

Bay Theater Restoration

Initial Study and
Negative Declaration

April 17, 2017



Lead Agency

City of Seal Beach
Community Development Department
211 Eighth Street
Seal Beach, California 90740

Prepared By

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City of Seal Beach

Environmental Analysis Checklist Explanations

Bay Theater Restoration

A. Project Location and Surrounding Land Uses

The Project site for the proposed development is located at 340 Main Street in the City of Seal Beach (City) area. The site is within Planning Area 1, the Old Town area of the City. The proposed Project site is surrounded by boutique commercial shops, restaurants, and residential uses. It is in the downtown area of the City.

The subject area is in the Main Street Specific Plan area and is designated as Commercial-Service per the City's General Plan and is zoned MSSP – (Main Street Specific Plan).

Exhibit 1 shows the regional location of the Project. Exhibit 2 shows the Project site and the Project vicinity.

B. Project Description

The Bay Theater is located at 340 Main Street in the Old Town area of the City of Seal Beach near the intersection with Pacific Coast Highway. The Project involves restoration of the theater into a luxury entertainment venue that will feature art movies and live entertainment designed to be integrated with the surrounding environment of restaurants and boutiques in the Old Town area of the City.

The existing building features slightly more than 7,000 square feet in three stories with the first-floor theater comprising about 5,000 square feet and 475 seats. The concession area in the theater's lobby will feature high-quality pre-packaged snacks, beer, wine, and non-alcoholic beverages. Patrons will also have the choice of bringing food into the theater to encourage patronage of surrounding restaurants to create a symbiotic environment in the Old Town area of the community.

The proposed renovation will restore a combined 2,200 square feet of office and apartment space on the second and third floors of the building. The third-floor apartment will be utilized by the on-site management firm that will run the facility. The theater auditorium will be used for holiday-themed and community event movies as well as art house films and live entertainment. The Bay Theater would be available to host a variety of live entertainment acts predicated on compatibility with the Seal Beach community. Proposed hours of operation will range between 10:00 a.m. and 12:00 midnight, dependent upon the event. Numbers of employees and security personnel would also be dependent on the event.

Bay Theater event parking will be provided primarily off-site basis at the parking lot of the nearby Chase Bank. The parking will be managed by a professional valet firm. The bank parking lot can provide up to 80 vehicle spaces. Other spaces are available within the City's 10th Street Parking Area and throughout Main Street. It is anticipated that many theater patrons will use on-demand shuttles and taxis to reach Bay Theater events. It is also expected that many patrons will walk to the theater from surrounding neighborhoods in the pedestrian-oriented community of Old Town.

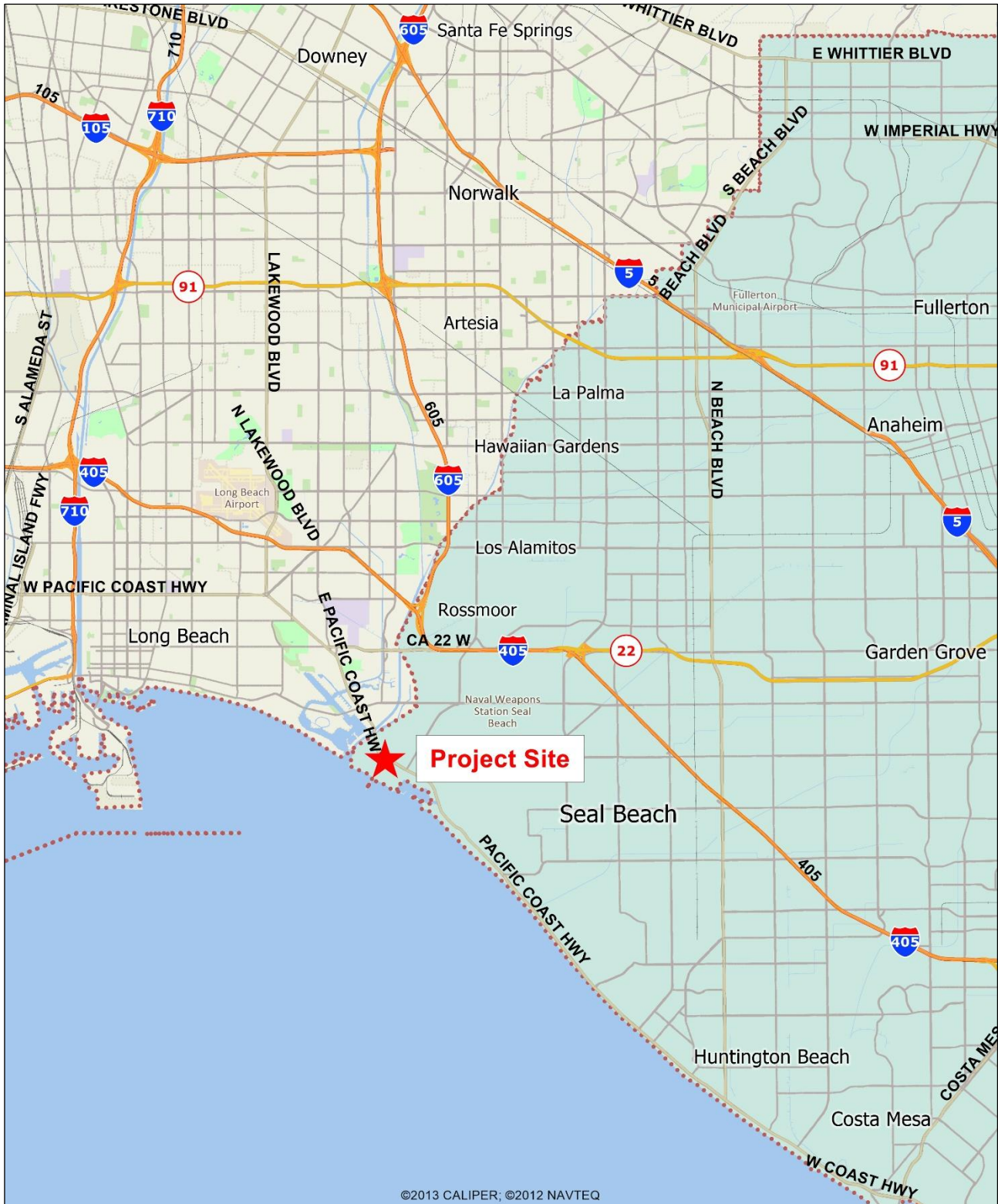


Exhibit 1 – Regional Location

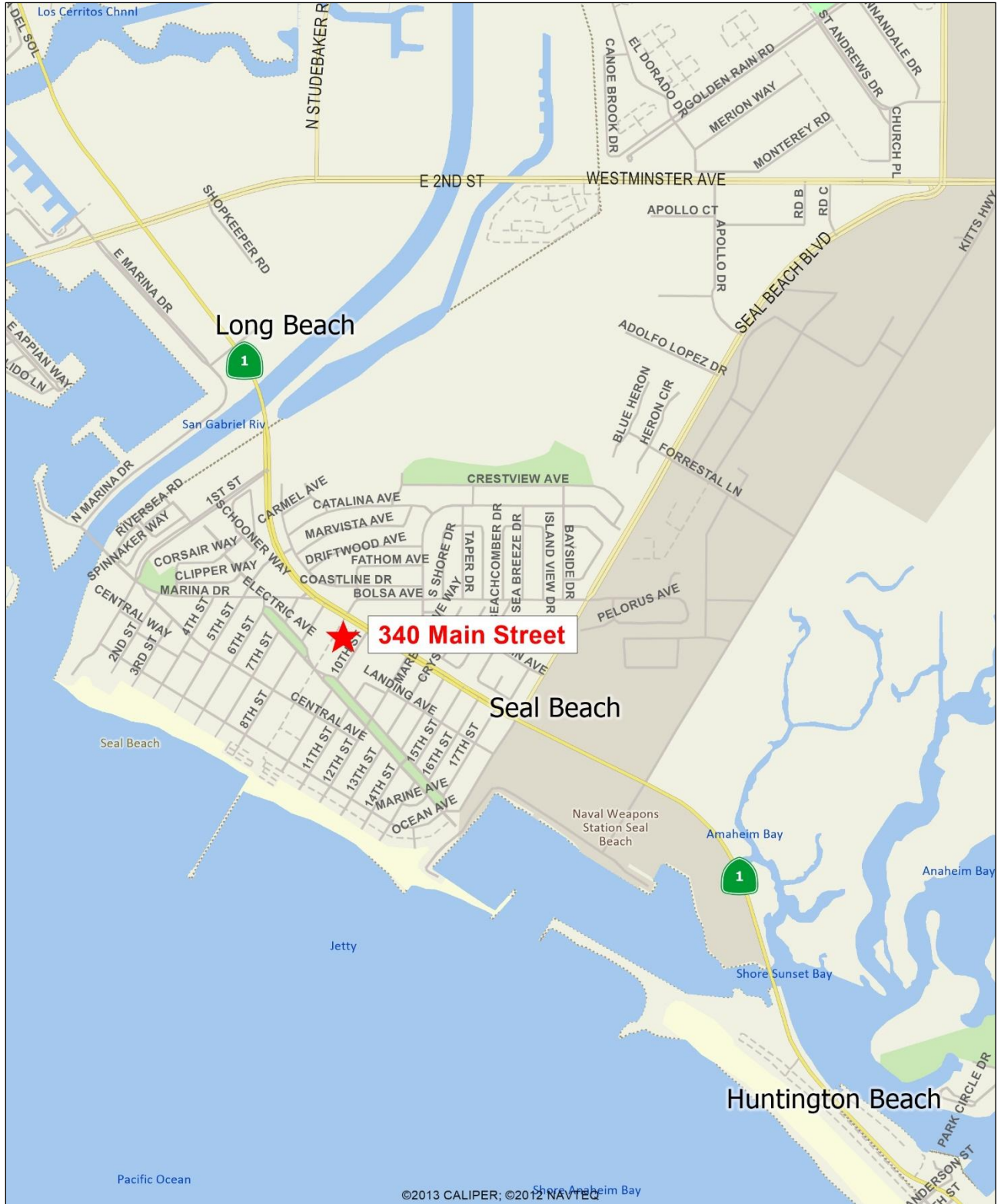
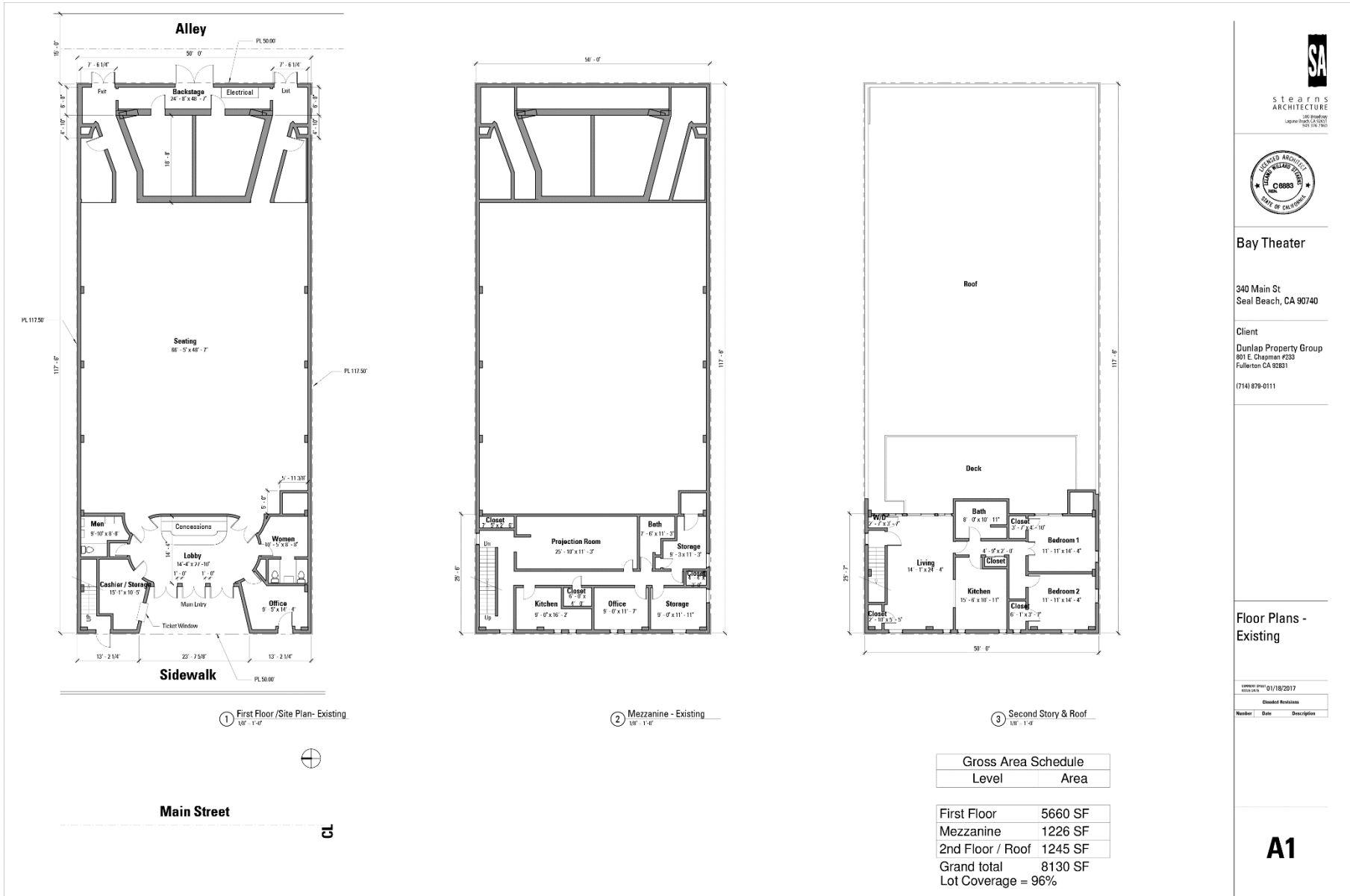


Exhibit 2 – Project Vicinity



SA
STEARNS
ARCHITECTURE
1000 Broadway
Laguna Beach, CA 92653
949.766.1943

REGISTERED ARCHITECT
C 6883
STATE OF CALIFORNIA

Bay Theater
340 Main St
Seal Beach, CA 90740

Client
Dunlap Property Group
801 E. Chapman #203
Fullerton CA 92831
(714) 879-0111

Floor Plans - Existing

Number	Date	Description
1	01/18/2017	Initial Study
2		Classified Revision

A1

Exhibit 3 – Floor Plans - Existing

C. Proposed Actions

The Project will require City approval of the Renovation Plans and Parking Proposal. The proposed Project requires compliance with environmental procedures (CEQA and CEQA Guidelines).

D. Statutory Authority

The preparation of the Initial Study and Negative Declaration is governed by two principal sets of documents: The California Environmental Quality Act (hereinafter "CEQA," *California Public Resources Code* §21000, et seq.) and the CEQA Guidelines (*California Code of Regulations* §15000, et seq.). Additionally, City procedures and case law provide guidance to this Initial Study and Negative Declaration. The environmental analysis presented in this document primarily focuses on the changes in the environment that would result from the Project. This environmental document also evaluates all phases of the Project, including construction and operation.

In compliance with state law and procedures, the City has determined that the Negative Declaration is the appropriate environmental compliance for the proposed Project. Therefore, the City will not cause to be prepared an Environmental Impact Report (EIR). In compliance with §15063 of the CEQA Guidelines, the City conducted an Initial Study to determine if the Project may have a significant effect on the environment. The Initial Study checklist form and explanation discussion format meets the requirements of the CEQA. Section 15063(d)(3) requires that the entries on the Initial Study checklist identifying environmental effects be briefly explained to indicate that there is some evidence to support the entries. An Initial Study may rely upon expert opinion supported by facts, technical studies, or other substantial evidence to document its findings. An Initial Study is not intended or required to include a level of detail that would be provided in an EIR. Therefore, in compliance with CEQA and the CEQA Guidelines, the IS/ND is not intended to be a lengthy, detailed document.

E. Incorporation by Reference

Certain documents are incorporated by reference into this Initial Study and Negative Declaration pursuant to CEQA Guidelines §15150. These documents and the locations where they can be inspected are identified in the Environmental Checklist (Appendix A of this Initial Study and Negative Declaration). Where a document is referenced, its pertinent sections will be briefly summarized in the discussions in this environmental document.

F. Analysis

The initial step in the City's environmental evaluation is the completion of an Environmental Checklist (also known as an "Initial Study") to identify known or potential impacts and eliminate environmentally irrelevant issues. After each issue listed on the checklist, the City has marked "Potentially Significant Impact," "Less Than Significant Impact with Mitigation Incorporated," "Less Than Significant Impact," or "No Impact" depending on the potential of the Project to have adverse impacts. The Environmental Checklist prepared for the proposed Project is presented in Appendix A of this environmental document.

The following discussion provides explanations for the conclusions contained in the Environmental Checklist regarding the proposed Project's environmental impacts.

1. Aesthetics

The City of Seal Beach is a community located on the Pacific Ocean in northwest Orange County. The neighborhood where the Project is located contains boutiques, restaurants, and commercial establishments in the Old Town area of the City. Residences are located behind the commercial facilities that front Main Street. Pacific Coast Highway is the nearest state highway to the Project, and views from Pacific Coast Highway would not be impacted by the Project. The topography of the area is flat.

Would the Project:

a) Have a substantial adverse effect on a scenic vista? (No Impact)

The Project site is located in a commercial area that does not provide a scenic vista. Surrounding properties are developed with commercial and residential structures. The Project site is located in a developed area of the City known as Old Town. The Project is restoration of the Bay Theater, a movie house that operated in the City for many years. The Bay Theater structure is consistent with the surrounding development. Therefore, the Project will not result in a substantial adverse effect on a scenic vista.

b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (No Impact)

See response to Item 1.a) above. The Bay Theater Restoration Project will not have a significant impact to any scenic resources such as trees, rock outcroppings, or historic buildings. In fact, the Project will restore the theater building, which was originally constructed in 1947. Additionally, Main Street is not listed as a state scenic highway, and the proposed Project would not alter any views in the area. Therefore, the Project will not result in any significant impacts for this topical area.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? (No Impact)

It is not anticipated that the Project will substantially impact the visual character or quality of the site and its surroundings, because most restoration work will take place in the building's interior. Surrounding and nearby land uses to the Project site include restaurants, boutiques, commercial establishments, and residences. Restoration of the theater will add to the activities available to residents and City visitors in the downtown Seal Beach area. Therefore, the proposed Project will not result in any significant impacts relative to visual character or quality of the site and its surroundings.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (No Impact)

The surrounding properties are already developed with existing restaurants, boutiques, commercial buildings, and residential structures. Lighting associated with the Project will be identical to that featured during operation of the theater in the past. The lighting is not considered significant given the Project's urbanized location. Therefore, substantial light and/or glare impacts should not occur as a result of the Project and there is no impact.

2. Agriculture and Forestry Resources

The Agriculture and Forestry Resources section of this environmental document evaluates the impact the proposed Project would have on farmland or forest resources.

Would the Project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)**

The proposed Bay Theater Restoration Project does not involve conversion of any farmland. The proposed Project does not call for rezoning of farmland, nor is it currently zoned for agriculture. The Project is located in downtown Seal Beach in the Main Street Specific Plan area. Therefore, the proposed Project will not have any impacts on agriculture and forestry resources.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)**

See response to Item 2.a) above. The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The property is not under a Williamson Act contract. Therefore, no impacts to this topical area would occur as a result of the proposed Project.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? (No Impact)**

The Project does not involve land that is considered forest land or timberland zoned for timberland production. It is a restoration project in the downtown commercial district of Seal Beach. Therefore, no impacts to this topical area would occur as a result of the proposed Project.

- d) Result in the loss of forest land or conversion of forest land to non-forest use? (No Impact)**

The Project is located in an existing urban area and does not involve conversion of forest land to non-forest use. Therefore, no impacts to this topical area would occur as a result of the proposed Project.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (No Impact)**

The proposed Project will not have any impact on farmland or agricultural uses. The Project site is within a developed area surrounded by commercial and residential uses. Therefore, the Project will not have any impact that could result in the conversion of property to non-agricultural use.

3. Air Quality

The information and analysis presented in this Air Quality section are based on the Air Quality and GHG Impact Analysis dated April 11, 2017 prepared by Giroux & Associates (Appendix B). The analysis considers the requirements of the South Coast Air Quality Management District and the potential impacts of the Project on local and regional air quality.

Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan? (Less Than Significant Impact)

An Air Quality Impact Analysis for the Project was performed by Giroux & Associates (April 11, 2017) and is included in its entirety as Appendix B to this document. The Project site is located in the South Coast Air Basin (SCAB). The federal Clean Air Act (1977 Amendments) required that designated agencies in any area of the nation not meeting national clean air standards must prepare a plan demonstrating the steps that would bring the area into compliance with all national standards. The SCAB could not meet the deadlines for ozone, nitrogen dioxide, carbon monoxide, or PM₁₀. In the SCAB, the agencies designated by the governor to develop regional air quality plans are the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG). The two agencies first adopted an Air Quality Management Plan (AQMP) in 1979 and revised it several times, because earlier attainment forecasts were shown to be overly optimistic.

The 1990 Clean Air Act Amendment (CAAA) required that all states with airsheds with “serious” or worse ozone problems submit a revision to the State Implementation Plan (SIP). Amendments to the SIP have been proposed, revised, and approved over the past decade. The most current regional attainment emissions forecast for the ozone precursor NO_x and particulate matter are shown in Table 1 below. Substantial reductions in emissions of NO_x are forecast to continue throughout the next several decades. Unless new particulate control programs are implemented, PM₁₀ and PM_{2.5} are forecast to slightly increase.

Table 1 – South Coast Air Basin Emissions Forecasts

Pollutant	Emissions (tons per day)			
	2012 ^a	2015 ^b	2020 ^b	2025 ^b
NO _x	603	451	357	289
VOC	544	429	400	393
PM ₁₀	160	155	161	165
PM _{2.5}	71	67	67	68

^a2010 base year

^bWith current emissions reduction programs and adopted growth forecasts

Source: California Air Resources Board, 2013 Almanac of CEPAM

The Air Quality Management District (AQMD) adopted an updated clean air “blueprint” in August 2003. The 2003 Air Quality Management Plan (AQMP) was approved by the EPA in 2004. The AQMP outlined the air pollution measures needed to meet federal health-based standards for ozone by 2010 and for particulates (PM₁₀) by 2006. The 2003 AQMP was based upon the federal 1-hour ozone standard, which was revoked late in 2005 and replaced by an 8-hour federal standard. Because of the revocation of the hourly standard, a new air quality planning cycle was initiated.

With re-designation of the air basin as non-attainment for the 8-hour ozone standard, a new attainment plan was developed. This plan shifted most of the 1-hour ozone standard attainment strategies to the 8-hour standard. As previously noted, the attainment date was to “slip” from 2010 to 2021. The updated attainment plan also includes strategies for ultimately meeting the federal PM_{2.5} standard.

Because projected attainment by 2021 requires control technologies that do not exist yet, the SCAQMD requested a voluntary “bump-up” from a “severe non-attainment” area to an “extreme non-attainment” designation for ozone. The extreme designation will allow a longer period for these technologies to develop. If attainment cannot be demonstrated within the specified deadline without relying on “black-box” measures, EPA would have been required to impose sanctions on the region if the bump-up request had not been approved. In April 2010, EPA approved the change in the non-attainment designation from “severe-17” to “extreme.” This reclassification sets a later attainment deadline (2024), but also requires the air basin to adopt even more stringent emissions controls.

In other air quality attainment plan reviews, EPA has disapproved part of the SCAB PM_{2.5} attainment plan included in the AQMP. EPA has stated that the current attainment plan relies on PM_{2.5} control regulations that have not yet been approved or implemented. It is expected that several rules that are pending approval will remove the identified deficiencies. If these issues are not resolved within the next several years, federal funding sanctions for transportation projects could result. The recently adopted 2012 AQMP being readied for ARB submittal to EPA as part of the California State Implementation Plan (SIP) is expected to remedy identified PM_{2.5} planning deficiencies.

The federal Clean Air Act requires that non-attainment air basins have EPA-approved attainment plans in place. This requirement includes the federal 1-hour ozone standard even though that standard was revoked approximately 7 years ago. There was no approved attainment plan for the 1-hour federal standard at the time of revocation. Through a legal quirk, the SCAQMD is now forced to develop an AQMP for the long-since-revoked 1-hour federal ozone standard. Because the 2012 AQMP contains several control measures for the 8-hour ozone standard that are equally effective for 1-hour levels, the 2012 AQMP is believed to satisfy hourly attainment planning requirements.

AQMPs are required to be updated every 3 years. The 2012 AQMP was adopted in early 2013. An updated AQMP was required for completion in 2016. The 2016 AQMP was adopted by the SCAQMD Board in March 2017, and has been submitted to the California Air Resources Board for forwarding to the EPA. The 2016 AQMP acknowledges that motor vehicle emissions have been effectively controlled and that reductions in NO_x, the continuing ozone problem pollutant, may need to come from major stationary sources (e.g., power plants, refineries, landfill flares). The current attainment deadlines for all federal non-attainment pollutants are now as follows:

- 8-hour ozone (70 ppb) 2032
- Annual PM_{2.5} (12 µg/m³) 2025
- 8-hour ozone (75 ppb) 2024 (old standard)
- 1-hour ozone (120 ppb) 2023 (rescinded standard)
- 24-hour PM_{2.5} (35 µg/m³) 2019

The key challenge is that NO_x emissions levels, as a critical ozone precursor pollutant, are forecast to continue to exceed the levels that would allow the above deadlines to be met. Unless additional NO_x control measures are adopted and implemented, attainment goals may not be met.

The proposed Project does not directly relate to the AQMP in that there are no specific air quality programs or regulations governing residential development projects. Conformity with adopted plans, forecasts, and programs relative to population, housing, employment, and land use is the primary yardstick by which impact significance of planned growth is determined. The SCAQMD, however, while acknowledging that the AQMP is a growth-accommodating document, does not favor designating regional impacts as less than significant just because the proposed development is consistent with regional growth projections. Air quality impact significance for the proposed Project has therefore been analyzed on a Project-specific basis.

The proposed Project involves the restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The Project will not conflict with or obstruct implementation of the South Coast Air Basin's Air Quality Management Plan. Therefore, less than significant impacts will occur in this issue area.

b) Violate any air quality standard or contribute to an existing or projected air quality violation? (Less Than Significant Impact)

The Project involves the restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. Air quality impacts are considered "significant" if they cause clean air standards to be violated where they are currently met, or if they "substantially" contribute to an existing violation of standards. Any substantial emissions of air contaminants for which there is no safe exposure, or nuisance emissions such as dust or odors, would also be considered a significant impact.

Appendix G of the California CEQA Guidelines offers the following five tests of air quality impact significance. A project would have a potentially significant impact if it:

- a) Conflicts with or obstructs implementation of the applicable air quality plan.
- b) Violates any air quality standard or contributes substantially to an existing or projected air quality violation.
- c) Results in a cumulatively considerable net increase of any criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).
- d) Exposes sensitive receptors to substantial pollutant concentrations.
- e) Creates objectionable odors affecting a substantial number of people.

Primary Pollutants

Air quality impacts generally occur on two scales of motion. Near an individual source of emissions or a collection of sources such as a crowded intersection or a parking lot, levels of those pollutants that are emitted in their already unhealthy form will be highest. Carbon monoxide (CO) is an example of such a pollutant. Primary pollutant impacts can generally be evaluated directly in comparison to appropriate clean air standards. Violations of these standards where they are currently met, or a measurable worsening of an existing or future violation, would be considered a significant impact. Many particulates, especially fugitive dust emissions, are also primary pollutants. Because of the non-attainment status of the South Coast Air Basin (SCAB) for PM₁₀, an aggressive dust control program is required to control fugitive dust during Project construction.

Secondary Pollutants

Many pollutants require time to transform from a benign contaminant form to a more unhealthy contaminant. Their impact occurs regionally far from the source. Their incremental regional impact is minute on an individual basis and cannot be quantified except through complex photochemical computer models. Analysis of the significance of such emissions is based upon a specified amount of emissions (e.g., pounds, tons) even though there is no way to translate those emissions directly into a corresponding ambient air quality impact.

Because of the chemical complexity of primary versus secondary pollutants, the SCAQMD has designated significant emissions levels as surrogates for evaluating regional air quality impact significance independent of chemical transformation processes. Projects with daily emissions that exceed any of the emission thresholds in the following table are recommended by the SCAQMD to be considered significant under CEQA guidelines.

Table 2 – Daily Emissions Thresholds

Pollutant	Construction (pounds per day)	Operations (pounds per day)
ROG	75	55
NO _x	100	55
CO	550	550
PM ₁₀	150	150
PM _{2.5}	55	55
SO _x	150	150
Lead	3	3

Source: SCAQMD CEQA Air Quality Handbook, November 1993 Rev.

Additional Indicators

In its CEQA Handbook, the SCAQMD also states that additional indicators should be used as screening criteria to determine the need for further analysis with respect to air quality. The additional indicators are as follows:

- Project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.
- Project could result in population increases within the regional statistical area which would be in excess of that projected in the AQMP and in other than planned locations for the project's build-out year.
- Project could generate vehicle trips that cause a CO hot spot.

Construction Activity Impacts

The proposed Project requires renovations to an existing building. Air quality modeling only calculates emissions for large equipment like cranes, and dozers. Smaller, mostly electrical powered hand tools will be used for this Project and therefore construction emissions are not analyzed.

Operational Impacts

Operational emissions were calculated using CalEEMod 2016.3.1 for an assumed Project opening year of 2017. Trip rates were provided in the Project traffic report. The traffic report predicts that the 475-seat venue would generate 855 daily trips.

In addition to mobile sources from vehicles, general development causes smaller amounts of “area source” air pollution to be generated from on-site energy consumption and from off-site electrical generation. These sources represent a minimal percentage of the total Project NO_x and CO burdens, and a few percent other pollutants. The inclusion of such emissions adds negligibly to the total significant Project-related emissions burden as shown in Table 3.

Table 3 – Daily Operational Impacts

Source	Operational Emissions (pounds per day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	0.2	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.1	0.1	0.0	0.0	0.0
Mobile	1.6	7.2	17.2	0.1	3.9	1.1
Total	1.8	7.3	17.3	0.1	3.9	1.1
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: CalEEMod 2013.2.2 Output in Appendix

As seen in Table 3, the Project would not cause any operational emissions to exceed their respective SCAQMD CEQA significance thresholds. Operational emission impacts are judged to be less than significant. No impact mitigation for operational activity emissions is considered necessary to support this finding.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (Less Than Significant Impact)

See response to Item 3.b) above. The Project site is located in the South Coast Air Basin, which is a designated non-attainment area. The Project does not represent significant growth beyond that previously evaluated and forecasted for air quality cumulative impacts of basin-wide growth and development. Therefore, the Project will not result in any significant impacts cumulatively to air quality.

d) Expose sensitive receptors to substantial pollutant concentrations? (Less Than Significant Impact)

See response to Item 3.b) above. Construction on the proposed Bay Theater Restoration Project will take place primarily in the interior of the existing building. There will be no construction impacts on sensitive receptors such as the adjacent neighborhood. Therefore, no impacts to this topical area would result from the Project.

e) Create objectionable odors affecting a substantial number of people? (Less Than Significant Impact)

The proposed restoration of the Bay Theater will not create any significant objectionable odors. Therefore, the proposed Project will not result in any significant impacts of objectionable odors affecting a substantial number of people.

4. Biological Resources

The Biological Resources section analyzes the potential impact of the Project on wildlife and plant resources within the Project area. The Project site is the Bay Theater in an existing commercial neighborhood in downtown Seal Beach.

Would the Project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)

The City's General Plan Open Space/Recreation/Conservation Element describes "open space land" as "any parcel or area of land or water that is essentially unimproved or contains only minor improvements and is devoted to an open space use."¹ The Project site is the existing Bay Theater building in a completely developed area included in the Old Town area of Seal Beach. The Project site has been previously graded in conjunction with the existing theater building on the property. The Project site does not contain any sensitive habitat or wildlife resources, nor is it in an open space area. The site is in the downtown commercial district of the City of Seal Beach. Therefore, the Project will not result in any significant impacts to biological resources.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)

See response to Item 4.a) above. Sensitive natural communities called out by the City of Seal Beach General Plan are primarily located in open space and undeveloped areas of the community. There are no riparian habitats associated with the Bay Theater site. The Project site does not contain any riparian habitat or sensitive natural communities. Therefore, no impacts to riparian or other sensitive natural communities are anticipated.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (No Impact)

See response to Item 4.a) above. The site is located in an urbanized area of the downtown and does not contain wetlands. The Project does not propose any interruption of hydrological flow or increase in hard surface that would increase flows toward the ocean. The Project involves the restoration of an

1 City of Seal Beach Open Space/Recreation/Conservation Element Page OS-1

existing building, the Bay Theater. Therefore, no impacts to riparian habitats or wetlands will result from the proposed Project.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (No Impact)

See response to Item 4.a) above. The site is located in the commercial downtown area of the City of Seal Beach. The site does not contain any sensitive habitat or wildlife resources. There are no migratory wildlife corridors on the Project site and the Project itself will not interfere with any native resident or migratory fish or wildlife species. Therefore, there will be no impacts on any wildlife species in the Project area.

e) Conflict with any local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance? (No Impact)

See response to Item 4.a) above. The Project site does not contain any biological resources. The Project is restoration of the existing Bay Theater in the City's Main Street Specific Plan area. It is surrounded by restaurants, boutiques, commercial establishments and residences. There are no biological resources on the site. Therefore, the Project will not conflict with any policies or ordinance pertaining to biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (No Impact)

See responses to Items 4.a) and 4.e) above. The site is located in an urbanized area. The site does not include a Habitat Conservation Plan or a Natural Community Conservation Plan. The proposed restoration of the Bay Theater does not involve any activities that would impact biological resources that would be subject to a conservation plan.

5. Cultural Resources

The Cultural Resources section analyzes impacts on historical resources at the Project site. The Project site has been previously graded to support the Bay Theater building that currently occupies the site. The Bay Theater was designated as an historic resource in September 2016.

Would the Project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? (No Impact)

The City's General Plan/Historical Resources Element includes a comprehensive evaluation of historical resources citywide.² The Project proposes the restoration of the Bay Theater at 340 Main Street in the Old Town area of the City. The theater was built in 1947, and the proposed Project would restore the theater to full operations in the Main Street Specific Plan area of shops, boutiques, restaurants, and commercial buildings.

² City of Seal Beach General Plan/Cultural Resources Element, as amended 12/03, page CR-2.

Identified archeological resources within the City of Seal Beach are primarily located on the Naval Weapons Station, the Hellman Ranch property, and potentially on the Boeing property. This Project is located in the Old Town planning area of the City of Seal Beach. The Project was an operating theater from 1947 to 2012, when it was shuttered. Additionally, the Bay Theater would be restored in place with no ground disturbance. Also, the City's Cultural Resources Element does not mention any recorded archeological sites in the Project area. Therefore, due to the nature of the Project, it is anticipated that the Project will not have any impacts on cultural (including historical) resources.

b) Cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5? (No Impact)

See response to Item 5.a) above. The Project is proposed to restore the Bay Theater, and there will be no ground disturbance associated with the Project. The proposed Project will require no grading due to the nature of the Project. Therefore, it is not anticipated that the Project will result in any significant impact to archaeological resources.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (No Impact)

See responses to Items 5.a) and 5.b) above. The General Plan Cultural Resources Element did not call out the Old Town area as a place with significant cultural resources. It is not anticipated that the Project will result in any direct or indirect impacts to unique paleontological resources or geologic features due to the type of Project and existing developed condition of the property.

d) Disturb any human remains, including those interred outside formal cemeteries? (No Impact)

See responses to Items 5.a) and 5.b) above. The site is located in an urbanized area with adjacent developed uses (restaurants, commercial establishments, and residences). Due to the developed condition of the site, it is not anticipated that the Project would result in any impacts relative to disturbance of human remains, including those interred outside formal cemeteries.

6. Geology and Soils

The Geology section evaluates the potential impacts of Southern California's seismic events on the Project. The analysis is based largely on the City's General Plan/ Safety Element and regional mapping of fault lines and historical earthquake information. The analysis includes the range of geotechnical events that could impact the Project site.

Would the Project:

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Less Than Significant Impact)**

The City's General Plan/Safety Element includes an evaluation of public safety that addresses geology and soils of the City and is herein incorporated by reference.³

The City, as well as most of Southern California, is located in a region of historic seismic activity. There have been many earthquakes throughout recorded history; some have been large. The 1933 Long Beach earthquake was the most powerful and closest shock to hit Seal Beach in living memory, and the 1994 Northridge quake was the most recent powerful shock. In October 1969, a quake occurred that was felt predominantly in Seal Beach and Northwest Orange County. By way of comparison, the three quakes listed above had the following magnitudes: 1933 Long Beach, 6.3; 1994 Northridge, 6.8; 1969 Seal Beach, 4.3. The active faults of Southern California will continue to be subjected to stresses that produce movement that in turn cause earthquakes of varying magnitude and intensity.

A known active fault system is located within the limits of the City. The Seal Beach Fault, a segment of the Newport-Inglewood Fault Zone, is located within the City and generally parallels the coastline, extending from Long Beach generally through the Hellman Ranch property and the Seal Beach Naval Weapons Station. This fault has been delineated on the Alquist-Priolo Earthquake Fault Zone. The principal seismic hazard that could affect the Project site is ground shaking resulting from an earthquake occurring along any of the major active faults in Southern California. The most significant known active faults include the Newport-Inglewood, Whittier, and Palos Verdes faults. The closest known active fault to the Project site includes the Newport Inglewood (LA Basin) fault, which is approximately 1.5 miles from the Main Street Bay Theater Project site. Surface rupture occurs when the ground surface breaks during or as a consequence of seismic activity. As indicated previously, the site is located near an Alquist-Priolo zone, but there are no identified faults within the Project site property. Therefore, potential for surface rupture on site is considered low due to the lack of known active faults specifically on-site.

The potential for damage resulting from seismic-related events exists within the City, as it does throughout Southern California. Seismic hazards include ground shaking, ground failure, ground displacement, tsunamis, and seiches. The site is not located in an area of the City that is designated as having liquefaction potential per the State of California Seismic Hazard Zones Map, Seal Beach Quadrangle (1998).

The site is expected to be subject to moderate to severe ground shaking from a regional seismic event within the projected life of the proposed theater restoration. However, the Bay Theater already exists on the site and the restoration will not increase the site's susceptibility to geological issues. With the implementation of modern building codes designed to secure structures during seismic events, impacts in this area will be less than significant.

³ City of Seal Beach General Plan/Safety Element, adopted 12/03, pages S-30 to S-56.

The topography of the site is relatively flat. The site is not located in an area of generally unique geologic or physical features.

ii. Strong seismic ground shaking? (Less Than Significant Impact)

See response to Item 6.a)i) above. Due to the nature of the Project, all potential impacts relative to geology and soils are less than significant.

iii. Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)

See response to Item 6.a)i) above. The site is not located in an area of the City that is designated as liquefaction hazard zone per the state's Seismic Hazard Zones Map. Therefore, all potential impacts relative to geology and soils are at a less than significant level.

iv. Landslides? (No Impact)

The property is flat. The site is not subject to potential impacts associated with landslides. Therefore, it is not anticipated that Project activities will result in any impacts associated with landslides.

b) Result in substantial soil erosion or the loss of topsoil? (No Impact)

The Project will not result in any impacts to soil erosion or loss of topsoil. The site has been previously graded in conjunction with the existing use. The site is relatively flat in topography and will not require grading. Therefore, there are no impacts from the Project in the area of potential loss of topsoil.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (No Impact)

See response to Item 6.a)i) above. Due to the nature of the Project, all potential impacts relative to geology and soils are at a less than significant level.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Less Than Significant Impact)

See response to Item 6.a)i), which addresses geology and soils. The site includes the Bay Theater at 340 Main Street in the City of Seal Beach. The Project, restoration of the existing Bay Theater in downtown Seal Beach will involve no grading and all potential impacts relative to geology and soils will be at a less than significant level.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (No Impact)

The Project site will be served by the local sewer and water system; as such, the Project does not involve issues pertaining to soils incapable of supporting septic tanks or alternative wastewater disposal systems.

7. Greenhouse Gas Emissions

The Greenhouse Gas Emissions section analyzes the impact the proposed Project would have on air emissions suspected in the issue of climate change around the world. The Project was analyzed within the Air Quality Study conducted by Giroux & Associates and included as Appendix B of this document.

Would the Project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less Than Significant Impact)

“Greenhouse gases” (so called because of their role in trapping heat near the surface of the earth) emitted by human activity are implicated in global climate change, commonly referred to as “global warming.” These greenhouse gases contribute to an increase in the temperature of the earth’s atmosphere by transparency to short wavelength visible sunlight, but near opacity to outgoing terrestrial long wavelength heat radiation. The principal greenhouse gases (GHGs) are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately one-half of GHG emissions globally. Industrial and commercial sources are the second largest contributors of GHG emissions with about one-fourth of total emissions.

California has passed several bills and the Governor has signed at least three executive orders regarding greenhouse gases. GHG statues and executive orders (EO) include AB 32, SB 1368, SB 375, EO S-03-05, EO S-20-06 and EO S-01-07.

AB 32 is one of the most significant pieces of environmental legislation that California has adopted. Among other things, it is designed to maintain California’s reputation as a “national and international leader on energy conservation and environmental stewardship.” It will have wide-ranging effects on California businesses and lifestyles as well as far reaching effects on other states and countries. A unique aspect of AB 32, beyond its broad and wide-ranging mandatory provisions and dramatic GHG reductions are the short time frames within which it must be implemented. Major components of the AB 32 include:

- Require the monitoring and reporting of GHG emissions beginning with sources or categories of sources that contribute the most to statewide emissions.
- Requires immediate “early action” control programs on the most readily controlled GHG sources.
- Mandates that by 2020, California’s GHG emissions be reduced to 1990 levels.
- Forces an overall reduction of GHG gases in California by 25-40%, from business as usual, to be achieved by 2020.
- Must complement efforts to achieve and maintain federal and state ambient air quality standards and to reduce toxic air contaminants.

Statewide, the framework for developing the implementing regulations for AB 32 is underway. Additionally, through the California Climate Registry (CCAR), general and industry-specific protocols for assessing and reporting GHG emissions have been developed. GHG sources are categorized into direct sources (i.e., company owned) and indirect sources (i.e., not company owned). Direct sources include combustion emissions from on-and off-road mobile sources, and fugitive emissions. Indirect sources include off-site electricity generation and non-company owned mobile sources.

In response to the requirements of SB97, the State Resources Agency developed guidelines for the treatment of GHG emissions under CEQA. These new guidelines became state laws as part of Title 14 of the *California Code of Regulations* in March 2010. The CEQA Appendix G Guidelines were modified to include GHG as a required analysis element. A project would have a potentially significant impact if it:

- Generates GHG emissions, directly or indirectly, that may have a significant impact on the environment, or,
- Conflicts with an applicable plan, policy, or regulation adopted to reduce GHG emissions.

Section 15064.4 of the Code specifies how significance of GHG emissions is to be evaluated. The process is broken down into quantification of project-related GHG emissions, making a determination of significance, and specification of any appropriate mitigation if impacts are found to be potentially significant. At each of these steps, the new GHG guidelines afford the lead agency with substantial flexibility.

Emissions identification may be quantitative, qualitative or based on performance standards. CEQA guidelines allow the lead agency to “select the model or methodology it considers most appropriate.” The most common practice for transportation/combustion GHG emissions quantification is to use a computer model such as CalEEMod, as was used in the ensuing analysis.

The significance of those emissions then must be evaluated; the selection of a threshold of significance must take into consideration what level of GHG emissions would be cumulatively considerable. The guidelines are clear that they do not support a zero-net emissions threshold. If the lead agency does not have sufficient expertise in evaluating GHG impacts, it may rely on thresholds adopted by an agency with greater expertise.

On December 5, 2008, the SCAQMD Governing Board adopted an Interim quantitative GHG Significance Threshold for industrial projects where the SCAQMD is the lead agency (e.g., stationary source permit projects, rules, plans) of 10,000 metric tons (MT) CO₂ equivalent/year. In September 2010, the Working Group released revisions which recommended a threshold of 3,000 MT CO₂e for all land use types. This 3,000 MT/year recommendation has been used as a guideline for this analysis. In the absence of an adopted numerical threshold of significance, Project-related GHG emissions in excess of the guideline level are presumed to trigger a requirement for enhanced GHG reduction at the Project level.

Project Operational GHG Emissions

The input assumptions for operational GHG emissions calculations, and the GHG conversion from consumption to annual regional CO₂e emissions are summarized in the CalEEMod 2013.2.2 output files found in Appendix C of this report.

The total operational emissions for the proposed Project are identified in Table 4, assuming that every day of the year was a maximum performance event at the renovated theater.

Table 4 – Proposed Uses Operational Emissions

Consumption Source	MT CO ₂ e
Area sources	0.0
Energy utilization	41.5
Mobile sources	845.3
Solid waste generation	0.0
Water consumption	24.7
Total	911.5
Guideline Threshold	3,000
Exceeds Threshold?	No

Worst-case total Project GHG emissions are substantially below the proposed significance threshold of 3,000 MT suggested by the SCAQMD. Hence, the Project will not result in generation of a significant level of greenhouse gases.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less Than Significant Impact)

The City of Seal Beach has not yet developed a Greenhouse Gas Reduction Plan. The applicable GHG planning document is AB-32. As discussed above, the Project is not expected to result in a significant increase in GHG emissions. As a result, the Project results in GHG emissions below the recommended SCAQMD 3,000-ton threshold. Therefore, the Project would not conflict with any applicable plan, policy, or regulation to reduce GHG emissions.

8. Hazards and Hazardous Materials

The Hazards and Hazardous Materials section of this document evaluates any potential impacts from hazardous substances caused by the Project. The section analyzes any potential impacts from demolition of existing structures on the Project site and use of hazardous substances involved in construction activities such as storage of gasoline or oils related to construction equipment.

Would the Project:

a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? (No Impact)

The proposed Project is the restoration of the Bay Theater in the City of Seal Beach. The Project does not generate the routine transport, use, or disposal of hazardous materials that could create a significant hazard to the public or the environment. The Project involves restoration of the theater, which will primarily occur within the interior of the structure on the property. Therefore, there is no impact to this issue area.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (No Impact)

See response to 8.a) above. The Project will not be a generator of hazardous materials. The Project does not include demolition of any structures on the site that could contain lead or other hazardous material associated with older development. No significant hazardous materials would be stored or handled on-site associated with the operational characteristics of the Project once it is developed.

Therefore, there are no impacts associated with this topical area as a result of implementation of the proposed Project.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (No Impact)

There are no existing or proposed schools within one-quarter mile of the Project site. A pre-school is located in the area at 223 and 215 Seal Beach Boulevard about one-quarter mile from the Project site. However, there will be no ongoing hazardous materials handled at the site. Therefore, there are no impacts in this subject area.

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

See response to 8.a) above. The Project is not listed as a site remediated for contamination by an underground storage tank on the property.⁴ There are sites located near the Project site at 350 and 347 Main Street at the intersection of Pacific Coast Highway that have open remediation of leaking underground storage tanks (LUST) underway. One is a former Chevron gas station at 350 Main Street and the other is a former Shell Station at 347 Main Street. Groundwater wells are being monitored to track the remediation progress. Therefore, there are less than significant impacts from existing hazardous materials sites.

e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (No Impact)

The Project site is located within the Airport Environs Land Use Plan height restriction area for the Los Alamitos Joint Forces Training Base. However, the Project will be well under the aviation height restriction in the area. Therefore, the Project is not anticipated to have any impacts associated with a public airport or the safety of people working within the airport environs.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (No Impact)

See response to Item 8.e) above. Additionally, the Project would not result in a safety hazard for people residing in the Project area. Therefore, there are no impacts to this topical area from the Project.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (No Impact)

The Project will not result in any impacts to an adopted emergency response plan or emergency evacuation plan.

4 <https://geotracker.swrcb.ca.gov>

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (No Impact)

The Project is located in a developed area and is not adjacent to wildland areas. Therefore, the Project itself (or location) will not be a significant risk involving wildland fires.

9. Hydrology and Water Quality

The Hydrology and Water Quality section of the document evaluates the impact of the proposed Project on water quality standards or waste discharge requirements. The section also considers any impacts to the drainage of the property and any potential impacts from storm water runoff to streams, rivers, or the Pacific Ocean.

Would the Project:

a) Violate any water quality standards or waste discharge requirements? (No Impact)

The City of Seal Beach (and the Project site) is located in the Santa Ana River Basin. The Project area is under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) Santa Ana Region for issues related to water quality. The Santa Ana Region of the RWQCB is nearly 3,000 square miles in size, with a population of almost five million people. The Santa Ana Region includes cities and municipalities in a portion of Orange County (includes Seal Beach), and Riverside and San Bernardino counties. Each of the nine Regional Boards within California is required to adopt a Water Quality Control Plan, or Basin Plan. Each Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: 1) designates beneficial uses for surface and ground waters; 2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy; 3) describes implementation programs to meet the objectives and protect the beneficial uses of all waters in the region; and 4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan.

There is a Drainage Area Management Plan (DAMP) which is implemented by the cities (including Seal Beach), the County of Orange, and the Orange County Flood Control District. The DAMP was prepared in compliance with specific requirements of the National Pollutant Discharge Elimination System (NPDES) storm water program. The DAMP includes a wide range of Best Management Practices (BMPs) and control techniques to further reduce the amount of pollutants entering the storm drain system.

There are two primary types of source pollution: single-point source and nonpoint Source pollution. Single-point sources are water pollutants that originate from a single-point source such as factories. Potential impacts to water quality associated with this type of Project (commercial facilities) are nonpoint source pollution. Nonpoint source pollution includes materials and/or chemicals (e.g., motor oils/grease, paint, pet wastes, garden chemicals, litter) that may be washed into the storm drain system from various sources. Nonpoint source pollutants are typically washed into the storm drain system by rainwater and other means from streets, parking areas, residential neighborhoods, commercial/retail centers, construction sites. Since storm drains flow directly into the ocean without treatment, potential pollution can have an impact on water quality and wildlife. The Project site is currently developed with the Bay Theater building at 340 Main Street. The proposed Project involves restoration of the theater, refurbishing the interior of the building to allow art movies, live

entertainment, and community plays to be held there. The proposed construction activities will be focused on the interior of the structure and should not affect urban water runoff. The theater building uses the municipal storm drain system of the City of Seal Beach.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (No Impact)**

See response to Item 9.a) above. The Project focuses on restoration of the Bay Theater at 340 Main Street in Seal Beach. The theater will continue to be served by the existing local sewer and water system.

The Project implementation at this site does not involve any construction activities (or long-term Project operations) that would impact groundwater supplies or groundwater recharge. The proposed improvements at the site are also not anticipated to have any significant impacts relative to groundwater. Therefore, it is not anticipated that the Project will have any significant impact on groundwater. The Project will not impact groundwater supplies or interfere with groundwater recharge.

- c) Substantially alter existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (No Impact)**

See response to Item 9.a) above. The Project will not result in a significant change to the drainage pattern of property. The development of the site will not alter the course of a stream or a river. The Project area will continue to drain as it does today. Therefore, it is not anticipated that the Project will result in any impacts to erosion or siltation on-site or off-site.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site? (No Impact)**

See response to Item 9.c) above. The Project does not involve any alteration of the existing and/or planned drainage system (pattern) of the area, including a substantial increase in the rate or amount of surface runoff. The Project property has been the Bay Theater since 1947. The proposed Project will not increase building coverage on the site and is not anticipated to create runoff beyond that which is handled by the existing storm drain system. Therefore, the runoff is not anticipated to significantly increase and there would be no impacts from this Project.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (No Impact)**

See responses to Items 9.a) and 9.c) above. The City of Seal Beach is primarily built-out and contains an existing storm water drainage system. Local drainage facilities are maintained by the City of Seal Beach and provide for the collection of surface storm water. Surface water is then deposited into regional drainage channels that are owned and maintained by the Orange County Flood Control District

(OCFCD). The OCFCD plans its drainage facilities to accommodate a 100-year flood. The closest major channel, less than 1 mile away from the site, is the Seal Beach Storm Drain Channel (OCFCD channel). The City's General Plan identified that the City's storm drain system is primarily built to 25-year storm event standards.

The Project is consistent with the capacity of the existing storm drain system in the City of Seal Beach and will not change the current run-off volume from the Project site. The Project is consistent with the land use designation on the property and will not lead to more runoff than anticipated in the Seal Beach General Plan. Therefore, there will be no impacts associated with runoff as a result of the proposed Project.

f) Otherwise substantially degrade water quality? (No Impact)

See responses to Items 9.a) and 9.c) above. The Project will comply with all existing requirements regarding water quality, and the Project does not propose any changes to the drainage of the facility. Therefore, it is not anticipated that the Project will substantially degrade water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (No Impact)

The proposed Project does not include the construction of housing. The Project site is located within Zone X per the Federal Emergency Management Agency (FEMA) and on the Federal Flood Insurance Rate Map Panel No. 06059C-0226J (2009). The site is located outside the 100-year flood plain. Therefore, no impacts relative to the 100-year flood hazard will occur as a result of the proposed Project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (No Impact)

See responses to Items 9.a), 9.c) and 9.g) above. The Project site is not located within a 100-year flood plan and therefore will not result in any potential impacts associated with a 100-year flood hazard area.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (No Impact)

See responses to Items 9.a), 9.c) and 9.g) above. The Project is not located within a 100-year flood plan.

j) Inundation by seiche, tsunami, or mudflow? (Less Than Significant Impact)

See responses to Items 9.a) and 9.c) above. The Project site is located above the beach area that would be the most vulnerable to a potential tsunami from seismic activity. The Seal Beach General Plan Safety Element rates the chance of tsunamis occurring in the Project area to be low based upon existing data, but notes that an earthquake along the Newport-Inglewood fault would carry a higher tsunami potential in the area.⁵ Therefore, impacts associated with inundation by seiche, tsunami, or mudflow are less than significant with the proposed Project.

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10. Land Use and Planning

The Land Use and Planning section evaluates any potential conflicts between the Project and the City's General Plan and Zoning Code or any habitat conservation plan established by the City of Seal Beach.

Would the Project:

a) Physically divide an established community? (No Impact)

The Project site is at 340 Main Street in the City of Seal Beach. The Project does not divide an established community. The Project proposes restoration of the Bay Theater, an existing building on the Project site. The Project site is located in an existing commercial district of the City and does not divide the community in any way. The proposed restoration of the theater is consistent with the Main Street Specific Plan (MSSP). Therefore, no impacts relative to this topic will result due to the implementation of the Project.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (No Impact)

The Project does not conflict with any applicable land use plan. The Project is consistent with the General Plan Land Use Designation "Commercial-Service" and Zoning "Main Street Specific Plan" on the property. The Project is located in the downtown area of the City's Old Town, and the proposed Project is consistent with the surrounding commercial and residential uses.

The Project is located within the Coastal Zone. The Project is consistent with the zoning, the General Plan, the Local Coastal Program, and the Circulation Element of the City of Seal Beach. Therefore, the Project carries no impacts in this topical area.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (No Impact)

See responses to Items 10.a) and 10.b) above. The Project site is located in a developed area, and the Project does not involve grading or any disruption to the land. The site is not subject to any applicable Habitat Conservation Plan or Natural Community Conservation Plan (NCCP). Therefore, no impacts relative to this topic will occur as a result of implementation of the Project.

11. Mineral Resources

The Mineral Resources section of the document analyzes any impacts the proposed Project might have on mineral resources in the City.

Would the Project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact)

The Project site is not located within a known and/or designated mineral resources area. The Project would not change the footprint of the existing theater building on the site. Therefore, no significant decrease of natural resources is anticipated as a result of the Project.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (No Impact)

See response to Item 11.a) above. The City's General Plan does not delineate any locally important mineral resources other than oil in the City. These oil resources are not located within the area of the proposed Project. Therefore, the proposed Project will not result in any significant impacts to a locally important mineral resource.

12. Noise

The Noise section of the environmental document evaluates the impact the Project will have on the neighborhood and the impact of the noise environment on the Project itself. The analysis is based on the Noise Analysis Study completed by Giroux & Associates on April 12, 2017 and included as Appendix C of the document.

Noise Setting

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air. Noise is generally considered to be unwanted sound. Sound is characterized by various parameters that describe the rate of oscillation of sound waves, the distance between successive troughs or crests, the speed of propagation, and the pressure level or energy content of a given sound. In particular, the sound pressure level has become the most common descriptor used to characterize the loudness of an ambient sound level.

Loud or soft, noisy or quiet, high-pitch and low-pitch are all qualitative terms used to describe sound. These terms are relative descriptions. The science of acoustics attempts to quantify the human perception of sound into a quantitative and measurable basis. Amplitude is the measure of the pressure exerted by sound waves. Amplitude may be so small as to be inaudible by humans, or so great as to be painful. Frequency refers to pitch or tone. The unit of measure is in cycles per second called "hertz." Very low frequency bass tones and ultra-high frequency treble are difficult for humans to detect. Many noise generators in the ambient world are multi-spectral.

The decibel (dB) scale is used to quantify sound pressure levels. Although decibels are most commonly associated with sound, "dB" is a generic descriptor that is equal to ten times the logarithmic ratio of any physical parameter versus some reference quantity. For sound, the reference level is the faintest sound detectable by a young person with good auditory acuity.

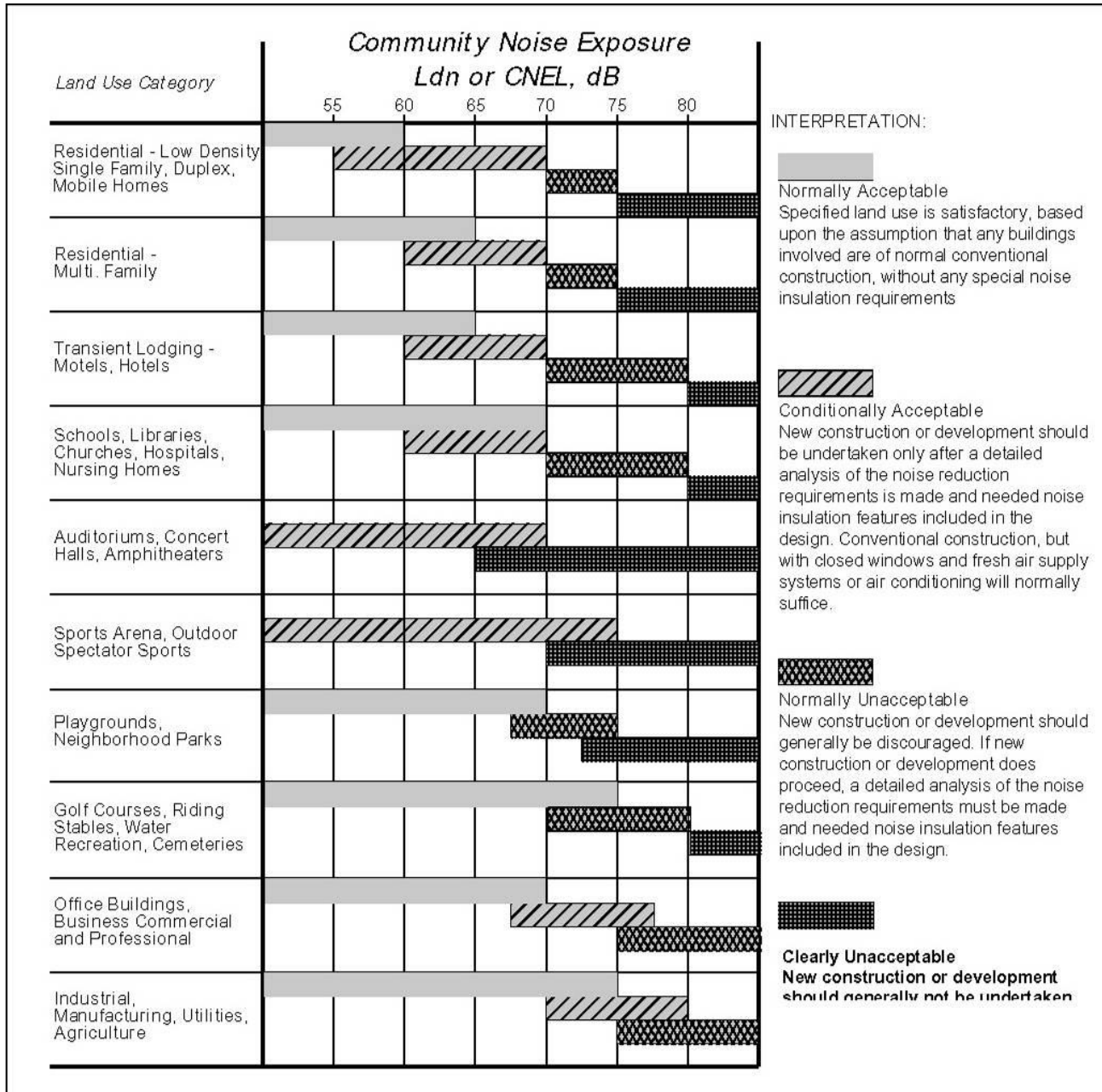
Because the human ear is not equally sensitive to all sound frequencies within the entire auditory spectrum, human response is factored into sound descriptions by weighting sounds within the range of maximum human sensitivity more heavily in a process called "A-weighting," written as dB(A). Any further reference in this discussion to decibels written as "dB" should be understood to be A-weighted.

Leq is a time-averaged sound level; a single-number value that expresses the time-varying sound level for the specified period as though it were a constant sound level with the same total sound energy as the time-varying level. Its unit is the decibel (dB). The most common averaging period for Leq is hourly.

Because community receptors are more sensitive to unwanted noise intrusion during more sensitive evening and nighttime hours, state law requires that an artificial dBA increment be added to quiet time noise levels. The 24-hour noise descriptor with a specified evening and nocturnal penalty is called the Community Noise Equivalent Level (CNEL). CNELs are a weighted average of hourly Leq's.

The City of Seal Beach has established guidelines for acceptable community noise levels that are based upon the CNEL rating scale to ensure that noise exposure is considered in any development. CNEL-based standards apply to noise sources whose noise generation is preempted from local control (such as from on-road vehicles, trains, and airplanes) and are used to make land use decisions as to the suitability of a given site for its intended use. These CNEL-based standards are articulated in the Noise Element of the city's General Plan.

Exhibit 1 shows the noise compatibility guidelines for various uses. These guidelines would apply in usable outdoor space such as patios, yards, and spas. The guidelines indicate that an exterior noise level of 60 dB CNEL is considered to be a "normally acceptable" noise level for single-family, duplex, and mobile homes involving normal conventional construction, without any special noise insulation requirements. Exterior noise levels up to 65 dB CNEL are typically considered "conditionally acceptable," and residential construction should only occur after a detailed analysis of the noise reduction requirements is made and needed noise attenuation features are included in the Project design. Exterior noise attenuation features include, but are not limited to, setbacks to place structures outside the conditionally acceptable noise contour, orienting structures so no windows open to the noise source, and/or installing noise barriers such as berms or solid walls.



Source: City of Seal Beach General Plan, <http://www.sealbeachca.gov/Portals/0/Documents/Noise%20Element.pdf> (accessed August 2016)

Exhibit 1 – Noise Compatibility Guidelines, Seal Beach General Plan

An interior CNEL of 45 dB is mandated by the State of California Noise Insulation Standards (CCR, Title 24, Part 6, Section T25-28) for multiple-family dwellings and hotel and motel rooms. In 1988, the State Building Standards Commission expanded that standard to include all habitable rooms in residential use, included single-family dwelling units. Since normal noise attenuation within residential structures with closed windows is 20 to 30 dB, an exterior noise exposure of 65 to 75 dB CNEL allows the interior standard to be met without any specialized structural attenuation (e.g., dual paned windows), but with closed windows and fresh air supply systems or air conditioning to maintain a comfortable living environment.

The City of Seal Beach limits construction activities to between the hours of 7:00 a.m. and 8:00 p.m., Mondays through Friday, and the hours of 8:00 a.m. and 8:00 p.m. on Saturday and never on Sundays or City-observed federal holidays. Construction activities that occur during allowable hours are exempt from compliance with numerical noise standards.

Seal Beach Noise Ordinance Standards

Planning standards generally apply to land use decisions made in response to noise sources pre-empted from local control, such as motor vehicles and aircraft. Noises from “stationary” sources are amenable to regulation through the Municipal Code. Chapter 7.15 of the City’s code governs noise from one property crossing the property line of an adjacent property. The City’s noise ordinance limits are stated in terms of a 30-minute limit with allowable deviations from this 50th percentile standard. The louder the level becomes, the shorter the time becomes that it is allowed to occur. For example, the L₅₀ is the level exceeded 50% of the measurement period of 30 minutes in 1 hour. The larger the deviation, the shorter the allowed duration up to a never-to-exceed 20 dB increase above the 50th percentile standard. The applicable Seal Beach requirement is a function of the time of day with a L₅₀ daytime standard of 55 dB and L₅₀ nighttime of 50 dB as follows:

55 dB (30 minutes)	7:00 a.m. - 10:00 p.m.
50 dB (30 minutes)	10:00 p.m. - 7:00 a.m.

Noise shall not exceed the following deviations from the above standards:

- (a) For a cumulative period of more than thirty (30) minutes in any hour;
- (b) Plus 5 dB for a cumulative period of more than fifteen (15) minutes in any hour;
- (c) Plus 10 dB for a cumulative period of more than five (5) minutes in any hour;
- (d) Plus 15 dB for a cumulative period of more than one (1) minute in any hour; or
- (e) Plus 20 dB for any period of time.

In areas where residential uses abut commercial or recreational activities, noise impacts may be perceived as intrusive, especially during noise-sensitive quiet hours. Complaints about noise from performance venues may occur. There are no intervening sound barriers that would provide protection for residences west of 10th Street that back up to the Project site. However, the existing theater building has no openings facing residential areas, and the steel door at the rear of the building would remain closed during performances. While venue noise and parking are potential sources of annoyance, there would be no mitigation required, because potential noise levels are within the Seal Beach code limits.

Because of the small lot sizes in much of Seal Beach, mechanical equipment on one parcel may be located very close to the property line of an adjacent residential parcel. Motor hum and on/off cycling

noise can be judged as intrusive. In recognition of this occasional conflict, a separate section of the Municipal Code directly addresses “Heating, Venting and Air Conditioning Equipment” (7.15.035). Modern equipment is typically quieter and less prone to causing problems. Compliance with the standards in this section of the code will ensure that mechanical equipment operates within noise standards and no mitigation will be required.

Would the Project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less Than Significant Impact)

A noise assessment of the Project site was conducted by Giroux and Associates on April 7, 2017 to determine the existing noise levels at the site and Project noise impacts from the proposed Project. The noise study is included as Appendix C to this environmental document. The Project itself will not generate noise levels in excess of standards established in the General Plan.

Baseline Noise Levels

A short-term noise reading was conducted by Giroux & Associates on Friday, April 7, 2017 with short-term noise readings at the Project site. The location of the noise meter is shown in Exhibit 2. The meter was in the rear alley and captures existing noise at the residences directly east of the site. The measurement results are shown below.

Table 5 – Short-Term Noise Measurements (dB[A])

Time	Leq	Lmax	Lmin	L10	L33	L50	L90
18:00-18:15	55	73	47	56	53	52	48

The observed noise level was 55 Leq. Monitoring experience has shown that 24-hour weighted CNELs are typically 2 to 3 dB higher than mid-afternoon Leq readings shown above, which would translate to 57 to 58 dB CNEL. This is well within the recommended Seal Beach residential compatibility threshold.

Noise Significance Criteria

Noise impacts are considered significant if they result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.



Exhibit 2 – Noise Meter Location

Standards of Significance

Noise impacts are considered significant if they expose persons to levels in excess of standards established in local general plans or noise ordinances. The exterior noise standard for the City of Seal Beach residential uses is 60 dBA CNEL in usable outdoor space such as backyards, decks, and patios. If required, attenuation through setback and Project perimeter barriers is anticipated to be used to reduce traffic noise to the 60 dBA CNEL goal. An inability to achieve this goal through the application of reasonably available mitigation measures would be considered a significant impact. However, there are no significant impacts associated with the Bay Theater Restoration Project.

Impacts may also be significant if they create either a substantial permanent or temporary increase. The term “substantial” is not quantified in CEQA guidelines. In most environmental analyses, “substantial” is taken to mean a level that is clearly perceptible to humans. In practice, this is at least a +3 dB increase. Some agencies, such as Caltrans, require substantial increases to be +10 dB or more if noise standards are not exceeded by the increase. For purposes of this analysis, a +3 dB increase is considered a substantial increase. The following noise impacts due to Project-related traffic would be considered significant:

1. If construction activities were to audibly intrude into adjacent residential areas during periods of heightened noise sensitivity.
2. If Project traffic noise were to cause an increase by a perceptible amount (+3 dB CNEL) or expose receivers to levels exceeding city compatibility noise standards.
3. If future build-out noise levels were to expose Seal Beach sensitive receivers to levels exceeding compatibility standards of 65 dB CNEL exterior at any outdoor uses or 45 dB CNEL interior noise levels in any habitable space.

Construction Noise Impacts

The Seal Beach Noise Ordinance regulates construction noise by a prohibition against making “unnecessary” noise from construction during noise-sensitive weekday hours and all day on Sundays.

The Project involves interior renovations. There will be no heavy equipment on site (e.g. dozers, graders, cranes) that would create a noise nuisance. Interior noise will be muffled by the structure itself. Only hand tools are intended for use.

Project-Related Vehicular Noise Impacts

Long-term noise concerns from the development of residential uses at the Project site center primarily on mobile source emissions on Project area roadways. These concerns were addressed using the California specific vehicle noise curves (CALVENO) in the federal roadway noise model (the FHWA Highway Traffic Noise Prediction Model, FHWA-RD-77-108). The model calculates the Leq noise level for a particular reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, roadway speeds, or noise barriers. The typical day-night travel percentages and auto-truck vehicle mixes is then applied to convert one-hour Leq levels to a weighted 24-hour CNEL.

Table 6 summarizes the calculated 24-hour CNEL level at 50 feet from the roadway centerline along ten Project-adjacent roadway segments. Three time frames were evaluated: existing conditions “with and without Project,” opening year (2017) “with and without Project,” and future year “with and without Project.” The noise analysis utilized data from the Project traffic analysis prepared by Kunzman Associates for this Project. Travel speeds were also obtained from data reported in the traffic study.

Table 6 – Near-Term Traffic Noise Impact Analysis

Roadway Segment		Existing	Existing + Project	2017	2017 + Project	Future	Future + Project
		----- CNEL in dBA at 50 feet from Centerline -----					
Main Street/	S of PCH	60.2	60.3	60.3	60.4	61.2	61.3
	N of Electric	60.2	60.3	60.3	60.4	61.2	61.3
	S of Electric	57.7	57.7	57.7	57.7	58.7	58.7
PCH/	Marina-Main/Bolsa	71.0	71.1	71.1	71.1	72.0	72.1
	Main/Bolsa-10 th Street	71.0	71.1	71.1	71.1	72.0	72.0
Electric Avenue/	W of Main	57.1	57.1	57.1	57.1	58.1	58.1
	E of Main	57.1	57.2	57.1	57.2	58.1	58.2
Bolsa/	PCH-Silver Shoals	59.5	60.0	59.5	60.1	60.4	60.9
	N of Silver Shoals	59.3	59.4	59.4	59.5	60.3	60.4
Silver Shoals/	N of Bolsa	51.8	51.8	51.8	51.8	52.7	52.7

As shown in Table 7, the Project itself will not cause any roadway segment to have more than a 0.5 dB impact. This impact is anticipated to occur on Bolsa Avenue, between PCH and Silver Shoals Avenue. Because traffic volumes are already high, and because the Project does not result in many trips relative to existing traffic volumes, there is no discernible impact along any analyzed roadway segment.

Table 7 – Project Impact

Roadway Segment		Existing	2017	Future	Cumulative
		----- CNEL in dBA at 50 feet from Centerline -----			
Main Street/	S of PCH	0.1	0.1	0.1	1.1
	N of Electric	0.1	0.1	0.1	1.1
	S of Electric	0.0	0.0	0.0	1.0
PCH/	Marina-Main/Bolsa	0.0	0.0	0.0	1.0
	Main/Bolsa-10 th Street	0.0	0.0	0.0	1.0
Electric Avenue/	W of Main	0.0	0.0	0.0	1.0
	E of Main	0.1	0.1	0.1	1.1
Bolsa/	PCH-Silver Shoals	0.5	0.5	0.4	1.4
	N of Silver Shoals	0.1	0.1	0.1	1.1
Silver Shoals/	N of Bolsa	0.0	0.0	0.0	0.9

Cumulative impacts compare the “future with Project” noise levels with the “existing no Project” scenario. The largest cumulative impact is +1.4 dB CNEL, again on Bolsa Avenue north of PCH. There are no cumulative traffic noise increases that exceed the +3 dB CNEL threshold. Therefore, both Project only traffic noise impacts and cumulative traffic noise impacts are considered to be less-than-significant.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (No Impact)

See response to Item 12.a) above.

The restoration of the theater is primarily an indoor activity and hand tools will be primarily used. There will be no groundborne vibration or noise levels.

c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project? (Less Than Significant Impact)

On-Site Noise Generation

The entertainment at the Bay Theater will include in-house, themed movies, and live entertainment. The movie element will provide for holiday-themed movies and community event movies. Representative candidate movie subjects could include Christmas, Fourth of July, Veterans Day, Memorial Day, Thanksgiving, and Valentine's Day. Community events could include the Vintage Car Show, the Annual Christmas Parade, and the "Run Seal Beach" annual 5K/10K event. Live performance entertainment may serve local school groups, community theater, and selective professional entertainers. The Bay Theater would be available to host a variety of live entertainment acts on a selective basis, predicated on compatibility with the Seal Beach community. The hours of operation will range between 10:00 a.m. and 12:00 midnight, dependent upon the event. Parking for theater events will be provided primarily on an off-site basis.

As previously noted, the noise ordinance L_{50} standard for music or voice is 55 dB before 10:00 p.m. and 50 dB from 10:00 p.m. to 7:00 a.m. The ability to achieve 55 dB L_{50} or less at the eastern property line was evaluated by using data obtained by Giroux & Associates for a Wahoo's Restaurant in Huntington Beach in February 2013. The restaurant was seeking approval to host a live entertainment venue.

Giroux & Associates improvised a concert simulation at the eatery using a speaker array on the stage area pointed toward the audience. Noise levels were set at levels that could be reasonably expected from a loud band playing live music. The levels at 20 feet from the stage were 86 dB L_{50} on average. A level of 85 dB is the threshold where a hearing protection program (earmuffs and periodic testing) is required in occupational settings. The onset of hearing damage is 90 dB for sustained exposure. The test simulation was therefore representative of a live entertainment scenario.

Measurements directly outside the closed rear steel door were 48 dB L_{50} with the music level very faintly audible. Farther away in the parking lot the test music noise became completely inaudible. The music noise within a few feet of the building was less than 45 dB L_{50} .

The Bay Theater has a rear door that faces the adjacent residences. Comparable noise measurements at a similar live-music venue of 48 dB close to the rear door suggests that interior performance activity noise will be substantially less than ambient levels in the rear alley behind the theater. Beneficial re-use of the Bay Theater property for performance events will have no significant noise impacts to the nearest adjacent residences.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Less Than Significant Impact)

The noise study demonstrated that all noise impacts from the Project will be less than significant. Additionally, the Seal Beach Municipal Code contains heating, ventilation, and air conditioning equipment noise restrictions that will eliminate noise impacts from any roof-top mounted equipment.

With the rear door tightly closed and not opened during any live entertainment event except for emergency purposes, city noise standards will be readily met. It is highly improbable that the closest residents would be aware that any such entertainment was in progress. No additional mitigation except the presence of security to ensure that the subject door remains closed at all times is necessary.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (No Impact)

The Project is located within an airport environs land use plan for the Los Alamitos Joint Forces Training Center. However, the land use designation in this area relates to building height, and there will be no impact to people working at the Project site who will be exposed to excessive noise levels from aircraft.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (No Impact)

The Project is not located within the vicinity of a private airstrip, nor would the Project expose people to excessive noise levels. Therefore, there are no Project impacts associated with a private airstrip.

13. Population and Housing

The Population and Housing section considers the impact of the proposed Project on population growth within the Project area and whether the Project would displace substantial numbers of people necessitating construction of new housing elsewhere.

Would the Project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (No Impact)

The Project consists of restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The Project would not induce substantial population growth in the Project area.

No new or unanticipated significant infrastructure will be required for the Project. Therefore, due to the limited nature of the Project it is not anticipated that the Project will induce substantial population growth in the area, either directly or indirectly. The Project is designed to serve the existing area population. There is no impact from this Project.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (No Impact)

The Project proposes to renovate the Bay Theater. Therefore, the Project will not displace existing housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (No Impact)

See response to Item 13.b) above. The Project will not result in the displacement of any people and/or housing. The Project will not displace substantial numbers of people, necessitating the construction of replacement housing.

14. Public Services

The Public Services section of the document evaluates the impact of the proposed Project on public services provided by the City of Seal Beach or other agencies.

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

i. Fire protection? (No Impact)

The Orange County Fire Authority provides fire protection and emergency response services for the City. Response times to the Project site are dependent on various factors. Response time is generally 5 minutes or less. The Fire Authority's response goal is to arrive within seven minutes and 20 seconds, 80% of the time. Emergency calls receive the quickest response times with alarm calls and non-emergency calls having longer response times respectively. The availability of personnel and extenuating circumstances may further affect response times. The closest fire station to the property is located at 718 Central Avenue in Seal Beach, about one-half mile from the Project site in the downtown. The proposed Project will not result in any potential significant increase in the number of calls for service to the area beyond that anticipated per the build out of the City's General Plan. Therefore, it is not anticipated that the proposed Project will result in any significant impacts relative to fire protection services and/or facilities.

ii. Police protection? (No Impact)

The City of Seal Beach Police Department provides law enforcement services to the Project area. The Project involves restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The improvements are not anticipated to result in an increase in calls for service beyond that anticipated in the City of Seal Beach General Plan. Therefore, there are no impacts from the Project.

iii. Schools? (No Impact)

The Project involves restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The Project would not increase students in the area. The Project would not affect school population. Therefore, the Project is not anticipated to have an impact on schools.

iv. Parks? (No Impact)

The Project involves restoration of the Bay Theater. The improvements will not necessitate new park requirements or impact park facilities in the City. Therefore, the Project will have no impact on park facilities.

v. Other public facilities? (No Impact)

See above responses under Public Services. Due to the type of Project, it is not anticipated that the Project will have any significant impact on public services and/or facilities.

15. Recreation

The Recreation section analyzes whether the proposed Project would trigger the need for additional recreational facilities within the community. The section also evaluates the impact on use of existing neighborhood or regional parks.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (No Impact)

The proposed Project consists of restoration of the Bay Theater at 340 Main Street in the city of Seal Beach. It is not anticipated that the Project will have any impacts on recreation beyond that already projected for build out of the City per the General Plan. Additionally, the Project is restoration of an existing commercial building and would not be expected to increase usage of existing neighborhood and regional parks. Therefore, no impacts to park facilities will occur as a result of this Project.

b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? (No Impact)

See response to Item 15.a) above. It is not anticipated that the Project will result in any significant impacts to recreational facilities.

16. Transportation/Traffic

The Transportation/Traffic section of the environmental document evaluates whether the Project creates conflicts with the effectiveness of the existing transportation network, any congestion management plan, or creates any design flaws that would substantially increase transportation hazards.

Would the Project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Less Than Significant Impact)

A Focused Traffic Analysis of the Bay Theater Project was performed by Kunzman Associates (Appendix D). The Project involves the restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The Project site is in a commercial area, and the Project is consistent with the General Plan Land Use Designation and the Main Street Specific Plan (MSSP) Zoning on the property. The Project is consistent with applicable plans, ordinances, or policies establishing measures of effectiveness for the circulation system, including the MSSP, which establishes a level of service for Main Street that recognizes that traffic and parking in the downtown area will lead to less than established level of service standards for other roads in the City's Circulation Element.

The Bay Theater previously operated as a movie theater at its present location at 340 Main Street. The Focused Traffic Analysis noted that Level of Service D or better is the standard for roadway segments and intersections within the City. However, the Study also notes that the City of Seal Beach established the MSSP, which recognizes Main Street as a “traffic and parking” street that will never achieve the Level of Service D standard due to its nature as the commercial center of the City. The proposed restoration of theater operations is projected to generate approximately 855 daily vehicle trips, 2 of which will occur during morning peak hour, and 33 vehicle trips, which will occur during the evening peak hour. Peak operational periods for the proposed Project are expected to occur approximately from 7:00 to 9:00 p.m. on weekdays and 8:00 to 10:00 p.m. on weekends, outside of the peak hour for adjacent street traffic. All study area intersections operate within acceptable levels of service under all scenarios modeled in the traffic study. All study area roadway segments also operate with acceptable levels of service standards under all scenarios modeled in the traffic study. Main Street from Electric Avenue to Pacific Coast Highway operates under an acceptable level of service as articulated in the Main Street Specific Plan adopted by the City of Seal Beach.

The Project will meet City of Seal Beach parking requirements through the use of a parking agreement secured with the bank property located at 801 Pacific Coast Highway near the Bay Theater. The City requires 80 parking spaces, and the bank lot will be able to provide 80 spaces through use of a valet service. See Exhibit 3 – Parking Plan. Additionally, the area is served by City-owned/operated metered parking lots, beach lots, and on-street parking. The Project is expected to have sufficient parking, according to the traffic study. The availability of pedestrian and transit options (see 16.f below) will further reduce parking demand.

Drop off space for two vehicles will be provided to enable the valet service to operate at the Bay Theater location.

Therefore, less than significant impacts are anticipated from this Project affecting the circulation system or any modes of transportation.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Less Than Significant Impact)

See response to Item 16.a) above. The Orange County Transportation Authority is the designated Congestion Management Agency for Orange County. The Congestion Management Program network includes State Route 1 (Pacific Coast Highway) in the City of Seal Beach. The proposed Project will not impact levels of services standards or significantly change levels of service established by the Congestion Management Agency for Pacific Coast Highway and no mitigation is required, according to the traffic study. Therefore, less than significant impacts would result due to the implementation of the Project.

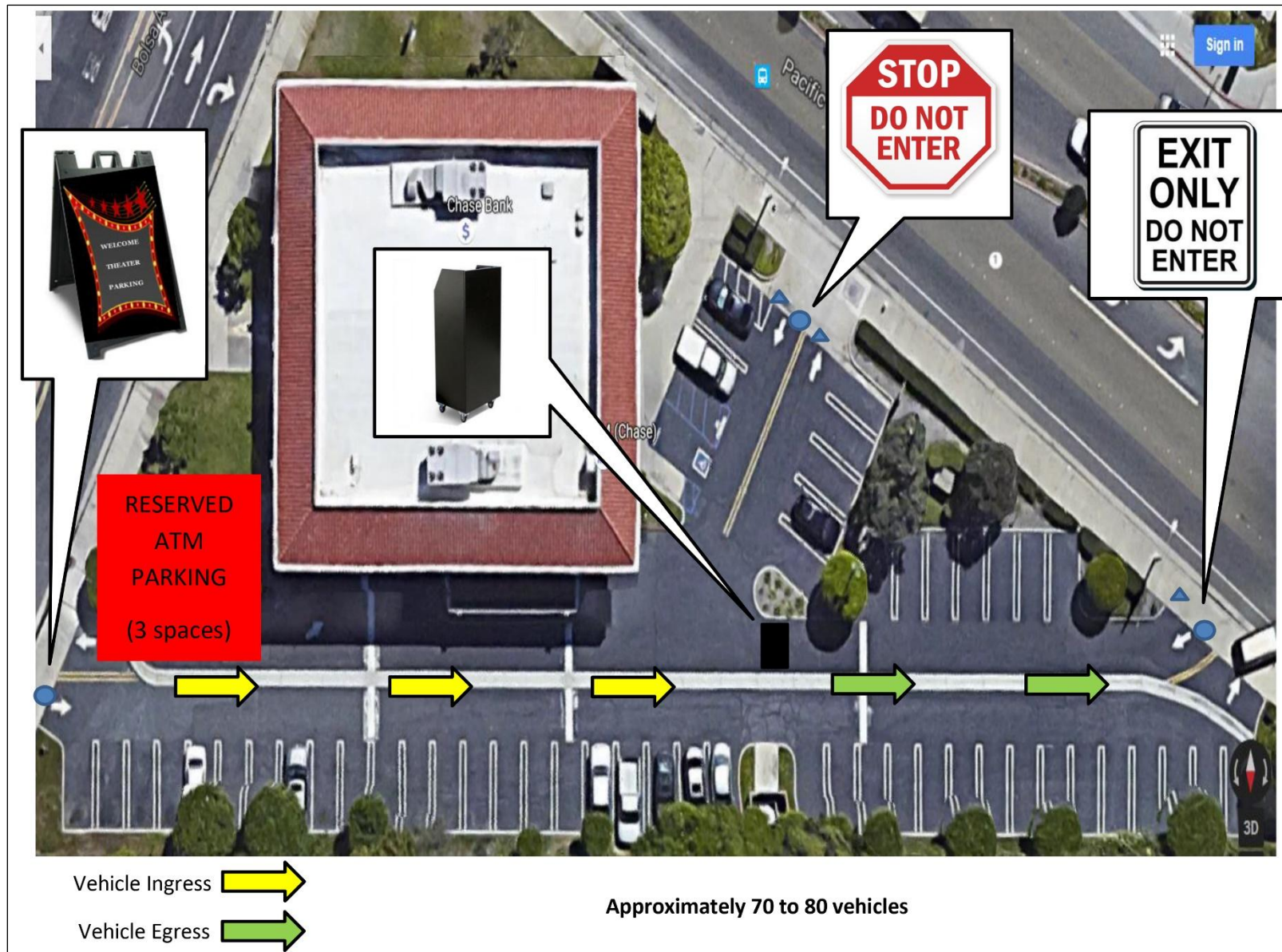


Exhibit 3 – Parking Plan

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (No Impact)

See response to Item 16.a) above for analysis. Additionally, the Project does not have any impact on existing and/or planned air traffic (or safety risks) because it is under the height limit restriction imposed by its proximity to Los Alamitos Joint Forces Training Facility. Therefore, there are no impacts that would trigger a change in air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (No Impact)

See response to Item 16.a) above. The Project does not propose any design features relative to curves, intersections, or incompatible uses.

e) Result in inadequate emergency access? (No Impact)

See response to Item 16.a) above. The Project does not propose to change any emergency access in the City of Seal Beach. Therefore, no significant impacts regarding emergency access are anticipated as a result of the Project.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (No Impact)

See response to Item 16.a) above. The proposed Project will not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities.

The Orange County Transportation Authority (OCTA) provides public transportation services in Orange County, including Seal Beach. Bus routes (OCTA Bus Route 1) operate along State Route 1 (Pacific Coast Highway) and (Route 42A) operate along Seal Beach Boulevard and Pacific Coast Highway/Downtown. Long Beach Transit also provides bus service in Seal Beach. Long Beach Transit Routes 131 and 171 run along Main Street, Electric Avenue and Pacific Coast Highway. The City of Seal Beach also operates the Shopping Shuttle that serves Leisure World residents on Thursdays from 8:00 a.m. to 4:30 p.m. as well as a Dial-A-Ride program. The Project is not expected to negatively impact any current facility, service or service expansion plans for the Project area and/or site. Therefore, the Project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

17. Tribal Cultural Resources

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**
- i. **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (No Impact)**

The City sent letters March 30, 2017 to Native American Tribes known to have a connection with the Seal Beach area. The Gabrieliño Band of Mission Indians, Kizh Nation responded and requested consultation. During consultation, the Tribal representative agreed that the Project did not impact any listed or eligible-for-listing historical resources and primarily involved the restoration of the interior of the existing Bay Theater and did not involve any ground disturbance. Therefore, there is no impact on tribal cultural resources.

- ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (No Impact).**

There are no tribal cultural resources associated with this Project.

18. Utilities and Service Systems

The Utilities and Service Systems section evaluates the proposed Project's impacts on utilities and provision of municipal waste management services. Specifically, the section analyzes whether the proposed Project would trigger the need for additional facilities or whether capacity exists to support the Project.

Would the Project:

- a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (No Impact)**

The Project is not anticipated to produce any significant wastewater, because it is a restoration of the Bay Theater, which previously operated in the City for many years exactly as it is proposed to be in the future. Therefore, there will be no generation of wastewater beyond what the facility produced in past years. The Bay Theater is already included in the build-out capacity of the City of Seal Beach General Plan, which projected capacity to handle development within Zoning and General Plan designations. Therefore, it is not anticipated that the proposal will result in any impact relative to wastewater or treatment requirements.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (No Impact)

See response to Item 18.a) above. The Project will not result in the significant alteration or expansion of existing utility and service systems since the site is proposed to be restored as it operated for many years in the past. The Project does not create any additional burden on these facilities that would require construction of new or expanded facilities. Therefore, the Project will have no impact on existing or new water or wastewater treatment facilities.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (No Impact)

The Project proposes to use the storm water drainage facilities in existence now that have served storm water run-off from the Bay Theater in the past. The proposed Project is not expected to generate significant storm water due to the minimal change in the property's impervious surfaces. The Project will include restoration of the interior of the building and some cosmetic aspects of the exterior but will not involve changes to storm water drainage facilities. Therefore, the Project will result in no impacts to the storm water drainage facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (No Impact)

See response to Item 18.a) above. The City of Seal Beach pumps its own water to serve the community, including the Project site. Any additional water needed is supplied to the City of Seal Beach through the Municipal Water District of Orange County by imported water sources purchased from the Metropolitan Water District. The Project proposes only restoration of an existing commercially-designated property. The Project does not represent any development that would significantly increase water use. The Project will comply with all applicable City, state, and municipal laws pertaining to water conservation as required through City standard conditions of approval. Therefore, no impacts to this topical area will occur.

e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (No Impact)

See response to Item 18.a) above. The Project will not result in any impacts to wastewater treatment.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (No Impact)

The Project site is located at 340 Main Street in the City of Seal Beach. The Project is not anticipated to generate significant solid waste since it proposes restoration of the Bay Theater, which was previously served by a landfill with sufficient permitted capacity. Minor solid waste generated on the site during construction will be handled through the traditional solid waste collection system in place in the City of Seal Beach and it is not expected to be significant. Republic Services provides solid waste collection and recycling services in the City of Seal Beach. Any solid waste generated during Project construction will be handled according to City solid waste disposal and recycling requirements. Therefore, the Project itself will not have any impact on solid waste disposal.

g) Comply with federal, state, and local statutes and regulations related to solid waste? (No Impact)

See response to Item 18.f) above. The Project will comply with federal, state, and local statutes on solid waste disposal.

19. Mandatory Findings of Significance

This section includes questions designed to ferret out whether the proposed Project has effects significant enough to impact the environment negatively. It also addresses the issues of short-term versus long-term environmental goals and cumulative impacts of proposed projects.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (No Impact)

On the basis of the foregoing analysis, the proposed Project does not have the potential to significantly degrade the quality of the environment. The Project site does not contain any habitat of fish or wildlife species that would be impacted by the Project. The site is located in an urbanized setting. The proposed Project consists of restoration of the Bay Theater in downtown Seal Beach. The property is currently occupied by the vacant Bay Theater building. The subject property is located in an area developed with existing uses including commercial establishments, restaurants, boutiques and residences. The Project is compatible with the surrounding land uses. The Project will not impact any sensitive nor special status habitat and/or wildlife species.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? (No Impact)

The site is located in a developed area that already provides infrastructure to support the proposed Project. There are no long-term environmental goals that would be compromised by the Project. The Project does not have the potential to achieve short-term goals to the disadvantage of long-term goals.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (No Impact)

The Project is a restoration of the Bay Theater at 340 Main Street in the City of Seal Beach. The vacant Bay Theater building currently occupies the Project site. The Project does not have impacts that are cumulatively considerable. The Project is consistent with the zoning on the property.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (No Impact)

There are no known substantial adverse effects on human beings that would be caused by the proposed Project. The Project is consistent with the land uses in the Project area and the environ-

mental evaluation has concluded that no adverse significant environmental impacts will result from the Project.

Source List

The following enumerated documents are available at the offices of the City of Seal Beach, Community Development Department, 211 Eighth Street, Seal Beach, California 90740.

1. City of Seal Beach General Plan Policies, Adopted 12/03
2. California Environmental Quality Act as amended January 1, 2016. §§21000-21178 of the *California Public Resources Code*
3. Guidelines for California Environmental Quality Act as amended January 1, 2016 §15000-15387 of the *California Code of Regulations*, Title 14, Chapter 3, State of California
4. City of Seal Beach Land Use Element, Adopted 12/03
5. City of Seal Beach Open Space/Conservation Element Adopted 12/03
6. City of Seal Beach Noise Element, Adopted 12/03
7. City of Seal Beach Circulation Element, Adopted 12/03
8. Zoning Map, City of Seal Beach
9. Air Quality and GHG Impact Analysis, prepared by Giroux & Associates, dated April 11, 2017
10. Noise Impact Analysis prepared by Giroux and Associates, dated April 12, 2017
11. Federal Flood Insurance Rate Map, Panel No. 06059C-0226J, 2009
12. <https://geotracker.swrcb.ca.gov>
13. City of Seal Beach Safety Element, Adopted 12/03
14. Focused Traffic Analysis, Kunzman Associates, February 15, 2017