I think this site um relatively undisturbed, open space, historical baseline, recreational use, special status species, protected species. We're gonna we're the the draft is proposing to rezone this space with residential high density RHD33 even when directly adjacent to that Bridgeport um were low density RLD15 and there just appears to be no mitigation for loss of habitat or recreation value. So I can think of quite a lot of mitigation. If you need help thinking up mitigation, I got some great ideas. I think this this site deserves its own its own EIR. I don't think it's going to be taken care of properly. I don't think it's going to be assessed or mitigated properly or even assigned proper zoning under this programmatic EIR. I think more much more so than than Old Ranch Country Club. This this project needs a project specific EIR and I'd like to recommend that we consider that and I hope some of you board members might consider um supporting me on that. And of course when we do that sight specific EIR the developer will pay for it not the city of course. So thank you. Any any thoughts on that from my board members?

EQCB-Perrell-6

Horning: I think you're right. is important that each individual especially like Leisure World site in that it's the 5.1 acres um that um it needs to be evaluated in depth before it is even offered as an opportunity site and I think you know perhaps that's part of the process that we have to deal with and you know we don't have any say in whether this housing element rule is fitting for us or not so we have to be our own defense team and say okay this reasons why we don't think it's appropriate nor should it be considered a site. So that's for the comments to uh focus on if they would like to do that. So that that would be my my sort of comment on that. Okay. EQCB-Horning-5

Trevor Macenski: And uh just for uh the discussion and remarks and comments, the only thing that I'd offer is that um there is no guaranteed path after you know implementation of the housing element or certification. Each potential site should somebody bring forward an application will be reviewed individually on its merits to determine the appropriate level of environmental review. Um there is very specific case law about the type of documents which are required depending upon what is proposed. And so I will just leave it at that. uh there are specific uh pathways that are now in our state laws related to CEQA streamlining depending upon if you um propose certain types of housing and avoid certain types of resource considerations which might be located at a site. So just know that uh this is not a green light for all development to happen on these sites. There is a subsequent environmental review consideration when an application if an application is ever to be received on one of these and so I just offer that for context.

Chair Perrell: Thank you. I just have a question to follow up with that. Um but once this site would be certified for development and high say high density development under this programmatic EIR um I I don't think the chances would be very good for sight specific EIR after that and tell me if I'm wrong about that. Um, and also I I just don't think that whatever environmental review was required um it wouldn't it wouldn't have the public input and the public review that the CEQA process provides. EQCB-Purrell-7

Trevor Macenski: Yeah. So I can respond to that for sure. Um if the if the sight specific conditions which you identified in your remarks are present um there any project which has the potential to have a significant effect past a threshold would have to prepare specific evaluations. So you'd spoken earlier about uh species and natural resource evaluations. So in a normal circumstance on any type of development application, the city would say, "Hey, we would like a study to uh document that baseline and identify whether those special status species are present or not." And based on that study and its evaluation that could determine, hey, look, there's a protected species here and if you're going to be impacting it and it's significant, then you have to do an EIR to disclose it. So that's what I mean in the nuance of it really depends upon the context of what's being proposed. But the part I do want to make sure that the community and the commission is aware of is that it's not just a uh an opportunity to move forward with development. There is a specific process for the city and its planning department to review subsequent entitlements.

Chair Perrell: Yeah, it is a big feather and a cap though for a developer to have gone through a programmatic EIR.

Trevor Macenski: Correct. You're yes, you're absolutely correct. And it is a uh it is um the zoning, right? If you were to take land that is open space and all of a sudden you put residential zoning over it, it and increases its value in its um instantaneously. So I mean it is a step forward in the development process. So acknowledged.

Chair Perrell: Yes. Thank you. Any other comments? Oh, we need to go down the line.

Villanueva: Actually, I wanted to to comment on your specific comments about the 99 Marina property because I do agree that it would be a shame to see that property developed into a very dense kind of we'll call it eaves like property, but we are talking about three acres in an area where housing is very difficult to come by. So, I'm wondering if we could maybe kind of split the difference like we've seen with the old uh I think it was the LAWDP site on First Street, you know, and we set up, you know, a a portion of it for open space and allowed development, you know, maybe we set aside an acre for open space and we allowed the development on two acres, you know. EQCB-Villanueva-3

Chair Perrell: brilliant, and I think coastal commission was had a lot to do with that and they may step in here as well but we can't really rely on that but thank you I totally I think that's that's great idea.

Director Smittle: Chair if I may also just um provide a little bit of comment all sites all the housing element sites do take into account that they cannot be 100% developed to the buildout of their zoning assignment So, and that includes 99 marina. So, there's, you know, the 33 * 4 acres or whatever. That's not the number that's assigned to it as a part of this process. It is a lower number because there were assumptions made in the analysis as the housing element was being developed to account for these different things. And it may be um it may be sight specific um due to uses are being located in the coastal zone. It may have to do with development standards, setbacks and things like that apply to projects. So, as a part of developing the housing element itself, we did take into consideration um drawing some of those numbers back from a full buildout number. Now, what's analyzed in the EIR is a higher number again to provide that that flexibility.

Chair Perrell: Okay. Thank you for that. And flexibility doesn't mean entitlement.

Director Smittle: Correct.

Trevor Macenski: Correct. Yeah. And actually that uh to take your point just for the because it's some something that's not very often covered. Um the community's ability to meet your regional housing need allocation can come from sites far beyond these eight. So if there is a project that comes forward and you develop other units to meet that goal, it doesn't necessarily need to be at these locations. And I only say that because um somebody could come in and want to rezone a site as part of an application or something like that.

Chair Perrell: Yeah. Sure. Okay. Board member Depew, do you have any other um sight specific concerns?

Depew: No other no other comments for me right now anyway.

Chair Perrell: Okay. Board member Hsu Good. Thank you. Well, if we have no more comments we want to share tonight, could we open this up for public comment? Finally, and thank you for the public for uh listening to us. Opine

Richard Coles: Good evening. Um, nice to see everybody. My name is Richard Coles. Um, uh, I live at 154 Electric Avenue. I'm a planning commissioner here in town. Prior to that, I spent 10 years on this board and, uh, professionally, I've reviewed scores of programmatic EIRS. For example, the Owens Lake projects with LA Department of Water and Power. I was the overall program manager for eight years. And I do EQCB-Coles-1

believe that because of the diversity and geological difference in our locations, we really need to have separate EIRS because programmatically it took us 10 years to build that project. So what was analyzed in the programmatic EIR you fast forward 10 years when you actually do something could have many years subsequent to that. We found the same thing. I testified against the um the programmatic EIR in Long Beach for the significant development that is will occur on our border here. Um very high density. We can barely travel through Second Street now. I think that we should have had a road going through, done something a little more creative with transportation. But nevertheless, here in town, I uh I reviewed your portions of the EIR. I think it needs some help. uh in those key areas uh that I'd like to talk about. We talk often about quality of life. Um for the last 41 years, I've been a water engineer, an environmental civil engineer. And it seems to me that as I reviewed over the years, our storm water condition, typically when we design storm water, we designed it for a hundred-year flood event. Well, I wasn't here all those years ago, and they designed it for a 50-year event. Well, when they actually built it, they built it for a 25-year event. So, flooding on Main Street and throughout Old Town is rampant. And I think further analysis of storm water conditions are absolutely essential to any criteria that you develop. Furthermore, I think the infrastructure, some of the original piping that was put in Old Town was done in 1915. So any type of vertical construction that you're going to do needs absolute analysis. This affects our quality of life on water. You know, we have frequent blackouts here in town. And you're going to increase usage. Uh you say you're going to use fees. That never happens. Developers never pay up. They don't do the infrastructure work. I've been doing this for 40 years. So I think we need to really rethink how we fix the infrastructure to allow our quality of life to become something that we can all live with. And I would like to address briefly what's happening with the hydraulics in College Park East. Well, I've looked at it many times. I see the thrusting slabs. Uh I had looked at the geotechnical aspects, the hydraulic aspects. They're huge problems. And so when we do that EIR I'll come back to that. I haven't forgotten about it. So um now that I'm retired I can do a few things but I u I would share with you I am concerned deeply about the marina site air quality. Long Beach just passed uh three new major developments there. Okay. None of us will be able to drive up Second Street enough. And I I like your idea about mixed use, maybe having some recreation. And I was I did review the design, RBF's design on the old DWP property, and we took that from 142 to 68 for that very reason. So, yeah, I think people were willing to accommodate that, but I think particularly in Old Town on Main Street, that's a non-starter. You should rethink that because of some of those buildings are in excess of a hundred years old. Um, I think that if you say, "Okay, we're going to tear it all apart and the rest of us have to deal with that for five years," you know, I could be dead by then. So, I would prefer you rethink that from an infrastructure, storm water, water use, conveyance, okay, and electrical usage before we say that this is a place that we're going to redevelop. Furthermore, people in this community cherish the way it looks as it is. Okay? And I've been on the planning commission for a few years. I know many of us have heard this before, but I think if you're going to mitigate something, 115 units in downtown, I don't think so. But I I think that needs to be carefully and I understand the policy, all of you. But I I share with Chairwoman Purrell her thoughts on whether it's policy or quality. I moved here 32 years ago because it was a quaint town. Our kids grew up here. This is what we did and I would like to leave it that way for future generations. Thank you.

EQCB-Coles-2

EQCB-Coles-3

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https://www.youtube.com/watch?v=ZzvMD7jF-fs

Patty Senecal: Good evening. Um, Councilwoman Patty Senecal wanted to make a couple comments and first of all, sorry for the appearance was in a golf thing all day. So, charity tournament. Um, I want to bring up the point of traffic and I know the Sacramento has given us a new way to do this and it's about VMT, vehicle miles traveled. And if I'm understanding correctly, um, the vehicle miles traveled, if they're less, but you're idling longer, it's okay is what I'm hearing out of the new policy from Sacramento. And so, my point is, I don't think that's okay. Okay. And when you come back to quality of life, um all this development, a lot of it's proposed up on um kind of over the bridge side of town and we have already significant traffic issues in the morning. You know, getting we're backed up now trying to get kids to school. Same thing in the afternoon and it's now backed up from um Seal Beach Boulevard even past um the driving range and so forth through Old Ranch. I mean, that's how far back our cars are. And so when I look at all this development, it um in my opinion, it is not okay to be idling our cars. And so this whole VMT thing, again, I know it's the new thing from Sacramento, but I think it is um it's not good for us. And on top of that, I want to make the point again. I think I think I did to you guys already. The studies now on road dust, in train road dust, whether it's brake dust or tire dust, the particulates are very dangerous. And the studies, even the California Resource Board has a study on their website. UCI has a big study. I've looked at four studies on this. And so all of a sudden now, you know, we're going to add all this traffic. let it move slower because it's going less and somehow that's better. It's still the tire and the brake dust and our cars on these streets. We've got bike paths now or bike lanes right next to the cars. And so again, what kind of, you know, Susan, I'm sure you can um look, but it's so the concern is again we're when we talk about this balance of quality of life and trying to have more housing stock. Um it seems disproportional that we're putting a lot of people at risk and adding more risk into the system. And I and I get it. Sacramento is telling us what to do. But so I would like to know in the EIR, can we require the South Coast AQMD to put air monitoring on these sites or near these sites on a continual tracking basis of the air quality so we know what's going on. And then secondly, the sound meter from I don't know if that's Caltrans or whomever, but can we look at the decibel of the sound that's going to come off these projects? And I would like to see us do it before because then we have a baseline and we can tell what is going on once things if they get developed. So I don't know if that's a requirement we can put into the EIRS or um and then um again I think we really need to take the road dust very seriously. And I just want to comment where we are um up in College Park East. We have the 405 freeway which is what the busiest freeway in the United States happens to be on our backside. Okay. And then we have the training base flying planes all the time. And then we have Lampson which is kind of a little country road at times and all of a sudden now you know that's becoming a thoroughfare as well. And so you're taking a community and you are boxing us in. you are bubbling us in with an enormous amount of air quality issues, sound issues, and again this road dust issue. So I think um again I know we have we're being overridden by Sacramento on a lot of stuff, but I just would like it to be in the record. This is concerning and this is not balanced and um not sure what we can do about it but um deeply troubling for you know my community and the marina project as well would have the same impacts. Yeah. So thank you.

EQCB-Senecal-1

Chair Perrell: Any other public comments this evening?

Schelly Sustarsic: Hello, Schelly Sustarsic, College Park East. Uh, 35-year resident. Um, I did submit some questions to or some comments to the NOP.

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https://www.youtube.com/watch?v=ZzvMD7jF-fs

Chair Perrell: I don't I don't know if I saw your comments, but Alexa may to the notice of preparation.

Director Smittle: Yes. Um, and I believe they are addressed.

Schelly Sustarsic: I think they were listed, but I went back and read my uh read my letter and said, "Okay, most of that is still what my thoughts are, but I decided to address the process, the document, and uh I started with uh changing. I'm going to read these just to make sure I get through them, but changing conditions in the future. There's a lot changing. My letter was a year and a half old and some things have changed. I uh I started with uh climate change just more extreme conditions and that's what we're noticing in College Park East especially because flooding has been something that's gone on for forever. But those 100-year storms are becoming more common and we're getting you know people can't leave their homes. It's just it's just you know cars are being you know there's been little intrusion into homes. there has been some intrusion into homes. Uh but cars are destroyed, people can't get out. Uh just the quality of life is not good. So the thought that it's going to be increasing and getting worse maybe on a regular basis. I'm also concerned with hydrology because of all this. Uh part of it is the old ranch project which we're not talking about, but that is where our water in College Park East goes. So, anything else that comes in there, whether it's the Lamson project or one of my questions at the end was does Old Ranch Town Center, does it go directly into the federal channel or does it go to the golf course somehow? So, anything that anyway anything that adds to that that situation because we're going to have a problem with water competition or competition for space to put to put water or we're going to be in trouble. So, uh I think hydrology is important down here too because the same thing you got issues down here. I totally recognize that and so I think hydrology overall is a big problem but I think it's one that says it's a slight not a significant impact but it does say you should have a study and so if study is the result of what I recommend for this then um I recommend that um also Surfside now is flooding uh let's see hydrologic um but Okay, let me put my glasses back on. Um, I attended uh Alexa's new housing laws and that also freaked me out because the uh the EIR um the housing element EIR that was approved not EIR the housing development uh up housing element update that was present I'll get it that was presented to the city council um when it was approved I and then it went to the airport land use. It was supposed to go there first. It didn't. It went there after the city council approved it. But at that time, I think the housing or the commercial limit that was given was about 35 ft. Well, now, oh my gosh, you know, I look at specifically I was had in mind the the shops at Rossmore, which have 441, maybe up to 500 and whatever when it's maxed out. um how many stories does you know will that be and that's not counting density bonus. So if density bonus is thrown in there that could be like a tower. Okay. Um we're not looking at the this document says also that there's no significant impacts in regard to the uh JFTB airport uh the the the Los Alamitos airport there. Um, if the plan is different than what was presented to the airport, then it's a different situation because that could be an obstacle. It could be glare and light issues to the to the base. Um, and that, you know, different than maybe what was analyzed. I know it was overruled, but I think if things change that there should be a new analysis. The airport land use uh should look at that again and it shouldn't be that it doesn't affect anybody. In the document, it looks primarily at uh noise contours which are not exactly the same as flight paths. Uh, so when I um I I'm taken to watching um flight tracker 24, I can hear those little planes every day take off. There's multiple Cessnas, there's multiple beach Cessnas transport, you know, like the helicopters in DC, they transport uh personnel from from places where they're going. So there's several Cessnas a day. There's several a beach that they take med flies, sterile med flies up and down all over the place to it's an

EQCB-Sustarsic-1

EQCB-Sustarsic-2

important California project that's based there. So there are fixed wings, there's helicopters, they don't have the same flight path necessarily. Uh there are some published flight paths. That's not what was presented to our city council. Um but um there there's a lot going on there. When the development from the previous development from Bixby went on, they took we had a lot of open space up there and they took it and just about used it all up except for the um golf course there now. And um and that pretty much encroached on what they have. They have uh a little, you know, an area of departure now. And the base is our uh our environmental no not environmental emergency operations center only one in LA and Orange County. And there's different kinds of planes that come. Right now it's primarily the small jets or small planes and uh and um helicopters but there's a potential in CA in times of earthquake in times of riot uh state or federal you know deployments anything going on that base can convert to something at any time and uh immigration who knows uh and things can change. So anyway, those are those are all things that um that I'm probably getting out of my out of my thing now. Um okay. Um the old ranch town center was built practically backs right up to the JFDB runways and the crash zone. I have personally seen large aircraft her aircraft overflow overfly straight out of the runways. Uh, I've been in the building of the Ralph's Market and had a cargo jet go overhead and it is incredibly loud even with all that stone concrete building. Um, uh, glare and lighting could definitely be an issue with this site when developed. I think I'm talking about the old ranch town center here. Uh, should be reviewed. Uh, as well as the Rossmoor project also cumulative up there. I you know I read the I did read the table where we talked about you know the Lampson project the long beach projects and uh orange county of orange also has has things so I see that they're cumulative when you look at uh north of the freeway though there are those three sites the shops at Rossmoor the old ranch town center and the old ranch country club sites uh compose 918 housing sites out of the 1339 or 69% of the housing sites. If you take the buildout table, the three sites total 1111 housing sites uh for a total of or a percentage of 63% of the total housing element sites. So I think whether or not you see them potentially being developed right away, you still have to consider all those cumulative uh impacts on traffic, hydrology, sewer, light, and glare. Uh you know, I can't imagine if everything was built out what the Seal Beach just has so few through streets. I mean, there's Seal Beach Boulevard and there's, you know, Lampson isn't even really counted, but there's Westminster and PCH. there's just not much way for traffic to get around and circulation is so important also to your quality of life. Um, okay. Traffic should also be considered on each proposed site. And I think they do propose a track I I have to admit I've only threw three or 4 hundred pages. I'm working my way, but I'm you know I'm getting there. So, um, Seal Beach is not uniform. We have the coast. We have the airport airport areas. It shouldn't be all painted with a broad brush. Traffic circulations at each site. I agree with um Mr. Cole. Yeah, Mr. uh Rich. Um more sites need more traffic. Um bus service in Orange County has been on the decline for years, even before COVID, possibly due to Uber and Lift as well. uh maybe Door Dash, Amazon, who knows who or work from home options. OCTA has pulled back from roots on the periphery of the county to focus on central county roots such as Harbor and Beach. So, the idea that we can have uh it's not it's not going to happen. It's you know, so um noise impacts on noise. How about the uh impacts of noise on a project? 45 decibels depends on closed windows with air conditioning and I had the same thought about low-income people. They can move in under the air traffic pattern but they have to keep their pay for air condition and keep their windows closed. So construction heights are also are listed as being 200 feet tall. the FAA uh does reduce height during construction due to the presence of cranes. So that I don't think is is true either. Um I I have an issue with a finding of no significant impact regards to airport hazards. This must be

EQCB-Sustarsic-2 cont.

EQCB-Sustarsic-3

EQCB-Sustarsic -4

EQCB-Sustarsic-5

evaluated at sites near the airport. The city has provided a flight path that is extremely limited when published flight paths and lives apps such as flight radar 24 show a much varied set of flight path both helicopters and fixed wing aircraft. Um fixed wing planes for which this is the only depart departure route is out over the golf course flying daily out of JFTB. Uh these planes transport uh let's see I already did that. Flights have increased since the safety zones were realigned in the 80s to follow Air Force standards. It is my understanding that each service branch is now required to have its airports follow its own branches standards I believe since 2018. the JFD the uh JFTV's a loop was uh updated not really updated but looked at again in 2017 and they didn't do anything I think out of lack of funding but uh thing things may have changed uh in the general plan land use uh page 43 planning area 4 in uh had has a goal to discourage further encroachment into the Los Alamitos JFTV flight path. Uh this was written after the Bixby project when so much encroachment had happened and it was pretty much viewed as Bixby's final plan but that the plan the goal of no further encroachment was put into the general plan 2003 to say enough you know so what I see is what's going to happen is trying to encircle the departure path and keep you know and our goal is to not negatively impact the operations of the airport. Also protect people underneath the flight path of the airport and that should be viewed in any site that's near the airport. The JFTB flight path published data said that pilots are told to not fly over any residential areas. This is for safety as well as noise due to the potential for accidents, especially on takeoffs and landings. Uh it's the the golf course is mostly for departure, but 8% of the time reverse conditions or Santa Anas. It's approach and those planes fly in low on approach. Uh large weighted cargo planes cannot make the turn that that's in the flight path, the turn down towards the um naval weapons station. They are also incredibly loud and I have seen them pass very low over the eucalyptus trees as they fly west onto um pass over Seal Beach Boulevard. Um okay, so I had a had a couple questions. One is what about the next housing element cycle? What do we do if we have even more? Do we just is everything become a tall tower? I mean, I'm just I'm just I just don't know. We've had so much trouble getting this, you know, getting this done. I just don't know what. But it looks like in just a couple years we'll be maybe finding out. Um let's see. I asked those questions already. Um okay. So if a large development necessitates an upgrade of our city's utilities such as water, sewer or storm water, the document says that they would pay their fair share. So if a big project comes in, whether it's on Lampson, Seal Beach, Boulder, I mean, I'm focused kind of north just because I'm more familiar with it, not because I don't care about down here because the same the same questions down here. If uh if we say okay we're going to need you to hook into the sewer or supply water and it's inadequate now they'll pay their fair share and it could even be in loo money which you don't know where that ever whether that ever helps but does that then mean the Seal beach taxpayer or rate payers have to step up and say we have to do this CIB project because this development is is forcing that I don't know and I I'm just uh so that one bothered me a lot because every time I thought about an issue somewhere I'm like oh well who's going to who's going to pay for that you know partly because we have issues in in College Park East but you know so anyway those are my those are my comments and I will try to keep working and maybe submit some written comments by the 23rd but uh anyway thank you

EQCB-Sustarsic-5 cont.

EQCB-Sustarsic-6

EQCB-Sustarsic-7

Chair Perrell: Yeah, we're not going to do this in another two years, are we? Any other comments from the public tonight? I'm so pleased that we got the comments we did. Very helpful. Okay, back to my cheat sheet then. Um, I think we're getting to the end. Any other staff concerns, comments?

Director Smittle: No, no staff concerns. Thank you, chair.

Chair Perrell: Any other board concerns? I will now adjourn this meeting of the Environmental Quality Control Board. Thank you very much, everyone. It's good meeting I think. Thank you.

Appendix B
Written Comments
Received on the Draft EIR

California Department of Transportation

DIVISION OF AERONAUTICS - M.S. #40
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov

June 19, 2025

Ms. Alexa Smittle
Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Electronically Sent asmittle@sealbeachca.gov

Re: SCH #2023110425- City of Seal Beach Housing Element and Zoning Code Updates Project

Dear Ms. Smittle:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the City of Seal Beach Housing Element and Zoning Code Updates Project (Project). One of the goals of the Division is to assist cities, counties, and Airport Land Use Commissions (ALUC) or their equivalent, to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division of Aeronautics in the review of the DEIR.

CL-Caltrans DOA-1

The proposed Project regards updating the City of Seal Beach (City) Housing Element, where Housing Opportunity (HO) Sites are identified, resulting in a potential rezone concurrent with residential uses. HO Sites 4 (The Shops at Rossmoor) and 5 (Old Ranch Town Center) identified in the DEIR are located approximately 0.3 miles of the Los Alamitos Joint Forces Training Base (JFTB) and aligned close to the end of the runway path.

The Division notes that while the adopted Airport Environs Land Use Plan (AELUP) for Los Alamitos JFTB does not depict off-base accident potential zones, the potential for aircraft overflight and safety-related exposure remains a consideration due to the nature and frequency of operations at the facility. Additionally, a portion of these sites falls within the 65 CNEL contour as shown in the AELUP, indicating elevated exposure to aircraft overflight noise. In accordance with California Code Public Resources Code - PRC § 21096, the City is encouraged to evaluate potential noise-related compatibility concerns, particularly for noise-sensitive land uses such as residential development. While sound insulation, avigation easements, and disclosure statements may serve as mitigation, these measures do not reduce exterior noise levels or eliminate the potential for noise or vibration annoyances to residents from military aircraft activity.

CL-Caltrans DOA-2

The Division suggests the City consider relocating or eliminating HO Sites 4 and 5 to minimize potential land use conflicts with ongoing aviation activities and to reduce long-term exposure of residents to aircraft noise, vibration, and potential safety hazards. Consideration of such adjustments may support the City's efforts to balance housing needs with public health, safety, and welfare consistent with applicable State Aeronautics Act provisions.

CL-Caltrans DOA-3

These comments reflect the areas of review by Caltrans Division of Aeronautics with respect to airport-related noise, safety, and land use planning issues. Thank you for the opportunity to review and comment. If you have any questions, please contact me by email at vincent.ray@dot.ca.gov.

CL-Caltrans DOA-4

Sincerely,

Vincent Ray
Aviation Planner
Caltrans Division of Aeronautics

c: Julie Fitch, Executive Officer, Orange County Airport Land Use Commission, jfitch@ocair.com
Scott Shelley, Caltrans District 12 Local Development Review, scott.shelley@dot.ca.gov

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
https://dot.ca.gov/caltrans-near-me/district-12

June 23, 2025

Ms. Alexa Smittle
Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA. 90740

File: LDR/CEQA
SCH: 2023110425
12-ORA-2025-02821
SR-1, SR-22, I-405, I-605

Dear Ms. Smittle,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Draft Environmental Impact Report (DEIR) for City of Seal Beach Housing Element and Zoning Code Update Project. The Project is the City's Housing Element Update and its resulting zoning code update and rezoning program. The Housing Element Update identifies Housing Opportunity Sites throughout the city that have the potential for providing additional housing to meet the City's Regional Housing Needs Allocation (RHNA). The sites are broken into two categories: (a) underutilized sites that do not require zoning code changes and (b) sites where zoning modifications are proposed because the current capacity of these underutilized sites is not sufficient to fully accommodate the RHNA in all income categories. In addition, the sites inventory also identifies the Main Street Program, ADUs, and the Old Ranch Country Club Pipeline Project in its Housing Element Update. The Draft EIR analyzes the potential impacts from implementation of the Housing Element update and zoning code update.

CL-Caltrans-1

The project site is the City of Seal Beach which includes eight housing opportunity sites, Main Street Program, Old Ranch Country Club Pipeline Project, and Accessory Dwelling Units (ADUs) throughout the city totaling approximately 259.45 acres, of which 60.05 acres are developable.
The City of Seal Beach is accessed regionally by State Route (SR)1, SR-22, Interstate 405 and Interstate 605.

State Route 1, State Route 22, Interstate 405 and Interstate 605 are all owned and operated by Caltrans. Therefore, Caltrans is a commenting agency on this project, and has the following comments:

1. Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies. Additionally, Caltrans supports the City's progress in meeting its Regional Housing Needs Assessment (RHNA) allocation, and we encourage the City to promote the development of housing units for a variety of income levels.

2. Encourage the use of transit among future residents, visitors, and workers of the proposed areas of developments. Increasing multimodal transportation will lead to a reduction to congestion, Vehicle Miles Traveled and improve air quality.

3. Caltrans encourages the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. This may include safety measures such as physically separated sidewalks and bike lanes, pedestrian-oriented LED lighting, high-visibility continental crosswalk striping, raised crosswalks, refuge islands, wayfinding signage, and safe connections to existing and proposed bicycle facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation.

4. Bicycle parking that is well-placed, easy to find, and secure enables people to feel comfortable locking up their bicycle at a destination and encourages the use of active transportation. We recommend the provision of ample and secure bicycle parking at regionally significant destinations.

5. Please consider the addition of high visibility crosswalks and ADA curb ramps on intersections close to future project locations that currently lack one or both.

CL-Caltrans-2

6. During any future construction, please ensure that appropriate detours and safety measures are in place that prioritize the mobility, access, and safety of bicyclists, pedestrians, and transit users.

CL-Caltrans-3

7. The Draft EIR (DEIR) does not discuss the location or function of regional freight corridors near the City of Seal Beach, such as SR-22, I-405, or the nearby freight rail corridor (UPRR/Ports complex). While the project is a Housing Element update, the addition of up to 1,303 residential units could impact or be impacted by existing freight routes. Please identify and map the proximity of the Housing Opportunity Sites to the state highways and regional truck corridors in the EIR. Also, please incorporate a freight context narrative to assess potential land use conflicts or constraints on freight reliability.

8. Several housing opportunity sites are located near commercial or industrial zones, but the EIR lacks evaluation of potential freight-sensitive use conflicts—such as exposure to truck noise, emissions, and vibration. This is particularly important near the Leisure World area and adjacent arterial corridors with potential freight activity. Please use the Caltrans Freight-Land Use Compatibility Matrix to evaluate potential land use conflicts and add your finding in the EIR. Also, where necessary, apply mitigation strategies (e.g., buffers, building orientation, noise walls) to preserve both housing habitability and freight operability.

CL-Caltrans-4

9. The DEIR omits analysis of how increased residential density may affect truck routes, delivery access, or curbside loading conflicts in mixed-use or commercial zones. This could lead to unplanned friction between residential uses and freight-related operations in corridors like Seal Beach Blvd and Pacific Coast Highway. Please include a discussion in the EIR of how residential infill and mixed-use development will coexist with ongoing truck access needs. Also, consider design guidelines that support safe truck circulation and minimize conflict with pedestrian or bicycle networks.

CL-Caltrans-5

10. Seal Beach is in a coastal zone, vulnerable to sea-level rise and storm surge, yet the DEIR does not consider how emergency goods movement or freight continuity might be preserved during disruptions. Please add a freight resilience section in the EIR to address redundancy, critical access routes, and emergency delivery corridors in the context of climate adaptation.

CL-Caltrans-6

11. The DEIR does not evaluate how proposed residential site allocations or policies align with regional freight goals in SCAG's Connect SoCal 2024 or Caltrans Freight Mobility Plan 2020. Please include a policy consistency review in the EIR which addresses freight-supportive and freight-

CL-Caltrans-7

compatible development. This is essential to protect the region's goods movement competitiveness while meeting housing mandates.

CL-Caltrans-7 cont.

12. Please note that future projects should not present adverse impacts to the overall transportation system including traffic circulation and the local State. Highway Systems (SHS). If future developments disrupt or impede traffic circulation or the local State Highway System, Caltrans will request a Traffic Impact Analysis (TIA) of these assets. The TIA will also need to include existing and future average daily traffic volumes, traffic generation including peak hour, traffic distribution, Highway Capacity Manual (HCM) intersection analysis along with current and projected capacities of local street, and state highways or freeways including ramps that might be impacted.

13. When analyzing future proposed projects, please note potential short- and long-term traffic impacts with respect to regional vehicle miles traveled (VMT's), please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.

14. If future impact analysis leads to findings of significance on State facilities, please coordinate with Caltrans District 12 Local Development on development of a Traffic Mitigation Agreement or similar effort.

CL-Caltrans-8

15. Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. Applicant must submit a signed Standard Encroachment Permit application form TR-0100 along with a deposit payable to Caltrans. Deposit amount will be dependent on when the application is submitted. Public corporations are legally exempt from encroachment permit fees. However, contractors working for public corporations are not exempt from fees. Please note that all utility work should be disclosed prior to permit submittal, and utility companies are to apply for separate permits for their corresponding work.

16. Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed

CL-Caltrans-9

(if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations.

17. Please submit all applications and associated documents/plans via email to D12.Permits@dot.ca.gov until further notice. Caltrans Encroachment Permits will be transitioning to an online web portal base for all applications in Fall 2023. Further details to be announced on the Caltrans Encroachment Permits homepage. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (657) 328-6246. For specific details on Caltrans Encroachment Permits procedure and any future updates regarding the application process and permit rates, please visit the Caltrans Encroachment Permits homepage at https://dot.ca.gov/programs/traffic-operations/ep.

CL-Caltrans -9 cont.

Caltrans' mission is to improve lives and communities through transportation. Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Julie Lugaro at Julie.lugaro@dot.ca.gov.

CL-Caltrans-10

Sincerely,

Scott Shelley (Jun 23, 2025 15:45 PDT)

Scott Shelley
Branch Chief,
Local Development Review - Climate Change - Transit Grants
Caltrans, District 12

CITY OF
Los Alamitos
California

3191 Katella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

June 23, 2025

Alexa Smittle
Community Development Director
City of Seal Beach, Community Development Department
211 Eighth Street
Seal Beach, California 90740
planning@sealbeachca.gov

SUBJECT: RESPONSE TO THE PUBLIC REVIEW (NOTICE OF AVAILABILITY) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

Dear Director Smittle:

Thank you for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Housing Element in the City of Seal Beach. We understand that the final project intends to update the City's Housing Element and identify Housing Opportunity Sites throughout the city that could provide additional housing to meet the City's Regional Housing Needs Allocation (RHNA).

CL-LosAlamitos-1

As a neighbor of Seal Beach, the City of Los Alamitos supports the City's intent to meet its designated housing allocation but would like to share concern with the project's potential impacts on our adjacent community, especially the noise, air quality, and transportation impacts that come with increased density in a once suburban area which eventually could significantly impact quality of life.

Of particular concern to the City of Los Alamitos is a policy of the Housing Element and this DEIR to favor the highest number of residential unit sites on the edge of Los Alamitos. In the Housing Element, and as studied in the DEIR, the projects with the highest lower-income numbers are on the edge of Los Alamitos rather than spread out through the community of Seal Beach. In the creation of the City of Los Alamitos' Housing Element, it was an objective to broaden community social support for lower-income families through a dispersal throughout the community. These Seal Beach high-number opportunity sites also appear to be in the least likely areas to be built out, since these commercial areas are successful in their current retail configuration. Here are the opportunity sites of particular note:

CL-LosAlamitos-2

Site No.	Site Name	Developable Acres	Assumed Density (du/ac)	Lower-Income Dwelling Units	Moderate-Income Dwelling Units	Above Moderate-Income Dwelling Units	Total Units

4	The Shops at Rossmoor	12	36.8 (80 percent of max density)	276	14	151	441
5	Old Ranch Town Center	8.3	36.8 (80 percent of max density)	258	48	--	306

As a further result of these particular locations slated for density near Los Alamitos Boulevard, the City of Los Alamitos would see a concentration of noise, air quality, and transportation impacts through the increased volume of traffic that would travel to the northbound 605 interstate freeway. The proximity of these new units to the City of Los Alamitos' neighborhoods will present added cumulative rush hour inconvenience and health issues for the City of Los Alamitos' residents, who have already experienced increased volume from other large housing projects in this area, and in particular from the City of Cypress, who has similarly concentrated their RHNA numbers near the City of Los Alamitos' northern residents.

CL-LosAlamitos-2 cont.

The above large concerns aside, as a couple of small mitigation measures that the City of Los Alamitos would urge given the increased traffic projected by the DEIR, it is recommended that the City of Seal Beach request that the Orange County Transportation Authority (OCTA) increase bus connections and frequent bus routes throughout high-traffic periods. It is also suggested that additional bike lane connections be planned as a City policy, such as through an Active Transportation Plan (ATP), with links to the City of Los Alamitos' existing and future bike lanes.

CL-LosAlamitos-3

Thank you again for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the City of Seal Beach Housing Element. If you have any questions regarding the City's comments, please contact Tom Oliver, Senior Planner, at toliver@cityoflosalamitos.org or 562-431-3538 ext. 303.

CL-LosAlamitos-4

Sincerely,

R. Noda

Ron Noda
Development Service Director

June 20, 2025

Via Email to planning@sealbeachca.gov

Ms. Alexa Smittle
Community Development Director
City of Seal Beach, Community Development Department
211 Eighth Street
Seal Beach, California 90740

Dear Ms. Smittle:

I appreciate the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the City of Seal Beach Housing Element and Zone Code Updates Project (Project). I am writing to request that the issue of rising insurance costs due to the increased flooding risk from the Project's additional building be analyzed as part of the EIR. CL-Hsu-1

The Project's addition of buildings, roads, sidewalks, parking lots, and other impervious surfaces to the landscape will result in more flooding, especially as many areas of Seal Beach are already prone to flooding with rainstorms that have intensified over the last several years. This will result in higher homeowners and flood insurance premiums for all Seal Beach residents, and the cost of insurance may be completely unaffordable to many residents. Many insurance companies already will not provide homeowners insurance coverage in Seal Beach, and the homeowners insurance that can be secured is already very expensive. The lack of insurance availability and affordability results in both decreasing the quality of life for current and future residents and not advancing the provisions of affordable housing in Seal Beach, which are in direct opposition to two of the primary objectives supporting the Project's purpose, and should be considered under CEQA. CL-Hsu-2

To address this concern, I am requesting that the EIR should:

- Include a realistic economic evaluation of how insurance costs rise with increased flooding.
- Discuss how insurance costs and availability affect housing affordability.
- Provide assurances that the proposed flooding mitigation will be effective, effectively implemented, monitored for performance, and modified if the mitigation is found not to be effective.
- Consider having developers pay into a flood monitoring/mitigation/insurance fund.

Thank you for all your work in preparing the Draft EIR. I appreciate your consideration of my concerns. CL-Hsu-3

Sincerely,

Belle Hsu

June 22, 2025

4632 Guava Avenue
Seal Beach, CA 90740

City of Seal Beach
Ms. Gloria Harper, City Clerk
211 Eighth Street
Seal Beach, CA 90740

RECEIVED
JUN 23 2025
CITY CLERK
CITY OF SEAL BEACH

Dear Ms. Harper:

Herewith are my comments regarding the Housing Element EIR:

The City of Seal Beach General Plan, Safety Element, S-2, (12/03).
Government Code §65302(g) requires a Safety Element that is developed for the protection of the community from any unreasonable risks.

The Housing Element contains two proposed housing projects on Old Ranch that violate that statement. Both are considered pipeline projects and will have their own EIR, but their numbers are contained in the RINA numbers for Seal Beach:

1. Proposed 4 story family apartment building with 116 units
2. Proposed 3 story building with 51 units on top two floors for seniors and medical offices on the ground floor

CL-Miller-1

The first project was originally a 3-story assisted living facility for seniors with 103 units behind the trees and the end of the runway for the Los Alamitos Joint Forces Training Base (JFTB). It was submitted to the Orange County Airport Land Use Commission (ALUC), they found it inconsistent. and the city council overrode that decision with a 4-1 vote. Now the project has changed to a 4-story apartment building for families with 116 units (this project will have to go back to the ALUC since it has been changed/upsized.

This location is particularly risky as it sits at the end of the main runway for the JFTB just outside of the former crash zone on land that is now golf course. The crash zone had been on land leased by the federal government from the Bixby Company. The lease expired in 1985 and Bixby notified the city and the base that they wished to develop their property; consequently, the crash zone was pulled back onto the base. The golf course has since changed ownership.

*Note: the end of the runway has not moved or changed. However, being at the end of a runway is not a safe place to be. If a plane has a problem in taking off, it either can't gain altitude or it can't bank. In either case, it goes down at the end of the runway in the crash zone (why it is called that). Today's jets, while not routinely taking off from this runway,

are much more powerful. If an F-18 loses power half way down the runway, it will not be able to stop and will keep going through the trees (where this proposed project is to be located) and down Tigertail Drive in Rossmoor as a smaller plane did in 1966 (article attached). If a loaded C-5A loses power, the results will be horrific. When a loaded C-5A takes off, it pretty much uses all of the runway to get air borne. Quite a site to see. Imagine being on the east side of that proposed apartment building on higher floors, and watching a plane come down the runway, right at you. Last minute it gets airborne and banks to the south. I personally do not find that exciting, but rather nerve wracking.

The second project is a 3-story building on Lampson Avenue with a total of 51 units on the top two floors and medical offices on the ground floor. This project will totally remove the general recreational golf driving range, which is the only driving range available to the public in Seal Beach. This building is also under the traffic flight path for all fixed wing aircraft that upon takeoff, will bank and go over this site.

CL-Miller-1 cont.

Both projects were found to be inconsistent by the ALUC. In addition, a copy is attached of a letter from the California Department of Transportation, Division of Aeronautics (CA DOT), dated May 12, 2022, stating "the Division has review the proposed findings provided by the City and has determined the findings are insufficient to warrant this proposed overrule."

The Land Use Element of the City's General Plan, on page LU-43 states: Discourage further encroachment onto the Los Alamitos JFTB flight path. Both of these plans are a significant encroachment to the flight paths of the JFTB.

Both of these sites pose significant risks to anyone living there and should be deleted from the Housing Element.

The runways at the Los Alamitos Joint Forces Training Base can handle everything in the military's inventory except a B-52: the wing span of that plane is too wide to land at Los Al as it would take out all the landing lights along the runway.

Thank you for the opportunity to address this issue.

Sincerely,

Gary Miller

Gary Miller
Former Mayor and Councilmember, District 4

Attachments:
Letter from CA DOT, Division of Aeronautics
Copy of article from the January 26, 1967, News Enterprise re airplane crash

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS–40 | SACRAMENTO, CA 94274
(916) 654-4959 | FAX (916) 653-9531 TTY 711
www.dot.ca.gov

May 12, 2022

Ms. Alexa Smittle, Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Electronically Sent
ASmittle@sealbeachca.gov

Dear Ms. Smittle,

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division) is to assist cities, counties, and Airport Land Use Commissions (ALUC) in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division in the review of the proposed overrule of the Orange County Airport Land Use Commission (OCALUC) for the Joint Forces Training Base Los Alamitos (JFTB).

On April 13, 2022, the Division received a notification email and Resolution 7273. This was regarding a proposed overrule of OCALUC's determination of inconsistency regarding the city of Seal Beach's (City) General Plan 2021-2029 Housing Element (Project). The Project proposes nine housing opportunity sites within the airport notification area of JFTB. February 17, 2022, the OCALUC found that the proposed Project was inconsistent with the current JFTB Airport Environs Land Use Plan (AELUP) amended August 17, 2017. The OCALUC found the proposed Project inconsistent citing noise, safety, and overflight concerns.

It should be noted that according to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, JFTB houses the largest army airfield that is operated by the Army National Guard. The document states further that the JFTB "airfield is one of the busiest Department of Defense (DoD) aviation operations in the continental United States and is located in one of the most congested and heavily flown airspace systems in the U.S."

The Division has reviewed the proposed findings provided by the City and has determined the findings are insufficient to warrant this proposed overrule.
Specifically, the findings are not consistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC statutes set forth in PUC section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

Based on the information provided by both the City and the OCALUC, the Division does not agree with the City's findings.

1. Draft Finding #1, referring to Section 2.a., 2.b., 2.c. 2.e., of Resolution 7273 from the City

   The Division disagrees with Finding #1. Two of the nine housing opportunity sites, included in the Project, are within the 60-65dB CNEL noise contour. This includes the Old Ranch Town Center area with the potential to accommodate up to 200 housing units as well as the Old Ranch Country Club area with the potential to accommodate up to 120 housing units. The AELUP states that residential uses within this contour are conditionally consistent with the requirement of sound attenuation to ensure interior CNEL do not exceed 45dB. Although, residential uses are conditionally compatible with the sound attenuation requirement, the Division is concerned as JFTB aviation operations make it one of the busiest DoD airfields in the continental United States (U.S.) within one of the most congested and heavily flown airspace systems in the U.S. According to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, while noise contours address annual noise levels, instances of individual overflights operating beyond the airfield "generate noise levels that some individuals might find disruptive and/or annoying." These instances of singular overflight are often the source of noise complaints for air installations.

   Furthermore, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns for future development areas surrounding JFTB. The letter showcases the Divisions concerns related to the age of the adopted noise contours, as the noise contours in the AELUP for JFTB are the same as those provided in the 1994 Air Installation Compatibility Use Zone Study (AICUZ). Since there have been no new noise analysis since the 1994 AICUZ, for aircraft arriving and departing JFTB, there is serious concern that new noise issues would be created.

   In addition, the Division supports the OCALUC's determination of inconsistency as PUC Section 21674(a) states that ALUCs are "to assist local agencies in ensuring compatible land uses in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible land uses" and PUC Section 21670(a)(1) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation while at the same time protecting public health, safety, and welfare."

2. Draft Finding #2, referring to Section 2.d and 2.e of Resolution 7273 from the City

   The Division disagrees with Finding #2. The Clear Zones identified in the AELUP for JFTB are defined by the 1994 AICUZ through the DoD's AICUZ program. AICUZ standards establish three accident potential zones (APZs), the innermost is the clear zone, further followed by APZ I and APZ II. The 1994 AICUZ for JFTB states that the "Accident Potential Zones do not extend beyond installation boundaries. Use of the airfield by Class B type aircraft, while routine, is not sufficient to justify off-base Clear Zones and Accident Potential Zones", meaning that the 1994 AICUZ for JFTB does not identify APZ I or APZ II as applicable safety compatibility zones. In the attached letter from the Division to OCALUC, the Division references the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP,

estimating 46,016 annual aircraft operations at JFTB. Based on this estimate of operations, the Division recommended updating the JFTB safety zones to include APZ I and APZ II, to be in line with the guidance provided by the DoD and the California Airport Land Use Planning Handbook (Handbook).

In addition, guidance in the Handbook states "AICUZ compatibility criteria tend to be minimal in terms of the degree of protection from incompatible land uses which they afford. ALUCs and local jurisdictions can and should consider setting higher standards in their own respective compatibility planning." In reference to this guidance as well as the age of the AICUZ document (28 years old), the Division reviewed the housing opportunity sites in relation to the three standard APZs for Class B military runways as defined in DoD Instruction 4165.57 Air Installation Compatible Use Zones and the Handbook. It should also be noted that since 1994, when the JFTB AICUZ was prepared, the Handbook has been revised twice to incorporate updated accident data and characteristics into the guidance for defining safety zones.

The housing opportunity sites are located in the following APZs:

- Site 1 – Shops at Rossmoor (up to 40 dwelling units/acre): APZ II
- Site 2 – Old Ranch Town Center (up to 40 du/acre): Clear Zone, APZ I
- Site 3 – Old Ranch Country Club (up to 24du/acre): APZ II
- Site 4 – Leisure World (up to 30du/acre): APZ I, APZ II

Regarding these zones, the DoD Instruction 4165.57 Air Installation Compatible Use Zones states:

- Clear Zone: Residential land uses are not compatible
- APZ I: Residential land uses are not compatible
- APZ II: Residential land uses are compatible with a maximum density of two dwelling units per acre

Regarding these zones, the Handbook states:

- Clear zone (Safety Zone 1): Residential land uses are prohibited
- APZ I (Safety Zone 2): Avoid all residential uses except infill in developed areas
  - Maximum residential densities for suburban areas: 1 dwelling unit (du)/10-20 acres
  - Maximum residential densities for urban areas: 0 du/acre
- APZ II (Safety Zone 4): Limit residential uses to low density
  - Maximum residential densities for suburban areas: 1du/2-5 acre
  - Maximum residential densities for urban areas: Allow infill at up average density/intensity of comparable surrounding users

It should be noted that the proposed housing opportunity site for Old Ranch Town Center is located in the Clear Zone (Safety Zone 1), as defined by the Handbook. 40du/acre are being proposed in the Clear Zone, while according to the Handbook, residential land uses are prohibited in this zone due to a very high accident risk level.

According to the Handbook, the proposed densities by the City would create new significant safety and noise issues and thus is not in accordance with the guidance of the Handbook or

California Public Utilities Code, section 21674.7 (b). The Division strongly recommends not approving this overrule due to significant safety risks and potential noise incompatibility. Please note the PUC reference below, which mandates that local agencies shall be guided by the height, use, noise, safety, and density criteria as established in the Handbook:

California Public Utilities Code, section 21674.7 (b),

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the Division.

As previously stated, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns in reference to future development areas surrounding JFTB.

Please note: The Division comments are to be included in the public record of any decision to overrule the OCALUC.

If you have questions or we may be of further assistance, please contact me via email at gabrielle.sefranek@dot.ca.gov.

Sincerely,

Gabrielle Sefranek
Associate Transportation Planner
Division of Aeronautics

Attachment
Tony Soredello-Review JFTB Los Alamitos ALUCP Ltr 121616

c: Lea Choum, Executive Officer, Orange County Airport Land Use Commission
Matt Friedman, Chief, Office of Aviation Planning, Division of Aeronautics

July 24, 1984

News-Enterprise
3729 Catalina
Los Alamitos, CA 90720

Dear Sirs:

In sorting out some papers of my late mother-in-law, I found the enclosed front page "News-Enterprise" article of the Rossmoor plane crash. The paper was dated 1/26/67, the crash occurred on 12/15/66.

We have lived in Rossmoor since 1960 and I remember the afternoon of December 15 vividly.

I was over at Hopkinson school on PTA business when the crash occurred. There was concern about a school bus being in the area that was hit but fortunately it was not. The houses hit were within Hopkinson School boundaries and there was much fear for the children and their families.

The area was immediately blocked off, so little was known as to the extent of damage or injuries.

I remember the relief we felt when we learned there were no serious injuries or deaths. Fog banks still roll in, weather is still unpredictable even in 1984. I shudder to think what could happen if multiple story office buildings were involved. It is something our Seal Beach and Rossmoor/County governments should give some solemn thought to.

We were very lucky the first time, let's pray there's not a second time.

ss Helen Sisemore
Rossmoor

—Jan. 26, 1967 News-Enterprise.

Pilot Error Responsible

Pilot error was responsible for the Dec. 15 crash in Rossmoor of an A4B Skyhawk jet aircraft, which ripped into six homes but miraculously injured no one.

According to a Naval Board of Inquiry, held last Friday, Reserve Marine Capt. J.H. Moffett, 31, Newhall, became disoriented in a fog bank as he was leaving the Los Alamitos Naval Air Station on a training flight. A spokesman said the takeoff was complicated by unusual weather which could not have been detected from the ground.

He explained that Moffett, a Continental Airlines commercial pilot in private life, took off on instruments and almost immediately after takeoff went on visual flying rules. But in the next split second, the spokesman said, Moffett's fast ship hit a heavy haze condition, disorienting the pilot.

The spokesman said at this instant Moffett should have raised the ship's nose and climbed. Instead, according to the spokesman, Moffett flew straight and level into a tree on the base.

From that impact, the ship bounced into a row of trees on Los Alamitos Boulevard and then into the homes in the 3000 block of Yellowtail Drive.

No disciplinary action is pending or has been taken against Moffett, according to the spokesman, however, he may yet have to appear before a pilots' disposition board to determine whether he can continue to fly for the military.

Ms. Alexa Smittle

Community Development Director

City of Seal Beach, Community Development Department

211 Eighth Street

Seal Beach, California 90740

(sent via email attachment to: planning@sealbeachca.gov)

June 18, 2025

Dear Ms. Smittle,

Thank you for the opportunity to comment on the Draft Environmental Impact Report ("DEIR") for the City of Seal Beach Housing Element and Zone Code Updates Project (Project"). Despite this Project's disparate regulatory drivers, project sites, and competing project objectives, the DEIR is highly readable and well-organized. I want to commend you and the Community Development team for this and all your diligent efforts to effectively comply with the unfunded State housing mandates. The following DEIR comments are not meant to delay or increase the cost of compliance efforts. The intent is to help the Project comply – with both CEQA and housing mandates - in a more holistic and consistent manner, with greater balance between opposing Project objectives, and further mitigation to reduce significant environmental impacts.

CL-Perrell1-1

Comments on Section 1.1.2 Type of Environmental Impact Report

Problem: Due to its unique resources and characteristics, it appears that Opportunity Site 8, 99 Marina Drive, cannot be adequately reviewed under this broad programmatic DEIR, and should instead be reviewed under a separate, site-specific EIR.

The DEIR states that the Old Ranch Country Club (Pipeline site), unlike the other sites, shall be reviewed under a separate, site-specific EIR. The DEIR reasons that, unlike the heavily disturbed nature of the "opportunity sites", the ORCC is a golf course and therefore is more likely to support biological resources warranting site-specific CEQA review. However, the Opportunity Site #8, "99 Marina Drive", is less disturbed than a golf course and more likely than ORRC or any of the Opportunity Sites to support important biological resources. Applying the same logic, the DEIR should then also require that 99 Marina Drive be reviewed under a separate, site-specific EIR.

CL-Perrell1-2

A golf course is a relatively "sterilized" recreational space: persistently irrigated, groomed, and biologically controlled with herbicides, fungicides, pesticides, and fertilizers. Those

activities significantly reduce biological diversity and habitat quality. The ORCC golf course is private; it provides no public recreation. In contrast to the ORCC and the other Opportunity Sites, the baseline for Opportunity Site # 8, “99 Marina Drive”, is a very rare and unique remaining open space in Seal Beach. Its location, near important coastal recreation and eco systems, adds to this resource value.

99 Marina Drive is a large naturalized open space that supports public recreation, trees, shrubs, grasses, birds, reptiles, insects, and mammals, including special status species. Its large permeable surface area provides needed stormwater drainage, infiltration, flood mitigation, and groundwater recharge, and may also help to prevent saltwater intrusion into groundwater. The DEIR does not adequately describe these environmental resources and services.

CL-Perrell1-2 cont.

The Project will impact the site’s hydrological features, increase existing flooding risks, and diminish housing insurability/affordability - another Project Objective. These impacts have not been adequately assessed or mitigated in the DEIR.

The Project will impact recreational features. The DEIR states that 99 Marina Drive contains an “abandoned hand ball court”. However, the handball court there has never been abandoned and is used regularly by the public for a variety of play and sports. It is also used as an overflow/practice/warmup/waiting area for the already crowded public tennis and pickleball courts adjacent to it. These and other recreational features have not been adequately described in the DEIR. The Project’s impacts to these recreational features have not been adequately assessed or mitigated in the DEIR.

The Project will impact biological resources at this site. The DEIR documents eleven special status plants and animals on site. However, nearby bird counts and species inventories suggest that the DEIR has not fully documented the protected species and habitat that may be present. The DEIR proposes to mitigate biological impacts with MM Bio-3, but this mitigation measure only seasonally protects certain bird nesting activities and does not mitigate loss of habitat. The DEIR does not adequately describe the site’s biological resources, nor does it adequately assess the biological impacts or mitigation.

The DEIR states that developers and owners are ready to move on development at this site. As written, the DEIR can entitle them to do so, resulting in the significant impacts documented in the DEIR, as well as other potentially significant impacts that are not adequately assessed or mitigated in the DEIR.

With its unique and important resources, 99 Marina Drive does not resemble any of the opportunity sites that the programmatic DEIR lumps it together with. Unlike 99 Marina Drive, the other opportunity sites are heavily disturbed, support few biological,

hydrological, or recreational resources, and are not close to important coastal resources. While inclusion in a programmatic EIR does not necessarily eliminate the possibility of future site-specific studies to better inform permitting decisions, a programmatic EIR significantly reduces the likelihood that a proposed development project will be required to conduct a thorough site-specific study under public review and discretionary approval.

The DEIR proposes to rezone this naturalized open space site with a residential high density RHD-33, which seems inconsistent and inappropriate, as the site borders Bridgeport's residential low density RLD-15 homes. It is even more inconsistent when considering that half or more of Bridgeport homes are limited to a maximum of one story. It is also inconsistent with the #1 Project Objective, to "improve quality of life for current and future residents". The proposed high-density zoning for this site is inconsistent and will increase the Project's already significant environmental impacts.

CL-Perrell1-2 cont.

Suggested Solutions: 99 Marina Drive should be treated as the ORRC site has been, with limited inclusion in the Programmatic DEIR, and the commitment that the site will be studied and publicly reviewed under CEQA through a separate, site-specific EIR.

Any future development at 99 Marina Drive should be zoned under RLD-15 to provide zoning consistency with the adjacent neighborhood and to also avoid and mitigate Project impacts.

Comments on Section 2.8 Project Objectives

Problem: Section 2.8 of the DEIR lists the five Project Objectives. The Project's first objective, "improve quality of life for current and future residents" is conflicted and opposed by the Project's third Objective, "Amend land use standards and designations in the City's Zoning Code, Specific Plans, and General Plan as needed to comply with state law and meet the required Regional Housing Needs Allocation".

The DEIR itself highlights how these objectives conflict. According to the DEIR, in meeting the 1243-unit Regional Housing Needs Allocation, the Project will create significant and 'unavoidable' impacts in impact categories including transportation, recreation, public services, water quality, air quality, and greenhouse gas emissions. These Project impacts do not protect and improve the quality of life for the City's households. Instead, these impacts degrade and diminish the quality of life for the City's households.

CL-Perrell1-3

CEQA Guidance informs us that when Project Objectives oppose or conflict, we must balance those objectives by:

a. Evaluating project alternatives that meet some or most objectives and result in less impacts.

b. Finding overriding considerations that help to justify unavoidable significant impacts.

c. Insuring that we are mitigating any significant impacts to the extent feasible.

By achieving 100% of the #3 Project Objective, "Amend land use standards and designation … to comply with State laws and RHNA", the Project fails to achieve any significant portion of its number #1 Project Objective, "Protect and improve quality of life for current and future residents". The Project, as designed and described in the DEIR, does not come close to balancing these stated Objectives.

Suggested Solutions: The Project should provide greater balance between its opposing objectives. It should achieve this by:

1. Reducing residential density in some or all the proposed development sites.
2. Considering additional types of mitigation to help the Project to achieve its first Project Objective.
3. Mitigating significant impacts to the extent feasible, even if the impacts cannot be reduced below the level of significance.
4. Considering mitigation to reduce significant transportation impacts, such as the construction of dedicated bike paths, walk paths, and pedestrian bridges to safely connect pedestrians with nearby commercial centers.
5. Requiring sites with existing recreational, hydrogeological, and biological resources to protect a significant portion of resource acreage (at minimum, 5 acres/1000 residents as provided in City Code and Quimby Act) from development impacts. Doing so would more fully mitigate the so-called "unavoidable" significant impacts than "in lieu fees" will.
6. Requiring the use of permeable pavement materials and other materials and best practices to mitigate impacts to water quality and hydrology.
7. Designing the Project to meet most or at least some part of each Project Objective, with due consideration of Objectives that protect human health and the environment.
8. Describing in the DEIR how the Project will meet Project Objective 1.

CL-Perrell1-3 cont.

Comments on Section 3.4 Recreation

Problem: Section 3.4 of the DEIR states that "the Project would increase the use of existing parks and recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Even with implementation of Mitigation Measure PUB-1, the Project would be considered significant and unavoidable."

CL-Perrell1-4

The DEIR further states that due to existing excess development, the City will not be able to ever achieve the statewide recreational land use standards or the local Municipal Code standard of five acres per 1,000 people. The Project's proposed developments will eliminate some or all the potential future recreational use at those sites, resulting in even greater overuse of our existing sub-standard recreational facilities. The DEIR states that the City Code requires future developments to dedicate 5 recreational acres per 1000 residents or a 'fee-in-lieu of' recreational spaces, and the specific mitigation would be determined later, on a site-specific basis. In lieu fees would be used for either acquiring land or developing new or rehabilitating existing park and recreational facilities.

The problem with "fee in lieu of" mitigation is that there is little or no land with recreational value left to be acquired with such fees. Also, since the loss of *recreational value* at each proposed development site depends on different unassessed and site-specific attributes, it is highly doubtful that a fee schedule based on *commercial property value* could equilibrate to *environmental property value*. The proposed use of fees for "rehabilitating" existing recreational resources cannot adequately mitigate for the further loss of the little remaining potential recreational space, nor will it mitigate the impacts of adding more recreational users to existing overburdened recreational acres. The maintenance of any existing recreational resources should be sufficiently funded from existing City revenues. A need for "rehabilitation" would seem to indicate degradation resulting from the negligence of such maintenance. Relying on new developments to fill City budgetary holes creates a vicious cycle of development dependency and overdevelopment.

CL-Perrell1-4 cont.

Suggested Solutions: The EIR should ensure that all recreational impacts resulting from this Project will be required to provide mitigation that is real, meaningful, site-specific, localized, and "like for like." For sites that currently provide recreational value, like 99 Marina Drive, for instance, the site-specific impacts and the site-specific mitigation should be publicly reviewed and decided through a discretionary, not a ministerial process. A loss of public recreational resources due to a development at 99 Marina Drive should be mitigated by providing the same recreational use benefits, in the same or greater amount, to the same recreational users, in the same local area, in the same ecological setting, to the extent feasible. 99 Marina Drive provides naturalized acres, supports appreciation of wildlife and protected flora and fauna, sports, play, family fitness, picnicking, parking, adjacency to a City Park and a City recreation center, close proximity to the River, Beaches and a naturalized wetlands area, and is currently used daily by many people of all ages. Mitigation should provide the same values, to the extent feasible. An in-lieu fee that could be used to resurface an existing tennis court in another City district cannot mitigate those recreational losses.

Comments on Section 3.4 Cultural Resources (for Mainstreet Specific Plan units):

Problem: Allowing second floor housing to be built above existing Main Street single-story buildings may require structural modifications to the buildings. Such building modifications would need to be consistent with Code restrictions, historic preservation guidelines, and reviewed and approved by the City. However, those projects, and the potential impacts to Main Street's aesthetics and historical building and objects, would not receive the level of public review they would receive under a Project specific EIR. While the DEIR provides Mitigation Measure MM CUL-1, the Development Review Process for Historical Resources, the DEIR does not make adequately clear how impacts to historic character and other historic resources would be adequately avoided or mitigated by MM CUL-1.

CL-Perrell1-5

Suggested Solutions: It would be helpful to clarify and specifically illustrate how potential aesthetic and historic impacts will be avoided or mitigated by the DEIR's MM Cul-1. In recent years, many community members feel that Main Street's historic architectural character has not always been adequately protected by the City's building permit process. Considering this concern, the DEIR should make clear how the Project will be protective of aesthetic and historic resources.

Comments on Section 3.9 Water Quality and Hydrology:

Problem: Section 3.9 of the DEIR states that The Project could alter the existing drainage pattern of the sites by substantially increasing the rate or amount of runoff, create or contribute to runoff water, or impede or redirect flood flow. The DEIR identifies the adjacent Bridgeport community as a potential flood area.

Bridgeport has experienced several instances of flooding in recent years. The DEIR states that Project Impact HYD-1 will "substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; ii) 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". The DEIR states that Mitigation Measure MM HYD-1 will require future development projects to identify site-specific impacts analysis impacts to the City's storm drain infrastructure and mitigate them. Mitigation Measure HYD-1 includes site specific analysis and potential improvements which would reduce impacts to less than significant.

CL-Perrell1-6

A potential development project at 99 Marina Drive will eliminate a large existing stormwater infiltration basin and add a large additional volume of stormwater runoff to the already overburdened stormwater system.

Suggested Solutions:

1. Mitigation Measure MM HYD-1 should also require future development projects to identify and fully mitigate, the extent feasible, site-specific impacts to adjacent streets, parks, and neighborhoods, not just to the "City's storm drain infrastructure".
2. The DEIR should more clearly require that any reduction of existing stormwater infiltration capacity and any addition to stormwater runoff volume will need to be completely mitigated by upgrading the City's already overburdened stormwater system to effectively accommodate those volumes.
3. In addition, any new development should be required to accommodate stormwater from a 50 year or 100-year storm, either through on-site avoidance and mitigation measures, or by upgrading the City's systems to accommodate, or a combination of both.
4. All impacts to water quality and hydrology, along with any proposed mitigation, should be subject to public review, involving the surrounding impacted community.

CL-Perrell1-6 cont.

Thank you for this opportunity to comment on this DEIR.

Best,

Susan Perrell

From: Alexa Smittle
To: Webster, Jennifer
Cc: Shaun Temple; Radonich, Anna
Subject: FW: Comments on the Draft Environmental Impact Report for the City of Seal Beach Housing Element and Zone Code Updates Project
Date: Friday, June 20, 2025 12:24:26 PM

Alexa Smittle
Community Development Director/
Interim Assistant City Manager
(562) 431-2527 x 1313

From: Susan Perrell <susan@outdoorsynergy.net>
Sent: Friday, June 20, 2025 11:08 AM
To: Planning <Planning@sealbeachca.gov>
Cc: Alexa Smittle <ASmittle@sealbeachca.gov>
Subject: Re: Comments on the Draft Environmental Impact Report for the City of Seal Beach Housing Element and Zone Code Updates Project

Dear Ms. Smittle,

I would like to add this more specific information regarding the 99 Marina Drive site, to my previously submitted comments on the DEIR. I'm traveling without my laptop; please excuse the informal format of this addendum to my submission. Thank you!

Regarding the Project's flooding risks to 99 Marina Drive: The property lies in between two known low areas ("sumps" on 1st St and Corsair Way) that have experienced severe flooding in the past 10 years. The property's highly permeable surface currently provides needed stormwater infiltration. This baseline flood prevention feature will be diminished substantially by any development, resulting in significant flood impacts. Therefore, the Project must provide real, specific, effective, and measurable mitigation measures for these impacts. The most feasible and effective mitigation measure would be to do what was done at the recent Ocean Place development at 1st and Marina: the preservation of permeable surface areas and the installation of storm water retention basins to capture up to a 100-year rain event. The
DEIR did not adequately assess or describe the Project's flooding impacts, and did not propose meaningful mitigation, even when it has proven feasible and successful at the recent nearby development project. These significant Project impacts are not unavoidable and have not been mitigated to the extent feasible. Therefore, the Project EIR cannot be certifiable, even with overriding considerations. 99 Marina should be reviewed under a site specific EIR.

Cl-Perrell2-1

Thank you for the opportunity to comment.

Best,

Susan Perrell

Get Outlook for iOS

From: Susan Perrell
Sent: Wednesday, June 18, 2025 4:07:21 PM
To: planning@SealBeachCa.gov <planning@SealBeachCa.gov>
Cc: Alexa Smittle <asmittle@sealbeachca.gov>
Subject: Comments on the Draft Environmental Impact Report for the City of Seal Beach Housing Element and Zone Code Updates Project

Dear Ms. Smittle,

Thank you for the opportunity to comment on the Draft Environmental Impact Report ("DEIR") for the City of Seal Beach Housing Element and Zone Code Updates Project (Project"). Despite this Project's disparate regulatory drivers, project sites, and competing project objectives, the DEIR is highly readable and well-organized. I want to commend you and the Community Development team for this and all your diligent efforts to effectively comply with the unfunded State housing mandates. The attached DEIR comments are not meant to delay or increase the cost of compliance efforts. The intent is to help the Project comply – with both CEQA and housing mandates - in a more holistic and consistent manner, with greater balance between opposing Project objectives, and further mitigation to reduce significant environmental impacts.

Best,

Susan Perrell

Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

June 23, 2025

Alexa Smittle
Community Development Director
City of Seal Beach, Community Development Department
211 Eighth Street
Seal Beach, California 90740
planning@sealbeachca.gov

Re: Comments on Draft Environmental Impact Report for the Zoning Code and Housing Element Update

Dear Ms. Smittle,

Hydrology is an extremely important issue to our city. Seal Beach has areas subject to flooding, especially in Old Town, Bridgeport and College Park East (CPE). The EIR should definitely require site specific hydrological studies for any proposed project in or near these neighborhoods. There is potential for significant impact to the College Park East neighborhood, in which the majority of the tract drains to the Old Ranch Country Club (ORCC) golf course retention basin. The drainage in CPE has been inadequate in heavy rain, flooding yards and automobiles, with some water intrusion into living spaces. Rainstorms in our area have been intensifying, with a greater frequency of 100-year storms, and a potential for even worse flooding. Cumulative hydrological impacts from nearby developments could also intensify future impacts on CPE. The Lampson housing project in Los Alamitos will increase runoff to the ORCC golf course: Whether the Lampson project drains across the Joint Forces Training Base (JFTB) or down Lampson Avenue, the majority of the stormwater that drains from the project will travel to the golf course retention basin. Also, if any of the stormwater runoff from the Old Ranch Town Center (ORTC) drains to ORCC in a future project, that will add to the stormwater in the retention basin. This EIR is only considering aspects of the ORCC Pipeline Project, but the EIR for that project indicates that there is an intent to change the drainage flow on the ORCC site. This change could affect CPE's ability to get stormwater into the retention basin if not designed with proper consideration for CPE's stormwater flow. Any added flows from the Lampson project or from an ORTC development could compete with the ability of the golf course to accept CPE's stormwater.

CL-Sustarsic-1

Recreation: Building housing units on the current ORCC Driving range will result in a loss of recreation for the public in general. Seal Beach is already deficient in its park space for its residents. This EIR already identifies increased use of existing park facilities as a significant and unavoidable impact. The loss of a driving range open for drop-in by the public would be an additional significant impact.

CL-Sustarsic-2

Traffic: Traffic impacts are very important for those living and working in Seal Beach. Cumulative impacts of potential development north of the I-405 need to be carefully studied. The Lampson project in Los Alamitos is on Lampson Avenue, approximately 1.5 miles east of Seal Beach Blvd. Vehicles from that proposed development would only have a choice to travel on Lampson, either eastbound or westbound. Westbound traffic would come to the intersection with Seal Beach Blvd, causing added congestion during weekday peak times of travel. Lampson Avenue is the only choice of travel for CPE's drivers as

CL-Sustarsic-3

well. The pipeline project at ORCC will add to traffic on both Lampson and Seal Beach Blvd. Additionally, any future projects proposed at the Shops at Rossmoor or ORTC will add additional traffic to Seal Beach Blvd, just north of Lampson Avenue. Seal Beach Blvd is the only north-south arterial in the city, and congestion can impact our residents' ability to get to work, to school, and for visitors to reach our shopping centers.

The current maximum potential housing for the cluster of the Shops at Rossmoor, the ORTC and the ORCC is 1,111 housing units. Combined with the 246 housing units of the approved housing development at Lampson (Los Alamitos), results in a cumulative impact of approximately 1,357 potential housing units all converging within a small area of the city. Cumulative traffic impacts are very important, however circulation at each site is of critical importance as well, as site circulation can add to congestion impacts. A site plan for traffic needs to be done for each project proposed at these sites, both for site circulation and cumulative impacts to local congestion, such as the adjacent on- and off-ramps of the I-405.

CL-Sustarsic-3 cont.

Seal Beach infrastructure: Sewers, water and drainage

Many of the sewer lines in Seal Beach are from 60 to over 100 years old. The addition of projects with a large number of housing units could well have an impact on a system that is designed for the current housing capacity. Additional housing units could impact current infrastructure, forcing the city to do upgrades to that infrastructure. While developers would pay their fair share of these improvements, the city, its taxpayers, and ratepayers would bear the net cost to perform the capital improvements required or push up city project timelines (This would result in a financial impact to the City of Seal Beach).

CL-Sustarsic-4

Airport Safety: The DEIR finds that there are no significant impacts to people living or working in the area of the airport. While the JFTB airport has had a good safety record over the years, there is a reason that the ORCC golf course, open space with recreation, is located at the end of the military airport's runway. This area is under the departure route for fixed wing aircraft, as well as helicopters. Flight tracker apps show these daily fixed wing flights (Cessna and Beech aircraft) passing broadly over the golf course area on takeoff (and on approach in reverse wind conditions).

Takeoffs and landings are the times of greatest risk and potential for aircraft accidents. In 2017, the Airport Environs Land Use Plan (AELUP) for the JFTB Los Alamitos was reviewed but only minimally revised, due to a lack of funding. The AELUP for the JFTB still relies on old noise contours and runway safety standards (Air Force standards) from approximately 40 years ago. Caltrans Aeronautics opined in a 2016 letter that the JFTB should update their safety zones to reflect their current usage, including the use of multiple runway protection zones and a curved traffic pattern as well as a straight-out flight pattern. In 2018, the standards for military airports were reportedly changed to require the military airfields to use the standards of their own branch, which would be those of the Army for the airfield on the JFTB. Caltrans Aeronautics submitted a second letter in 2022, at the time of the City of Seal Beach's overrule of a decision of inconsistency with the AELUP for the JFTB. In this letter, Caltrans Aeronautics showed concern about two of the shopping centers nearest to the military runways of the JFTB, the

CL-Sustarsic-5

Shops at Rossmoor and the Old Ranch Town Center. This review was done when a 35-foot height limit for the city was in place. Currently, Seal Beach states in this DEIR that developments with new zoning are anticipated to be 2 to 5 stories in height. This is an increase in height from that was reviewed in 2022 by the ALUC. The ORCC pipeline project will have its own EIR, however, the potential number of housing units projected for the Shops at Rossmoor and the ORTC could far exceed the maximum, worst-case build-out scenario in this document if a Density Bonus would be granted. New state law also allows extra height for developers to be able to fit their planned number of housing units into their project. This could result in even taller residential towers on the Shops at Rossmoor and ORTC sites. With continually changing housing laws from the state, future projects proposed at the ORTC and Shops at Rossmoor need to be reviewed ty the ALUC for potential light and glare issues, as well as aircraft safety and noise. This document cannot guarantee that there are no significant impacts for future projects when future laws are unknown. Nor, that safety is not an issue for residential units on the ORCC golf course. These must be evaluated separately, in detail, for each project and evaluated by ALUC.

CL-Sustarsic-5 cont.

Over the years, attempts to put housing onto the golf course have failed due to the presence of the military airport. In the early 2000s, the Bixby project added shopping centers and adjacent housing adjacent to the ORCC golf course, leaving the golf course as the only truly open space north of the I-405 in Seal Beach. The ORTC and its adjacent housing were built adjacent to the Clear Zone and military runway of the JFTB. There was a stipulation in the Bixby Project development agreement that zoning on the golf course should remain Recreation Golf/ Open Space until 2029. In 2003, the City of Seal Beach wrote a goal in its General Plan Land Use Plan, for Planning area 4, to avoid further encroachment onto the flight path of the JFTB Los Alamitos. This is a busy area for aircraft, being in the approach area of both LAX and Long Beach airport as well as the departure for the base. I disagree with the conclusion of this EIR that there would be no significant impact to those living and working in the area of the airport. I believe that any future project proposed in these three sites be carefully evaluated by the ALUC before any such judgement can be made.

Thank you for the opportunity to submit comments and for taking mine into consideration. CL-Sustarsic-6

Sincerely,

Schelly Sustarsic
4288 Candleberry Ave
Seal Beach, CA 90740

Attachments:

DOT letter: December 16, 2016

DOT letter: May 12, 2022

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S. #40
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov

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AIRPORT LAND USE COMMISSION

Serious drought!
Help Save Water!

December 16, 2016

Ms. Kari A. Rigoni, Executive Officer
Airport Land Use Commission Orange County
3160 Airway Avenue
Costa Mesa, CA 92626-4608

Dear Ms. Rigoni:

We would like to thank and commend you, the Airport Land Use Commission (ALUC), and the County of Orange (County), for taking the initiative at the County's own expense to update the Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base (JFTB), Los Alamitos. This action demonstrates a true commitment to saving lives and improving the livability for those who use, travel, or live near JFTB Los Alamitos. Keeping an Airport Land Use Compatibility Plans (ALUCP) updated and current is extremely important, for an ALUCP is a very powerful safety instrument that protects the public and aviation users.

The California Department of Transportation, (Caltrans), Division of Aeronautics (Division), reviewed the draft version of the update to this AELUP dated November 17, 2016. The Division reviewed the AELUP pursuant to the California State Aeronautics Act and California Public Utilities Code (PUC), section 21670 et seq., with respect to airport-related noise, safety impacts, and regional aviation land use planning issues. Additionally, this AELUP was reviewed for consistency with the concepts, principles, practices, and policies contained in the California Airport Land Use Planning Handbook (Handbook) dated October 2011. In accordance with PUC, section 21674.7 (b),

> It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the Division . . .

Our comments are intended to ensure that the requirements and processes of PUC, section 21670 et seq., and the Handbook are properly implemented but are not intended to establish land uses in the vicinity of the JFTB Los Alamitos located in Orange County.

Our comments for the draft AELUP for JFTB, Los Alamitos dated November 17, 2016, are as follows:

Page 16

Section 2.1.2 Safety Accident Potential Zones (Military Airports) and Clear Zones states:

> The 1994 AICUZ Study uses Department of Defense criteria for determining accident potential and clear zones at JFTB, Los Alamitos. U.S. Air Force Instruction 32-7063 authorizes exemption from standard Clear Zone criteria when there are less than ten (10) jet or twenty-five (25) propeller-driven aircraft operations on a runway on an average busy day. Current and projected airfield operations at JFTB, Los Alamitos are consistent with this criteria.
>
> Prior to the 1994 AICUZ Study, the Commission used an analysis of the ten year accident history and the operational characteristics of the JFTB Los Alamitos, which revealed that only an Accident Potential Zone (APZ) "A" located within the boundaries of JFTB, Los Alamitos was justified. This analysis was conducted in accordance with the adopted AICUZ methodology. There are no APZs identified beyond the Clear Zones for JFTB Los Alamitos. APZ "A" is now designated as "CZ" Clear Zone or "RPZ" Runway Protection Zone as shown on the Impact Zone Exhibit D3 of Appendix D.

The AELUP appendix K Installation Compatible Use Zone Study (ICUZS) 2015 page 7-8, referring to JFTB Los Alamitos operations, states:

> Based on a 3-month traffic count from June to August 2014, an estimate of 46,016 aircraft operations occur annually at LAAAF. This averages to 126 flights per day consisting of military, police, and miscellaneous aircraft. An aircraft operation equates to one takeoff/departure, or one approach/landing. A closed pattern consists of two portions, a takeoff/departure and an approach/landing, i.e., two operations. A sortie is a single military aircraft flight from the initial takeoff through the termination landing. The minimum number of aircraft operations for one sortie is two operations, one takeoff (departure) and one landing (approach).

Based on this latest data, having just one compatibility zone is not considered adequate or recommended by the Division. The Handbook's guidance on page 3-19, states that a typical military runway with a traffic pattern of straight in and out would have a minimum of three safety zones. Also, a typical U.S. Department of Defense Air Installation Compatibility Use Zone (AICUZ) Study, Accident Potential Zones (APZ), for runways with a traffic pattern that is straight in and out would have three zones: Clear Zone, APZ I, and APZ II. As noted above, this would apply for JFTB Los Alamitos, based on the number of operations in the 2015 ICUZS, if the traffic pattern is straight in and out. Additionally please keep in mind that the Handbook states on page 3-26 that the U.S. Department of Defense AICUZ is an appropriate starting point for safety compatibility polices for military runways, and page 3-27 states that the AICUZ guidelines tend to represent minimum standards. ALUCs may choose to use the AICUZ guidelines directly, or alternatively, the safety compatibility guidelines indicated in the

Handbook may be appropriate, particularly where the ALUC utilizes this format for safety compatibility criteria at other airports within its jurisdiction. It also cautions:

> In either case, the specific criteria should be reviewed and revised as necessary to fit the operational characteristics of the specific airfield and the land use characteristics of the surrounding area.

The noise contours indicate the flight pattern for JFTB Los Alamitos is not straight in and out, thus more than three safety zones should exist based on the guidance in Chapter Three of the Handbook, pages 3-12 through 3-28. In our conference call on Wednesday December 14, 2016, you confirmed that the actual traffic pattern was typically not straight in and out, due to efforts of the pilots to avoid disturbing land uses already developed in the standard straight in and out traffic pattern.

The Division greatly encourages the ALUC to develop safety zone policies and maps that reflect the actual traffic patterns used, based on accurate operational data for the runways at JFTB Los Alamitos. Additionally, include a criteria table that clearly lists what the acceptable maximum residential densities and nonresidential intensities are for each safety zone, along with any specific uses that should be prohibited in each safety zone. This is to protect against further incompatible land uses being developed and to minimize possible safety issues. Chapter Three of the Handbook discusses in detail how to build an Airport Land Use Compatibility Plan, and Chapter Four details "Developing Airport Land Use Compatibility Polices." Please refer to these chapters for guidance.

- **Page 24, Paragraph 1, 4**

Section 2.2 Establishment of Planning Areas for Joint Forces Training Base, Los Alamitos states:

> CNEL CONTOURS – The Commission uses the CNEL contours depicted in the June 1, 1994 Final AICUZ Study for AFRC, (JFTB) Los Alamitos (Exhibit D3 of Appendix D. These contours are based on a 1987 determination made by the U.S. Army Environmental Hygiene Agency (USAEHA) using NOISEMAP 3.4 computer software.
>
> In 1995, the Commission sought additional AICUZ data for augmenting the AELUP noise impact zone map to depict the outer boundary of Noise Impact Zone 2 (60 dB CNEL Contour Line), which surrounds JFTB, Los Alamitos. No relevant data being available from the AICUZ program, the Commission estimated the 60 dB CNEL Contour Line, by extrapolating from the adopted 65 dB Contour Line, using a logarithmic scaling method and professional acoustical-engineering judgment.

In 2016, the Commission received an Installation Compatible Use Zone (ICUZ) report prepared by California Army National Guard (CAARNG). The ICUZ study examined aircraft operations within the boundary of JFTB Los Alamitos, but did not analyze aircraft operations to and from the Base that might impact surrounding land uses. The 2016 ICUZ is included in Appendix K for information. Because there is no new noise analysis for aircraft arriving and departing JFTB Los Alamitos, the 60 CNEL and 65 CNEL contours used in the previous AELUP are still the approved noise contours for Planning Area purposes.

The Division understands that there have been efforts by the County and ALUC to obtain more recent noise data and appreciates those efforts. But the Division is compelled to point out that basing this draft AELUP's noise policies, maps, and contours on data originally obtained in 1987 is not suitable, and we highly encourage renewed efforts to update this data, thus resulting in new current noise policies, contours, and maps that more accurately reflect the actual aeronautical noise effects that exist due to the JFTB Los Alamitos.

Thank you for the opportunity to review and comment on this draft AELUP. We look forward to continuing to work with the ALUC in connection with this important AELUP. If you have any questions, please contact me at (916) 654-5203 or via email at tony.sordello@dot.ca.gov.

Sincerely,

Tony Sordello

TONY SORDELLO
Associate Transportation Planner

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS-40 | SACRAMENTO, CA 94274
(916) 654-4959 | FAX (916) 653-9531 TTY 711
www.dot.ca.gov

May 12, 2022

Ms. Alexa Smittle, Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Electronically Sent
ASmittle@sealbeachca.gov

Dear Ms. Smittle,

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division) is to assist cities, counties, and Airport Land Use Commissions (ALUC) in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division in the review of the proposed overrule of the Orange County Airport Land Use Commission (OCALUC) for the Joint Forces Training Base Los Alamitos (JFTB).

On April 13, 2022, the Division received a notification email and Resolution 7273. This was regarding a proposed overrule of OCALUC's determination of inconsistency regarding the city of Seal Beach's (City) General Plan 2021-2029 Housing Element (Project). The Project proposes nine housing opportunity sites within the airport notification area of JFTB. February 17, 2022, the OCALUC found that the proposed Project was inconsistent with the current JFTB Airport Environs Land Use Plan (AELUP) amended August 17, 2017. The OCALUC found the proposed Project inconsistent citing noise, safety, and overflight concerns.

It should be noted that according to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, JFTB houses the largest army airfield that is operated by the Army National Guard. The document states further that the JFTB "airfield is one of the busiest Department of Defense (DoD) aviation operations in the continental United States and is located in one of the most congested and heavily flown airspace systems in the U.S."

The Division has reviewed the proposed findings provided by the City and has determined the findings are insufficient to warrant this proposed overrule.
Specifically, the findings are not consistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC statutes set forth in PUC section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

Based on the information provided by both the City and the OCALUC, the Division does not agree with the City's findings.

1. **Draft Finding #1, referring to Section 2.a., 2.b., 2.c. 2.e., of Resolution 7273 from the City**

The Division disagrees with Finding #1. Two of the nine housing opportunity sites, included in the Project, are within the 60-65dB CNEL noise contour. This includes the Old Ranch Town Center area with the potential to accommodate up to 200 housing units as well as the Old Ranch Country Club area with the potential to accommodate up to 120 housing units. The AELUP states that residential uses within this contour are conditionally consistent with the requirement of sound attenuation to ensure interior CNEL do not exceed 45dB. Although, residential uses are conditionally compatible with the sound attenuation requirement, the Division is concerned as JFTB aviation operations make it one of the busiest DoD airfields in the continental United States (U.S.) within one of the most congested and heavily flown airspace systems in the U.S. According to the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP, while noise contours address annual noise levels, instances of individual overflights operating beyond the airfield "generate noise levels that some individuals might find disruptive and/or annoying." These instances of singular overflight are often the source of noise complaints for air installations.

Furthermore, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns for future development areas surrounding JFTB. The letter showcases the Divisions concerns related to the age of the adopted noise contours, as the noise contours in the AELUP for JFTB are the same as those provided in the 1994 Air Installation Compatibility Use Zone Study (AICUZ). Since there have been no new noise analysis since the 1994 AICUZ, for aircraft arriving and departing JFTB, there is serious concern that new noise issues would be created.

In addition, the Division supports the OCALUC's determination of inconsistency as PUC Section 21674(a) states that ALUCs are "to assist local agencies in ensuring compatible land uses in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible land uses" and PUC Section 21670(a)(1) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation while at the same time protecting public health, safety, and welfare."

2. **Draft Finding #2, referring to Section 2.d and 2.e of Resolution 7273 from the City**

The Division disagrees with Finding #2. The Clear Zones identified in the AELUP for JFTB are defined by the 1994 AICUZ through the DoD's AICUZ program. AICUZ standards establish three accident potential zones (APZs), the innermost is the clear zone, further followed by APZ I and APZ II. The 1994 AICUZ for JFTB states that the "Accident Potential Zones do not extend beyond installation boundaries. Use of the airfield by Class B type aircraft, while routine, is not sufficient to justify off-base Clear Zones and Accident Potential Zones", meaning that the 1994 AICUZ for JFTB does not identify APZ I or APZ II as applicable safety compatibility zones. In the attached letter from the Division to OCALUC, the Division references the 2015 Installation Compatible Use Zone Study, Appendix K of the AELUP,

estimating 46,016 annual aircraft operations at JFTB. Based on this estimate of operations, the Division recommended updating the JFTB safety zones to include APZ I and APZ II, to be in line with the guidance provided by the DoD and the California Airport Land Use Planning Handbook (Handbook).

In addition, guidance in the Handbook states "AICUZ compatibility criteria tend to be minimal in terms of the degree of protection from incompatible land uses which they afford. ALUCs and local jurisdictions can and should consider setting higher standards in their own respective compatibility planning." In reference to this guidance as well as the age of the AICUZ document (28 years old), the Division reviewed the housing opportunity sites in relation to the three standard APZs for Class B military runways as defined in DoD Instruction 4165.57 Air Installation Compatible Use Zones and the Handbook. It should also be noted that since 1994, when the JFTB AICUZ was prepared, the Handbook has been revised twice to incorporate updated accident data and characteristics into the guidance for defining safety zones.

The housing opportunity sites are located in the following APZs:
- Site 1 – Shops at Rossmoor (up to 40 dwelling units/acre): APZ II
- Site 2 – Old Ranch Town Center (up to 40 du/acre): Clear Zone, APZ I
- Site 3 – Old Ranch Country Club (up to 24du/acre): APZ II
- Site 4 – Leisure World (up to 30du/acre): APZ I, APZ II

Regarding these zones, the DoD Instruction 4165.57 Air Installation Compatible Use Zones states:
- Clear Zone: Residential land uses are not compatible
- APZ I: Residential land uses are not compatible
- APZ II: Residential land uses are compatible with a maximum density of two dwelling units per acre

Regarding these zones, the Handbook states:
- Clear zone (Safety Zone 1): Residential land uses are prohibited
- APZ I (Safety Zone 2): Avoid all residential uses except infill in developed areas
  - Maximum residential densities for suburban areas: 1 dwelling unit (du)/10-20 acres
  - Maximum residential densities for urban areas: 0 du/acre
- APZ II (Safety Zone 4): Limit residential uses to low density
  - Maximum residential densities for suburban areas: 1du/2-5 acre
  - Maximum residential densities for urban areas: Allow infill at up average density/intensity of comparable surrounding users

It should be noted that the proposed housing opportunity site for Old Ranch Town Center is located in the Clear Zone (Safety Zone 1), as defined by the Handbook. 40du/acre are being proposed in the Clear Zone, while according to the Handbook, residential land uses are prohibited in this zone due to a very high accident risk level.

According to the Handbook, the proposed densities by the City would create new significant safety and noise issues and thus is not in accordance with the guidance of the Handbook or

California Public Utilities Code, section 21674.7 (b). The Division strongly recommends not approving this overrule due to significant safety risks and potential noise incompatibility. Please note the PUC reference below, which mandates that local agencies shall be guided by the height, use, noise, safety, and density criteria as established in the Handbook:

California Public Utilities Code, section 21674.7 (b),

It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the Division.

As previously stated, attached is a letter dated December 16, 2016, from the Division to the OCALUC regarding the Division's serious concerns in reference to future development areas surrounding JFTB.

Please note: The Division comments are to be included in the public record of any decision to overrule the OCALUC.

If you have questions or we may be of further assistance, please contact me via email at gabrielle.sefranek@dot.ca.gov.

Sincerely,

Gabrielle Sefranek
Associate Transportation Planner
Division of Aeronautics

Attachment
Tony Soredello-Review JFTB Los Alamitos ALUCP Ltr 121616

c: Lea Choum, Executive Officer, Orange County Airport Land Use Commission
Matt Friedman, Chief, Office of Aviation Planning, Division of Aeronautics

Alexa Smittle 14 June 2025

City of Seal Beach, Community Development Director

My name is Tom Lasser. I am a retired Army aviator and previously commanded Los Alamitos Army Airfield in the 1990's. I have recently learned Seal Beach is considering two developments adjacent to the airfield. One off the end of the main runway and another on Lampson. CL-Lasser-1

This construction and habitation near an operational airfield are a known hazard waiting to happen and encroaches on flight operations at Los Alamitos AAF. Continued development and construction next to any airfield, airport or airbase violates many aviation safety and operational concerns. Understand also the Orange County Airport Land Use Commission declared these projects to be incompatible but were overruled by Council unfortunately.

I suggest immediate and direct communications with the aviation subject matter experts on the airfield staff to learn more about the consequences of encroachment to flight operations. They can better explain/educate the City about flight routes, traffic patterns, altitudes, noise issues, accident zones, air traffic control, safety and area clearances. CL-Lasser-2

Los Alamitos Army Airfield is the last remaining military airfield in the greater LA/Orange County areas and the Joint Forces Training Base can best be considered a military oasis. Any more additional intrusion, encroachment around and adjacent to this military installation would have negative outcomes here.

Please reconsider these building efforts and as a minimum take the airfield into considerations and modify plans to ensure continued, safe operations at this key military flight facility.

Thank you....Tom

LTC Tom Lasser, USA, retired

232 S. Guadalupe

Redondo Beach, CA 90277-3411

310-562-1121