



JUNE 19, 2020

**NOTICE OF CLARIFYING REVISIONS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE OCEAN AVENUE PROJECT**

The Draft Environmental Impact Report (EIR) for the Ocean Avenue Project (Project) was made available for public review beginning on May 18, 2020. In recognition of COVID-19 and the associated public health guidelines issued by California Governor Gavin Newsom, the public comment period was extended to 90 days – exceeding the 45 days required by California Environmental Quality Act (CEQA) Guidelines Section 15105 – ending on August 17, 2020.

Following the release of the Draft EIR, the City of Santa Monica (City) identified the need for minor clarifications to the Draft EIR regarding following issues:

- **Construction Vibration Impacts:** Section 3.3, *Construction Effects*, Section 3.4, *Cultural Resources*, and Section 3.12, *Noise* have been modified to clarify that construction activities generating ground-borne vibration could result in structural damage to the adjacent historic Gussie Moran House – particularly the decorative shingles, steeple, tower, and chimney. MM CR-1 and MM NOI-2 could reduce potential impacts to *less than significant*; however, that would require voluntary acceptance of the mitigation measure requirements by the property owner adjacent to the Project site. The City does not have the jurisdiction or control to mandate implementation of these mitigation measures by the adjacent property owner. Therefore, because the consent of the offsite property owner cannot be guaranteed, it has been conservatively concluded that unless mitigated, Project construction activities could have potentially *significant and unavoidable* construction vibration impacts to the Gussie Moran House. Additionally, the cumulative impact analysis includes clarifications that due to the rapid attenuation characteristics of ground-borne vibration and the extensive distance between construction associated with the proposed Project and cumulative projects, the Project construction effects would not combine or exacerbate cumulative ground-borne vibration. Therefore, cumulative ground-borne vibration impacts would be *less than significant*.
- **Potential Impacts to and Replacement of the 1st Court Water Main:** Impact UT-1 in Section 3.15, *Utilities* has been amended to clarify that the existing water main in 1st Court could potentially experience tremendous stress due to the temporary excavation of 1st Court during Project construction. Accordingly, prior to approval an offsite improvement permit by the City's Public Works Department, the City Engineer shall review final design plans (including the final excavation plans and potential impacts on the 8-inch water main) and shall confirm in his or her sole discretion whether the design plans and their impact on the water main would reasonably require replacement by the Applicant. If such replacement is required, it would be completed as part of the proposed Project and prior to issuance of a Certificate of Occupancy.
- **Performance Measures for the Sewer Study and Monitoring:** Section 3.15, *Utilities* includes MM WW-1, which requires the Applicant to prepare and submit a sewer study to the City's Water Resources Manager. This mitigation measure has been adjusted to clarify that the study shall show that the City's sewer system can accommodate the entire development (i.e., would not result in d/D over 0.5). If the study does not show to the satisfaction of the City that the City's sewer system can accommodate the entire development, prior to issuance of the first building permit, the Applicant shall be responsible to upgrade any downstream deficiencies on 2nd Street and Ocean Avenue (between Santa Monica Boulevard and Broadway) to the satisfaction of the Water Resources Manager.
- **Intersection Impacts:** Section 3.11, *Neighborhood Effects* and Section 3.13, *Transportation* originally identified a total of seven intersections that would be impacted by the proposed Project. However, these sections have been revised to clarify that the proposed Project would result in significant impacts at four intersections under the Approval Year (2020) Plus Project traffic conditions and at six intersections under Future Year (2025) Plus Project traffic conditions.

Under CEQA, a Lead Agency is required to recirculate an EIR, or portions of an EIR, when significant new information is added to the EIR after notice is given of the availability of the Draft EIR for public review but before certification of the Final EIR. New information added to an EIR is not significant unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponent has declined to implement. The minor clarifying revisions described above *would not* result in a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible project alternative or mitigation measure that would clearly reduce the significant environmental impacts. These clarifications ensure internal consistency within the EIR and would not substantially change any of its conclusions. Therefore, pursuant to CEQA Guidelines Section 15088.5, the City is not required to recirculate the Draft EIR. Nevertheless, in the spirit of public disclosure the City has identified the revisions in ~~strikeout~~ and underline and republished the relevant sections of the Draft EIR. The City will continue to receive comments, in writing, until 5:30 PM on Monday, August 17, 2020.