CEQA INITIAL STUDY
MITIGATED NEGATIVE DECLARATION

Fairlynn Townhomes
PLANNING APPLICATION (PA) 21-0111
VESTING TENTATIVE TRACT NO.19161
INITIAL STUDY 21-0111

Prepared for:

County of Orange
OC Public Works, Development Services/Planning
601 North Ross Street
Santa Ana, California 92701-4048

Prepared by:

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July 2023

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Chapter 1: Introduction

The purpose of this Initial Study is to evaluate the potential physical environmental impacts associated with implementing the Fairlynn Townhomes Project (proposed Project or Project). The Initial Study is organized into the following chapters:

Chapter 1: Introduction

Chapter 2: Environmental Determination

Chapter 3: Project Description

Chapter 4: Environmental Evaluation

Chapter 5: Summary of Standard Conditions and Mitigation Measures

Chapter 6: References

1.1 Project Title

Fairlynn Townhomes[1]

Planning Application (PA) 21-0111

1.2 Lead Agency Name | Address

County of Orange
OC Public Works
Development Services/Planning
601 North Ross Street
Santa Ana, California 92701-4048

1.3 Lead Agency Contact Person | Telephone Number | Email

County Planner Contact
Kevin Canning, Contract Planner
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County CEQA Contact
Name: Kevin Shannon, Consultant - Environmental Planner
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1.4 Project Location

The approximately 2.58-acre (referred herein as 2.6 acres) Project site (Assessor Parcel Numbers [APN] 349-071-17) is located at 6821 Fairlynn Boulevard in unincorporated Orange County (County), California. The Project site is in the northeastern part of the County, near the jurisdictional boundaries of the cities Yorba Linda and Anaheim. The rectangular site is generally bordered by Fairgreen Avenue to the north, Fairlynn Boulevard to the east, a 76 gas station with a food mart and Esperanza Road to the south, and the Fairgreen Homes multi-family residential development to the west. The existing gas station property, located at the Esperanza Road at Fairlynn Boulevard intersection, is not a part of the proposed Project. Existing access into the Project site is provided from five driveways: two driveways on Esperanza Road

[1] The Project name was "Esperanza Village" at the time when some of the technical studies were prepared. The Project name has since changed but some of the technical studies reference the prior name. The name change does not affect the technical analyses.

and three driveways on Fairlynn Boulevard. **Figure 1: Regional Location**, **Figure 2: Project Vicinity**, and **Figure 3: Aerial View** show the Project site in a regional and local context. **Figure 4: Site Photos** provides ground-level site photos of the Project site.

1.5 Project Sponsor's Name | Address

ROI Esperanza LLC
4199 Campus Drive, Suite 200
Irvine, CA 92612

1.6 General Plan Designation

The Project site has a General Plan land use designation of Suburban Residential (1B) Communities, which envisions residential communities ranging from large lots to attached dwelling units including townhomes, condominiums, and other clustered product arrangements. Building intensity ranges from 0.5 to 18 dwelling units per acre (du/ac).

1.7 Zoning District(s)

The Project site is zoned Local Business with Sign Regulations and Housing Overlay C1(SR)(H). The C1 (Local Business) zoning district allows for the development and maintenance of medium-intensity commercial uses serving the needs of both the surrounding neighborhood and the local community. The SR sign regulation establishes standards for the control of signs to protect natural landscapes, scenic corridors, and highways. The H housing opportunities overlay allows for the development of affordable rental housing within commercial and industrial districts, or both.

1.8 Summary Description of Project

The Project site is developed with approximately 19,250 square feet (sf) of retail uses with multiple tenants in three buildings and a surface parking lot. The existing on-site structures would be demolished to allow for the construction of 44 multi-family attached townhomes at a density of 17 du/ac. Project entitlements include Vesting Tentative Tract Map 19161 to subdivide the Project site for condominium purposes and a Use Permit. Refer to Chapter 3 for a comprehensive description of the proposed Project.

1.9 Surrounding Land Uses and Setting

The Project site is within an urbanized and developed area of unincorporated Orange County. The City of Anaheim's jurisdictional boundaries are west of Imperial Highway (State Route 90; referred herein as Imperial Highway) and south of Esperanza Road; the City of Yorba Linda's jurisdictional boundaries are east of Imperial Highway and north of Esperanza Road. The Project site is approximately 0.1 mile north of the City of Anaheim and approximately 0.2 mile south of the City of Yorba Linda.

The Project site is developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. Three driveways on Fairlynn Boulevard and two driveways on Esperanza Road provide access to the existing commercial land uses. The Project site is bordered by Fairgreen Avenue and the Fairgreen Homes multi-family residential development to the north; Fairlynn Boulevard to the east, a 76 gas station with a food mart, and Esperanza Road to the south; and a single-family residence, automotive repair use, fast food restaurant with drive-through, and a single-family residence, Fairgreen Homes multi-family residential development, an automotive repair shop, and a fast food restaurant to the west. There are pedestrian sidewalks, streetlights, overhead power lines, and curbs and gutters along Fairlynn Boulevard and Esperanza Road. The Burlington Northern Santa Fe (BNSF) railway is located immediately south of Esperanza Road.

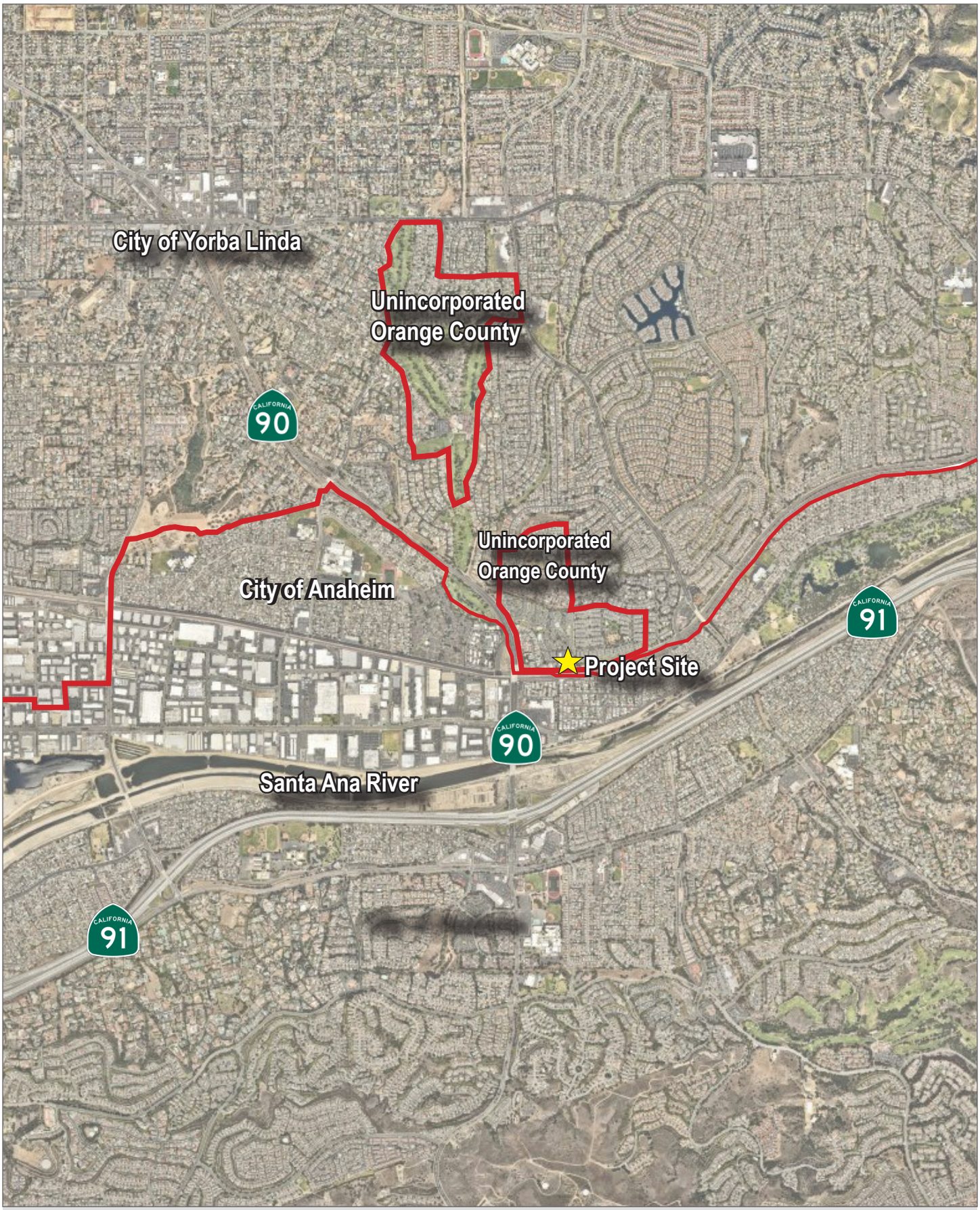

Figure 1: Regional Location
Fairlynn Townhomes

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Figure 2: Project Vicinity
Fairlynn Townhomes

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Figure 3: Aerial View
Fairlynn Townhomes

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Figure 4: Site Photos
Fairlynn Townhomes

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1.10 Other Public Agencies Whose Approval Is Required

Table 1-1: Public Agency Approvals identifies required and anticipated public agency approvals for the proposed Project.

Table 1-1: Public Agency Approvals

Body	Action
County of Orange – Planning Commission	Adoption of Mitigated Negative Declaration No. PA 21-0111 Approval of a Planned Development (PA 21-0111) for 44 residential units Approval of a Use Permit
County of Orange – Subdivision Committee	Approval of Vesting Tentative Tract Map 19161
County of Orange Public Works – Building Division	Approval of Water Quality Management Plan Approval of demolition permits
County of Orange Public Works – Development Services	Approval of encroachment permits within the County right-of-way on Esperanza Road and Fairlynn Boulevard for utility connections
Orange County Fire Authority	Approval of a Fire Protection Plan

1.11 California Native American Tribal Consultation

Pursuant to Public Resources Code Section 21080.3.1 (Assembly Bill [AB] 52), the County of Orange has conducted the required consultation with the applicable Native American tribes. This process is further discussed in Section 4.18, *Tribal Cultural Resources*.

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Chapter 2: Environmental Determination

Based on the analysis conducted in this Initial Study, the County of Orange, OC Public Works, Development Services/Planning, as the Lead Agency, has made the following determination, as identified in **Table 2-1: Environmental Determination**.

Table 2-1: Environmental Determination	
I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.	☐
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.	☒
I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.	☐
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.	☐
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	☐
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to the State CEQA Guidelines and the County's adopted Local CEQA Guidelines. The proposed project is a component of the whole action analyzed in the previously adopted/certified CEQA document.	☐
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to State and County CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project which are documented in this addendum to the earlier CEQA document (CEQA §15164).	☐
I find that the proposed project Has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to State and County CEQA Guidelines. However, there is important new information and/or substantial changes have occurred requiring the preparation of an additional CEQA document (ND or EIR) pursuant to CEQA Guidelines Sections 15162 through 15163.	☐

Kevin Shannon

Signature
Kevin Shannon

July 25, 2023

Date

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Chapter 3: Project Description

3.1 Introduction

The proposed Fairlynn Townhomes Project (proposed Project or Project) would allow for the demolition of existing on-site retail uses and the construction of a multi-family residential development. In order to implement the proposed Project, three existing multi-tenant buildings, totaling approximately 19,250 sf, located within the Esperanza Village neighborhood retail center at 6821 Fairlynn Boulevard in unincorporated Orange County would be demolished. The existing surface parking lot, landscaped islands, and security lighting associated with the commercial development would be removed. The proposed Project would construct a residential community consisting of 44 three-story multi-family townhomes clustered in eight buildings. As previously noted in Table 1-1, the proposed Project requires approval of a Vesting Tentative Tract Map (VTTM 19161), a Use Permit, and adoption of the Initial Study leading to a Mitigated Negative Declaration (No. PA 21-0111).

The Project objectives are to:

- Increase opportunities to provide additional market rate housing choices in Orange County.
- Provide high quality housing with nearby arterial transportation access.
- Develop an underutilized property with residential uses to help meet the substantial and unmet regional demands for housing.
- Provide for a residential use compatible with the adjacent commercial and residential development in the area.
- Create an environmentally sensitive development through implementation of drought tolerant landscaping and compliance with the most current low impact (i.e., water conservation) development standards and Title 24 energy standards.

3.2 Environmental Setting and Surrounding Land Uses

The surrounding land uses are described in **Table 3-1: Surrounding Land Uses**. All adjacent land uses are within unincorporated Orange County.

Table 3-1: Surrounding Land Uses

Direction	Land Use(s)
North	Fairgreen Homes multi-family private community residential development
East	Fairlynn Boulevard; Woodgate multi-family residential development east of Fairlynn Boulevard
West	Fairgreen Homes multi-family private community residential development, single-family residence; automotive repair shop; fast food retail with drive-thru
South	Esperanza Road; 76 gas station with a food mart; BNSF railway south of Esperanza Road

Project Site Environmental Setting

The Project site is currently developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. Existing landscaping includes trees and groundcover along the northern and western property boundaries; grass and trees along the Esperanza Road and Fairlynn Boulevard Project site frontages; and trees and groundcover adjacent to the southernmost building. There are no natural waterways or vacant land area within the Project site. The Project site elevation ranges

from approximately 300 feet above mean sea level (msl) at the southerly portion of the site to 318 feet above msl at the northerly portion of the site.

There two staircases between the northern Project site boundary and Fairgreen Avenue. An existing wrought iron fence prevents pedestrian access between the Project site and Fairgreen Homes private community. Through an access easement, an existing alley at the western site boundary provides vehicle access from the Project site to the automotive repair store located west of the single-family residence. The gated alley would remain as part of the Project development. In addition, there is an existing storm drain draining into a valley gutter north of the alley. Storm water from the neighboring Fairgreen Homes multi-family residential development uses this storm drain to sheet flow surface water runoff onto the Project site toward Esperanza Road. This storm water feature would remain.

Site Vicinity Environmental Setting

The surrounding area is developed with residential and commercial uses. No natural features or water bodies are proximate to the Project site. Generally, the land area north of the Project site slopes upward toward an elevation of 380 to 500 feet above msl.

Site Regional Environmental Setting

The regional area is characterized by urban development including commercial, residential, and industrial uses. The Santa Ana River channel is located approximately 0.3 mile south of the Project site, near the Riverside Freeway (SR 91; referred herein as SR 91) and Imperial Highway. Chino Hills State Park is approximately five miles northeast of the Project site. Yorba Regional Park is located approximately 1.5 miles east of the Project site and the Yorba Linda Country Club is located approximately 1.0 mile north/northwest of the Project site. Schools include Esperanza High School, which is located approximately 1.0 mile to the west of the Project site, Bernardo Middle School, which is located approximately 1.5 miles to the north, and Glenknoll Elementary School, which is located approximately 0.4 mile to the north.

3.3 Construction Activities

Project demolition, grading, infrastructure installation and building construction would occur in one phase. The proposed Project would be constructed in approximately 18 months, anticipated to commence in early 2024. **Table 3-2: Construction Activities** identities types of activities and equipment use, anticipated schedule, and time durations associated with these activities.

Demolition of existing structures and uses would be subject to CALGreen construction and demolition recycling requirements. Project compliance with CALGreen requirements are discussed in Section 4.19, *Utilities and Service Systems*. Several existing overhead power poles would be removed and undergrounded.

All construction staging areas would be contained within the Project site. No off-site storage or shuttles for transporting workers to the site would be required. Construction workers would park on the site.

Earthwork quantities are estimated at 7,000 cubic yards (cy) of cut and 500 cy of fill resulting in approximately 6,500 cy transported off site for disposal. Exported material would be transported to the Olinda Alpha Landfill in the City of Brea. The Applicant would be required to identify planned travel patterns for haul vehicles, and obtain a Haul Route permit from the County.

Table 4-2: Construction Activities						
Phase	**Activity**	**Anticipated Equipment**	**Start Date**	**End Date**	**Days Per Week**	**Number of Days**
1	Demolition	Concrete/industrial saws, rubber tired dozers, tractors, loaders, backhoes	Jan 2024	Jan 2024	5	20
2	Site Preparation	Graders, scrapers, tractors, loaders, backhoes	Jan 2024	Feb 2024	5	10
3	Grading	Graders, rubber tiered dozers, tractors, loaders, backhoes	Feb 2024	May 2024	5	60
4	Building Construction	Cranes, forklifts, generators, tractors, loaders, backhoes, welders	May 2024	May 2025	5	260
5	Architectural Coating	Air compressors	April 2025	June 2025	5	45
6	Paving	Cement and motor mixers, pavers, paving equipment, rollers, tractors, loaders, backhoes	May 2025	May 2025	5	10

In conformance with Orange County Codified Ordinances Section 4-6-7(e) (Special Provisions of the County's Noise Control Ordinance), construction activities will be limited to between 7:00 a.m. and 8:00 p.m. on weekdays and Saturdays. No construction activities will occur on Sundays or federal holidays. Project construction activities could occur eight hours per day, up to five days per week (i.e., Monday through Friday). In addition, per County Standard Conditions of Approval N10 (Construction Noise), Project construction equipment would include the use of mufflers and stockpiles would be located as far as practicable from residential dwellings.

3.4 Site Improvement Characteristics

Figure 5: Site Plan, depicts the proposed residential development. As proposed, the Project would allow for a 44-unit townhome development on the 2.6-acre site at a density of 17 du/ac. The three-story townhomes are grouped in eight buildings with each building having five or six townhome units. The townhomes would include ground floor patios and second- and third-story balconies. Each townhome would have direct access to an attached two-car garage. Project amenities are proposed to include a tot lot, common picnic areas, shade structures, and a landscaped paseo at the center of the Project site. **Table 3-2: Residential Unit Summary** summarizes the proposed townhomes by dwelling unit type.

Table 3-2: Residential Unit Summary		
Plan Size	**Net Square Feet**	**Total Units**
Plan 1: 3 Bed/3.5 Bathroom	1,671	12
Plan 2: 3 Bed/3.5 Bathroom	1,845	16
Plan 3: 3 Bed/3.5 Bathroom	1,945 - 1,959	16
	Total	**44**
Source: Bassenian Lagoni Architects, 2022.		

Landscaping, Fencing and Walls

Figure 6: Conceptual Landscape Plan depicts the proposed landscaping plan. The Project proposes approximately 25,560 sf of landscaping, including 3,400 sf of bioretention rain gardens. Each townhouse building would have a landscaped common area in front of the private courtyards. Sidewalks would provide connectivity between residential buildings and parking areas. A concrete pedestrian paseo is proposed at the center of the site, which would be finished in decomposed granite decorated with shrubs and groundcover. Landscaping along the Project perimeter would include Crape Myrtles, Sycamores, Pine trees, elms, and Brisbane Box trees.

The Project site currently has chain-linked fencing and concrete masonry unit (CMU) walls along the western boundary. There is also iron fencing along the northern boundary with the Fairgreen Homes multi-family residential development. Project implementation would retain the existing wall and fences along the western and northern boundaries. In addition, the Project proposes a community perimeter wall along the southern and eastern boundaries along Esperanza Road and Fairlynn Boulevard, and the adjacent 76 gas station. Internal to the Project site, townhome ground floor patios would be finished in stucco enclosed with an approximately 3.5-foot-tall wood fence.

Open Space

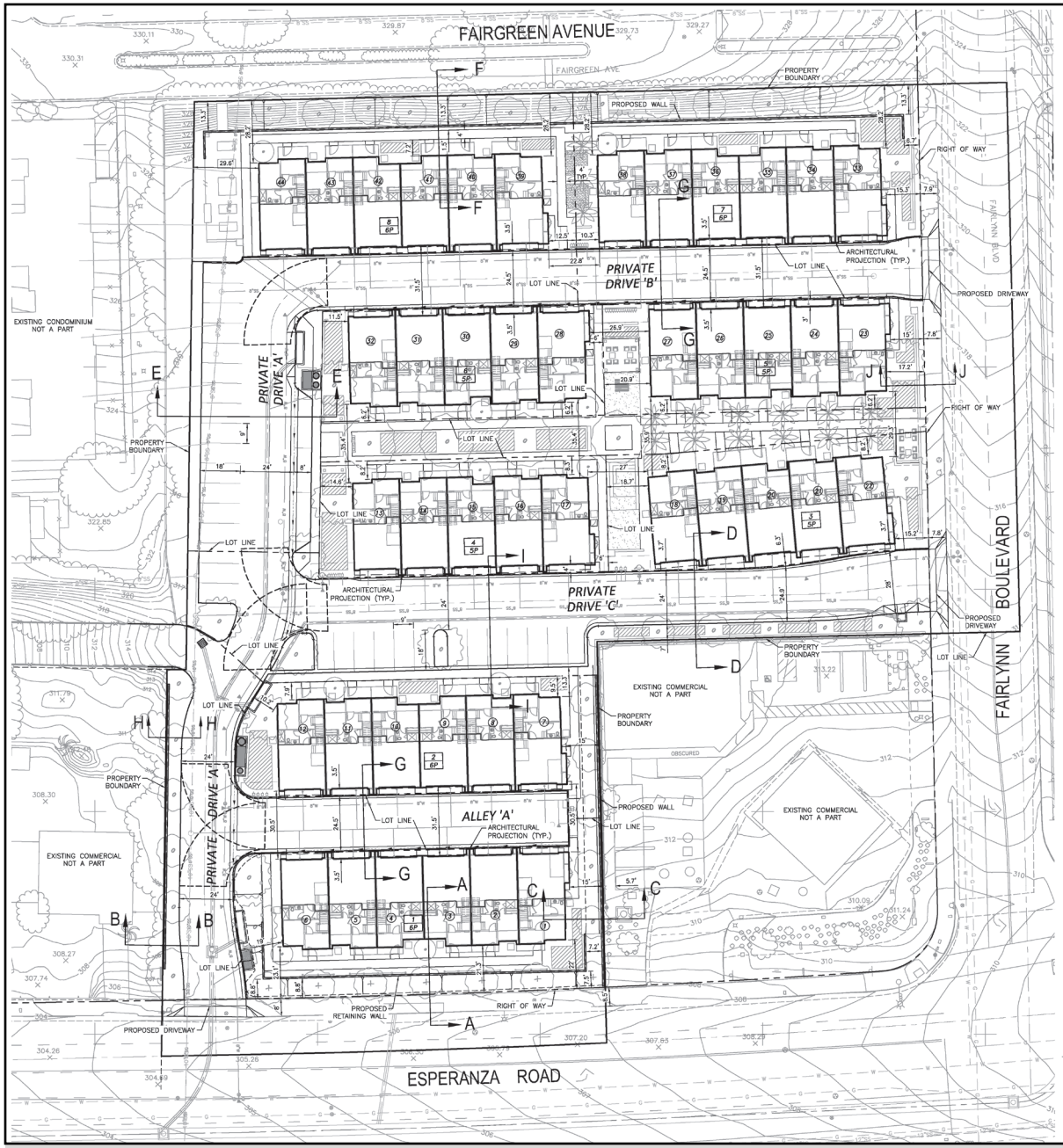
Figure 7: Conceptual Open Space Plan depicts the proposed open space plan. The proposed Project would include 28,560 sf of common open space including shared common areas, landscaped paseos, and perimeter landscaping and 8,875 sf of private open space associated with ground floor patios and second floor balconies. Each townhome would have a covered ground floor patio along with a limited uncovered patio area. In total, approximately 37,435 sf of open space would be provided.

Access, Internal Circulation and Parking

Existing access to the site is provided from five driveways: two driveways on Esperanza Road and three driveways on Fairlynn Boulevard. As a part of the proposed Project, the driveways would be reconfigured to provide one driveway on Esperanza Road and two driveways on Fairlynn Boulevard. As previously noted, an existing alley at the western site boundary provides vehicle access from the Project site to the automotive repair store located west of the single-family residence. The gated alley would remain as part of the Project development.

Driveways on Fairlynn Boulevard would measure 28 to 29 feet wide and the driveway on Esperanza Road would measure 28 feet wide. All driveways would be unsignalized and allow ingress and egress (full access) onto Esperanza Road and Fairlynn Boulevard. No gates are proposed as part of the Project. All driveways would be unrestricted. Within the residential development, drive aisles would be 24 to 25.5 feet wide. All drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers for emergency and fire vehicles.

The existing sidewalks along the Project site frontages of Esperanza Road and Fairlynn Boulevard would remain as part of the Project. The Orange County Transportation Authority (OCTA) provides public transit service throughout Orange County, including Yorba Linda and Anaheim. There is an existing transit stop on Esperanza Road, approximately 500 feet east of the Project site, which is part of the OCTA Route 30 line. Project implementation does not require changes to existing OCTA transit facilities.



LEGEND

- TRACT BOUNDARY
- LOT LINE
- ① UNIT NUMBER
- 250 GRADING CONTOUR
- RIGHT OF WAY

SITE SUMMARY:

3–STORY ROW–TOWNHOMES
BD. – 3BA./OFFICE

TOTAL HOMES: 44
5–PLEX X 4 = 20
6–PLEX X 4 = 24

GROSS SITE AREA: 2.57 ACRES
GROSS DENSITY : 17 HOMES/ACRE

COMMON OPEN SPACE PROVIDED: 0.66 ACRES
PRIVATE OPEN SPACE PROVIDED: 0.20 ACRES

PARKING REQUIRED:
2.5 RESIDENT SPACES/3–BED UNIT = 110 SPACES
0.2 GUEST SPACES/UNIT = 8.8 SPACES
TOTAL PARKING REQUIRED = 118.8 SPACES

PARKING PROVIDED
2 GARAGE SPACES/HOME = 88 SPACES
UNCOVERED RESIDENT SPACES = 22 SPACES
UNCOVERED GUEST SPACES = 11 SPACES
TOTAL PARKING REQUIRED =121 SPACES

Figure 5: Site Plan
Fairlynn Townhomes

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LEGEND

1. Entry Shade Structure
2. Low Perimeter Block Wall
3. Low Wall and Pilaster
4. Pedestrian Entry Gate
5. Shade Structure - See Enlargement, Sheet L-2
6. Play Area -See Enlargement, Sheet L-2
7. Existing Gate
8. Existing Wall
9. Shade Structure at Community Mailbox. - See Enlargement, Sheet L-2
10. Edible Garden - See Enlargement, Sheet L-3
11. Concrete Walkway
12. Wood Fence and Gate
13. Private Patio
14. Rain Garden / Detention Basin
15. D.G. Garden - See Enlargement, Sheet L-3
16. Metal Panels
17. Retaining Wall per Civil Engineer
18. Parking
19. Existing Perimeter Tubular Steel Fence
20. Entry Signage Monument
21. Community Perimeter Block Wall

Figure 6: Conceptual Landscape Plan
Fairlynn Townhomes

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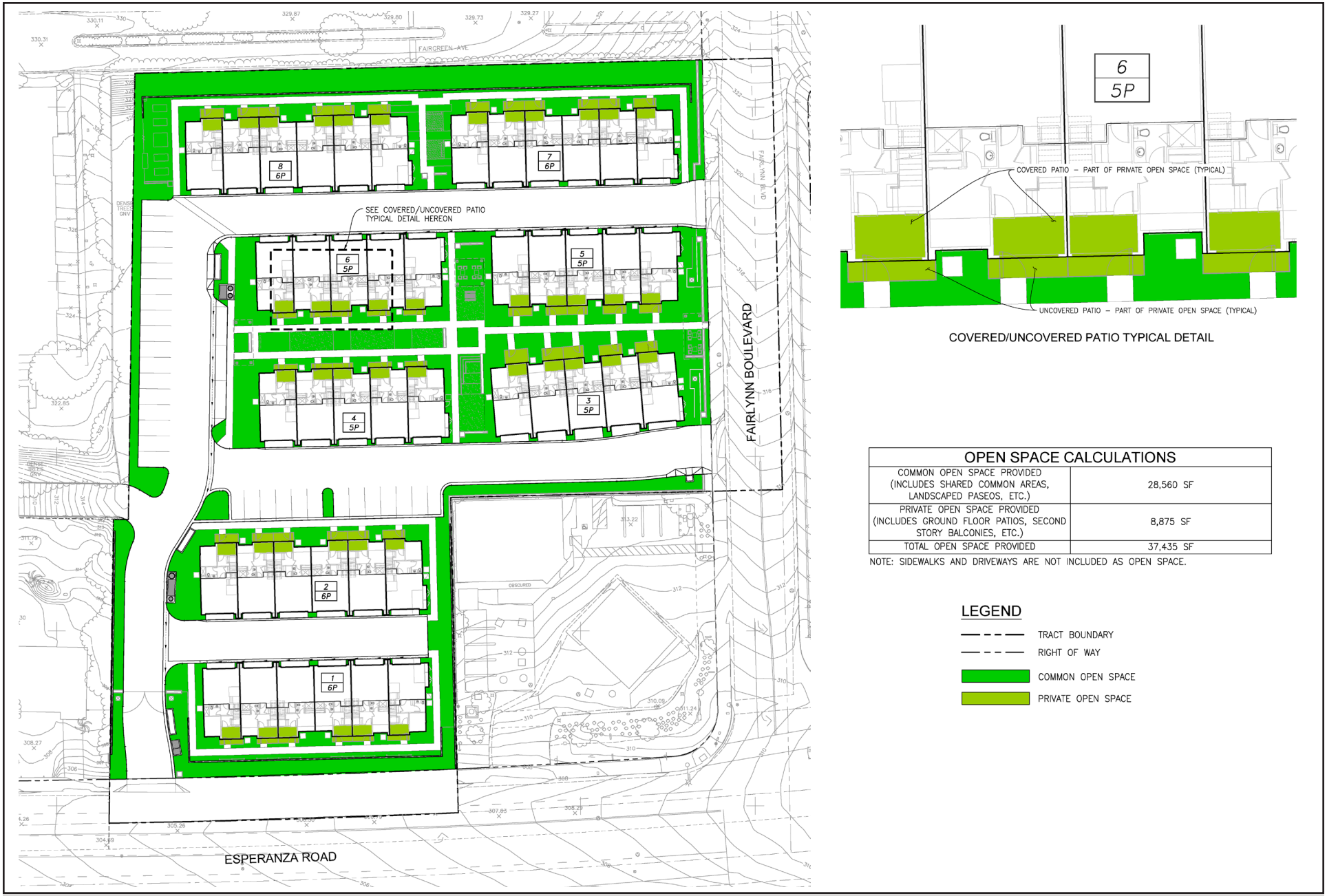

Figure 7: Conceptual Open Space Plan
Fairlynn Townhomes

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Pursuant to Orange County Codified Ordinances Section 7-9-70.3, the County's parking standard is 2.5 spaces per dwelling unit for 3-bedroom multi-family residences and 0.2 space for guest parking. All 44 townhomes would have 3 bedrooms. As identified in **Table 3-3: Residential Parking Requirements**, the Project requires 119 parking spaces and would provide 121 parking spaces, including 88 garage spaces, 22 uncovered residential spaces, and 11 uncovered guest spaces. All uncovered parking spaces would be located along the main drive aisles toward the center of the Project site.

Table 3-3: Residential Parking Requirements

Purpose	Dwelling Units	Minimum Parking Spaces Per Unit	Parking Required	Parking Provided
Residential	44	2.5	110	110
Guest	--	0.2	8.8	11
Total	**44**	**--**	**119**	**121**

Source: Bassenian Lagoni Architects, 2022.

3.5 Building Characteristics

Architecture

The proposed 3-story townhomes would be 35 feet high to the top of the parapet. No roof decks are proposed. **Figure 8: Building Elevations**, depicts the Project's proposed architectural features. The proposed urban modern architecture design would incorporate a mix of building materials such as stucco, stone veneer, metal awnings, and fiber cement siding. The color palette would include a mix of whites, greys, blues, with simulated wood trim accents. The first story would be painted white and grey with simulated wood trim accents. The second and third stories would be painted white and contrasting greys, incorporating eaves, beams, siding, trims to accent the building fascia. Townhomes with second-story and third-story decks would have metal railings. Overall, Project architecture and design would incorporate variations in setbacks between each floor to provide façade articulation.

Lighting and Signage

Site lighting would be limited to exterior wall mounted and street lighting associated with each residential unit, pedestrian walkways, and internal driveways. Project entries at Fairlynn Boulevard and Esperanza Road would include signage with LED up-lighting, decorated with shrubs and drought tolerant landscaping. Low level wayfinding lighting, typically three feet tall, for pedestrians would be provided in the common open space recreation areas (i.e., tot lot and sitting areas) and along internal walkways for safety and security. All exterior lighting would be designed to minimize glare and light spillage onto adjacent properties (i.e., shielding of streetlights). Consistent with current building code requirements and the County Standard Conditions of Approval LG01 (Light and Glare), prior to issuance of a building permit, a lighting plan would be submitted and approved by the Manager of Building and Safety (see Section 4.1, Standard Condition [SC] AES-1 for this requirement). Additionally, monument entry signage is proposed near the proposed driveways on Fairlynn Boulevard and Esperanza Road. The monument signage would have low walls measuring approximately 3.5 feet tall, and pilasters measuring approximately 4 feet tall.

3.6 Infrastructure Characteristics

Figure 9: Utility Plan, depicts the Project's utility plan.

Storm Water

The Project site is within the service area of the Orange County Flood Control District. Under existing conditions, storm water sheet flows into ribbon gutters that direct flows in a southerly direction to Esperanza Road and in an easterly direction to Fairlynn Boulevard. There is an existing 112-inch welded steel pipe storm drain in Esperanza Road and a 54-inch reinforced concrete pipe in Fairlynn Boulevard. There is an existing catch basin on Esperanza Road between the two existing driveways, approximately 250 feet west of the Fairlynn Boulevard at Esperanza Road intersection. The storm drain lateral from the catch basin connects to the existing 54-inch pipe in Fairlynn Boulevard. There is also an existing catch basin on Fairlynn Boulevard, approximately 220 feet north of the Fairlynn Boulevard at Esperanza Road intersection.

The proposed Project would connect to the existing storm drain in Esperanza Road via a 24-inch connection. The Project would install a private storm drain system with four on-site catch basins located throughout the internal driveway access. Specifically, catch basin #1 would be located in Private Drive "C", southeast of the Fairlynn Boulevard driveway. Catch Basin #2 is proposed near the northeast corner of Private Drive "A". Catch Basin #3 would be 110 feet north of the Esperanza Road access. Catch Basin #4 would be located 10 feet north of the Esperanza Road access on Private Drive "A". All catch basins would connect via an internal 18-inch storm drain that would carry flows southerly and ultimately connecting to the existing 112-inch storm drain in Esperanza Road. With regards to the storm drain north of the alley, a new catch basin with an 18-inch RCP storm drain line is proposed to collect the neighboring flows. Captured flows would connect to the proposed 18-inch storm drain within Private Drive "A", and continue toward Esperanza Road. Pre-treated Project flows would be kept separate from the neighboring flows.

Water and Wastewater

Golden State Water Company provides water service to the area, inclusive of the Project site. Each townhome unit would have a water lateral connection to a proposed 8-inch water line within the internal streets. The 8-inch water line would connect to an existing 12-inch water line on Esperanza Road, approximately 40 feet south of the Esperanza Road driveway.

Yorba Linda Water District (YLWD) provides wastewater service to the area, inclusive of the Project site. Specifically, the Project connects to existing YLWD infrastructure, which carries wastewater to Orange County Sanitation District treatment facilities. YLWD maintains its own wastewater infrastructure, separate from Orange County Sanitation District regional facilities. Each townhome unit would have a sewer lateral connection to a proposed 8-inch (polyvinyl chloride) PVC gravity sewer line within the internal streets. The 8-inch sewer line would connect to an existing 8-inch vitrified clay pipe (VCP) along the westernmost drive aisle leading toward the Esperanza Road driveway. The 8-inch VCP expands to a 10-inch VCP and extends past the Project boundary until connecting with an existing 12-inch sewer line in Esperanza Road.

Natural Gas, Electricity, Telecommunications

The proposed Project would connect to existing utility infrastructure along Esperanza Road and Fairlynn Boulevard. Southern California Gas Company and Southern California Edison provide natural gas and electricity service, respectively, to the Project site. Multiple telecommunication providers such as AT&T U-verse, Frontier Communications, and Spectrum (Time Warner) Cable serve the Project area.

Figure 8: Building Elevations
Fairlynn Townhomes

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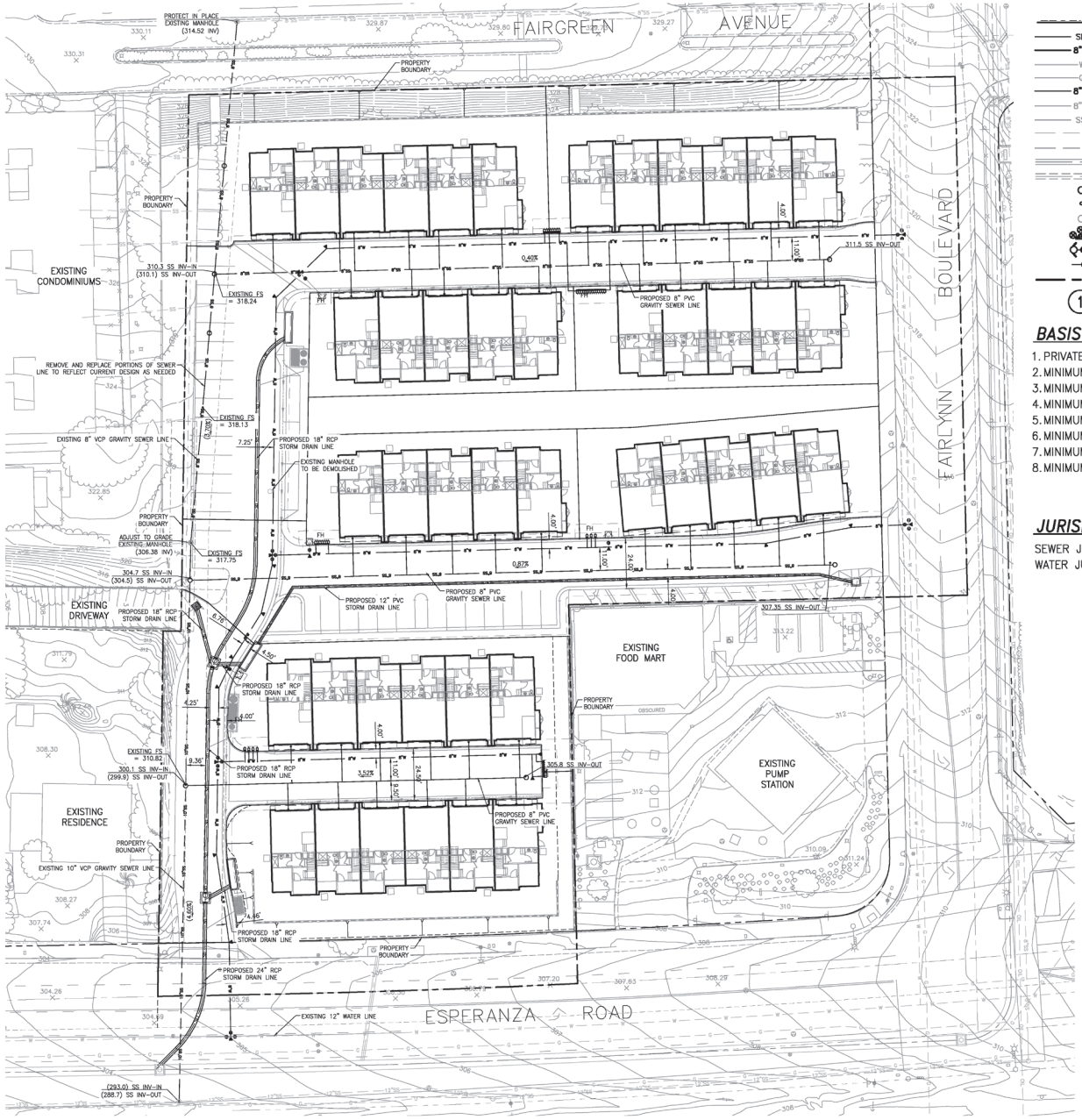

SD — PROPOSED STORM DRAIN LINE
8"DW — PROPOSED 8" DOMESTIC WATER LINE
W — EXISTING WATER LINE
G — EXISTING GAS LINE
8"SS — PROPOSED 8" SANITARY SEWER LINE
8"SS — EXISTING 8" SANITARY SEWER LINE
SS — EXISTING SEWER LATERAL
EXISTING YLWD SEWER EASEMENT
EXISTING EASEMENT
PROPOSED STORM DRAIN
EXISTING STORM DRAIN
PROPOSED SANITARY SEWER MANHOLE
PROPOSED SANITARY SEWER CLEANOUT
EXISTING SANITARY SEWER MANHOLE
DOMESTIC WATER VALVES/THRUST BLOCKS
FIRE HYDRANT ASSEMBLY
DOMESTIC WATER METER
RIGHT OF WAY
(1) LOT NUMBER

BASIS OF DESIGN

1. PRIVATE GRAVITY SEWER SYSTEM MINIMUM SLOPE = 0.4% (YLWD)
2. MINIMUM COVER FROM FINISHED SURFACE TO TOP OF SEWER LINE = 7' (YLWD)
3. MINIMUM COVER FROM FINISHED SURFACE TO TOP OF DOMESTIC WATER LINE = 3' (GSW)
4. MINIMUM DISTANCE OF DOMESTIC WATER LINE FROM CURB FACE = 4' (GSW)
5. MINIMUM HORIZONTAL SPACING BETWEEN DOMESTIC WATER LINE AND SEWER LINE = 10' (YLWD & GSW)
6. MINIMUM VERTICAL SPACING BETWEEN DOMESTIC WATER LINE AND SEWER LINE = 1' (YLWD & GSW)
7. MINIMUM HORIZONTAL SEPARATION BETWEEN PVC DOMESTIC WATER SERVICE LINES = 2' (GSW)
8. MINIMUM HORIZONTAL SEPARATION BETWEEN DOMESTIC WATER SERVICE LINES AND SEWER LATERALS = 10'

JURISDICTION NOTES

SEWER JURISDICTION: YORBA LINDA WATER DISTRICT (YLWD)
WATER JURISDICTION: GOLDEN STATE WATER COMPANY (GSW)

Figure 9: Utility Plan
Fairlynn Townhomes

Kimley»Horn

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3.7 On-site Sales Office

Model homes would be within Building 4, located at the center of the Project site. The sales office would also be included in one of the model units. Temporary A-frame signs and vertical banners for advertising purposes would be placed on Esperanza Road, and would be removed when the last unit in the community is sold.

3.8 Project Design Features

The following Project Design Features have been incorporated into the Project:

Site Design Features

PDF-1 The Project proposes a tot lot and common open space amenities near the center of the Project site, between the townhome buildings. Site design would use residential buildings as noise barriers to further reduce noise spillage to adjacent surrounding areas.

PDF-2 Project boundaries to the west, north, and east would include landscaped perimeters with trees and shrubs to provide adequate screening and buffer between the Project site and existing residential uses.

Noise Control Features

PDF-3 The Project would be required to incorporate building construction techniques, such as the use of double paned windows and insulated doors that achieve the minimum interior noise standard of 45 dBA CNEL for all residential units. This would include compliance with California Title 24 building insulation requirements for exterior walls, windows roofs and common separating assemblies (e.g., floor/ceiling assemblies and demising walls).

3.9 Off-site Improvements

Off-site, improvements would primarily consist of utility connections and tie-ins to existing facilities, including sewer, water, storm drain, gas, electric, and telecommunications. Off-site is defined by the boundaries depicted on Figure 5: Site Plan. The Project would reconfigure the existing driveway access on Esperanza Road and Fairlynn Boulevard. As a result, some curb cuts would be eliminated. The Project proposes one driveway access on Esperanza Road and two on Fairlynn Boulevard. No off-site improvements outside the immediate area are necessary or proposed.

3.10 Change in Land Use Controls

As described in Sections 1.6 and 1.7 of this Initial Study, the Project site has a General Plan land use designation of Suburban Residential (1B) Communities and is zoned C1(SR)(H), local business district with sign restrictions and housing opportunities overlay. The proposed Project is a residential community with a density of 17 du/ac. Project implementation would not require a General Plan amendment or zone change.

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Chapter 4: Environmental Evaluation

4.A Analysis Methodology

Analysis of potentially significant impacts of each of the topical environmental factors identified in Table 4-0 are based on the Project site environmental setting, Project description, and the applicable thresholds of significance. Potentially significant impacts that are reduced below the level of significance by applicable thresholds of significance will detail how the impact is reduced. In the event that potentially significant impacts are identified which are unable to be reduced below the level of significance, the evaluation will detail various mitigation options applied and why none would reduce the impact to a level of less than significant.

The analysis will consider the whole of the actions and include the following:

- On-site impacts
- Off-site impacts
- Short-term construction impacts
- Long-term operational impacts
- Direct impacts
- Indirect impacts
- Cumulative impacts, as applicable

4.B Environmental Factors Potentially Affected

This document incorporates the Environmental Checklist Form from Appendix G of the CEQA Guidelines. **Table 4-0: Environmental Factors Potentially Affected** lists the environmental factors that are evaluated in this document. Environmental factors that are checked contain at least one impact has been determined to be a "Potentially Significant Impact." Environmental factors unchecked indicate that impacts were determined to have resulted in no impacts, less than significant impacts, or less than significant impacts with mitigation measures or County Standard Conditions of Approval incorporated into the Project. As noted below, all topical environmental factors would have no impact, a less than significant impact, or a less than significant impact with mitigation.

Table 4-0: Environmental Factors Potentially Affected	
☐ Aesthetics (4.1)	☐ Mineral Resources (4.12)
☐ Agriculture and Forestry Resources (4.2)	☐ Noise (4.13)
☐ Air Quality (4.3)	☐ Population and Housing (4.14)
☐ Biological Resources (4.4)	☐ Public Services (4.15)
☐ Cultural Resources (4.5)	☐ Recreation (4.16)
☐ Energy (4.6)	☐ Transportation (4.17)
☐ Geology and Soils (4.7	☐ Tribal Cultural Resources (4.18)
☐ Greenhouse Gas Emissions (4.8)	☐ Utilities and Service Systems (4.19)
☐ Hazards and Hazardous Materials (4.9)	☐ Wildfire (4.20)
☐ Hydrology and Water Quality (4.10)	☐ Mandatory Findings (4.21)
☐ Land Use and Planning (4.11)	

4.C Thresholds of Significance

Thresholds of significance are identifiable quantitative, qualitative or performance level standards of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by a Lead Agency and compliance with which means the effect will normally be determined to be less than significant (CEQA Guidelines §15064.7(a)).

On November 17, 2020, the County adopted *Guidelines for Evaluating Vehicle Miles Traveled under CEQA* (VMT Guidelines), included as Appendix C in the Orange County 2020 Local CEQA Procedures Manual. The VMT Guidelines include CEQA threshold standards for vehicle miles traveled (VMT). Other than the VMT thresholds, the County has not adopted specific thresholds of significance and rather relies upon the specific questions relating to the topical environmental factors listed in Appendix G of the CEQA Guidelines to assist in the determination of a potentially significant impact. The County may, depending on the circumstances of a particular project, use specific thresholds of significance on a case-by-case basis as provided by CEQA Guidelines Section 15064.7(b).

4.D County Standard Conditions of Approval

OC Development Services has prepared a list of Standard Conditions of Approval, representing permit conditions routinely imposed by the County on development projects in unincorporated areas. Relative to each of the topical environmental factors, relevant Standard Conditions of Approval are identified and, for the purpose of environmental review, are assumed to constitute a reasonable listing of conditions to be imposed on a proposed project. These Standard Conditions of Approval may be modified as they are applied to individual projects or created based on professional practice associated with other projects subject to County approval.

The County's Standard Conditions of Approval constitute uniformly applicable development policies or standards (i.e., policies or standards adopted or enacted by a city or county or by a lead agency that reduce one or more adverse environmental effects) as defined in Section 15183.3(f)(7) of the CEQA Guidelines. Because not all the Standard Conditions of Approval formulated by the County are applicable to all development projects, only those Standard Conditions of Approval applicable to the proposed Project have been identified herein. Similarly, because there may exist other Standard Conditions of Approval that are not identified herein, should the proposed Project be approved or conditionally approved, this listing may not be inclusive of all such conditions as may be imposed by the County. The categorization of Standard Conditions of Approval in this Initial Study is present for convenience only and does not limit the application of those Standard Conditions of Approval to other topical issues where an individual Standard Condition or Standard Conditions are also relevant.

Where deemed applicable by OC Development Services, each of the Standard Conditions of Approval listed herein are assumed to constitute components of and incorporated into the project description and are not separate from the proposed Project itself. In the context of CEQA and the CEQA Guidelines, these Standard Conditions of Approval are not analogous to mitigation measures and are not, therefore, subject to the mitigation reporting and monitoring program obligations (CEQA Guidelines §15067.)

4.E Environmental Baseline

To adequately determine the significance of a potential environmental impact, the environmental baseline must be established. CEQA Guidelines Section 15125(a) states in pertinent part that the existing environmental setting will normally constitute the baseline physical conditions that will assist the County in a determining if an impact is significant. Therefore, the environmental baseline for this Project constitutes the existing physical conditions as they exist at the time that the environmental process commenced.

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

Response to Question a): Less than Significant Impact. According to the County of Orange General Plan Resources Element Open Space Component, open space within the County is considered a valuable resource and includes enhancing and protecting scenic vistas. Scenic areas include Saddleback Mountain in the Santa Ana Mountains and ocean views of Santa Catalina Island. The General Plan does include sites of specifically designated scenic vista points and provides goals and objectives to manage the County's landform resources. These landform resources, defined by the General Plan as "distinctive natural topographic features," are considered natural and aesthetic resources within the County.

The Project site is located in a developed area and is currently developed with the Esperanza Village neighborhood retail center. The surrounding area is characterized by residential development and limited commercial uses along Esperanza Road, including a 76 gas station with a food mart, automotive tire store, and fast-food restaurant with drive-through. The County of Orange General Plan does not identify the presence of designated scenic vistas or significant landforms on the Project site or in the surrounding area. The City of Yorba Linda identifies views of the Puente Hills as a scenic vista. The Project site is not within the Puente Hills area nor are the Puente Hills visible from the Project site. The City of Anaheim considers natural slopes as the primary aesthetic resources in the Anaheim Hill and Canyon Area. The Project site is within the Anaheim Hills and Canyon Area. However, Project development would not impact views of the Anaheim Hills and Canyon Area because the Project site does not contain any natural slopes and is already within a developed urban environment Therefore, the Project would not have a substantial adverse effect on a scenic vista and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question b): No Impact. There are no State or County designated scenic highways in the immediate vicinity of the Project site.[2] The nearest officially designated State scenic highway is SR 91, which is approximately 0.4 mile to the south of the Project site. Project site elevation ranges from approximately 300 feet above mean sea level (msl) at the southerly portion of the site to 318 feet above msl at the northerly portion of the site. The portion of SR 91 designated as scenic highway is at an elevation of 315 to 320 feet above msl. The surrounding area toward Imperial Highway and La Palma, south of the Project site, contains existing development, street lighting, and mature landscaping. Due to the existing topography and intervening structures, the proposed Project would not be visible from SR 91. Further, the proposed townhomes maximum height of 35 feet combined with the existing intervening structures between the Project site and SR 91 are sufficient to block the view of the Project. The proposed Project would not impact scenic highway views. The Project site is currently paved and developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. No scenic resources (e.g., trees of significance, rock outcroppings, or historic buildings) exist on the site. Therefore, the proposed Project would not damage scenic resources within a State scenic highway. No mitigation measures are either required or recommended.

Response to Question c): Less than Significant Impact. The Project site is within an urbanized area in unincorporated Orange County. The site is developed as a commercial retail plaza, with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. Land uses proximate to the Project site are predominantly residential, although commercial and retail uses exist west and south of the Project site along Esperanza Road. Specifically, the Project site is bordered by Fairgreen Avenue and Fairgreen Homes multi-family residential development to the north, Fairlynn Boulevard to the east, a gas station with a food mart and Esperanza Road to the south, and a single-family residence, automotive repair use, a fast food retail with drive-through and Fairgreen Homes multi-family residential development to the west.

The Project would remove existing on-site improvements and construct 44 three-story townhomes at a density of 17 du/ac. The proposed townhomes would have a maximum height of 35 feet, which is consistent with the R4 “Suburban Multifamily " District maximum height limit of 35 feet.

The Orange County Codified Ordinances do not provide standards governing scenic quality. The County of Orange General Plan Transportation Element, Appendix IV-4 contains County designated viewscape and landscape corridors, as well as candidate corridors. The Scenic Highways Component of the Transportation Element provides preservation measures to assure scenic views. The County defines a viewscape corridor as a route with unique or unusual scenic resources and aesthetic values present. This designation is intended to minimize the impact of the highway and land development upon the significant scenic resources along the route. Landscape corridors are areas that have been designated for special treatment to provide a pleasant driving environment and community enhancement.

As previously noted, the nearest designated viewscape corridor is SR 91 from SR 55 to the Riverside County line is approximately 0.4 mile south of the Project site. There are no designated landscape corridors near the Project site. Therefore, the proposed Project would not conflict with zoning or other regulations governing scenic quality. The County would ensure compliance with all required development standards through the Orange County Public Works Development Services Division review during the application process and future review of building permits. Therefore, impacts would be less than significant and no mitigation measures are either required or recommended.

[2] California Department of Transportation. (2011). California Scenic Highways. Available at https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a. Accessed March 29, 2022 and July 21, 2023.

Response to Question d): Less than Significant Impact. The Project site is in an urbanized area with existing light sources, which include streetlights on Esperanza Road and Fairlynn Boulevard, residential lighting, and vehicle headlights and traffic signals. The existing 76 gas station with a food mart on the southwest corner of the intersection of Esperanza Road at Fairlynn Boulevard; the single-family residence, automotive repair use, and fast food retail with drive-thru west of the Project site; and street lighting also contribute to the existing lighting in the area.

No nighttime construction is proposed as part of the proposed Project and construction activities would be subject to Orange County Codified Ordinances Section 4-6-7(e) (Special Provisions of the County's Noise Control Ordinance), which restricts construction activities to between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and Saturdays. Therefore, the proposed Project would not require construction lighting, except security and safety lighting. When the proposed Project is operational, the proposed Project would generate lighting from two primary sources: lighting from residential building interiors that would pass through windows, and lighting from exterior sources (e.g., street lighting, parking area lighting, building illumination, security lighting, vehicle headlights, and landscape lighting). This proposed lighting is typical of lighting proposed for multiple-family residential developments. Further, the Project's proposed lighting would comply with Orange County Codified Ordinances Section 7-9-67, which requires all lighting to be designed and located so that direct rays are confined to the property. Compliance with Orange County Codified Ordinances Section 7-9-67 would ensure that Project implementation would avoid light spillage onto surrounding areas, and therefore would not create a new source of substantial light that would adversely affect day or nighttime views in the area.

In addition, Orange County Public Works Development Services would review any proposed lighting to ensure conformance with the California Building Code, Title 24 (California Code of Regulations), as well as the California Green Building Standard Code (Part 11 of Title 24, California Code of Regulations), such that only the minimum amount of lighting is used and no light spillage occurs. Although the proposed Project would introduce new light sources, the surrounding area is urban and already illuminated, including lighting associated with the existing Esperanza Village neighborhood retail center and adjacent gas station. The proposed lighting conditions would be similar to that currently used for other residential properties near the Project site, which would not cause adverse effects. Impacts would be less than significant and no mitigation is required. Sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials can cause reflected light (glare). Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. The Project does not propose use of materials known to cause glare, such as mirrored/reflective glass so impacts would be less than significant. No mitigation measures are either required or recommended.

4.2 Agriculture and Forestry Resources *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code 12220 (g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51004)g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☒

Response to Question a): No Impact. The Project site and surrounding area are in a developed urban environment. The State of California, Department of Conservation, Farmland Mapping and Monitoring Program, designates the Project site as Urban and Built-Up Land, which is defined as land developed at a density of at least one dwelling unit (du) per 1.5 acres, or approximately six structures to a 10-acre parcel. There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance on the Project site or in its vicinity.[3] In addition, the proposed Project would not convert any farmland to non-agricultural use, as the entire site is currently developed with three existing commercial buildings and a fully paved parking lot. No mitigation measures are either required or recommended.

Response to Question b): No Impact. The Project site is zoned C1(SR)(H), local business district with sign restrictions and housing opportunities overlay. The C1 "Local Business" zoning district allows for the development and maintenance of medium-intensity commercial uses serving the needs of both the surrounding neighborhood and the local community. The SR sign regulation establishes standards for the control of signs to protect natural landscapes, scenic corridors and highways. The housing opportunities

[3] California Important Farmland Finder, State of California Department of Conservation, https://maps.conservation.ca.gov/dlrp/ciff/, accessed March 16, 2022 and July 21, 2023.

overlay allows for the development of affordable rental housing within commercial and/or industrial districts.

The Project site is developed as the Esperanza Village retail center and is not currently an agriculture use. A Williamson Act contract between local governments and private landowners restricts specified parcels of land to agricultural or related open space use in return for a lower property tax assessment. The site is not under a Williamson Act contract. No mitigation measures are either required or recommended..

Response to Question c): No Impact. The Project site is zoned as C1(SR)(H), local business district with sign restrictions and housing opportunities overlay and is not zoned for forestland, timberland, or timberland zoned Timberland Production. Therefore, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production, and no impacts would result. No mitigation measures are either required or recommended.

Response to Question d): No Impact. The Project site is currently developed as the Esperanza Village retail center and does not involve agricultural, timber, or forestland resources. The proposed Project would not result in the loss of forestland or convert forestland to non-forest use, and no impacts would result. No mitigation measures are either required or recommended.

Response to Question e): No Impact. The Project site and surrounding area do not contain Farmland or forest land. Therefore, Project implementation would not directly or indirectly result in the conversion of property from agricultural or timberland uses to non-agricultural or non-forest land uses and no impact would occur. No mitigation measures are either required or recommended.

4.3 Air Quality *Would the Project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors affecting a substantial number of people?	☐	☐	☒	☐

An air quality analysis was prepared for the proposed Project by Kimley-Horn and Associates, Inc. (Kimley-Horn, 2022). The air quality modeling outputs and results are included in **Appendix A** of this Initial Study and the results are summarized herein. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC AQ-1 **Dust Control.** During construction, construction contractors shall comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 in order to minimize construction emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403 requires that fugitive dust be controlled with Best Available Control Measures so that the presence of such dust does not remain visible beyond the property line of the emission source. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 lists the Best Available Control Measures that are applicable to all construction projects. The measures include, but are not limited to, the following:

a. Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

b. All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.

c. All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

d. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

e. Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

SC AQ-2 **Architectural Coatings.** South Coast Air Quality Management District (SCAQMD) Rule 1113 requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce reactive organic gas (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories. Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on contractor specifications.

Response to Question a): Less Than Significant Impact. The Project site is in the South Coast Air Basin (Air Basin) which includes all of Orange County and the non-desert portions of Los Angeles, San Bernardino, and Riverside counties. The Air Basin is approximately 6,600 square miles extending from the Pacific Ocean to the San Gabriel, San Bernardino, and San Jacinto Mountains. The Air Basin is a coastal plain with broad valleys and low hills, and semi-arid climate. The South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) monitor air quality within the Air Basin.

The SCAQMD' Air Quality Management Plan (AQMP) is prepared by SCAQMD and the Southern California Association of Governments (SCAG). Air quality plans describe air pollution control strategies and measures to be implemented by a city, county, region, and/or air district. The primary purpose of an air quality plan is to bring an area that does not attain federal and State air quality standards into compliance with the requirements of the federal Clean Air Act and California Clean Air Act. Nonattainment is used to refer to an air basin where one or more federal or State ambient air quality standards are exceeded. In addition, air quality plans are developed to ensure that an area maintains a healthful level of air quality based on the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS).

The current plan is the 2016 AQMP adopted on March 3, 2017. The 2016 AQMP is designed to meet the State and federal Clean Air Act planning requirements and focuses on federal ozone and ultra-fine particulate matter ($PM_{2.5}$) standards. The SCAQMD's 2016 AQMP was prepared to accommodate growth; to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD; and to attain clean air within the region. Projects that are considered consistent with the AQMP would not interfere with attainment because the growth and emissions those projects represent is included in the projections used to formulate the AQMP and therefore already accounted for.

The SCAQMD's CEQA Handbook identifies two key indicators of consistency with the AQMP:

1. Whether a project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

2. Whether a project will exceed the assumptions in the AQMP based on the year of project buildout and phase.

With respect to the first criterion, based on the air quality modeling analysis conducted for the proposed Project, the construction and operation of the Project would not result in significant impacts based on the SCAQMD thresholds of significance (refer to Threshold[b], below for a discussion of the construction and operational modeling methodology, inputs, and results); therefore, Project construction and operation would not increase the frequency or severity of existing air quality violations. The proposed Project is not forecasted to contribute to the exceedance of any air pollutant concentration standards.

With respect to the second criterion, the Project site has a General Plan land use designation of Suburban Residential (1B) Communities and is zoned C1(SR)(H), local business district with sign restrictions and housing opportunities overlay. Pursuant to the Housing Accountability Act ([HAA] Government Code, Section 65589.5, subdivision (j)(4)), the Project would not require a zone change because the proposed Project is consistent with the applicable General Plan land use designation. The Project would not exceed the population and job growth projections for 1B(C1)(SR)(H) zoned properties in the County. Since the Project is consistent with the General Plan, the Project is therefore consistent with the growth assumptions SCAQMD used to develop the 2016 AQMP. The Project would not interfere with attainment because this growth is included in the projections used to formulate the AQMP. Additionally, the SCAQMD's CEQA Handbook indicates that significant projects may include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and offshore drilling facilities. The proposed Project is a residential in-fill development and not considered a significant project under the SCAQMD CEQA Handbook criteria. Therefore, the Project is also consistent with the second criterion.

SCAG forecasts are based on the General Plans of municipalities within the Air Basin. As addressed in the following analysis, total Project emissions are less than the SCAQMD significance thresholds. The emissions increase due to the Project would not interfere with the AQMP or the attainment of the State and federal ambient air quality standards. Therefore, emissions from the Project would not cause regional emissions to be greater than those anticipated in the AQMP.

The determination of AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Air Basin. The proposed Project would not result in a long-term impact on the region's ability to meet State and federal air quality standards. Also, the proposed Project would be consistent with the goals and policies of the AQMP for the control of fugitive dust as required by SCAQMD Rule 403 and Rule 402, as identified in Standard Condition (SC) AQ-1. Based on this criteria, the project would not conflict with or obstruct implementation of the AQMP and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question b) Less Than Significant Impact.

Construction Emissions. Air quality standards in Southern California are identified by both the U.S. Environmental Protection Agency (U.S. EPA) in the NAAQS and CARB in the California CAAQS. The air quality standards of the following five criteria pollutants relate to development projects: ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and particulate matter (PM_{10} and $PM_{2.5}$). Of these criteria pollutants, the Air Basin, in which the Project site lies, is designated as a

nonattainment area for O_3 and particulate matter (both PM_{10} and $PM_{2.5}$), meaning the Air Basin has recorded exceedances of the air quality standards for these pollutants in recent years.[4]

Construction activities associated with the proposed Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include ozone-precursor pollutants (i.e., reactive organic gases [ROG] and NO_X) and PM_{10} and $PM_{2.5}$. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

According to the SCAQMD, an air quality impact is considered significant if a proposed project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during Project construction and operations, as shown in **Table 4.3-1: South Coast Air Quality Management District Emissions Thresholds**.

Table 4.3-1: South Coast Air Quality Management District Emissions Thresholds

Criteria Air Pollutants and Precursors (Regional)	Average Daily Emission (pounds/day)	
	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO_X)	100	55
Sulfur Oxides (SO_X)	150	150
Coarse Particulates (PM_{10})	150	150
Fine Particulates ($PM_{2.5}$)	55	55

Source: South Coast Air Quality Management District, *CEQA Air Quality Handbook,* 1993 ($PM_{2.5}$ threshold adopted June 1, 2007).

This air quality impact analysis considers potential construction and operational impacts associated with the proposed Project. Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with proposed Project construction would generate emissions of criteria air pollutants and precursors. Air quality impacts were assessed according to CARB and SCAQMD recommended methodologies. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod) version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects.

The Project involves construction activities associated with demolition, site preparation, grading, construction, paving, and architectural coating applications. The Project would be constructed over approximately 18 months. Earthwork would require approximately 7,000 cubic yards (cy) of cut and 500 cy of fill on the Project site with 6,500 cy transported to the Olinda Alpha Landfill.

Construction equipment would include dozers, tractors, graders, scrapers, rollers, loaders, forklifts, concrete/industrial saws, cranes, and air compressors. Exhaust emission factors for typical diesel-powered heavy equipment are based on CalEEMod program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and

[4] A portion of the Air Basin in Los Angeles County is also designated a nonattainment basin for lead, which is not a criteria pollutant that is relevant to this Project, since air emissions of lead would not be generated by the Project.

types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or off the site.

In accordance with the SCAQMD Guidelines, CalEEMod was used to model construction emissions for ROG, NO_x, CO, SO_X, PM_{10}, and $PM_{2.5}$. Nitrogen oxides (NO_X) are a family of highly reactive gases that are a primary precursor to the formation of ground-level O_3 and react in the atmosphere to form acid rain. NO_2 (often used interchangeably with NO_x) is a reddish-brown gas that can cause breathing difficulties at high levels. Peak readings of NO_2 occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). Sulfur oxides (SO_x) belong to the family of sulfur oxide gases that are formed when fuel containing sulfur from coal and oil are burned and during industrial metal smelting processes. SO_2 contributes to respiratory illness, particularly in children and the elderly, and aggravates existing heart and lung diseases.

CalEEMod allows the user to input measures that are part of a given project which may impact the concentration or production of certain pollutants, such as watering the construction area to limit fugitive dust. Standard conditions that were input into CalEEMod allow for certain reduction credits (i.e., compliance with SCAQMD rules) that result in a decrease of pollutant emissions. Reduction credits are based upon studies developed by CARB, SCAQMD, and other air quality management districts throughout California, and were programmed within CalEEMod. **Table 4.3-2: Construction Emissions** identifies the anticipated daily short-term construction emissions and assumes reductions shown in CalEEMod associated with SC AQ-1 (Dust Control) and SC AQ-2 (Architectural Coatings). Impacts would be less than significant for all criteria pollutants during construction. The Project would be required to adhere to SCAQMD Rules 403 and 402 (SC AQ-1) to reduce PM_{10} and $PM_{2.5}$ emissions resulting from fugitive dust, and Rule 1113 as part of SC AQ-2 to reduce ROG emissions.

As shown in the table, emissions from the proposed Project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$. Project construction emissions would be less than significant.

Table 4.3-2: Construction Emissions

	Pollutant (pounds per day) [a]					
Emissions Source	**ROG**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Construction: 2024	1.76	15.76	15.77	0.03	3.58	2.06
Construction: 2025	12.41	13.74	17.67	0.04	1.26	0.70
SCAQMD Threshold	*75*	*100*	*550*	*150*	*150*	*55*
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

ROG: reactive organic gases; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter.

a. Emissions were calculated using the California Emissions Estimator Model (CalEEMod version 2020.4.0), as recommended by the SCAQMD. Refer to Appendix A.

Source: Kimley-Horn, 2022.

Operational Emissions. Project-generated emissions would be associated with motor vehicle use, energy, and area sources, such as the use of landscape maintenance equipment and future maintenance activities (e.g., architectural coatings). Long-term operational emissions attributable to the proposed Project are summarized in **Table 4.3-3: Operational Emissions**.

Mobile and stationary (area and energy) source operational emissions would result from normal daily activities on the Project site after occupancy. Mobile source emissions would be generated by the motor

vehicles traveling to and from the Project site. Area source emissions would be generated due to an increased demand for consumer products, future architectural coating, and landscaping. Energy source emissions would be generated as a result of electricity and natural gas (non-hearth) usage associated with the proposed Project. The primary use of electricity and natural gas by the Project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. As shown in **Table 4.3-3: Operational Emissions**, emissions from the proposed Project would not exceed SCAQMD thresholds for ROG, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$. Project operational emissions would be less than significant.

Table 4.3-3: Operational Emissions

	Pollutant (pounds per day) [a]					
Emissions Source	**ROG**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Area Source	1.80	0.66	3.89	0.00	0.07	0.07
Energy Use	0.02	0.18	0.08	0.00	0.01	0.01
Mobile Source	0.83	0.89	8.40	0.02	2.29	0.62
Total	**2.65**	**1.73**	**12.37**	**0.02**	**2.37**	**0.70**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

ROG: reactive organic gases; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: particulate matter 10 microns or less in diameter; PM2.5: particulate matter 2.5 microns or less in diameter.

a. Emissions were calculated using the California Emissions Estimator Model (CalEEMod version 2020.4.0), as recommended by the SCAQMD.

Source: Kimley-Horn, 2022.

A significant impact to air quality occurs if a project would result in a cumulatively considerable net increase of any criteria pollutant for which the region is nonattainment under an applicable NAAQS or CAAQS (including releasing emissions which exceed quantitative thresholds for ozone precursors). Ozone precursors include ROG and NO_X. The Air Basin is in nonattainment for ozone (State and federal), PM_{10} (State), $PM_{2.5}$ (State and federal), and lead (federal, partial nonattainment in a portion of Los Angeles County). To determine whether a project would result in a cumulatively considerable increase in nonattainment criteria pollutants or exceed the quantitative thresholds for ozone precursors, a project's emissions may be evaluated based on the quantitative emission thresholds established by the SCAQMD in its CEQA Air Quality Handbook (SCAQMD 1993, as amended). SCAQMD has established quantitative thresholds against which a project's emissions can be evaluated to determine if there is a potential for a significant impact. In the event direct impacts from a project are less than significant, a project may still have a cumulatively considerable impact on air quality if the emissions from a project, in combination with the emissions from other proposed, or reasonably foreseeable future projects are in excess of screening levels, and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions.

As previously addressed, the proposed Project would not result in significant construction or operational air quality impacts including criteria pollutants for which the Air Basin is in nonattainment. In addition, there are no known cumulative development projects in the Project vicinity that would cumulatively contribute to the Project's emissions. The Project's air quality emissions fall below SCAQMD thresholds. The Project's emissions are therefore not cumulatively considerable. Therefore, the Project would not result in significant construction or operation air quality impacts, the Project would not contribute to cumulative air quality impacts.

With respect to the proposed Project's construction-period air quality emissions and cumulative Air Basin conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions that are outlined in the AQMP pursuant to the federal Clean Air Act mandates. As part of the Standard Conditions, the Project would comply with SCAQMD's Rule 403 (see SC AQ-1). Rule 403 requires that fugitive dust is controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of a project site. Other projects in the in the Air Basin are also required to comply with SCAQMD rules and mandates (i.e., Rule 403 compliance, implementation of all feasible measures, and compliance with adopted AQMP emissions control measures). Further, projects in the Air Basin must also comply with the CEQA requirement that significant impacts on the environment be mitigated to the extent feasible, which also addresses and ensures that cumulative air quality impacts are addressed and minimized. Compliance with SCAQMD rules and regulations would preclude significant construction-related impacts from any individual project. Therefore, project-related construction emissions, in combination with those from other projects in the Air Basin, would not substantially deteriorate the local air quality.

As previously discussed, the proposed Project would not result in long-term air quality impacts and emissions would not exceed SCAQMD operational thresholds. Additionally, adherence to SCAQMD rules and regulations (SC AQ-1 and SC AQ-2) would alleviate potential cumulative impacts by decreasing individual project emissions on a project-by-project basis. Emission reduction technology, strategies, and plans are constantly being developed, which would help further reduce future emissions. As a result, the proposed Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question c): Less Than Significant Impact. A significant impact may occur when a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large. Exposure of sensitive receptors is addressed for the following: CO hotspots; localized emissions concentrations, and toxic air contaminants (TACs, specifically diesel PM) from on-site construction.

Carbon Monoxide Hot Spots. An analysis of CO "hot spots" is needed to determine whether the change in the level of service (LOS) of an intersection as a result of the proposed Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The Air Basin was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD *CO Hotspot Analysis*, the Wilshire Boulevard/Veteran Avenue intersection in the City of Los Angeles, one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm federal standard. The proposed Project considered herein would not produce the volume of traffic required to generate a CO hot spot of the kind studied in SCAQMD's *CO Hotspot Analysis*. Even the Wilshire Boulevard/Veteran Avenue intersection,

which accommodates 100,000 ADT, did not generate a CO hot spot. Therefore, it can be reasonably inferred that CO hotspots would not be experienced at any intersections proximate to the Project site resulting from the generation of 317 daily trips (22 morning peak hour and 25 evening peak hour trips) and a net loss of 731 daily trips compared to existing conditions. Localized air quality impacts related to mobile-source emissions would therefore be less than significant. No mitigation measures are either required or recommended.

Localized Significance Threshold Analysis

Localized Significance Analysis. The Localized Significance Threshold (LST) Methodology provides a look-up table for construction and operational emissions based on the emission rate, location, and distance from receptors, and provides a methodology for air dispersion modeling to evaluate whether a construction or operation could cause an exceedance of an ambient air quality standard. The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-Up Tables and the methodology described in *Localized Significance Threshold Methodology* (SCAQMD, revised July 2008) to determine if the daily emissions of CO, NO_x, PM_{10}, and $PM_{2.5}$, from the Project would result in a significant impact to local air quality. Construction emissions were compared to the SCAQMD's screening thresholds. Project implementation would require approximately 7,000 cy of cut and 500 cy of fill on the site. The nearest sensitive receptors include the Fairgreen Homes multi-family residences 45 feet to the west and 50 feet to the north, and the single-family residence (19741 Esperanza Road) 45 feet to the west. Residences within the Woodgate multi-family development are 80 feet to the east (east of Fairlynn Avenue).

As shown in **Table 4.3-4: Localized Significance of Construction and Operational Emissions**, construction and operational emissions would not exceed SCAQMD LSTs. Therefore, the Project would not result in significant localized construction or operational emissions. No mitigation measures are either required or recommended.

Table 4.3-4: Localized Significance of Construction and Operational Emissions

	Pollutant (pounds per day)			
Emission Source	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Construction – 2024	15.76	15.77	3.58	2.06
Construction – 2025	13.74	17.67	1.26	0.70
***SCAQMD Localized Significance Threshold* (3.5 acres of disturbance at 25 meters)**	***184***	***1,037***	***9***	***5***
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**
Operation – 2025 (Area + Energy)	0.85	3.97	0.09	0.09
***SCAQMD Localized Significance Threshold* (2.5 acres at 25 meters)**	***159***	***854***	***2***	***1***
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**

NO_x: nitrogen oxides; CO: carbon monoxide; SO_x: sulfur oxides; PM_{10}: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter.
Notes: SCAQMD Rule 403 Fugitive Dust applied. Refer to Appendix A for model data outputs.
Source: CalEEMod version 2020.4.0.
Source: Kimley-Horn, 2022.

Toxic Air Contaminants: Construction

Construction would result in the generation of diesel particulate matter (diesel PM) emissions from the use of off-road diesel equipment required for grading and excavation, paving, and other construction

activities. The amount to which nearby sensitive receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to toxic air contaminant emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities.

Additionally, construction activities would occur in an area of less than five acres. In general, construction of project sites of such size represent less than significant health risk impacts due to (1) limitations on the off-road diesel equipment able to operate and thus a reduced amount of generated diesel PM; (2) the reduced amount of dust-generating ground disturbance possible compared to larger construction sites; and (3) the reduced duration of construction activities compared to the development of larger sites. Additionally, construction is subject to and would comply with California regulations (CARB's In-Use Off-Road Diesel Rule) limiting the idling of heavy-duty construction equipment to no more than five minutes which would further reduce nearby sensitive receptors' exposure to temporary and variable diesel PM emissions. Therefore, diesel PM generated by construction activities would not be expected to expose sensitive receptors to substantial amounts of air toxics. Impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question d): Less Than Significant Impact. The SCAQMD CEQA Air Quality Handbook (SCAQMD, 1993) identifies certain land uses as sources of odors. These land uses include agriculture, wastewater treatment plant, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Project is a residential development and does not propose to include any odor-inducing uses on the site.

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). By the time such emissions reach any sensitive receptor sites (45 feet or more) away from the Project site, odors would be diluted to below any actionable level of air quality concern. Further, these odors are a temporary short-term impact and would disperse rapidly. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources and therefore, impacts would be less than significant. No mitigation measures are either required or recommended.

4.4 Biological Resources *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Mitigation Measures that are applicable to the Project are provided below.

MM BIO-1 **Nesting Migratory Birds.** In the event grubbing, brushing, or tree removal are conducted during the State identified nesting season for migratory birds (i.e., typically March 15

through September 1), a Pre-Construction Nesting Bird Survey on the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

MM BIO-2 **Protected Trees.** Prior to the issuance of demolition permits, an Arborist Report shall be submitted to the County for review to evaluate whether existing trees on-site meet the qualifications of Protected Trees as defined by County of Orange Codified Ordinances Section 7-9-69.2.

If existing trees are found to be considered "Protected Trees" as defined by the ordinance, a Tree Preservation Permit Application shall be required and submitted to OC Development Services prior to the removal of any Protected Tree or prior to any encroachment into the Tree Protection Zone. The Tree Preservation Permit Application shall include an explanation of why removal or encroachment is necessary and more desirable than alternative Project designs, potential landscaping plans demonstrating how Protected Trees will be shielded during construction, or if removal is necessary, a Tree Preservation Management Plan prepared by an Arborist. In the event that trees need to be removed and a Tree Preservation Management Plan is prepared, there are three options for tree replacement: on-site replacement, off-site replacement or the payment of an in-lieu fee into a Tree Preservation Fund.

Prior to final inspection for OC Development Services, closure of building or grading permit, and issuance of a Certificate of Use and Occupancy, the Applicant shall submit a Tree Replacement Installation Certification and record a Tree Preservation Covenant against the property.

Response to Question a): No Impact. The Project site is currently developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping including mature trees. Surrounding land uses include Fairgreen Avenue and Fairgreen Homes multi-family residential development to the north; Fairlynn Boulevard to the east; a gas station with a food mart and Esperanza Road to the south; and one single-family residence, automotive repair use, and Fairgreen Homes multi-family residential development to the west. No natural habitats are present on the Project site or these abutting uses, and only landscaping (i.e., ornamental vegetation) is present. Additionally, the Project site designated as "Developed, Medium Intensity" by the California Department Fish and Wildlife (CDFW) National Land Cover Database (2016)[5], which do not support habitat for native species in the area.. Due to the lack of suitable habitat (proximity to the BNSF rail line south of Esperanza Road, vehicular traffic noise on surrounding roadways, limited ornamental landscaping on the site), there is no reasonable potential that any candidate, sensitive, or special status plant or animal species, as identified in local or regional plans, policies or regulations or by the CDFW or USFWS, exist on the Project site. Therefore, no impacts are anticipated. No mitigation measures are either required or recommended.

Response to Questions b: No Impact. The Project site is designated as "Developed, Medium Intensity" by the CDFW, and does not support riparian, wetland, or sensitive or natural habitats since the Project site

[5] California Department of Fish and Wildlife, 2016, National Land Cover Database, Available at https://apps.wildlife.ca.gov/bios6/, accessed on July 21, 2023.

is developed with a neighborhood shopping center with no water resources.[6] There are no riparian habitats nor federally protected wetlands or resources on or proximate to the Project site.[7] Land uses near the Project site include Fairgreen Avenue and Fairgreen Homes multi-family residential development to the north, Fairlynn Boulevard to the east, a gas station with a food mart, Esperanza Road, and railroad tracks to the south, and a single-family residence, automotive repair use, and Fairgreen Homes multi-family residential development to the west. No sensitive, natural habitats are present on these areas abutting uses. Based on review of the existing and abutting site conditions, no sensitive or natural communities, riparian habitat or other sensitive natural communities, or wetlands are present on or adjacent to the Project site. Therefore, the Project would not have an adverse effect on any riparian habitat or other sensitive natural community, or wetlands. No mitigation measures are either required or recommended.

Response to Question c): No Impact. The Project site is in an urban area, bordered by residential and commercial development, roadways, and a rail line. There are no natural water bodies on the site. Therefore, Project implementation would not have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impact would occur. No mitigation measures are either required or recommended.

Response to Question d): Less than Significant Impact with Mitigation Incorporated. Wildlife movement corridors are physical terrestrial connections that allow wildlife to move between areas of suitable habitat in both undisturbed and fragmented landscapes. The Pacific Flyway, which is a major north-south route for avian species travel between North and South America, is also considered a migratory corridor. Stop over sites along the Pacific Flyway provide food supplies and nesting opportunities. These stopover sites are typically wetlands and large bodies of water (e.g., Salton Sea). Because the Project site contains ornamental landscaping and no wetlands, it would not be considered a stopover site on the Pacific Flyway. The Project site and surrounding properties are developed with commercial and residential uses. Additionally, the Project site is identified as developed land by CDFW databases and surrounding areas do not support natural communities. The proposed Project would remove several large trees on the Project site that have the potential to support nesting migratory birds that are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). Mitigation Measure BIO-1 (MM BIO-1) requires a pre-construction nesting bird survey and construction scheduling to ensure compliance with the MBTA and CFGC. Potential impacts to nesting migratory birds would be mitigated to a less than significant level.

Response to Question e): Less than Significant Impact with Mitigation Incorporated. As a part of the Project, all existing trees will be removed. Orange County Codified Ordinances Section 7-9-69, Tree Preservation Ordinance, requires that preservation of protected trees. To comply with the Tree Preservation Ordinance, MM BIO-2 requires preparation of an arborist report prior to the issuance of demolition permits to determine if any existing on-site trees meet the requirements of protected status. If on-site trees meet the definition of protected status, the Applicant would be required to complete a Tree Preservation Management Plan if removal is necessary, which details the options for tree replacement (on-site replacement, off-site replacement, or the payment of an in-lieu fee into a Tree

[6] CDFW, Indicator-Land Cover, available at https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=494737, accessed on April 25, 2022 and July 24, 2023.

[7] USFWS, National Wetlands Inventory, available at https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper, accessed on March 24, 2022 and July 21, 2023.

Preservation Fund). Implementation of MM BIO-2 would reduce potential impacts to a less than significant level.

Response to Question f): No Impact. The Project site is within the Orange County Transportation Authority (OCTA) Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP), which covers Orange County in its entirety, inclusive of the Project site. However, the Project site is identified as a developed area, and not identified as a core habitat area or priority conservation area. Although the Project site is within the OCTA NCCP/HCP, the Project site and surroundings are not identified as an area for conservation. Therefore, Project implementation would not conflict with an adopted HCP or NCCP and no impact would occur. No mitigation measures are either required or recommended.

4.5 Cultural Resources *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

A cultural record search prepared for the proposed Project by the California Historical Resources Information System (CHRIS) South Central Coast Information Center (SCCIC) at California State University, Fullerton is provided as **Appendix B** of this Initial Study and the results are summarized herein. Mitigation Measures that are applicable to the Project are provided below.

MM CUL-1 Prior to issuance of any permit for ground-disturbing activities, the Applicant shall provide evidence to the County of Orange Development Services that a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), has been retained. The selection of the qualified professional(s) shall be subject to the County's acceptance. In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during project excavation and grading activities, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and determine the appropriate course of action in consultation with the County. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to CEQA Guidelines Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

Response to Question a): No Impact. Historic resources are defined as buildings, structures, objects, sites, and districts of significance in history, archaeology, architecture, and culture. These resources include intact structures of any type that are 50 years or more of age (14 CCR §4852(d)(2)). These resources are sometimes called the "built environment" and can include, in addition to houses, other structures such as irrigation works and engineering features. Historical resources are preserved because they provide a link to a region's past as well as a frame of reference for a community.

CEQA Guidelines Section 15064.5 defines "historic resources" as resources listed in the California Register of Historical Resources, or determined to be eligible by the California Historical Resources Commission for listing in the California Register of Historical Resources.[8] Generally, a resource is considered to be "historically significant" if the resource meets the criteria for listing on the CRHR (Public Resources Code 5024.1, Title 14, Section 4852) including the following: a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; b) Is associated

[8] California Public Resources Code Section 5020.1(k), Section 5024.1(g).

with the lives of persons important in our past; c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or d) Has yielded, or may be likely to yield, information important in prehistory or history.

The Project site was constructed in 1965 and 1977[9] with neighborhood commercial uses. The property is not directly associated with the founding of the County and is one of many examples of retail centers found throughout Southern California. The property was not associated with any events that have made a significant contribution to the broad patterns of history on the local, State, or national level. None of the known occupants or owners of the property appear to be historically significant individuals. It does not have character-defining features of a particular architectural style. The retail center is a common property type that do not have the potential to provide information about history or prehistory that is not available through historic research. The buildings are not listed in, or determined to be eligible for listing, in the CRHR; is not included in a local register (the map of Orange County Historic Sites compiled by Preserve Orange County shows that the Project site is not included on any County historic preservation lists)[10] or identified as significant in an historical resource; nor is it determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. The existing retail shopping center does not meet any of the criteria for listing per CEQA Guidelines Section 15064.5(a)(3)(A-D). Therefore, no impacts would occur. No mitigation measures are either required or recommended.

Response to Question b): Less than Significant Impact with Mitigation Incorporated. A cultural resource records search was conducted at the CHRIS-SCCIC at the California State University, Fullerton. The records search included a review of all recorded historical resources and archaeological sites within a half-mile radius of the Project site as well as a review of cultural resource reports and historic topographic maps on file. The CHRIS search also included a review of NRHP, the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources. The record search did not identify any historical buildings or archaeological resources on the Project site. However, there have been 16 studies and resources documented within a half-mile radius of the Project site. Based upon the known archaeological sensitivity in the surrounding area, buried prehistoric or historic cultural resources may be present. Notwithstanding the low potential for presence of buried resources, Project construction would include limited excavation (utility trenching would be up to 9 feet in depth with an average excavation depth across the site of 2.5 feet). Therefore, while low, there is the potential for the Project to result in an adverse change in the significance of a previously unknown archaeological resource. The Project would be subject to compliance with MM CUL-1, which requires retention of a qualified professional and outlines procedures in the event of accidental discovery of previously unidentified cultural resources. If resources are found, the contractor shall temporarily halt or redirect work within a certain radius and contact the qualified professional to evaluate the resource. If resources are significant, the qualified professional would determine appropriate actions, in cooperation with the County. Compliance with MM CUL-1 would reduce potential impacts to a less than significant level.

Response to Question c): Less than Significant Impact. No dedicated cemeteries are on or adjacent to the Project site. Given the extent of on-site disturbances from previous development, there is low potential for the Project's ground-disturbing activities to encounter human remains. In the unlikely event that

[9] Phase I Environmental Site Assessment. Partner Engineering (2020).

[10] Preserve Orange County was founded in 2016 by a group of County residents who identified a need for a central organization concerned with historic preservation in the whole county. The map of Orange County Historic Sites can be accessed here: https://www.preserveorangecounty.org/interactive-map.

previously unknown human remains are discovered during the Project's ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur.

If human remains are found, those remains would require proper treatment in accordance with applicable laws, including State of California Health and Safety Code (HSC) Sections 7050.5 through 7055 and Public Resources Code (PRC) Section 5097.98 and Section 5097.99. HSC Sections 7050.5 through 7055 describe the general provisions for treatment of human remains. Specifically, HSC Section 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC Section 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by State law, the proposed Project would implement the procedures set forth in PRC Section 5087.98, including evaluation by the County Coroner and notification of the State of California Native American Heritage Commission (NAHC). The NAHC would designate the "Most Likely Descendent" of the unearthed human remains if they are of Native American origin. If excavation results in the discovery of human remains, the proposed Project would halt excavation near the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., HSC §§7050.5-7055 and PRC §5097.98 and §5097.99), the Project's potential impacts concerning human remains would be less than significant. No mitigation measures are either required or recommended.

4.6 Energy *Would the Project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

An energy analysis was prepared for the proposed Project by Kimley-Horn and Associates, Inc. (Kimley-Horn, 2022). The energy modeling outputs and results are included in **Appendix A** of this Initial Study and the results are summarized herein.

Response to Impact Question a): Less Than Significant Impact.

Electricity. Southern California Edison (SCE) provides electricity to the area including the Project site. The Project is expected to use 221,770 kilowatt hours per year (KWh/year) based on information provided by the Applicant.[11] According to the California Energy Commission, the total electricity usage for Orange County was approximately 18,931.84 gigawatt hours (GWh) in 2021.[12] The Project's increase in electricity demand would represent an insignificant percent increase (less than one percent) compared to overall consumption in Orange County. Therefore, forecasted electrical demand would not significantly affect SCE's level of service.

The Project would be required to comply with the most current Building Energy Efficiency Standards. The 2022 Energy Code was adopted by the California Energy Commission (CEC) on August 11, 2021. Buildings whose permit applications are submitted on or after January 1, 2023, must comply with the 2022 Energy Code. Prior to issuance of a building permit, the Orange County Public Works Department would review and verify that Project plans demonstrate compliance with the current version of the Building Energy Efficiency Standards. The Project would also be required adhere to the provisions of CALGreen, which establishes planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. Project development would not interfere with achievement of the 60 percent Renewable Portfolio Standard set forth in Senate Bill (SB) 100 for 2030 or the 100 percent standard for 2045. These goals apply to SCE and other electricity retailers and not to individual end-users of electricity, such as the proposed Project. As electricity retailers reach these goals, emissions from end-user electricity use would decrease from current emission estimates. The Project would result in a less than significant impact regarding electricity. No mitigation measures are either required or recommended.

Natural Gas. Southern California Gas Company (SoCalGas) provides natural gas service to the area. The Project is estimated to use approximately 726,239 kilo-British thermal unit (KBtu/year) in natural gas.[13]

[11] Based on the CalEEMod outputs provided in Appendix A.
[12] California Energy Commission, Orange County Electricity Consumption, 2021, available at: http://ecdms.energy.ca.gov/elecbycounty.aspx.
[13] Based on the CalEEMod outputs provided in Appendix A.

The total natural gas consumption for Orange County was approximately 580,187,556 therms/ 94,632,076,000 kBTU in 2020.[14,15] According to 2022 California Gas Report, from 2027 to 2035, statewide annual gas requirements will decline from 4,026 million cubic feet per day (MMcf/d) to 3,711 MMcf/d, while supplies remain constant.[16] Therefore, the Project's natural gas demand would represent a nominal percentage (less than one percent) of overall demand in the County and State and a similarly nominal increase in demand, and the Project would result in a less than significant impact regarding natural gas. No mitigation measures are either required or recommended.

Fuel. During the short-term construction period, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would be associated with the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and gasoline. The Project is projected to use 7,078 gallons of gasoline and 36,847 of diesel fuel, which would increase the County's overall fuel consumption by less than one percent. Most construction equipment during demolition and grading would be gas-powered or diesel-powered; however, the later construction phases would require electricity-powered equipment. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would be less than significant.

During long-term operations, fuel consumption would be associated with resident activities such as vehicle trips. The Project would result in approximately 317 daily trips, which would be approximately 731 fewer daily trips when compared to existing conditions because the site is currently used for commercial purposes. Based on the daily trip generation data from the Project's VMT assessment, the Project is estimated to consume approximately 50,629 gallons of gasoline and 876 gallons of diesel fuel annually, which represents an increase of less than one percent compared to Countywide fuel consumption.[17] Further, as a result of numerous statewide fuel efficiency programs (e.g., Heavy Truck and Buse Rule, Clean Transportation Incentive Program, Advanced Clean Truck Regulation, and Corporate Average Fuel Economy standards) vehicle fuel efficiency is expected to increase as electric and hybrid vehicles are becoming more commonplace and more likely to become a larger part of future fleet mixes, which will lower the demand for gasoline or diesel fuel.

There is an existing transit stop on Esperanza Road, approximately 500 feet east of the Project site, which is part of the OCTA Route 30 line. The Project site's proximity to transit would reduce the need to drive. The surrounding areas are highly urbanized with numerous gasoline fuel facilities and infrastructure. Consequently, the proposed Project would not result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. As previously addressed, existing rules and regulations concerning vehicle fuel consumption efficiencies would ensure that vehicle trips generated by the proposed Project would not be considered as inefficient, wasteful, or unnecessary. Therefore, the proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources and impacts are less than significant. No mitigation measures are either required or recommended.

Response to Impact Question b): Less Than Significant Impact. Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Project development would not cause inefficient, wasteful, and unnecessary energy

[14] Gas Consumption by County, *California Energy Commission,* http://ecdms.energy.ca.gov/gasbycounty.aspx, accessed April 27, 2022 and July 21, 2023.
[15] One therm = 100 kBTU
[16] California Gas and Electric Utilities, *2022 California Gas Report*, 2027-2035 Table 6, accessed July 21, 2023.
[17] Based on fuel consumption factors from the CARB EMFAC2017 model.

consumption, and no adverse impact would occur. The County of Orange does not have a local plan for renewable energy or energy efficiency. However, State plans for renewable energy and energy efficiency include the California Public Utilities Commission (CPUC) Energy Efficiency Strategic Plan, the California Building Energy Efficiency Standards (Title 24), and the California Green Building Standards (CALGreen standards). The Project would be required to comply with Title 24 and CALGreen standards. Compliance with the Title 24 standards and CALGreen standards would ensure the Project incorporates energy-efficient windows, insulation, lighting, ventilation systems, water-efficient fixtures, and other energy-efficient features. Further, CALGreen requires applicable projects to recycle and/or salvage for reuse a minimum 65 percent of the nonhazardous construction and demolition waste. Adherence to the CPUC's energy requirements, as well as the most current Title 24 and CALGreen standards would ensure conformance with the State's goal of promoting energy efficiency and renewable energy. Therefore, the proposed Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and impacts are less than significant. No mitigation measures are either required or recommended.

4.7 Geology and Soils *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the 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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Analysis in this section is based on the *Preliminary Geotechnical Investigation for the Proposed Residential Development 6821 Fairlynn Boulevard, Yorba Linda, California* (Geocon West Inc., November 2020) conducted for the Project site. These reports are provided as **Appendix C** of this Initial Study. Paleontological record search results are included as **Appendix D**. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC GEO-1 Prior to the issuance of any grading permit, the Applicant shall provide written evidence to the Manager, Subdivision and Grading, that Applicant has retained a County certified paleontologist to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the Applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the Applicant, which ensure proper exploration and/or salvage.

Prior to the release of the grading bond the Applicant shall submit the paleontologist's follow up report for approval by the Manager, HBP/Coastal and Historical Facilities. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. Applicant shall prepare excavated material to the point of identification. The Applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the HBP/Coastal and Historical Facilities. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee, all in a manner meeting the approval of the Manager, HBP/Coastal and Historical Facilities.

The Mitigation Measures that are applicable to the Project are provided below.

MM GEO-1 Prior to approval grading plans, the Applicant shall demonstrate, to the satisfaction of the County of Orange Manager, Building and Safety, that the recommendations in the *Geotechnical Investigation for the Proposed Residential Development 6821 Fairlynn Boulevard, Yorba Linda, California* (dated November 20, 2020, and prepared by Geocon West, Inc) and in any future geotechnical reports have been fully and appropriately incorporated.

Response to Impact Question a-*i*): No Impact. The Project site does not lie within an "Earthquake Fault Zone" as defined by the State of California on the most recent Alquist-Priolo Earthquake Fault Zoning Map.[18] There are no known faults that pass directly beneath the site. Therefore, the Project would not directly, or indirectly, cause potential substantial adverse effects involving rupture of a known earthquake fault and no impact would occur. No mitigation measures are either required or recommended.

Response to Impact Question a-*ii*): Less Than Significant Impact with Mitigation Incorporated. The County, as well as most of Southern California, is located in a region of historic seismic activity. The Project site has experienced earthquakes from various regional faults. The closest active fault to the Project site

[18] Earthquake Zones of Required Investigation, California Geological Survey, https://maps.conservation.ca.gov/cgs/EQZApp/app/, accessed March 23, 2022 and July 21, 2023.

is the Whittier Fault located approximately 2.7 miles to the northeast. Other nearby active faults include the Chino Fault, the Elsinore Fault Zone, the Newport-Inglewood Fault Zone, the Duarte Fault, and the Cucamonga Fault located approximately 8 miles northeast, 8.5 miles east, 17.5 miles southwest, 19.5 miles north-northwest, and 20 miles north-northeast of the site, respectively. The active San Andreas Fault Zone is approximately 33 miles northeast of the site. Therefore, the Project site is likely to be subject to strong seismic ground shaking in the event of an earthquake.

The proposed Project would be required to comply with local and State regulatory standards that address seismic hazards and building design. Pursuant to Orange County Codified Ordinances Article 2. – Buildings and Structures, the County has adopted the 2022 California Building Code and the International Building Code, 2021 Edition, including standards that address seismic resistance. The Project would be required to comply with all applicable Orange County Codified Ordinances (and adopted California Building Code and International Building Code), including design requirements that mitigate the effects of potential earthquake hazards. Further, the geotechnical report prepared for the Project examined various geologic and seismic hazards based on site-specific parameters, field exploration, laboratory testing, and data analysis, and concludes that the Project appears feasible from a geotechnical standpoint. [19] MM GEO-1 requires compliance with all design recommendations from the Preliminary Geotechnical Investigation (Geocon West Inc., 2020) to reduce potential impacts related to strong seismic ground shaking. Compliance with the regulatory framework and implementation of MM GEO-1 would reduce impacts to a less than significant level.

Response to Impact Question a-*iii*): Less Than Significant Impact with Mitigation Incorporated. Liquefaction is a phenomenon that occurs when earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. According to the California Geological Survey's Earthquake Zones of Required Investigation Map, the Project site is not located within a liquefaction zone. However, the site is adjacent to identified liquefaction hazard areas approximately 0.02 mile to the south and 0.6 mile to the west.[20]

The Preliminary Geotechnical Investigation noted that the Project site is underlain by Pleistocene age alluvial deposits that are hard or dense at a depth of approximately 4 to 10 feet beneath the existing ground surface. For liquefaction to occur, free groundwater must exist in the sediment, a condition that does not exist at the Project site. Based on these considerations, liquefaction potential at the Project site is low. MM-GEO-1 requires the Applicant to demonstrate that the recommendations in the Geotechnical Investigation, including those related to liquefaction risks, are fully and adequately incorporated into the Project. Compliance with the local and State regulatory standards and MM GEO-1 ensures that the Project would not result in potential substantial adverse effects related to liquefaction. Impacts would be less than significant with mitigation.

Response to Impact Question a-*iv*): Less Than Significant Impact with Mitigation Incorporated. Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. The Project site slopes gently to the south and is bordered by urban development. The California Geological Survey's Earthquake Zones of Required Investigation Map does not identify the Project site as being within a landslide hazard zone; the nearest landslide zone is approximately 0.2 mile north of the Project site.[21] Although the Project site

[19] Ibid.
[20] Earthquake Zones of Required Investigation, California Geological Survey, https://maps.conservation.ca.gov/cgs/EQZApp/app/, accessed March 24, 2022 and July 21, 2023.
[21] Ibid.

is not within a landslide zone, the surrounding area is identified as a risk for landslides. Compliance with local and State regulatory standards, such as the California Building Code, and implementation of landslide-related recommendations per MM GEO-1, would reduce the potential for landslide impacts to a less than significant level.

Response to Impact Question b): Less Than Significant Impact. The Project site is fully developed with the three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. During construction activities, temporary soil erosion may occur due to soil disturbance and the removal of impervious surfaces. Further, soil erosion due to rainfall and wind may occur if unprotected soils are exposed and/or left exposed during construction during a rain event or windy conditions. Since the Project site is more than one acre, the Project would be subject to compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, and all subsequent amendments). The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of land area. The NPDES permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management Practices (BMPs) that meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, while sediment-control BMPs are designed to trap sediment once it has been mobilized. Orange County Codified Ordinances Article 8 – Orange County Grading and Excavation Code contains provisions for controlling erosion and sediment impacts from development projects. Therefore, compliance with NPDES General Construction Permit requirements and Orange County Codified Ordinances Article 8 would reduce potential construction impacts related to soil erosion to less than significant levels. No mitigation measures are either required or recommended.

Response to Impact Question c): Less Than Significant Impact with Mitigation Incorporated. As discussed in Impact Responses a-ii and a-iii, the Project site would not be subject to seismically-induced liquefaction or landslides. The Preliminary Geotechnical Investigation noted that the Project site is not located within an area of known ground subsidence. No known large-scale extraction of groundwater, gas, oil, or geothermal energy is occurring or planned at the site or in the general site vicinity. Therefore, there is no potential for ground subsidence due to withdrawal of fluids or gases at the site. Further, the proposed Project would be subject to compliance with the California Building Code, applicable building standards, and MM GEO-1. Therefore, the Project's potential impacts concerning unstable soils, resulting in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, and collapse would be less than significant with mitigation incorporated.

Response to Impact Question d): Less Than Significant Impact. The Preliminary Geotechnical Investigation identified that the upper five feet of existing site soils are considered to have a "low" expansive potential. The Preliminary Geotechnical Investigation provides various recommendations to be incorporated into the design and construction of the proposed Project to reduce risks from expansive soils. Further, the proposed Project would be subject to compliance with the California Building Code, applicable building standards, and Orange County Codified Ordinances Article 8. Therefore, the Project's impacts related to expansive soil resulting in direct or indirect risks to life or property would be less than significant. No mitigation measures are either required or recommended.

Response to Impact Question e): No Impact. The Project does not propose the use of septic tanks. Existing land uses on the Project site are served by the Orange County Sanitation District's municipal sewer system. Project implementation would connect to existing sewer facilities on Esperanza Road and Fairlynn

Boulevard. Therefore, the proposed Project would not include the use of septic tanks or alternative wastewater disposal systems and no impacts would result. No mitigation measures are either required or recommended.

Response to Impact Question f): Less Than Significant Impact. Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Yorba gravelly sandy loam that exists in dry to wet, firm to hard, or medium dense to very dense conditions underlie the Project site. These on-site geological conditions do not generally correlate with the presence of paleontological resources. Additionally, the Project site is currently paved and developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping. No native soils remain at the surface of the site since the Project site has been previously graded and disturbed by prior development. Although not anticipated, there exists the potential for Project construction activities to impact unanticipated paleontological resources. The proposed Project would be subject to SC GEO-1, which requires the retention of a County certified paleontologist to monitor grading activities. If the paleontological resources are discovered, the paleontologist would determine appropriate actions, in cooperation with the Applicant, to ensure proper exploration and/or salvage of those resources. Therefore, compliance with SC GEO-1 would reduce potential impacts to paleontological resources to a less than significant level. No mitigation measures are either required or recommended.

4.8 Greenhouse Gas Emissions *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

A greenhouse gas (GHG) emissions analysis was prepared for the proposed Project by Kimley-Horn and Associates, Inc. (Kimley-Horn, 2022). The GHG modeling outputs and results are included in **Appendix A** of this Initial Study and the results are summarized herein.

Background

The "greenhouse effect" is the natural process that retains heat in the troposphere, the bottom layer of the atmosphere. Without the greenhouse effect, thermal energy would "leak" into space resulting in a much colder and inhospitable planet. With the greenhouse effect, the global average temperature is approximately 61˚F (16˚C). Greenhouse gases (GHGs) are the components of the atmosphere responsible for the greenhouse effect. The amount of heat that is retained is proportional to the concentration of GHGs in the atmosphere. As more GHGs are released into the atmosphere, GHG concentrations increase and the atmosphere retains more heat, increasing the effects of climate change. Six gases were identified by the Kyoto Protocol for emission reduction targets: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6). When accounting for GHGs, all types of GHG emissions are expressed in terms of CO_2 equivalents (CO_2e) and are typically quantified in metric tons (MT) or million metric tons (MMT).

Approximately 80 percent of the total heat stored in the atmosphere is caused by CO_2, CH_4, and N_2O. These three gases are emitted by human activities as well as natural sources. Each of the GHGs affects climate change at different rates and persist in the atmosphere for varying lengths of time. The relative measure of the potential for a GHG to trap heat in the atmosphere is called global warming potential (GWP). The GWP was developed to allow comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of one ton of a gas will absorb over a given period of time, relative to the emissions of one ton of CO_2. The larger the GWP, the more that a given gas warms the Earth compared to CO_2 over that time period. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases.

Greenhouse gases, primarily CO_2, CH_4, and N_2O, are directly emitted as a result of stationary source combustion of natural gas in equipment such as water heaters, boilers, process heaters, and furnaces. GHGs are also emitted from mobile sources such as on-road vehicles and off-road construction equipment burning fuels such as gasoline, diesel, biodiesel, propane, or natural gas (compressed or liquefied). Indirect GHG emissions result from electric power generated elsewhere (i.e., power plants) used to operate

process equipment, lighting, and utilities at a facility. Included in GHG quantification is electric power which is used to pump the water supply (e.g., aqueducts, wells, pipelines) and disposal and decomposition of municipal waste in landfills (CARB, 2008).

Regulations and Significance Criteria

Governor Arnold Schwarzenegger issued Executive Order S-3-05 in June 2005, which established the following GHG emission reduction targets: (a) by 2010: Reduce GHG emissions to 2000 levels; (b) by 2020: Reduce GHG emissions to 1990 levels; and, (c) by 2050: Reduce GHG emissions to 80 percent below 1990 levels, which is the level estimated to stabilize climate temperatures to a 2 degree increase and avoid further escalation of environmental impacts from global warming to agricultural resources, diseases, water supply, sea-level rise, and other harmful impacts.

Assembly Bill (AB) 32, Statutes of 2006, Health and Safety Code Section 38500 et seq. require that CARB determine what the Statewide GHG emissions level was in 1990 and approve a Statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. CARB has approved a 2020 emissions limit of 427 million metric tons of CO_2 equivalent ($MTCO_2e$). Additionally, issued in April 2015, Executive Order B-30-15 requires Statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030.

Executive Order B-30-15, which was issued in April 2015, requires statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030. SB 32, signed into law in September 2016, codifies the 2030 GHG reduction target in Executive Order B-30-15. SB 32 authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions. With SB 32, the California Legislature passed companion legislation AB 197, which provided additional direction for developing an updated Scoping Plan. CARB released the second update to the Scoping Plan to reflect the 2030 target set by Executive Order B-30-15 and codified by SB 32 in November 2017.

Signed into law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Due to the nature of global climate change, it is not anticipated that any single development project would have a substantial effect on global climate change on its own. GHG emissions from the proposed Project would combine with emissions emitted across California, the United States, and the world to cumulatively contribute to global climate change.

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions would have a "significant" impact on the environment. The CEQA Guidelines direct agencies to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" a project's GHG emissions (14 CCR §15064.4(a)).

On September 28, 2010, air quality experts serving on the SCAQMD GHG CEQA Significance Threshold Stakeholder Working Group recommended an interim screening level numeric bright-line threshold of 3,000 metric tons of CO_2e annually and an efficiency-based threshold of 4.8 metric tons of CO_2e per service population (residents plus employees) per year in 2020 and 3.0 metric tons of CO_2e per service population

per year in 2035.[22] The Working Group was formed to assist the SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research (OPR), CARB, the Attorney General's Office, a variety of city and county planning departments in the Air Basin, various utilities such as sanitation and power companies throughout the Air Basin, industry groups, and environmental and professional organizations. The numeric bright line and efficiency-based thresholds were developed to be consistent with CEQA requirements for developing significance thresholds, are supported by substantial evidence, and provide guidance to CEQA practitioners and lead agencies with regard to determining whether GHG emissions from a proposed project are significant.

The County of Orange has not adopted GHG significance thresholds but may set a project-specific threshold based on the context of each particular project, including the proposed Project, using the SCAQMD Working Group expert recommendation. For the proposed Project, SCAQMD's proposed 3,000 $MTCO_2e$/yr non-industrial screening threshold is used as the significance threshold in addition to the qualitative thresholds of significance set forth below from Section VIII of CEQA Guidelines Appendix G. The 3,000 $MTCO_2e$/yr screening threshold represents a 90 percent capture rate (i.e., this threshold captures projects that represent approximately 90 percent of GHG emissions from new sources).

Response to Impact Question a): Less Than Significant Impact. Pursuant to Appendix G of the CEQA Guidelines, a project will 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 CEQA Guidelines specifies how the 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.

Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. CalEEMod relies upon trip data; Project trip generation data and project-specific land use data was used to calculate emissions. **Table 4.8-1: Project Greenhouse Gas Emissions** presents the estimated CO_2, CH_4, and N_2O emissions of the proposed Project.

Project construction would result in the generation of approximately 495.52 metric tons of CO_2e during construction (or 11.96 metric tons amortized over 30 years). As recommended by the SCAQMD, the standard practice is to amortize construction emissions over 30 years and combine construction emissions with the Project's annual operational emissions.[23] Once construction is complete, the generation of construction GHG emissions would cease. Forecasted GHGs from construction have been quantified and amortized over the life of the Project (30 years). The amortized construction emissions are added to the annual average operational emissions.

[22] In *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 3 Cal.5th 497, the Supreme Court held that the EIR prepared for the San Diego Association of Governments' (SANDAG) *2050 Regional Transportation Plan/Sustainable Communities Strategy* did not need to include an analysis of the Plan's consistency with GHG emission reduction goals of 80 percent below 1990 levels by 2050 (established by Executive Order S-3-05 to comply with CEQA. The Court's opinion stated that the lead agency made "a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" in part because it disclosed the 2050 emissions levels and identified the significance of the 2050 threshold to climate change impacts (i.e., to stabilization of temperature increases). The Court also noted that "a recent California Energy Commission report concludes, however, that the primary strategies to achieve this target should be major 'decarbonization' of electricity supplies and fuels, and major improvements in energy efficiency."

[23] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13, August 26, 2009).

Table 4.8-1: Project Greenhouse Gas Emissions	
Emissions Source	**CO_2e (Metric Tons/Year)**
Construction Emissions 2024	358.81
Construction Emissions 2025	136.71
Total Construction Emissions	495.52
Construction Emissions Amortized over 30 Years	11.96
Area Source	9.79
Energy	78.52
Mobile	342.40
Waste	5.10
Water	12.98
Total Project Emissions	**460.75**
Significance Threshold	**3,000**
Significant Impact?	**No**
Note: CalEEMod version 2020.4.0. Refer to Appendix A for model data outputs. Source: Kimley-Horn, 2022.	

Operational emissions consist of area sources, energy sources, mobile sources, solid waste generation, water use, and wastewater treatment. Area source emissions occur from hearths, maintenance activities including architectural coatings, landscaping equipment, and consumer products. Mobile source emissions are based on the net new vehicle trips generated by the proposed Project. Emissions from water consumption occur from energy use for conveyance and treatment, and emissions from solid waste occur as materials decompose. At opening year, the proposed Project would result in project-related GHG emissions of 460.75 $MTCO_2e/yr$, inclusive of the amortized construction GHG emissions.

Most of the Project's emissions (approximately 91%) are from energy and mobile sources (Table 4.8-1). As previously noted, energy and mobile sources are targeted by statewide measures such as continued implementation of the Renewable Portfolio Standard (the target is now set at 60% renewables by 2030) and extension of the Cap-and-Trade program (requires reductions from industrial sources, energy generation, and fossil fuels). The Cap-and-Trade program covered approximately 85 percent of California's GHG emissions as of January 2015. The statewide cap for GHG emissions from the capped sectors (i.e., electricity generation, industrial sources, petroleum refining, and cement production) commenced in 2013 and will decline by approximately three percent each year, achieving GHG emission reductions throughout the program's duration. The passage of AB 398 in July 2017 extended the duration of the Cap-and-Trade program from 2020 to 2030.

The proposed Project is required to comply with all building codes in effect at the time of construction which include energy conservation measures mandated by Title 24 of the California Building Standards Code – Energy Efficiency Standards. Title 24 standards require energy conservation features in new construction (e.g., high-efficiency lighting, high-efficiency heating, ventilating, and air conditioning (HVAC) systems, thermal insulation, double-glazed windows, water-conserving plumbing fixtures) and solar panels for new residential developments, which help reduce GHG emissions. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle.

The proposed Project would not exceed the 3,000 $MTCO_2e/yr$ significance threshold (Table 4.8-1). Therefore, the Project's GHG impacts would be less than significant based on this quantitative bright-line screening threshold. While the SCAQMD screening threshold is appropriate and has been used to evaluate

Project impacts on GHG emissions, there is no scientific consensus on a single appropriate bright-line screening threshold or other quantitative significance threshold.[24] However, with continued implementation of the various statewide measures, the Project's operational energy and mobile source emissions (sources that account for approximately 91% of total Project emissions) would continue to decline in the future. Impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Impact Question b): Less Than Significant Impact. The County of Orange does not have an adopted Climate Action Plan or other plan with the purpose of reducing GHG emissions. Therefore, this consistency analysis primarily focuses on the 2017 Scoping Plan, SCAG *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (2020-2045 RTP/SCS), SB 32, and Title 24.

The proposed Project would generate long-term GHG emissions below the SCAQMD 3,000 MTCO2e/year threshold, and thus, would not interfere with State efforts to reduce GHG emissions to 40 percent below 1990 levels by 2030 in accordance with SB 32. Approximately 91 percent of the Project's emissions are from energy and mobile sources which would be further reduced by the 2017 Scoping Plan measures described above. It should be noted that the County has no control over vehicle emissions (approximately 74 percent of the Project's total emissions). However, these emissions would decline in the future due to statewide measures including the reduction in the carbon content of fuels, CARB's advanced clean car program, CARB's mobile source strategy, fuel efficiency standards, cleaner technology, and fleet turnover. Additionally, SCAG's 2020-2045 RTP/SCS is also expected to help California reach its GHG reduction goals, with reductions in per capita transportation emissions of 16 percent by 2035.[25] The Project is a residential in-fill development near large employment areas, other existing residential development, and several OCTA bus stops thereby potentially reducing the need to travel long distances.[26] Accordingly, the Project does not interfere with the State's efforts to reduce GHG emissions by 2030.

Regarding goals for year 2050 under Executive Order S-3-05, at this time it is not possible to quantify all emissions savings from future regulatory measures because they have not yet been developed. Just as the Project's GHG emissions would decrease over time from the known regulations that will be phased in throughout the State over time, it can be anticipated that operation of the proposed Project would comply with or benefit from all applicable measures enacted by State lawmakers to reach the goal of an 80 percent reduction below 1990 levels by 2050. This percentage reduction is the level of GHG emissions that the State's GHG regulators believe California needs to achieve to stabilize GHG-induced temperature increases and limit GHG impacts in California's environment. The analysis in this Initial Study documents what can reasonably be known about the current regulation of GHG emissions and Project GHG impacts to the extent possible based on existing scientific and factual data. Further analysis would be speculative; therefore, in compliance with CEQA, no further analysis or conclusions are made with regard to the Project's long-term GHG impacts.

Further, it is noted that proposed Project is required to comply with all building codes in effect at the time of construction which include energy conservation measures mandated by Title 24 of the California Building Standards Code – Energy Efficiency Standards. Title 24 is part of the State's plans and regulations for reducing emissions of GHGs to meet and exceed AB 32 and SB 32 energy reduction goals. Because Title

[24] See the analysis in Threshold (b) for a qualitative analysis explaining that a small project under the screening threshold still contributes to and benefits from statewide programs to reduce GHG emissions thus avoiding a conflict with plans, policies and regulations adopted for the purpose of reducing the emissions of greenhouse gases.

[25] Southern California Association of Governments, *Final 2020–2045 RTP/SCS*, September 2020.

[26] The California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures* (August 2010) identifies that infill developments, such as the Project, reduce vehicle miles traveled which reduces fuel consumption. Infill projects such as the proposed Project would have an improved location efficiency.

24 standards require energy conservation features in new development construction, compliance with these standards inherently reduces GHG emissions. As previously noted, California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. The 2022 Energy Code was adopted by the California Energy Commission (CEC) on August 11, 2021. Buildings whose permit applications are submitted on or after January 1, 2023, must comply with the 2022 Energy Code. The Project would also incorporate “green” design features to further reduce GHG emissions such as low-flow toilets and sinks, and drought-tolerant landscaping to reduce water consumption.

Therefore, the proposed Project would have a less than significant impact on GHG emissions. Consistent with the 2017 Scoping Plan, 2020-2045 RTP/SCS, SB 32, and Title 24, the proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions and impacts would be less than significant. No mitigation measures are either required or recommended.

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

Analysis in this section is based on the *Phase I Environmental Site Assessment (*Partner, November 2020) and the *Phase II Subsurface Investigation Report* (Partner, November 2020) prepared for the Project. These reports are provided as **Appendix E** of this Initial Study. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC HAZ-1 **A.** Prior to the issuance of a grading or building permit, the Applicant shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be classified according to the Uniform Fire Code and a document submitted to the Fire Chief with a summary sheet listing the totals for storage and use for each hazard class. Please contact the Orange County Fire Authority at (714) 744- 0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guideline for Completing Chemical Classification Packets."

B. Prior to the issuance of a building permit, the Applicant shall complete and submit to the Fire Chief a copy of a "Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan" packet. Please contact the Orange County Fire Authority Hazardous Materials Services Section at (714) 744-0463 to obtain a copy of the packet.

The Mitigation Measures that are applicable to the Project are provided below.

MM HAZ -1 Prior to structural demolition/renovation activities, a Certified Environmental Professional shall perform an asbestos-containing materials (ACM) survey to confirm the presence or absence of ACMs. Should ACMs be present, demolition materials containing ACMs shall be removed and disposed of at an appropriate permitted facility. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.

MM HAZ-2 Prior to structural demolition/renovation activities, a Certified Environmental Professional shall perform a lead based paint (LBP) survey to confirm the presence or absence of LBPs. If LBP is found, abatement shall be completed by a qualified Lead Specialist. No pre-demolition activities that would create lead dust or fume hazard shall be permitted. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the County Engineer. Further, if paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional.

Response to Impact Question a): Less than Significant Impact. Project construction would involve the transport, storage, use and/or disposal of limited quantities of hazardous materials, such as fuels, solvents, degreasers, and paints. The use of these materials during Project construction would be short-term and would occur in accordance with standard construction practices, as well as with applicable federal, State, and local regulations. Potentially hazardous materials would be contained, stored, and used during construction in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Examples of such activities include fueling and servicing construction equipment and applying paints and other coatings. Project construction would be temporary, and existing regulations of several agencies would govern these activities. Construction

activities would be subject to compliance with relevant regulatory requirements and restrictions concerning the transport, use, or disposal to prevent a significant hazard to the public or environment. The primary regulatory requirements include SCAQMD Rule 1166 (volatile organic compound emissions) and Rule 1466 (fugitive dust-toxic air contaminants).

Operation of the proposed Project would not emit hazardous emissions or involve hazardous or acutely hazardous materials, substances, or waste. However, the proposed Project could involve the use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. These uses would not involve the routine transport, use, or disposal of quantities of hazardous materials that could create a significant hazard to the public or environment. The hazardous materials used during operations would be stored, handled, and disposed of in accordance with applicable regulations. At the local level, the Orange County Fire Authority (OCFA) routinely provides inspections to ensure the safe storage, management, and disposal of any hazardous materials in accordance with the federal, State, and local regulations. Additionally, the Project would comply with SC HAZ-1, which requires the Applicant to submit a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on the site to the OCFA Fire Chief. Therefore, following compliance with the regulatory requirements, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Impact Question b): Less than Significant Impact with Mitigation. The Phase I Environmental Site Assessment (ESA) and Phase II ESA identified a former dry-cleaning business that operated from 1982 to 2013 at 19813 Esperanza Road as a recognized environmental condition (REC). This indicates that the former dry-cleaning business may represent an environmental impairment on the property and may indicate the presence of a hazardous substance at the Project site. In order to prevent accidental exposure to hazardous materials, a soil vapor report was completed in 2020. The soil vapor report analyzed 12 soil gas samples for volatile organic compounds (VOCs). None of the gas samples contained detections of VOCs in exceedance of the residential or commercial/industrial Department of Toxic Substances Control (DTSC) soil gas screening levels. The soil vapor analysis indicated that the former dry-cleaning operation does not appear to represent a concern to human health and/or the environment. The Phase II ESA recommended no further investigation with respect to the former dry-cleaning facility. Therefore, Project implementation would not result in the accidental exposure of the public to hazardous materials and would have a less than significant impact.

The Phase I ESA also identified two incidences of leaking underground gasoline storage tanks (LUSTs) affecting soil and groundwater at the 76 gas station, which is located adjacent to the Project site on the northeast corner of the intersection of Esperanza Road and Fairlynn Boulevard (refer to **Figure 3: Aerial View)**. The two LUST cases are listed as “case closed,” indicating that they are not considered to be presently leaking. According to the No Further Action and Case Closure Summary Form dated April 27, 2015, the Santa Ana Regional Water Quality Control Board (RWQCB) stated that residual contaminant concentrations in the soil and groundwater did not appear to result in a risk from vapor intrusion to the adjacent properties. Based on the regulatory status, case closure, and down-gradient direction, these LUST listings are not considered to have created an environmental concern for the Project site. Therefore, Project implementation would not result in the accidental exposure of the public to hazardous materials. Impacts would be less than significant.

The existing on-site structures were constructed between 1965 and 1977 and may contain lead-based paints and asbestos-containing materials.[27] Project implementation would include demolition of existing structures which may involve release of lead-based paints and asbestos-containing materials into the environment. Therefore, implementation of MM HAZ-1 and MM HAZ-2 requires an asbestos-containing materials(ACM) and lead-based paint (LBP) survey to completed prior to demolition activities. If the survey confirms presence of ACMs or LBPs, then specific procedures for the removal of hazardous materials by a certified environmental professional would be required. Following implementation of MM HAZ-1 and MM HAZ-2, the Project would not 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. Impacts would be less than significant with mitigation incorporated.

Response to Impact Question c): No Impact. The nearest school to the Project site is Glenknoll Elementary School, located approximately 0.3 mile to the north at 6361 Glenknoll Drive in the City of Yorba Linda. The Project is a residential infill development that would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, no impact would occur. No mitigation measures are either required or recommended.

Response to Impact Question d): No Impact. Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC.[28] The Cortese list contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination; sites with known LUSTs; and solid waste disposal facilities from which there is a known migration of hazardous materials into the soil. The Cortese list also includes hazardous substance sites selected for remedial action, historic Cortese sites, and sites with known toxic material identified through the abandoned site assessment program. The Project site is not located on a compiled hazardous materials site list pursuant to California Government Code Section 65962.5.[29] Therefore, the Project would not create a significant hazard to the public or the environment and no impact would occur. No mitigation measures are either required or recommended.

Response to Impact Question e): No Impact. The nearest airports to the Project site are Fullerton Municipal Airport, located approximately 11 miles to the west and Corona Municipal Airport, located approximately 11 miles to the east of the Project site. Due to the distance from these airports, the Project site is not within the Fullerton or Corona Airport Land Use Plan.[30,31] Therefore, the Project would not cause a safety hazard or create excessive noise for people residing at the Project site by virtue of proximity to an existing airport or its inclusion in an area covered by an Airport Land Use Plan and no impact would occur. No mitigation measures are either required or recommended.

Response to Impact Question f): Less than Significant Impact. The proposed Project would not impair any adopted emergency response or evacuation plan. According to the Orange County Emergency Operations Plan, Imperial Highway and SR 91 are regional important highways which could serve as evacuation routes in the event of an extraordinary emergency situation.[32] Esperanza Road is not a

[30] Partner Inc, 2020, Phase 1 Environmental Site Assessment Report, Section 2.2

[28] DTSC, Hazardous Waste and Substances Site List, available at https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST, accessed on April 4, 2022 and July 21, 2023.

[29] Ibid.

[30] Fullerton Municipal Airport, 2019, Airport Environs Land Use Plan, available at https://files.ocair.com/media/2021-02/AELUP%20for%20FMA%2005092019.pdf?VersionId=Pe0mNdYdt9RPkWpfPFbhCmkVI4zejGxs, accessed on March 28, 2022 and July 21, 2023.

[31] Corona Municipal Airport, 2004, Riverside County Airport Land Use Compatibility Plan Document, Available at: Microsoft Word - RCO.Chap 3.Indiv Airports.doc (rcaluc.org), Accessed October 11, 2022 and July 21, 2023.

[32] Orange County, 2020, Emergency Operations Plan, available at https://voiceofoc.org/wp-content/uploads/2020/03/OC-Emergency-Operations-Plan-as-of-March-2020-approved-in-August-2019.pdf. Accessed on March 22, 2022.

designated evacuation route but provides connection to both Imperial Highway and SR 91. Project-related construction activities could temporarily impact street access and traffic flow due to roadway improvements (curb cuts for new driveways) and potential extension of construction activities into the rights-of-way for utility connections, resulting in temporary lane closures. However, Project construction activities would not require the complete closure of any public streets during construction. Esperanza Road is a four-lane roadway, and Fairlynn Boulevard is a two-lane roadway. Temporary construction activities, including temporary lane closures, would not impede use of the streets for emergencies or access for emergency response vehicles. There would at least be one lane open for traffic, or sufficient right-of-way on both roadways to accommodate temporary lane shifts. Existing residences in the vicinity of the Project site would have adequate emergency evacuation routes. Further, the Project design and site access would adhere to OCFA standards and designs outlined in its Fire Protection Master Plan, including Guideline B-01 and Appendix C.[33] Guideline B-01 and Appendix C set forth Fire Master plans for residential development and includes development standards for fire access roadways, turning Radii, and driveway widths. Therefore, the Project would not result in inadequate emergency access nor would it impair an adopted emergency plan and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Impact Question g): No Impact. According to the CalFire Fire Hazard Severity Zone Map[34], the Project site is not within a State Responsibility Area or a Very High Fire Hazard Severity Zone (VHFHSZ). The site is located within a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) within a Local Responsibility Area. Non-VHFHSZ are areas that have low risk of wildlife hazards due to heavily developed urbanization and lack of natural vegetation. The Project site and surrounding area are developed and there are little natural vegetation that could pose as a wildfire risk (see Section 4.20, *Wildfire*). Therefore, the Project would not expose people or structures to risk involving wildland fires and no impact would occur. No mitigation measures are either required or recommended.

[33] OCFA, 2023, Fire Master Plans for Commercial and Residential Development, available at Microsoft Word - B-01 Fire Master Plan 2023 (ocfa.org), accessed on July 21, 2023.

[34] CalFire, Fire Hazard Severity Zone Viewer, available at https://egis.fire.ca.gov/FHSZ/, accessed on March 22, 2022, December 29, 2022, July 21, 2023.

4.10 Hydrology and Water Quality *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:	☐	☐	☒	☐
i) result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial sources of polluted runoff?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Analysis in this section is based on the *Preliminary Water Quality Management Plan (PWQMP)* (Fuscoe Engineering, November 2022) and the *Preliminary Hydrology and Hydraulics Report* (Fuscoe Engineering, June 2021). These reports are provided as **Appendix F** of this Initial Study. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC HYD-1 Prior to the issuance of any grading or building permits, the Applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the Project site and be available for County review on request.

SC HYD-2 Prior to the issuance of any grading or building permits, the Applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building Permit Services, to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the Applicant will ensure that all BMPs will be maintained during construction of any future public rights-of-way. A copy of the current ESCP shall be kept at the Project site and be available for County review on request.

SC HYD-3 Prior to the issuance of any grading permits, Applicant shall submit a Runoff Management Plan (RMP) to the Manager, Subdivision and Grading for review and approval.

Response to Question a): Less Than Significant Impact. Short-term and long-term water quality impacts are described below.

Short-Term Water Quality Impacts

Project implementation would involve the following activities: demolition of three existing multi-tenant standalone buildings and surface parking lot; grading of the site for building pads and private streets; and construction of on-site utilities, storm drains, private streets, and residences. The Project could potentially result in short-term impacts to surface water quality from construction-related activities. Storm water runoff from the Project site during construction could contain soil sediments and other pollutants due to construction and demolition activities. Heavy equipment and machinery, construction staging areas, or building sites could also produce spills or leaks of pollutants which could enter storm water runoff and include petroleum products. Further, building construction would involve the use of hazardous materials, like paints, solvents, and cleansers, which may enter the storm water runoff if improperly handled.

The Project site falls under the jurisdiction of the Santa Ana RWQCB and therefore would be subject to the requirements of the Santa Ana RWQCB and the County of Orange. The Project would be required to comply with the most recent Orange County Drainage Area Management Plan (DAMP) and the intent of Order No. R8-2010-0062 (NPDES Permit No. CAS618030), *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County Within the*

Santa Ana Region Areawide Urban Storm Water Runoff Orange County. A NPDES Municipal Stormwater Permit would be required for the Project due to construction activities.[35] NPDES permits are required for projects that would involve clearing, grading and excavation activities that disturb at least one acre of land.[36]

Compliance with the NPDES permit and the Santa Ana RWQCB's Water Quality Control Program requires preparation of a SWPPP for construction-related activities prior to the start of demolition, grading, or construction. A SWPPP ensures that the responsible party properly constructs, implements, and maintains BMPs to reduce or eliminate pollutants in stormwater discharges and authorized non-storm water discharges from the construction site. The SWPPP would include BMPs that would reduce storm water quality impacts by mitigating potential pollutants, such as sediments, through prevention, minimizations, and treatment on-site prior to being discharged.[37] Common construction BMPs include watering exposed soils; covering stockpiles of soil; installing sandbags or gravel bag germs to minimize off-site runoff; creating temporary desilting basins; and timing grading to avoid rain. The requirement to prepare a SWPPP is reflected in the County Standard Condition WQ04 (see SC HYD-1). Further, County Standard Condition WQ05 requires the preparation of an Erosion and Sediment Control Plan (SC HYD-2) to comply with the County's NPDES Implementation Program. Water quality impacts during construction would be less than significant, as the Project is required to comply with SC HYD-1 and SC HYD-2. No mitigation measures are either required or recommended.

Long-Term Water Quality Impacts

The Orange County Flood Control District, the County of Orange, and 25 incorporated cities discharge pollutants from their municipal separate storm sewer systems (MS4s). Stormwater and non-stormwater enter and are conveyed through the MS4s and discharged to surface water bodies.[38] Countywide waste discharge requirements contained in NPDES Permit No. CAS618030 provide revised waste discharge requirements for MS4 discharges within Orange County watersheds. Orange County uses its Model Water Quality Management Program to ensure that proposed projects are compliant with NPDES MS4 Permit water quality requirements.[39]

The MS4 Permit Order requires that all "New Development" and "Redevelopment" projects subject to the Order develop and implement a Water Quality Management Plan (WQMP). New development and redevelopment projects/activities subject to Orange County's Low-Impact Development (LID) requirements include all development projects equal to one acre or greater of disturbed area and new development that creates 10,000 sf or greater of new impervious surface on a previously undeveloped site. In addition, redevelopment that adds or replaces 5,000 sf or greater of impervious surface on an already developed site is also subject to the County's LID requirements.

The Project site is currently developed with three multi-tenant standalone commercial buildings, surface parking, and ornamental landscaping; approximately 22 percent of the site is pervious. In the post-development condition, approximately 20 percent of the Project site would be pervious (landscape and

[35] Municipal Stormwater Program, *California Water Boards,* https://www.waterboards.ca.gov/water_issues/programs/stormwater/municipal.html, accessed April 20, 2022 and July 21, 2023.

[36] Construction Stormwater Program, *California Water Boards,* https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html, accessed April 20, 2022 and July 21, 2023.

[37] Developing Your Stormwater Pollution Prevention Plan, *Environmental Protection Agency,* https://www.epa.gov/sites/default/files/2015-10/documents/sw_swppp_guide.pdf, accessed on April 20, 2022 and July 2023.

[38] Municipal Stormwater Program, *California Water Boards,* https://www.waterboards.ca.gov/water_issues/programs/stormwater/municipal.html#:~:text=Municipal%20Program,-PHASE%20I%20PROGRAM&text=Phase%20I%20MS4%20permits%20require,Phase%20I%20Permit%20Program%20page., accessed on April 26, 2022 and July 21, 2023.

[39] Orange County Municipal NPDES Storm Water Permit, *California Water Boards*, https://www.waterboards.ca.gov/santaana/water_issues/programs/stormwater/, accessed on July 21, 2023.

open space areas). Project implementation would decrease in amount of pervious area by two percent of the total Project area. The Project's post development design to capture and treat stormwater is subject to Orange County's Model Water Quality Management Program requirements.

Regarding water quality, the following materials are anticipated to be used or generated during Project operations, which could potentially contribute to stormwater runoff:

- Vehicle fluids, including oil, grease, petroleum, and coolants from personal vehicles;
- Landscaping materials and wastes (topsoil, plant materials, herbicides, fertilizers, mulch, pesticides);
- General trash debris and litter; and
- Pet waste (bacteria/ fecal coliforms).

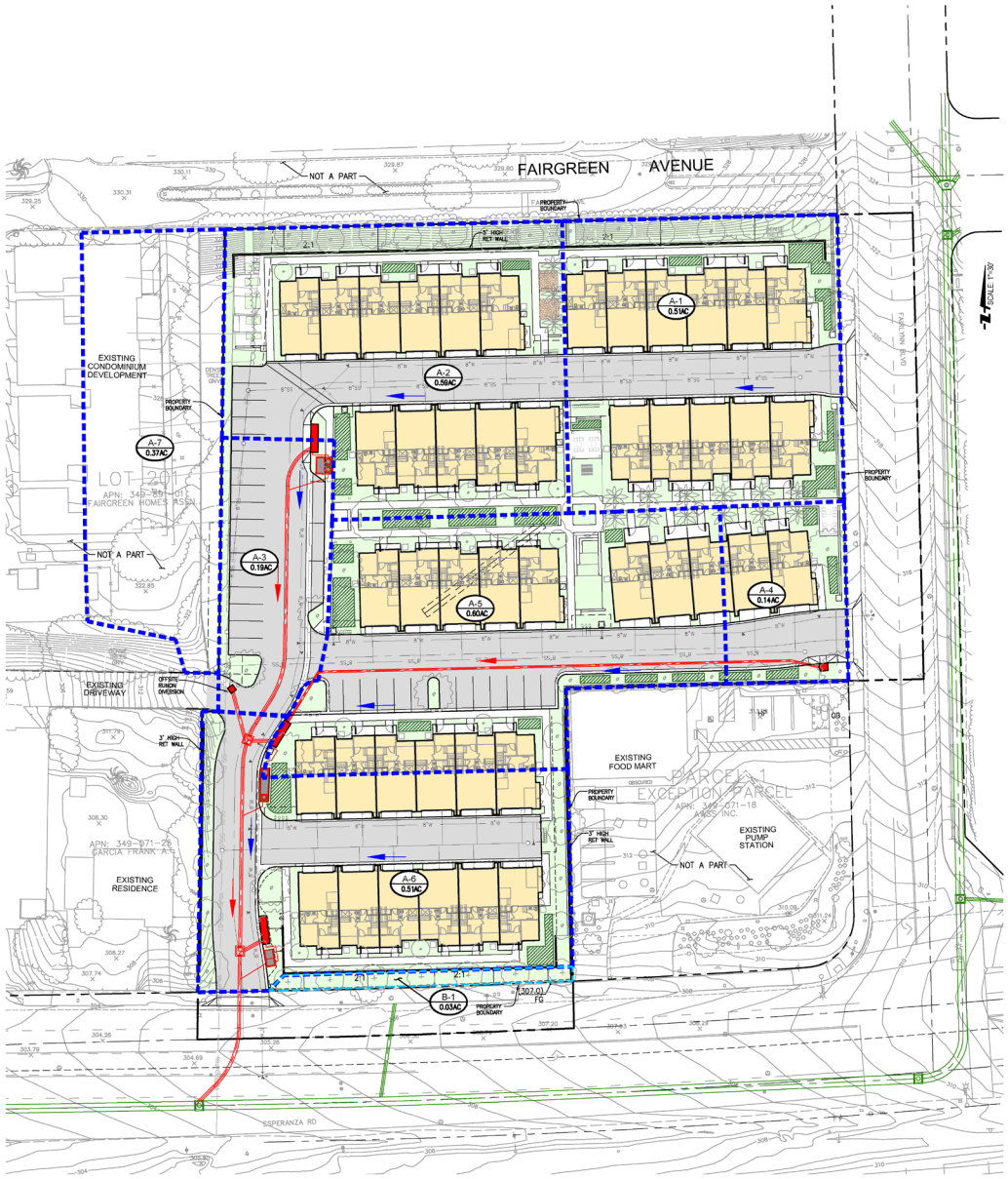
The proposed Project would maintain the existing drainage pattern to the maximum extent feasible. The Project would install a private storm drain system with four catch basins located in the internal driveway access. All catch basins would connect via an internal 18-inch storm drain that would carry flows southerly and ultimately connecting to the existing 112-inch storm drain in Esperanza Road. In addition, the Project would install 3,400 sf of bioretention rain gardens throughout the Project site to allow low-flow runoff infiltration at natural rates. The bioretention rain gardens would be used to retain runoff using the Project's grading and drainage design. Runoff from hardscape areas around the residential building's perimeter and from portions of the roofs would drain to landscaped areas, where feasible. The rain gardens would be designed to pond between 12 to 18 inches and are expected to capture and treat between 3,400 and 5,100 cubic feet.

Three Modular Wetland System (MWS) units are also proposed along "Private Drive A" adjacent to the proposed catch basins; see **Figure 10: Water Quality Management Plan**. Each MWS would capture, treat, and convey the remaining runoff into the storm drainpipe that discharges into the existing concrete channel along the southern edge of the site, parallel to Esperanza Road. The MWS are biotreatment systems that use multi-stage treatment processes including screening media filtration, settling, and biofiltration to treat runoff. As storm water passes down through the planting soil, pollutants are filtered, adsorbed, biodegraded, and sequestered by the soil and plants, functioning similar to bioretention systems. The discharge chamber at the end of the MWS unit collects treated flows and discharges back into the storm drain system.[40] The proposed system has been sized and designed to handle a range of flows from 100-year flow rates to existing conditions. It is anticipated that the MWS units would fill to capacity in large storm events and overflow or bypass to a capture point downstream. Overflow drainage would sheet flow toward Esperanza Road in a runoff pattern similar to existing conditions.

With regards to the existing storm drain north of the alley, a new catch basin with an 18-inch RCP storm drain line is proposed to collect the neighboring flows. Captured flows would connect to the proposed 18-inch storm drain within Private Drive "A", and continue toward Esperanza Road. Pre-treated Project flows would be kept separate from the neighboring flows.

The Project's WQMP Section IV: Best Management Practices (BMPs) identifies the Project's proposed non-structural BMPs. Retention criteria would be met with the proposed MWS. Non-structural BMPs, which include educating employees and occupants, developing and implementing HOA guidelines, and common area catch basin inspections are also proposed.

[40] Preliminary Water Quality Management Plan (PWQMP) for Esperanza Village, *Fuscoe Engineering*, 2022.



LEGEND

- PROPERTY LINE
- LOT LINE PER VTTM 19161
- UTILITY EASEMENT
- EXISTING STORM DRAIN
- PROPOSED STORM DRAIN
- BMP DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- SITE DESIGN / SELF-TREATING DMA BOUNDARY
- STREET SWEEPING PRIVATE STREETS & PARKING LOTS
- PROPOSED COMMON AREA LANDSCAPING
- PROPOSED RAIN GARDEN
- CATCH BASIN STENCILING & MAINTENANCE
- PROPOSED MODULAR WETLAND SYSTEM (MWS)
- DIRECTION OF SURFACE FLOW
- DIRECTION OF STORM DRAIN FLOW
- DRAINAGE MANAGEMENT AREA NUMBER AND ACREAGE
- RESIDENTIAL LOT NO.
- LETTERED LOT NO.

BMP SUMMARY

DMA ID	ACREAGE	% IMPERVIOUS	DCV (CF)	BMP TYPE	BMP DIMENSIONS	MIN. TREATMENT FLOW RATE Q (CFS)	BMP CAPACITY (CFS)
A1	0.51	80%	1261.90	MWS-L-8-8	8'X8' BIOTREATMENT AREA	0.215	0.231
A2	0.59	80%	1440.70				
A3	0.19	80%	460.60	MWS-L-4-17	4'X17' BIOTREATMENT AREA	0.181	0.206
A4	0.14	80%	345.50				
A5	0.60	80%	1470.20				
A6	0.51	80%	1254.50	MWS-L-4-8	4'X8' BIOTREATMENT AREA	0.100	0.115
B1	0.03	0%	N/A	SELF-TREATING AREA	1230 SF OF 100% LANDCAPING	N/A	N/A
TOTAL SITE	2.58	80%	6321.60				
BIORETENTION RAIN GARDENS					3,400 SF	N/A	PENDING

VICINITY MAP

Figure 10: Water Quality Management Plan
Fairlynn Townhomes

Kimley»Horn

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Hydromodification refers to changes in the magnitude and frequency of stream flows and the associated sediment load due to urbanization or other changes in the watershed land use and hydrology and the resulting impacts on receiving channels, such as erosion, sedimentation, and potentially degradation of in-stream habitat. Although the Project would increase of the amount of impervious surfaces at the Project site, increasing from 78 to 80 percent of the total Project site, implementation of storm water BMPs and on-site MWS would further reduce the potential for off-site impacts. BMP implementation would address the pollutants of concern associated with a residential development. Because the Project is both required to and will comply with the established regulatory framework, Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water quality. Therefore, impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question b): Less Than Significant Impact. The Golden State Water Company (GSWC) - Placentia-Yorba Linda Service Area provides domestic water service to the area, inclusive of the Project site. There are multiple GSWC service areas whose main water supply comes from the Orange County Groundwater Basin. The Orange County Water District is the principal agency charged with managing the groundwater in the Orange County Groundwater Basin (Groundwater Basin). The Orange County Water District sets production limits, regulates the storage of water, controls the underground storage space, and administers in-lieu contracts. The Groundwater Basin is managed through financial incentives, based on uniformly establishing the Basin Production Percentage (BPP) for all pumpers in the Groundwater Basin. The BPP is the ratio of groundwater production to total water demand. Groundwater supply projections for all of GSWC service areas (including the Placentia-Yorba Linda Service Area) within the Groundwater Basin is 70 percent of BBP, with an anticipated projection of 85 percent of BBP starting in 2025. The BPP applies to all GSWC service areas in the Groundwater Basin.

Historical groundwater use from all GSWC service areas in 2020 totaled 17,686 acre-feet year (AFY). Based on the 2020 GSWC Placentia-Yorba Linda Urban Water Management Plan (UWMP)[41], groundwater supplies would total 16,306 AFY through 2025 and would increase to 21,505 AFY for all GSWC service areas.[42] Per the analysis in Section 4.19, *Utilities and Service Systems*, the Project would generate a water demand of 116.6 AFY, which is less than one percent of the total GSWC service area groundwater water use in 2020. The Project would implement BMPs and other storm water infrastructure improvements to capture flows and maximize storm water for groundwater recharge through percolation of precipitation. Therefore, the Project would not interfere with or impede groundwater recharge.

The proposed Project is consistent with the General Plan land use designation and therefore is consistent with the SCAG's population forecast for the County, which is used to forecast available water supply and population service areas. Refer to Impact Question 4.4(a) for a discussion on population. Since the Project is consistent with the General Plan, the anticipated population growth and water demand from Project implementation is within the buildout projections of the General Plan, and would have been considered in the preparation of the 2020 UWMP. Therefore, the Project would not conflict with UWMP demand projections and would not interfere with groundwater recharge. Impacts would be less than significant. No mitigation measures are either required or recommended.

[41] The Urban Water Management Planning Act requires every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 AF of water annually to prepare, adopt, and file an Urban Water Management Plan with the California Department of Water Resources (DWR) every 5 years in the years ending in zero and five. The 2020 UWMP provides water supply planning for a 25-year planning period in 5-year increments and identifies water supplies needed to meet existing and future demands.

[42] Golden State Water Company, July 2021, Placentia-Yorba Linda Service Area 2020 Urban Water Management Plan Table 3-2 and Table 3-3, Accessed April 28, 2022 and July 21, 2023.

Response to Question ci): Less Than Significant Impact. The Project would not result in a significant change to the site's drainage pattern. The Project would not involve the alteration of the course of a stream or river. The Project would slightly increase the site's impervious conditions by two percent, from 78 to 80 percent. However, the addition of impervious surfaces would not result in substantial erosion or siltation on or off site. Impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question cii): Less Than Significant Impact. As discussed above, the proposed Project would increase the amount of impervious surfaces at the Project site by two percent. However, the proposed Project would include on-site storm water improvements. Specifically, the proposed Project would connect to the existing storm drain in Esperanza Road via a 24-inch connection. The Project would install a private storm drain system with four catch basins located throughout the internal driveway access. Catch Basin #1 would be located in Private Drive "C", southeast of the Fairlynn Boulevard driveway (see **Figure 10: Water Quality Management Plan**). Catch basin #2 is proposed near the northeast corner of Private Drive "A." Catch Basin #3 is proposed 110 feet north of the Esperanza Road access. Catch Basin #4 would be located 10 feet north of the Esperanza Road access on Private Drive "A". All catch basins would connect via an internal 18-inch storm drain to carry flows southerly and ultimately connect to the existing 112-inch storm drain in Esperanza Road.

The Project proposes eight different drainage management areas (DMA), which are delineated areas that hydraulically connect to a common water quality treatment point or structure (see **Figure 10: Water Quality Management Plan)**. DMA A1 through A6 are MWS proposed adjacent to the proposed catch basins along "Private Drive A," DMA A7 is used for off-site run-on, and DMA B1 is 0.03-acre self-treating landscaped area that runs adjacent to Esperanza Road. In total, three MWS are proposed adjacent. DMA 1 and 2 would share one 1.10-acre MWS; DMA 3,4, and 5 would share one 0.93-acre MWS; and DMA 6 would have its own 0.54-acre MWS. MWS sizing are based on flow rates. Based on the hydrology studies and water quality plans in Appendix F, all three MWS units exceed the required treatment capacities.[43] As a result, the Project's storm drain infrastructure would adequately capture, treat, and release runoff into Orange County Sanitation District (OCSAN) facilities. The Project would not result in a significant change to the site's drainage pattern that would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off the site. Impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question ciii): Less Than Significant Impact. The Project would comply with SC HYD-3, which states that the County requires that applicants submit a Runoff Management Plan to the Manager, Subdivision and Grading for review and approval. Peak discharges would be mitigated for all frequency events and no flooding would occur on the Project site due to the use of MWS and bioretention rain gardens. Further, the Project would comply with Orange County Codified Ordinances Article 2, Section 4-13-40: Prohibition of Illicit Connections and Prohibited Discharges, which prohibits the irrigation of property in a manner that causes excessive runoff into the stormwater drainage system, resulting in unnatural flows or transport of pollutants to a receiving water as defined by the NPDES permit.

Additionally, pursuant to Orange County Codified Ordinances Article 3, Section 4-13-50: New Development and Significant Redevelopment, Project plans would be reviewed by OC Public Works, prior to the County's issuance of any permits for new development, to verify that controls for water quality management are integrated into the Project's design. The Project would be required to comply with NPDES and Orange County Codified Ordinances requirements to ensure that any potential impacts associated with runoff and water quality during grading and Project construction would be addressed.

[43] Appendix F, Page 19 - Modular Wetland System Design Summary.

Based on the 2011 Model WQMP sizing requirements, the proposed BMPs have been designed to meet the required treatment flow rates. Therefore, because the Project will comply with the established regulatory framework, the Project is within the capacity of the County's existing storm drain system and satisfies surface water quality requirements. Therefore, impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question d): Less Than Significant Impact. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map[44] and Orange County General Plan, the Project site is not within any flood hazard zones. The Project site is approximately 19 miles northeast of the Pacific Ocean and the County's Tsunami Hazard Area Map indicates that the Project site is outside the tsunami hazard area[45]. The nearest bodies of water are the four lakes in Yorba Regional Park, located approximately 0.9 mile to the east of the Project site; the risk of seiches is low. Therefore, the Project site is not subject to flooding, tsunamis, and seiches, and Project implementation would not result in a high risk of pollutants due to Project inundation. Impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question e): Less Than Significant Impact. The Project would comply with applicable water quality regulations for short-term and long-term activities and operations. Specifically, the Project would be subject to the requirements of the Santa Ana RWQCB and County of Orange. As defined in Orange County Codified Ordinances Division 13 – Stormwater Management and Urban Runoff – County Regulations, the Project would be required to be developed consistent with the current Orange County DAMP and the intent of the NPDES permit. The Project would be required to obtain an NPDES Municipal Stormwater Permit for the proposed construction activities. In compliance with the NPDES permit in addition to the Santa Ana RWQCB's Water Quality Control Program, the Project would be required to develop a SWPPP for construction-related activities prior to the start of demolition, grading, or construction. The requirement to prepare a SWPPP is also reflected in the County Standard Condition WQ04 (see SC HYD-1). Additionally, the proposed Project would be developed in compliance with the County Standard Condition WQ05 (see SC HYD-2), which requires the preparation of an Erosion and Sediment Control Plan to demonstrate compliance with the County's NPDES Implementation Program. Refer to Impact Question c), above.

Further, the proposed Project would not interfere with groundwater recharge such that it would result in a net deficit in aquifer volume or lowering of the local groundwater table levels. As discussed above, GSWC provides water service to the Project site as discussed under Impact Question b), above. A majority of GSWC water supplies depend on groundwater from the Groundwater Basin, which is managed by the Orange County Water District. The proposed Project water demand would account for less than one percent of the overall groundwater supply forecasted through 2045. The proposed Project would not conflict with maintenance or recharge of the groundwater supplies.

The Orange County Groundwater Basin is not adjudicated but operates under the management plan that was updated in concert with the Sustainable Groundwater Management Act. The proposed Project would not conflict with SB X7-7 requirements, which aim to reduce urban water usage by 20 percent by 2020. Compliance and SB X7-7 reduction targets would reduce any project-related impacts on sustainable groundwater management plans. Therefore, impacts are less than significant. No mitigation measures are either required or recommended.

[44] FEMA Flood Map Service Center, *Federal Emergency Management Agency,* https://msc.fema.gov/portal/home, accessed on April 25, 2022 and July 21, 203.

[45] Tsunami Hazard Area Map, *California Geological Survey,* https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/, accessed on April 25, 2022 and July 21, 2023.

4.11 Land Use and Planning *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Response to Question a): No Impact. Projects that could physically divide an established community include, for example, a new freeway or highway that traverses an established community or neighborhood. The Project is proposed on a developed infill parcel that is bordered by urban development, roadways, and a rail line. The Project does not propose any new public streets, highways, or other physical barriers which could physically divide an established community. The proposed Project would not physically divide an established community given its nature and scope; therefore, no impact would occur. No mitigation measures are either required or recommended.

Response to Question b): Less than Significant Impact. The Project is consistent with the County of Orange's General Plan land use designation of Suburban Residential (1B).[46] Areas designated as Suburban Residential are intended to be used for a wide range of housing types, from estate-type development to attached dwelling units such as townhomes and condominiums.[47] Permitted residential density range from 0.5 du/ac to 18 du/ac. The Project proposes 44 townhomes at a residential density of 17 du/ac. The Project site is zoned as Local Commercial with a Sign Restriction Overlay and is designated as an area with Housing Opportunities (C1(SR)(H)).[48]

The Housing Accountability Act ([HAA] Government Code, §65589.5, subdivision (j)(4)) clarifies that if the zoning standards and criteria are inconsistent with applicable, objective General Plan standards, but the development project is consistent with the applicable objective General Plan standards for the site, then the housing development project cannot be found inconsistent with zoning standards and criteria. Further, if such an inconsistency exists, the local agency is not required to rezone a site prior to housing development project approval.

The local agency may require, however, the proposed housing development project to comply with the objective standards and criteria contained elsewhere in the Zoning Code that are consistent with the General Plan designation. For example, if a site has a General Plan land use designation of residential but the site is presently zoned commercial under the applicable zoning standards and criteria, then a local government can require the project to comply with objective development standards in zoning districts that are consistent with the residential designation.

[46] County of Orange, Land Use Element Amendment 14-02, available at https://ocds.ocpublicworks.com/sites/ocpwocds/files/import/data/files/58442.pdf, accessed on April 13, 2022 and July 21, 2023.
[47] County of Orange, Land Use Element of the General Plan, available at https://ocds.ocpublicworks.com/sites/ocpwocds/files/2020-12/Chapter%20III-Land%20Use%202020.pdf, accessed on April 13, 2022 and July 21, 2023.
[48] Orange County Codified Ordinances Section 7-9-148.6.

Under the HAA, the standards and criteria determined to apply to a housing development project must facilitate and accommodate development at the density allowed under the General Plan designation for the site and as proposed by the housing development project if consistent with the General Plan designation. Therefore, because no zone change is proposed or required for the proposed Project that could otherwise result in potentially significant impacts, no impact would occur. No mitigation measures are either required or recommended.

Table 4.11-1: General Plan Consistency Analysis summarizes the Project's consistency with General Plan goals, policies, and programs applicable to the Project.

Table 4.11-1: General Plan Consistency Analysis

Policies, Goals, and Programs	Consistency Analysis
Land Use Element	
Policy No. 4 - Housing Densities To provide a variety of residential densities which permit a mix of housing opportunities affordable to the county's labor force.	**Consistent.** The proposed Project would develop 44 multi-family townhomes, increasing opportunities to provide additional market rate housing in the Yorba Linda and Anaheim Hills area. The residential product type is consistent with the adjacent multi-family residences to the north and east.
Policy No. 7 - New Development Compatibility To require new development to be compatible with adjacent areas.	**Consistent.** The proposed Project would develop multi-family residences and would be consistent with the intent of the General Plan land use designation. The residential product type is consistent with the adjacent Fairlynn Homes multi-family residences to the north, Charter Hill multi-family residences west of the Project site. The Woodgate and Canyon Village residential communities are located to the east and south of the Project site, respectively. Additionally, surrounding uses are predominately multi-family residences. The proposed Project would be compatible with the surrounding area by proposing similar product types (attached multi-family). Further, the Project does not include any uses that would be incompatible with the residential character in the area.
Resources Element	
Policy No. 1 - Land Use To plan urban land uses with a balance of residential, industrial, commercial, and public land uses as set forth in the Land Use Element.	**Consistent.** The Project proposes multi-family residences consistent with the land use designation of Suburban Residential (1B) compatible with adjacent residential uses. Areas designated as Suburban Residential are intended to be used for a wide range of housing types, from estate-type development to attached dwelling units such as townhomes and condominiums.
Public Services	
Policy No. 1 - Phasing and Funding To implement public facilities in a manner that supports the implementation of the overall land use development policies and the needs of County residents and is consistent with the funding capabilities of the County. Proponents of planned communities or tentative tract or parcel maps in conventionally zoned communities shall provide	**Consistent.** The proposed Project would ensure adequate public resources remain available through the payment of County developer impact fees. The Project would be subject to Standard Condition (SC) Public Services 1-8, which requires that the Applicant pay developer impact fees for public services such as fire, police, and libraries. Additionally, the Project would be subject to payment of

Table 4.11-1: General Plan Consistency Analysis	
Policies, Goals, and Programs	**Consistency Analysis**
ultimate, fair share infrastructure improvements for regional services as required by County and service provider plans in effect at the time of project implementation. Proponents shall also participate, on a fair share basis, in provision of community level facilities. The County and service providers shall strive to provide facilities and services necessary to complete the service system.	school impact fees in accordance with SB 50 pursuant to Government Code Section 65995(3)(h).
Safety Element	
Goal 1 Provide for a safe living and working environment consistent with available resources.	**Consistent.** The proposed Project would comply with the 2022 California Fire Code per Orange County Codified Ordinances Section 3-3-1 that requires the incorporation of safety designs including adequate emergency access and fire safety lanes. In addition, the Project would comply with Title 24 regulations in the 2022 California Building Code for building energy efficiency and safe design.
5th Cycle Housing Element (2013-2021)	
Goal 1. An adequate supply of housing that varies sufficiently in cost, style, tenure, and neighborhood type to meet the economic and social needs of every existing and future resident of the county; and which provides sufficient housing opportunities to achieve a better jobs-housing balance for employees of businesses located in the unincorporated area.	**Consistent.** The proposed Project would contribute 44 units to the County's housing inventory and expand housing opportunities for present and future residents in Orange County.
Goal 3. To promote equal housing opportunities for all persons without discrimination on the basis of race, religion, ethnicity, sex, age, marital status, disability, or household composition.	**Consistent.** The proposed Project would comply with the Fair Employment and Housing Act as adopted by the State of California.
Goal 4. Reduce residential energy use within the County.	**Consistent.** The proposed Project would be developed with the energy saving appliances, lights, and practices per compliance with Title 24 regulations in the 2022 California Building Code.
6th Cycle Housing Element (2021-2029)[a]	
Program 1. Provide Adequate Sites and Monitor for No Net Loss - An adequate supply of housing that varies sufficiently in cost, style, tenure, and neighborhood type to meet the economic and social needs of every existing and future resident of the county; and which provides sufficient housing opportunities to achieve a better jobs-housing balance for employees of businesses located in the unincorporated area.	**Consistent.** The proposed Project would contribute 44 multi-family residential units to the County's housing inventory. The proposed Project would increase the number of multi-family market rate housing units in the County as a whole.
Program 7. Equal Housing Opportunity - Affirmatively Furthering Fair Housing - Promote equal housing opportunities for all persons without discrimination on the basis of race, religion, ethnicity, sex, age, marital status, disability, or household composition.	**Consistent.** The proposed Project would provide comply with the Fair Employment and Housing Act as adopted by the State of California

Table 4.11-1: General Plan Consistency Analysis	
Policies, Goals, and Programs	**Consistency Analysis**
Program 8. – Energy Conservation in Residential Developments - Reduce residential energy use within the County.	**Consistent.** The proposed Project would be developed with the energy saving appliances, lights, and practices per compliance with Title 24 regulations in the 2022 California Building Code.

a. As of July 2023, the 6th Cycle Housing Element has not been certified by the State of California Department of Housing and Community Development (HCD).

Source: County of Orange General Plan, available at https://ocds.ocpublicworks.com/service-areas/oc-development-services/planning-development/codes-and-regulations/general-plan.

The proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, program or regulation adopted for the purpose of avoiding or mitigating an environmental effect. A less than significant impact would occur. No mitigation measures are either required or recommended.

4.12 Mineral Resources *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

Response to Question a) Less than Significant Impact. The Surface Mining and Reclamation Act of 1975 (SMARA) requires classification of land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the area.[49] The Project site is in an MRZ-2 area, an area of indicated presence of significant mineral deposits. However, the Project site is developed and been disturbed since at least the 1960s. Due to the nature of the Project, a residential community would not involve any activities associated with mineral resource extraction and any remaining mineral resources at the Project site would therefore remain available in the future. Therefore, no impact to mineral resources of value would occur. No mitigation measures are either required or recommenced.

Response to Question b): Less than Significant Impact.. The Project site is not identified as a "locally-important mineral resource recovery site" in any local general plan, specific plan, or other land use plan. The proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. The Project is currently developed as a commercial retail plaza, with three multi-tenant standalone commercial buildings. No mineral resource recovery sites exist. Therefore, Project implementation would not result in the loss of availability of known mineral resources and impacts would be less than significant. No mitigation measures are either required or recommended.

[49] California Department of Conservation. 2018. *California Statutes and Regulations for the California Geological Survey.* Sacramento, CA: California Geological Survey.

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

A noise analysis was prepared for the proposed Project by Kimley-Horn and Associates, Inc. (Kimley-Horn, 2022). The noise modeling outputs and results are included in **Appendix G** of this Initial Study and the results are summarized herein. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC NOI-1 The Applicant shall sound attenuate all residential lots and dwellings against present and projected noise (which shall be the sum of all noise impacting the project) so that the composite interior standard of 45 dBA CNEL for habitable rooms and a source specific exterior standard of 65 dBA CNEL for outdoor living areas is not exceeded. The Applicant shall provide a report prepared by a County-certified acoustical consultant, which demonstrates that these standards will be satisfied as follows:

A. Prior to the recordation of a subdivision map or prior to the issuance of grading permits, as determined by the Manager, Building Permits Services, the Applicant shall submit an acoustical analysis report to the Manager, Building Permits Services, for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report in which case it may also satisfy "B" below.

B. Prior to the issuance of any building permits for residential construction, the Applicant shall submit an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards to the Manager, Building Permits Services, for approval along with satisfactory

evidence which indicates that the sound attenuation measures specified in the approved acoustical report have been incorporated into the design of the Project.

C. Prior to the issuance of any building permits, the Applicant shall show all freestanding acoustical barriers on the Project's plot plan illustrating height, location and construction in a manner meeting the approval of the Manager, Building Permits Services.

SC NOI-2 A. Prior to the issuance of any grading permits, the Project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that:

1. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
2. All operations shall comply with Orange County Codified Ordinances Division 6 (Noise Control).
3. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the Project's permitted grading plans, will be considered as adequate evidence of compliance with these conditions.

SC NOI-3 Prior to the issuance of any building or grading permits, the applicant shall obtain the approval of the Manager, Building Permits Services of an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by this Project during its operation shall be controlled in compliance with Orange County Codified Ordinances, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified Acoustical Consultant and shall describe the noise generation potential of the Project during its operation and the noise mitigation measures, if needed, which shall be included in the plans and specifications of the Project to assure compliance with Orange County Codified Ordinances, Division 6 (Noise Control).

Background Information

Sound is described at a technical level in terms of amplitude (loudness) and frequency (pitch). The standard unit of sound amplitude measurement is the decibel (dB). The decibel scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Since the human ear is not equally sensitive to a given sound level at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Noise is typically defined as unwanted sound. A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from traffic on a major highway.

Several rating scales have been developed to analyze the adverse effect of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise as well as the time of day when the noise occurs. For example, the equivalent continuous sound level (L_{eq}) is the average acoustic energy

content of noise for a stated period of time; thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. The Day-Night Sound level (L_{dn}) is a 24-hour average L_{eq} with a 10 dBA "weighting" added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the nighttime. The Community Noise Equivalent Level (CNEL) is a 24-hour average L_{eq} with a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. and an additional 5 dBA weighting during the hours of 7:00 p.m. to 10:00 p.m. to account for noise sensitivity in the evening and nighttime.

Existing Setting

Mobile sources of noise, especially cars, trucks, and trains are the most common and significant sources of noise in most communities. The majority of the existing mobile noise in the area is generated from trains on tracks located to the south of Esperanza Road and vehicles traveling along Esperanza Road and Fairlynn Boulevard. The primary sources of stationary noise are urban activities (i.e., mechanical equipment, parking areas, delivery trucks, and pedestrians). The noise associated with these sources may represent a single-event noise occurrence, short-term or long-term/continuous noise.

Noise-Sensitive Receptors. Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, hospitals, and other places where low interior noise levels are essential are also considered noise-sensitive land uses. Noise-sensitive uses near the Project site include multi-family residential uses to the north, east, and west and multi-family residences and a single-family residence west of the Project site along Esperanza Road.

Noise Measurements. Noise level measurements near the Project site were taken to establish current baseline noise levels. Ten-minute measurements were taken between 8:21 a.m. and 9:20 a.m. A long-term measurement was taken in the southern portion of the Project site, north of Esperanza Road to obtain daytime and nighttime ambient noise levels. Measurements of L_{eq} are considered representative of the noise levels throughout the day. The average noise levels and sources of noise measured at each location are identified in **Table 4.13-1: Noise Measurements**. Measurements were taken during off-peak traffic hours to characterize baseline noise levels without exposure to heavy traffic or noise-generating activities.

The background ambient noise levels in the Project area are dominated by transportation-related noise from passerby trains traveling on the BNSF rail line south of Esperanza Road, and vehicles traveling along Esperanza Road and Fairlynn Boulevard. Meteorological conditions were clear skies, cool temperatures with light wind speeds (0 to 5 miles per hour) and low humidity. Noise monitoring equipment used for the ambient noise survey was a Larson Davis LxT sound level meter. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I sound level meters.

Regulatory Setting

California Code of Regulations, Title 24. The State's noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2 of the California Building Code. These noise standards are applied to new construction in California for the purpose of interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an

exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

Table 4.13-1: Noise Measurements

Site	Location	Date	Time	Duration	L_{min} (dBA)	L_{max} (dBA)	L_{eq} (dBA)	dBA CNEL
Short-Term Noise Measurements (10-minute Measurements)								
ST-1	North of Fairgreen Ave, northwest of the Project site	4/13/22	8:21 – 8:31 a.m.	10 min	49.0	60.6	53.5	-
ST-2	Northeast corner of the Woodgate Dr and Fairlynn Blvd intersection, northeast of the Project site	4/13/22	8:39 – 8:49 a.m.	10 min	55.1	77.3	70.9	-
ST-3	Northeast corner of the Fairlynn Blvd and Esperanza Rd intersection, southeast of the Project site	4/13/22	8:53 – 9:03 a.m.	10 min	56.1	85.3	70.7	-
ST-4	North of the 76 Gas Station, west of Fairlynn Blvd, east of the Project site	4/13/22	9:10 – 9:20 a.m.	10 min	54.4	72.8	63.0	-
Long-Term Noise Measurement (24-hour Measurement)								
LT-1	North of Esperanza Rd, south of the Project site.	4/13/22-4/14/22	9:36 a.m. – 10:09 a.m.	24 hr	46.5	109.4	71.4	75.6

L_{eq}: equivalent noise level; L_{min}: minimum noise level; L_{max}: maximum noise level
Source: Noise measurements taken by Kimley-Horn and Associates, April 13-14, 2022. See Appendix F for noise measurement results.

General Plan. The Noise Element of the County's General Plan contains noise and land use compatibility standards for various land uses throughout the County, as identified in **Figure 11: Land Use Noise Compatibility Matrix**. These standards and criteria are used in the land use planning process to reduce future noise and land use incompatibilities. The standards shown in the figure are the primary tool that allows the County to ensure integrated planning for compatibility between land uses and outdoor noise.

Figure 11: Land Use Noise Compatibility Matrix[50]

COMPATIBILITY MATRIX FOR
LAND USE AND COMMUNITY NOISE EQUIVALENT LEVELS
(CNEL)

TYPE OF USE	65+ decibels CNEL	60 to 65 decibels CNEL
Residential	3a, b, e	2a, e
Commercial	2c	2c
Employment	2c	2c
Open Space		
Local	2c	2c
Community	2c	2c
Regional	2c	2c
Educational Facilities		
Schools (K through 12)	2c, d, e	2c, d, e
Preschool, college, other	2c, d, e	2c, d, e
Places of Worship	2c, d, e	2c, d, e
Hospitals		
General	2a, c, d, e	2a, c, d, e
Convalescent	2a, c, d, e	2a, c, d, e
Group Quarters	1a, b, c, e	2a, c, e
Hotel / Motels	2a, c	2a, c
Accessory Uses		
Executive Apartments	1a, b, e	2a, e
Caretakers	1a, b, c, e	2a, c, e

[50] County of Orange, *Orange County General Plan Noise Element*, 2012.

EXPLANATION AND DEFINITIONS ON TABLE VIII-2

ACTION REQUIRED TO ENSURE COMPATIBILITY
BETWEEN LAND USE AND NOISE FROM EXTERNAL SOURCES

1 = Allowed if interior and exterior community noise levels can be mitigated.
2 = Allowed if interior levels can be mitigated.
3 = New residential uses are prohibited in areas within the 65-decibel CNEL contour from any airport of air station; allowed in other areas if interior and exterior community noise levels can be mitigated. The prohibition against new residential development excludes limited "infill" development within an established neighborhood.

STANDARDS REQUIRED FOR COMPATIBILITY OF LAND USE AND NOISE

a = Interior Standard: CNEL of less than 45 decibels (habitable rooms only).
b = Exterior Standard: CNEL of less than 65 decibels in outdoor living areas.
c = Interior Standard: Leq (h)=45 to 65 decibels interior noise level, depending on interior use.
d = Exterior Standard: Leq (h) of less than 65 decibels in outdoor living areas.
e = Interior Standard: As approved by the Board of Supervisors for sound events of short duration such as aircraft flyovers or individual passing railroad trains.

KEY DEFINITIONS

Habitable Room – Any room meeting the requirements of the Uniform Building Code or other applicable regulations which is intended to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

Interior – Spaces that are covered and largely enclosed by walls.

Leq (h) – The A-weighted equivalent sound level averaged over a period of "h" hours. An example would be Leq (12) where the equivalent sound level is the average over a specified 12-hour period (such as 7:00 a.m. to 7:00 p.m.). Typically, time period "h" is defined to match the hours of operation of a given type of use.

Outdoor Living Area – Outdoor living area is a term used by the County of Orange to define spaces that are associated with residential land uses typically used for passive private recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc. associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other noise-sensitive activities; and outdoor school facilities routinely used for educational purposes which may be adversely impacted by noise. Outdoor areas usually not included in this definition are: front yard areas, driveways, greenbelts, maintenance areas, and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (for example, school play yard areas).

Orange County Codified Ordinances Article 1, Sec. 4-6-5. – Exterior Noise Standards. Orange County Codified Ordinances Section 4-6-5. – Exterior Noise Standards provides maximum exterior noise levels. **Table 4.13-2: County of Orange Allowable Exterior Noise Levels**, identifies the noise standards that apply to all residential property within a designated noise zone. In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, the noise levels identified in the table are to be reduced by five dB(A).

Table 4.13-2: County of Orange Allowable Exterior Noise Levels

Zone	Noise Level	Time Period
Residential	55 dB(A)	7:00 a.m. – 10:00 p.m.
	50 dB(A)	10:00 p.m. – 7:00 a.m.

Source: County of Orange, Codified Ordinances Article 1, Sec. 4-6-5 – Exterior Noise Standards, 2022.

It is prohibited for any person at any location within the unincorporated area of the County to create any noise, or to allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, when it causes the noise level, as measured on any other residential property, either within an incorporated city or unincorporated Orange County, to exceed:

(1) The noise standard for a cumulative period of more than 30 minutes in any hour; or

(2) The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour; or

(3) The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour; or

(4) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or

(5) The noise standard plus 20 dB(A) for any period of time.

In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category must be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category must be increased to reflect the maximum ambient noise level.

Pursuant to Orange County Codified Ordinances Section 4-6-7 – Special Provisions, mechanical devices, apparatus, or equipment that are related to or connected with emergency machinery, vehicle or work are exempt from the aforementioned noise restrictions. Further, noise sources associated with construction are prohibited from taking place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday.

Response to Question a): Less Than Significant Impact

Construction

Construction noise represents a short-term impact on ambient noise levels. Noise generated by equipment for construction equipment, including trucks, graders, bulldozers, concrete mixers, and portable generators can reach high levels. Existing noise-sensitive uses would be exposed to increased noise levels from construction activities at the Project site. In typical construction projects, including the proposed Project, the loudest noise generally occurs during demolition and grading activities because they involve the largest equipment. Maximum noise levels generated by construction equipment are shown in **Table 4.13-3: Maximum Noise Levels Generated by Construction Equipment**. It should be noted that the noise levels identified in the table are maximum sound levels (L_{max}), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Construction noise levels could exceed the existing ambient noise levels measured near the Project site (**Table 4.13-1**). The nearest sensitive receptors to the site are the multi-family residences (Fairgreen Homes) and the single-family residence (on Esperanza Road) to the west located within approximately 50 feet of anticipated Project construction activities. Although these receptors would experience increased noise levels during construction activities, the Project would comply with Orange County Codified Ordinances Section 4-6-7 – Special Provisions, which prohibits construction activities between 8:00 p.m.

and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday. These permitted hours of construction are included in the Orange County Codified Ordinances in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment. Further, SC NOI-2 would require all construction vehicles or equipment operated within 1,000 feet of a dwelling to be equipped with properly operated and maintained mufflers that would help reduce construction, stockpiling and staging noise. Therefore, construction noise impacts from the Project would be less than significant.

Table 4.13-3: Maximum Noise Levels Generated by Construction Equipment

Equipment	Typical Noise Level (dBA) at 50 Feet from Source	
	L_{max} at 50 Feet (dBA)	L_{max} at 100 Feet (dBA)
Air Compressor	80	74
Backhoe	80	74
Compactor	82	76
Concrete Mixer	85	77
Concrete Pump	82	76
Concrete Vibrator	76	79
Crane, Derrick	88	76
Crane, Mobile	83	70
Dozer	85	82
Generator	82	77
Grader	85	79
Impact Wrench	85	76
Jack Hammer	88	79
Loader	80	79
Paver	85	82
Pile-driver (Impact)	101	74
Pile-driver (Sonic)	95	79
Pneumatic Tool	85	95
Pump	77	89
Roller	85	79
Saw	76	71
Scraper	85	84
Shovel	82	89
Truck	84	79

dBA: A-weighted decibels; L_{max}: maximum noise level
Note: Acoustical Use Factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

Operations

Typical noise associated with residential land uses include children playing, pet noise, amplified music, landscape maintenance, and delivery drop offs. Noise from these stationary sources would be consistent with the surrounding uses and would primarily occur “daytime” activity hours of 7:00 a.m. to 10:00 p.m. In addition, the Project would be required to comply with the noise standards set forth in the County’s General Plan and Orange County Codified Ordinances Article 1, Section 4-6-5. – Exterior Noise Standards.

Mechanical Equipment. Mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.[51] Sound levels decrease by 6 dBA for each doubling of distance from the source (e.g., at 100 feet, mechanical equipment would be approximately 46 dBA).[52] The closest noise-sensitive use (multi-family residences to the northwest, single family residences to the east across Fairlynn Boulevard, and one single-family residence adjacent to the western boundary of the Project site) would be approximately 75 feet from the nearest potential location for HVAC equipment, located on the roof of the nearest proposed townhome. At this distance, mechanical equipment would attenuate to approximately 48.4 dBA assuming a clear line of sight from the HVAC equipment to the nearest proposed townhome. As such, HVAC noise levels from the HVAC equipment would not exceed the County's most stringent exterior nighttime noise standard of 50 dBA for Residential Zones.

Parking Lot Noise. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL or L_{eq} scale. The instantaneous maximum sound levels generated by a car door slamming, car alarms, garage door openers, engine starting up, and car pass-bys range from 53 to 61 dBA[53] and may be an annoyance to adjacent noise-sensitive receptors. Conversations in parking areas may also be an annoyance to sensitive receptors.[54] Parking lot noise would occur within the on-site surface parking areas. As noted above, noise levels from parking lot activities typically range from approximately 53 to 61 dBA at a distance of 50 feet. However, parking lot noise is instantaneous (e.g., a door slamming would last one second and a car pass-by would be a few seconds) and noise is currently generated on the site and at the surrounding commercial and residential uses under existing conditions.[55] Therefore, noise impacts from parking lot activities would be less than significant.

Slow-Moving Trucks (Deliveries). The proposed Project would have occasional deliveries and weekly trash/recycling pickups from slow-moving trucks which would typically occur during normal daytime hours of 7:00 a.m. to 10:00 p.m. Deliveries and trash/recycling pickup would occur within the Project site. Low speed truck noise results from a combination of engine, exhaust, and tire noise as well as the intermittent sounds of back-up alarms and releases of compressed air associated with truck air-brakes. Typically, heavy truck operations generate a noise level of approximately 64.4 dBA at 50 feet.[56] Based on the site plan, the nearest sensitive receptors are the multi-family residences located approximately 90 feet from where on-site truck deliveries/trash collection would occur. At this distance and assuming a 5 dBA reduction from the intervening perimeter wall, truck noise would attenuate to approximately 54.3 dBA, which is below the County's 55 dBA daytime noise standard for multi-family residential uses. Truck deliveries and trash collection activities would occur during normal daytime hours and are considered part of the existing noise environment (i.e., truck deliveries and trash collection activities occur on-site and at commercial and residential uses in the immediate area under existing conditions). Impacts would be less than significant.

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51 Elliott H. Berger, Rick Neitzel1, and Cynthia A. Kladden. (2010). *Noise Navigator Sound Level Database with Over 1700 Measurement Values*.

52 Cyril M. Harris, *Noise Control in Buildings*, 1994.

53 Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.

54 Elliott H. Berger, Rick Neitzel1, and Cynthia A. Kladden. (2010). *Noise Navigator Sound Level Database with Over 1700 Measurement Values*. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.

55 Existing measured noise levels on the Project site, which include parking lot noise, range from approximately 63.0 dBA L_{eq} to 71.4 dBA L_{eq} (see measurements ST-4 and LT-1 in Table 4.13-1)

56 Loading dock reference noise level measurements conducted by Kimley-Horn (December 18, 2018).

Off-Site Mobile Noise

In general, a traffic noise increase of 3 dBA is barely perceptible to people, while a 5 dBA increase is readily noticeable. Traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA.[57] Project implementation would generate increased traffic volumes along nearby roadway segments. However, the Project's trip generation would not double roadway volumes and therefore not increase traffic noise levels by 3 dBA. According to the Project traffic analysis, the Project would result in 317 daily vehicle trips and a net loss of 731 daily vehicle trips compared to existing traffic generated at the Project site. This decrease in traffic volumes would result in traffic noise decreases on area roadways.

Nonetheless, traffic noise levels from project-generated traffic were conservatively calculated using the Federal Highway Administration's (FHWA) Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions with and without the Project, based on traffic volumes from the Orange County Transportation Authority 2021 Traffic Flow Map.[58] As indicated in **Table 4.13-4: Existing Plus Project Traffic Noise Levels**, Existing Plus Project traffic-generated noise levels along Esperanza Road (from Imperial Highway to the west and Fairmont Boulevard to the east) would be approximately 64.0 dBA CNEL at 100 feet from the centerline, which is a decrease of 0.3 dBA CNEL compared to existing traffic-generated noise levels. As such, the Project would not result in an increase of more than 3.0 dBA CNEL for the roadway segment analyzed and traffic noise. Therefore, noise impacts from off-site traffic would be less than significant.

Table 4.13-4: Existing Plus Project Traffic Noise Levels

Roadway Segment	Existing		Existing + Project		Project Change from No Build Conditions	Significant Impact?
	ADT[1]	dBA CNEL[2]	ADT	dBA CNEL[2]		
Esperanza Road						
Imperial Highway to Fairmont Blvd	13,000	64.3	12,269	64.0	-0.3	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level

1. Traffic data obtained from the *Orange County Transportation Authority 2021 Traffic Flow Map*, 2021.
2. Traffic noise levels are at 100 feet from the roadway centerline. Noise levels modeled using the FHWA-RD-77-108 Highway Traffic Noise Prediction Model; see Appendix F for traffic noise modeling results.

On-Site Noise Impacts[59]

The Project site is approximately 100 feet north of the BNSF rail line and adjacent to Esperanza Road. The long-term noise measurement data (Table 4.13-1) indicates that receptors located approximately 125 feet north of the railway would experience noise levels up to 75.6 dBA CNEL. Using distance attenuation for a line source, on-site noise levels from train pass-bys combined with traffic noise on Esperanza Road are projected to be greater than the County's exterior noise level thresholds of 65 dBA CNEL for residential uses, as shown in **Table 4.13-5: On-Site Mobile Train and Traffic Noise Levels**.

[57] According to the California Department of Transportation, *Technical Noise Supplement to Traffic Noise Analysis Protocol* (September 2013), it takes a doubling of traffic to create a noticeable (i.e., 3 dBA) noise increase.

[58] Orange County Transportation Authority, *2021 Traffic Flow Map*, retrieved from: https://www.octa.net/pdf/2021-ADT.pdf.

[59] The California Supreme Court in a December 2015 opinion (*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 [No. S 213478]) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, this section is not required under CEQA and is included for informational purposes only. The evaluation of the significance of project impacts in the following discussion is provided to ensure compliance with City and State Building Code noise standards.

Table 4.13-5: On-Site Mobile Train and Traffic Noise Levels		
Outdoor Location[1]	**Distance to the Railway (feet)**	**dBA CNEL**
1st Row (patios/balconies)	110	76.4
2nd Row (patios/balconies)	240	61.3[2]
3rd and 4th Rows (patios/balconies/open space)	345	59.0[2]
5th Row (patios/balconies)	470	56.9[2]

1. Outdoor locations include patios, balconies, and open space areas associated with the various rows of proposed townhomes. The numbering of the rows of townhomes are arranged in order of proximity to the BNSF railway. For example, the 1st row is the southernmost cluster of townhomes relative to the Project site.
2. Assumes a 10 dBA reduction from the intervening building(s) on the site.

As indicated in the table, the outdoor patio areas of first floor residences on the Project site would exceed the County's exterior noise standard of 65 dBA CNEL.[60] Therefore, the Project would be required to comply with SC NOI-1 to ensure on-site noise levels comply with the County's exterior and interior noise standards. SC NOI-1 would require the Applicant to attenuate residential units by instituting noise attenuation measures to ensure the composite interior standard of 45 dBA CNEL for habitable rooms and a source specific exterior standard of 65 dBA CNEL for outdoor living areas are not exceeded. This standard condition also requires that, prior to the issuance of any building permits for residential construction, the Applicant submit an acoustical analysis report, prepared by a County-certified acoustical consultant, describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards to the Manager, Building Permits Services, for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report have been incorporated into the design of the Project. Therefore, Project impacts would be considered less than significant. No mitigation measures are either required or recommended.

Response to Question b): Less Than Significant Impact. Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located near the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Ground-borne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.20 inch/second) appears to be conservative. Building damage can be cosmetic or structural. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. This evaluation uses the FTA architectural damage criterion for continuous vibrations at non-engineered timber and masonry buildings of 0.2 inch-per-second peak particle velocity (PPV) and human annoyance criterion of 0.4 inch-per-second PPV in accordance with California Department of Transportation guidance.[61] Typical vibration levels produced by construction equipment is identified in **Table 4.13-6, Typical Vibration Levels for Construction Equipment**.

[60] All other outdoor areas of on-site residences would be below 65 dBA CNEL.
[61] California Department of Transportation, *Transportation and Construction Vibration Guidance Manual, Table 20*, September 2013.

Table 4.13-6: Typical Vibration Levels for Construction Equipment

Equipment	Approximate Peak Particle Velocity at 25 Feet (inches/second)	Approximate Peak Particle Velocity at 47 Feet (inches/second)
Large bulldozer	0.089	0.035
Loaded trucks	0.076	0.030
Small bulldozer	0.003	0.001
Jackhammer	0.035	0.014
Caisson drilling	0.089	0.035

Notes:
1. Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018. Table 7-4.
2. Calculated using the following formula:
   $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$
   where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance
   PPV (ref) = the reference vibration level in in/sec from Table 7-4 of the FTA *Transit Noise and Vibration Impact Assessment Manual,* September 2018.
   D = the distance from the equipment to the receiver

Ground-borne vibration decreases rapidly with distance. Based on the FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 inch-per-second PPV at 25 feet from the source of activity (Table 4.13-6). Vibration at 47 feet (the distance from the nearest off-site structure [multi-family residences to the north, single family residences to the east across Fairlynn Boulevard, and one single-family residence on Esperanza Road adjacent to the western boundary] to the Project construction area) would range from 0.001 to 0.035 PPV. Therefore, vibration from construction activities experienced at the nearest adjacent building would be expected to be below the 0.20 inch-per-second PPV significance threshold for architectural damage and 0.4 in/sec PPV threshold for human annoyance It should also be noted that the Project does not require pile driving which is a significant source of construction vibration and can exceed vibration standards at close distances. Therefore, impacts would be less than significant and no mitigation measures are required or recommended.

Response to Question c): Less Than Significant Impact. The nearest airports to the Project site are Fullerton Municipal Airport, located approximately 11 miles to the west and Corona Municipal Airport, located approximately 11 miles east of the Project site. Due to the distance from the airports, the Project site is not within the Fullerton or Corona Airport Land Use Plan. As such, Project implementation would not result in exposure of people residing or working in the area to excessive or high noise impact levels. Therefore, a less than significant impact would occur. No mitigation measures are either required or recommended.

4.14 Population and Housing *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Induce substantial unplanned 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Response to Question a): Less than Significant Impact. The County's unincorporated population as of January 1, 2023 was approximately 132,114 persons.[62] Unincorporated Orange County's housing stock totaled 44,578 units with approximately 3.06 persons per household. The Project would remove all existing on-site structures and, in their place, construct 44 townhomes, which would result in a population growth of approximately 135 people when fully occupied. According to SCAG's Connect SoCal Technical Report, the population of unincorporated areas in the County of Orange is forecasted to increase up to 55,100 people by 2045 (181,000 total projected). Households are projected to increase to 56,600 units by 2045.[63] Population growth associated with the proposed Project would account for less than one percent of the forecasted growth for the County and falls within the County's planned growth forecasts. The proposed Project is consistent with the General Plan land use designation of Suburban Residential (1B) Communities, which envisions for residential development. Therefore, no unplanned growth would directly result from implementation of the proposed Project. Additionally, indirect unplanned growth would not occur as a result of the Project. The proposed Project is residential in-fill development within an urbanized area of the County. The Project would require connections to existing utility infrastructure; however, no substantial improvements that would indirectly induce population growth beyond the proposed Project itself would occur. Therefore, the Project would not induce substantial unplanned population growth in the County and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question b): No Impact. The Project would not displace existing housing nor require construction of replacement housing elsewhere because there is currently no housing on the Project site. Therefore, no impact would occur. No mitigation measures are either required or recommended.

[62] California Department of Finance, 2023, E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2023, accessed on July 21, 2023.
[63] SCAG, 2020, Connect SoCal Demographic and Growth Forecast Technical Report, accessed on March 22, 2022.

4.15 Public Services *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a-i) Fire protection	☐	☐	☒	☐
a-ii) Police protection	☐	☐	☒	☐
a-iii) Schools	☐	☐	☒	☐
a-iv) Parks	☐	☐	☒	☐
a-v) Other public facilities	☐	☐	☒	☐

The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC PS-1 Prior to issuance of a building permit, the Applicant shall comply with local park code either through the payment of in-lieu fees and/or the application of any potential local park credits due to the development of on-site private recreational facilities including; pool, spa, restroom facilities, overhead shade structure, BBQ, fireplace, seating, pocket park, dog park, trail access in compliance with the County's Local Park Code (Zoning Code Section 7-9- 500, et seq) (currently $8,800 per unit) (SG17 Local Park Code). Fee payment shall be in the amount in effect at the time of issuance.

SC PS- 2 Prior to the issuance of any building permits, the Applicant shall pay development fees for the Orange County Public Library, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-3 Prior to the recordation of any subdivision map, the Applicant shall enter into an agreement with the County of Orange to pay development fees for the Orange County Public Library as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. Said agreement shall be accompanied by financial security. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-4 Prior to the issuance of any building permits, the Applicant shall pay development fees for Fire Stations No. 10 and 32, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. This condition may be satisfied by entering into an implementation agreement with the

County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-5 Prior to the recordation of any subdivision map, the Applicant shall enter into an agreement with the County of Orange to pay development fees for Fire Station No. 10 and 32, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. Said agreement shall be accompanied by financial security. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-6 Prior to the issuance of building permits, the Applicant shall be required to pay development fees for sheriff substation facilities or, if an applicable fee program has not been adopted by the Board of Supervisors, shall enter into a secured agreement with the County of Orange to pay development fees for a sheriff substation, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-7 Prior to the recordation of any subdivision map, the Applicant shall enter into a secured agreement with the County of Orange to pay development fees for sheriff substation facilities when an applicable fee program is adopted by the Board of Supervisors, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-8 Prior to the issuance of building permits, the Applicant shall pay development fees for general County facilities if an applicable fee program has been adopted by the Board of Supervisors pursuant to Section 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange, and such fee program is in effect at the time of issuance of building permits, all in a manner meeting the approval of the Manager, Environmental & Project Planning.

Response to Question a-i): Less than Significant Impact. The proposed Project would increase the population in the area by approximately 135 people, which would incrementally increase the demand on fire services. Fire protection services are provided by OCFA, Division 4. The Project site is within Battalion 2's service area which serves unincorporated areas of the County in Tustin, Villa Park, and Yorba Linda. [64] OCFA's response time performance goals are described below:

- Total response time for arrival of the first arriving response unit at a core incident should be within 7 minutes 20 seconds, 80 percent of the time (in urban areas).
- Total response time for arrival of the first arriving advance life support response unit at a core medical incident should be within 10 minutes, 80 percent of the time (in urban areas).

[64] OCFA, Operations Division 4, available at https://ocfa.org/AboutUs/Departments/OperationsDirectory/Division4.aspx, accessed on March 23, 2022 and July 21, 2023.

- Response time for arrival of the first alarm assignment at a moderate risk structure fire incident should be 12 minutes, 80 percent of the time (in urban areas).[65]

The nearest OCFA Fire Station is Fire Station #32, located at 20990 Yorba Linda Boulevard in the City of Yorba Linda, which is approximately 2.2 miles northeast of the Project site. The current response times for Station #32 are:

- Total response time for arrival of the first arriving response unit at a core incident was 8 minutes 22 seconds, 80 percent of the time.
- Total response time for arrival of the first arriving advance life support response unit at a core medical incident was 7 minutes 56 seconds, 80 percent of the time.
- Response time for arrival of the first alarm assignment at a moderate risk structure fire incident was 9 minutes 24 seconds, 80 percent of the time.[66]

OCFA Fire Station #10, at 18422 East Lemon Drive in the City of Yorba Linda, is approximately 2.4 miles northwest of the Project site. The current responses time for Station #10 are:

- Total response time for arrival of the first arriving response unit at a core incident was 7 minutes 50 seconds, 80 percent of the time.
- Total response time for arrival of the first arriving advance life support response unit at a core medical incident was 7 minutes 42 seconds, 80 percent of the time (in urban areas).
- Response time for arrival of the first alarm assignment at a moderate risk structure fire incident was 7 minutes 54 seconds, 80 percent of the time (in urban areas).[67]

While the Project would incrementally increase the need for fire protection services, the Project site is currently developed and served by the OCFA. The County addresses the need to provide adequate facilities and personnel to maintain acceptable service ratios and response times through the payment of development fees by Applicant and the Applicant's coordination with OCFA prior the issuance of building permits. Development projects that increase population can potentially impact emergency services provided by OCFA. Since all projects cumulatively contribute toward demand for OCFA services, OCFA uses a fair share approach to mitigate potential fire service response impacts and facility and equipment needs. Prior to approval of any subdivision or comprehensive plan approval for a project, the Applicant shall enter into a Secured Fire Protection Agreement with OCFA.[68]

The proposed Project is an infill development within the OCFA service area and would not substantially increase the demand for new fire facilities, particularly because the site is already developed and incrementally contributes to the demand for fire protection services. The proposed Project's population growth accounts for less than one percent of the County's overall population and is within SCAG population forecasts, which is not considered substantial population growth. As discussed above, the Applicant would enter into a Secured Fire Protection Agreement with OCFA at the time of Project approvals. The agreement would offset potential Project impacts on OCFA facilities, equipment needs, and response times. Further, compliance with building and fire codes, which implement design standards and requirements to reduce potential fire risk would reduce impacts to fire services and no expansion of fire facilities would be required. The approval of a development plan would ensure that the Project's

[65] OCFA, 2006, Standards of Cover, Available at: https://ocfa.org/Uploads/Orange%20County%20Fire%20Authority%20SOC_FINAL.pdf, Accessed October 17, 2022 and July 21, 2023.
[66] OCFA, E-Mail communications with Tamara Rivers, Management Analyst at TamyRivers@OCFA.org, dated October 17, 2023.
[67] Ibid.
[68] Ibid.

design conforms to building and fire codes and other measures to reduce potential fire risk. The Project does not propose, and would not create a need for, new/physically altered fire protection facilities to maintain acceptable service ratios/response times. A less than significant impact would occur. No mitigation measures are either required or recommended.

Response to Question a-ii): Less than Significant Impact. The proposed Project would increase the population by approximately 135 people, which would incrementally increase the demand on police services. Police services to the area, inclusive of the Project site, are currently provided by the Orange County Sheriff's Department - North Operations, which serves unincorporated areas of the County in Stanton, Villa Park, and Yorba Linda. [69] The nearest Orange County Sheriff's Department Police Station is located at 20994 Yorba Linda Boulevard in the City of Yorba Linda, approximately 2.2 miles northeast of the Project site. The Orange County Sheriff's Department - North Operations maintains response times for emergency and non-emergency calls. Based on information provided from OC Sheriff, response times for Priority 1 calls (emergency) average 4 minutes and 34 seconds, while Priority 2 calls average 13 minutes and 41 seconds, and Priority 3 calls response times average 20 minutes and 45 seconds.[70]

While the Project would incrementally increase the demand for police protection services due to the increase of people residing on the Project site, the Applicant would be subject to SC PS-6 and SC PS-7. Both standard conditions require that the Applicant would coordinate with Orange County Sheriff's Department before building permits are issued (SC PS-6) and pay development fees for Sheriff substation facilities prior to map recordation (SC PS-7).

The proposed Project is an infill development within the Orange County Sheriff's Department service area and would not substantially increase the demand for new police facilities (i.e. police station), particularly because the site is already developed and incrementally contributes to the demand for police services. The Project's forecasted contribution to population growth accounts for less than one percent of the County's overall population and is within General Plan's population forecast, and is therefore not considered substantial population growth. The Project would not result in the need for new or physically altered police protection facilities in the County. Therefore, Project impacts concerning police services would be less than significant and no mitigation is required. Additionally, the Project does not propose, and would not create a need for, new or physically altered police protection facilities and impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question a-iii): Less than Significant Impact. The Project site is within the boundaries of the Placentia-Yorba Linda Unified School District (School District).[71] The School District has 34 schools, including 20 elementary schools, five middle schools, one K-8 school, four comprehensive high schools , one special education school, one continuation high school, one K-12 home school, and one K-12 online school.[72] The School District's Residential Development Fee Justification Study includes student generation factor for multi-family attached units.

Based on 44 dwelling units and School District's Residential Development Fee Justification Study student generation factors, the proposed Project is forecast to have ten elementary school, five middle school,

[69] OCSD, Patrol Areas, available at https://ocsheriff.gov/patrol-areas, accessed on March 23, 2022 and July 21, 2023.
[70] E-mail communications with Joses Walehwa, Captain of Orange County Sheriff's Department Yorba Linda Police Services, dated November 8, 2022.
[71] Placentia-Yorba Linda Unified School District, available at Placentia-Yorba Linda Unified School District (pylusd.org) accessed on July 21, 2023.
[72] Placentia-Yorba Linda Unified School District, Local Control Accountability Plan (LCAP), available at https://4.files.edl.io/ec12/06/29/21/133255-4792ff21-0a58-4646-bc89-9b7f59735f69.pdf, accessed on March 23, 2022 and July 21, 2023.

and six high school students as shown in **Table 4.15-1: Proposed Project Student Generation.**[73] The proposed Project's contribution of additional students within the School District is considered nominal and would not require the need for new school facilities. The Project would be subject to payment of school impact fees in accordance with SB 50. Pursuant to Government Code Section 65995(3)(h), "payment of statutory fees is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use or development of real property…" Therefore, Project impacts to schools would be less than significant. No mitigation measures are either required or recommended.

Table 4.15-1: Proposed Project Student Generation

Grade Level	Student Generation Factor[1]	Dwelling Units	Total Students Generated
Elementary School	0.2216	44	10
Middle School	0.1023	44	5
High School	0.1384	44	6
		Total	**21**

1. For multi-family attached units
2. Assumes 0.5 factor for more conservative approach

Response to Question a-iv): Less than Significant Impact. See Section 4.16, *Recreation*. The Project would result in a less than significant impact on parks in the vicinity of the Project site. No mitigation measures are either required or recommended.

Response to Question a-v): Less than Significant Impact. The Orange County Public Library (OC Public Library) provides library services to the County. The nearest library is the Yorba Linda Public Library, located at 4852 Lakeview Avenue in the City of Yorba Linda, approximately 2.3 miles northwest of the Project site. The proposed Project is a residential redevelopment and would introduce approximately 135 new residents to the County. The Project's forecast population growth would incrementally increase the demand for library services. While the Project would increase a need for library facilities and other public facilities, the Applicant would be subject to SC PS-2, SC PS-3, and SC PS-8, which collectively require payment of development impact fees to OC Public Libraries prior to map recordation and or issuance of building permits. Additionally, SC-8 requires payment of development fees for general County facilities prior to issuance of building permits. Given the Project's nature and scope and availability of libraries' online resources, impacts to library facilities/services would be less than significant and no mitigation is required. The libraries' online catalog of resources is available to the public and does not require the construction or expansion of existing library facilities. Future residents would have access to library services inclusive of online resources. Therefore, the Project does not propose, and would not create a need for, new or physically altered library facilities. The Project would result in a less than significant impact. No mitigation measures are either required or recommended.

[73] Placentia-Yorba Linda Unified School District, 2016, Residential Development School Fee Justification Study, available at https://1.cdn.edl.io/wsAqc6Rtg9KeQv4OAGxJhfYh560zvAfEsoL0yUtowX8d0zgV.pdf, accessed on March 23, 2022 and July 21, 2023.

4.16 Recreation *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) 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?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC PS-1 Prior to issuance of a building permit, the Applicant shall comply with local park code either through the payment of in-lieu fees and/or the application of any potential local park credits due to the development of on-site private recreational facilities including; pool, spa, restroom facilities, overhead shade structure, BBQ, fireplace, seating, pocket park, dog park, trail access in compliance with the County's Local Park Code (Zoning Code Section 7-9-500, et seq) (currently $8,800 per unit) (SG17 Local Park Code). Fee payment shall be in the amount in effect at the time of issuance.

Response to Questions a): Less than Significant Impact. Orange County Parks (OC Parks) maintains and oversees the public parks in the County of Orange. OC Parks encompasses regional, wilderness and historical facilities, as well as coastal areas throughout Orange County. It manages over 150 miles of paved regional trails, 350 miles of trails, 60,000 acres of regional parklands, wilderness, historic sites, and coastal areas.[74] The County General Plan Recreation Element establishes a parkland ratio of 2.5 acres of parkland per 1,000 residents through its Local Park Code.[75] The Local Park Code also allows for the payment of in lieu fees or a combined provision of parkland and payment of in lieu fees when the community is better served through the provision of parkland outside but near the property served.

Assuming the Project's 135 residents are new to the County, the Project would create a demand for approximately 0.34 acre, or approximately 14,702 sf of parkland. As specified in SC PS-1, the Applicant would comply with Local Park Code through the payment of fees and/or application of potential local park credits prior to the issuance of a building permit.

[74] OC Parks, Strategic Plan 2018, Available at: https://ocparks.com/sites/ocparks/files/import/data/files/82682.pdf, accessed April 28, 2022 and July 21, 2023.

[75] County of Orange, Codified Ordinance Article 5. Local Park Code, available at https://library.municode.com/ca/orange_county/codes/code_of_ordinances?nodeId=TIT7LAUSBURE_DIV9PL_ART5LOPACO, accessed on March 23, 2022 and July 21, 2023.

In addition to the payment of park fees, the proposed Project includes on-site recreational amenities for residents, including a tot lot, shade structures, and picnic areas. The on-site recreational amenities provide for convenient access to recreational facilities and open space. Further, given the limited number of residents associated with the Project, substantial physically deterioration of neighborhood and regional recreational facilities is not a foreseeable outcome. Compliance with applicable laws and regulations would ensure that Project implementation would not result in the deterioration of public park facilities through the payment of fees. Therefore, compliance with SC PS-1 would reduce impacts to a less than significant level. No mitigation measures are either required or recommended.

Response to Question b): Less than Significant Impact. The proposed Project would not require the construction or expansion of off-site recreational facilities. The Project would include on-site amenities and would be required to pay all applicable park fees in order to offset the Project's incremental demand placed on local park facilities (SC PS-1). Therefore, the proposed Project would not result in a substantial increase in the demand for park facilities. Impacts would be less than significant. No mitigation measures are either required or recommended.

4.17 Transportation *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Information in this section is based on the VMT Assessment (March 2022) prepared by Kimley-Horn for the proposed Project, which is included in **Appendix H** and Appendix I of this Initial Study and summarized below. The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC TRANS-1 Prior to the recordation of a subdivision map, the issuance of any grading permits or the issuance of a building permit, whichever occurs first, the Applicant shall obtain approval of the OCFA Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on site.

Response to Impact Question a): Less than Significant Impact. Project Construction and Operations Trip Generation and Public Transit are described below.

Project Construction Trip Generation

Automobile and truck traffic volumes associated with project-related construction activities would vary throughout the construction periods (See Appendix A for construction period details), as different activities occur. However, project-related construction traffic would be temporary.

Project Operations Trip Generation

A project-specific trip generation estimate was prepared to calculate daily and peak hour trips for the proposed Project and displaced land use (i.e., commercial retail plaza) based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition). Trip rates for the following uses are shown below:

- Single-Family Attached Housing ITE Code 215
- Strip Retail Plaza (under 40,000 sf) ITE Code 822

Table 4.17-1: Project Trip Generation provides the trip generation rates and the Project's net estimated trip generation after accounting for the displaced land use. The Project would result in a decrease of 731 average daily vehicle trips, including a decrease of 23 average daily trips in the morning peak hour and 101 average daily trips in the evening peak hour.

Table 4.17-1: Project Trip Generation

Land Use	Quantity	Unit	Trip Generation Estimates						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Single-Family Attached Housing	44	DU	317	7	15	22	14	11	25
Strip Retail Plaza (under 40,000 sf)	19.250	KSF	1,048	27	18	45	63	63	126
Total Net New Project Trips			**-731**	**-20**	**-3**	**-23**	**-49**	**-52**	**-101**

Source: Kimley-Horn, 2022.

Existing average daily traffic volumes (ADT) along Esperanza Road are 17,000 ADT east of State Route 90 in the Project area. The proposed Project would decrease daily trips and would therefore not impact existing roadway capacity and infrastructure.

Public Transit

Public transit bus service is provided by OCTA, with bus stops along Esperanza Road. The nearest transit stop is Esperanza-Fairlynn, located approximately 500 feet east of the Project site. The transit stop is part of OCTA Route 30, which runs from Anaheim to Cerritos on Esperanza Road/Orangethorpe Avenue. OCTA Route 30 serves employment centers in the cities of Placentia, Fullerton, and Buena Park and operates from early morning (5:40 a.m.) to late evening (10:00 p.m.). The route operates Monday through Sunday, with weekday peak hour headways of approximately 40 to 50 minutes. The proximity of the Project site to the bus stop would provide transit service for Project residents as an alternative to the use of personal vehicles. Project implementation would not interfere with public transit bus service.

There is an existing Class II bicycle facility along westbound Esperanza Road, approximately 1,775 feet east of the Project site. Project implementation would not result in impacts to existing bicycle facilities or conflict with proposed improvements. There are existing sidewalks along Esperanza Road and Fairlynn Boulevard, along the Project site frontage; the Project would maintain these existing sidewalks. Sidewalks along Fairlynn Boulevard would connect to internal walkways to provide access to the Project site. Accordingly, Project implementation would not affect existing pedestrian facilities. Therefore, Project construction and operations would not conflict with an applicable plan, ordinance, or policy concerning the circulation system. Impacts would be less than significant impact. No mitigation measures are either required or recommended.

Response to Impact Question b): Less than Significant Impact. The County of Orange adopted Vehicle Miles Travelled (VMT) thresholds as required by CEQA and pursuant to SB 743. The County's Guidelines for Evaluating Vehicle Miles Traveled Under CEQA describe different screening thresholds that can be used to identify when a proposed land use project is anticipated to result in a less than significant impact without conducting a more detailed analysis. Screening thresholds include affordable housing projects, small projects, projects within high-quality transit areas, or projects within a low VMT area.

The County's Guidelines for Evaluating Vehicle Miles Traveled Under CEQA states that a project only needs to fulfill one of the screening types to qualify for a less than significant determination. According to the project-specific VMT assessment prepared for the proposed Project, the Project meets the definition of a "Small Project" and is therefore screened out from VMT analysis. A "Small Project" is defined as any project generating 500 or fewer average daily trips.

The Project would generate 317 daily trip, setting aside the trips associated with the existing retail commercial plaza. Overall, the Project would result in a net decrease of 731 trips from existing conditions. Therefore, the proposed Project is screened from further VMT analysis. Since the Project qualifies for the "Small Project" screening criteria (see Appendix G of this Initial Study)**,** the proposed Project would result in a less than significant transportation impact based on the VMT methodology. No mitigation measures are either required or recommended.

Response to Impact Question c): Less than Significant Impact. The proposed Project would reconfigure the existing driveways that provide entry and exit to/from the Project site to Esperanza Road and Fairlynn Boulevard, and provide one driveway on Esperanza Road and two driveways on Fairlynn Boulevard. The driveways on Fairlynn Boulevard would measure 28 to 29 feet wide and the driveway on Esperanza Road would measure 28 feet wide. All driveways would be unsignalized and allow ingress and egress onto Esperanza Road and Fairlynn Boulevard. Within the residential development, drive aisles would be 24 to 25.5 feet. All drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers for emergency and fire vehicles. Project driveways and internal circulation improvement designs would comply with OC Public Works roadway standards and OCFA standards.

The proposed Project is a residential development bordered by existing multi-family residences, one single-family residence, and a 76 gas station and food mart. The proposed Project does not include the use of any incompatible vehicles or equipment associated with the land use, such as farm equipment. The Project's residential uses would be fully compatible with surrounding land uses and any other components of the proposed Project would not increase hazards to the public due to any incompatible uses. Therefore, such impacts are less than significant. No mitigation measures are either required or recommended.

Response to Impact Question d): Less than Significant Impact. As noted above, the proposed Project would provide vehicular access from Esperanza Road and Fairlynn Boulevard. Driveway entrances and interior drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers. Prior to issuance of a building permit OCFA would review Project plans against the Fire Master Plans for Commercial & Residential Development B-01, which contains fire master plan guidance for commercial and residential development.[76] Compliance with SC TRANS-1 would be required, which requires the Applicant to obtain approval of the OCFA Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on the site. Compliance with OCFA and OC Public Works roadway design requirements (minimum curb requirements, typical roadway sections), and SC TRANS-1 would ensure the no significant impacts would occur. Additionally, the Project would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede the use of either Esperanza Road or Fairlynn Boulevard for emergencies or access for emergency response vehicles. Therefore, impacts would be less than significant. No mitigation measures are either required or recommended.

[76] Orange County Fire Authority, January 2023, Fire Master Plans for Commercial & Residential Development – Guideline B-01, Available at: Microsoft Word - B-01 Fire Master Plan 2023 (ocfa.org), Accessed July 21, 2023.

4.18 Tribal Cultural Resources *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:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) 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).	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

The Standard Conditions and Requirements that are applicable to the Project are provided below.

Standard Conditions and Requirements

SC TCR-1 **Unanticipated Discovery of Tribal Cultural Resources in Previously Undisturbed Soils.** If unanticipated Tribal Cultural Resources are discovered during ground-disturbing activities in previously undisturbed soils, OC Public Works will implement the following measures. All work will halt within a 50-foot radius of the discovery. OC Public Works will have a County-certified professional archaeologist with knowledge of Native American resources and a Native American Monitor assess the significance of the find. If the resources are Native American in origin, the County shall coordinate with a Tribe regarding evaluation, treatment, curation, and preservation of these resources. The

archaeologist will have the authority to modify the no-work radius as appropriate, using professional judgment in consultation with OC Public Works. Work will not continue within the no-work radius until the archaeologist conducts sufficient research and evidence and data collection to establish that the resource is either: (1) not Native American in origin; or (2) not potentially eligible for listing in the California Register of Historical Resources. If a potentially eligible resource is encountered, then the archaeologist and OC Public Works, as lead agency, in consultation with a Tribe, will arrange for either: (1) avoidance of the resource, if possible; or (2) test excavations to evaluate eligibility, and if eligible, an attempt to resolve adverse effects to determine appropriate mitigation. The assessment of eligibility will be formally documented in writing as verification that the provisions in CEQA for managing unanticipated discoveries and Public Resources Code Section 5024 have been met.

Response to Question a): Less Than Significant Impact. CEQA defines a "historical resource" as a resource that meets one or more the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a Lead Agency (PRC §21084.1 and CEQA Guidelines §15064.5[a]). There are no sites eligible for listing or currently listed on the NRHP, the CRHR, or any other register of historic resources on or in the immediate vicinity of the proposed Project. Further, the map of Orange County Historic Sites compiled by Preserve Orange County shows that the Project site is not listed as on any County historic preservation lists.[77] Therefore, impacts related to this threshold would be less than significant, and no mitigation measures are either required or recommended.

Response to Question and b): Less Than Significant with Mitigation Incorporated. Chapter 532 Statutes of 2014 (i.e., AB 52) requires that lead agencies evaluate a project's potential impact on "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a Tribal Cultural Resource."

In compliance with PRC Section 21080.3.1(b), the County has provided formal written notification on March 4, 2020 to California Native American tribal representatives identified by the California Native American Heritage Commission. Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on tribal cultural resources as defined in PRC Section 21074. The County has contacted the tribal representatives listed below.

- Juaneno Band of Mission Indians, Joyce Stanfield Perry
- Gabrieleño Band of Mission Indians – Kizh Nation, Andrew Salas
- Gabrieleño/Tongva San Gabriel Band of Mission Indians, Anthony Morales
- Soboba Band of Luiseno Indians, Joseph Ontiveros

[77] Preserve Orange County was founded in 2016 by a group of County residents who identified a need for a central organization concerned with historic preservation in the whole county. The map of Orange County Historic Sites can be accessed here: https://www.preserveorangecounty.org/interactive-map.

The County received two requests for consultation, from the Gabrieleño Band of Mission Indians – Kizh Nation and the Juaneno Band of Mission Indians. A telephone consultation with the Kizh Nation occurred on May 20, 2022. Consultation correspondence with Juaneno Band began on April 18, 2022. Neither of the tribal representatives stated the known presence of Tribal Cultural Resources on the Project site. However, the Kizh Nation tribal representative stated the general area is considered a resource. As part of the tribal consultation process, the cultural record search were sent to both tribes.

As previously addressed in Section 4.5, *Cultural Resources*, a cultural resource records search was conducted at the CHRIS-SCCIC at the California State University, Fullerton. The records search included a review of all recorded historical resources and archaeological sites within a half-mile radius of the Project site as well as a review of cultural resource reports and historic topographic maps on file. The record search did not identify any archaeological resources on the Project site.

The construction of the Esperanza Plaza retail center that currently exists on the Project site resulted in ground disturbance at an unknown depth. Because the existing improvements were completed prior to monitoring requirements, any previously existing Tribal Cultural Resources may have been retrieved or destroyed during the construction of the retail center. The Project will result in excavation and grading that could excavate into previously undisturbed soils. Therefore, there is the potential for the Project to uncover previously unknown Tribal Cultural Resources. The Project would be subject to compliance with SC TCR-1. Compliance with this Standard Condition would reduce potential impacts to Tribal Cultural Resources to a less than significant level.

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

Response to Question a): Less than Significant Impact.

The following discusses the Project's potential impacts on water, wastewater (conveyance and treatment), storm water drainage, electric power infrastructure, natural gas facilities, and telecommunications facilities and infrastructure.

Water. The Project site is located within the Golden State Water Company (GSWC) Placentia-Yorba Linda service area. The California Urban Water Management Planning Act requires every urban water supplier, which provides domestic water directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to prepare and adopt an Urban Water Management Plan (UWMP)

and Water Shortage Contingency Plan (WSCP) every five years. The Placentia-Yorba Linda Service Area 2020 Urban Water Management Plan (Placentia-Yorba Linda UWMP), adopted July 15, 2021, assesses the availability of the GSWC's supplies to meet forecast water uses during average, single-dry and five consecutive drought years through 2045.

The Placentia-Yorba Linda UWMP water demand forecasts use projected population data based on SCAG RTP/SCS data. The SCAG historic growth rate for the City of Placentia more closely matches that of the GSWC Placentia-Yorba Linda service area's historic population growth rate, compared to surrounding cities and unincorporated areas. Therefore, the SGAG growth rate between 2015-2035 for the City of Placentia was used to estimate the population growth of GSWC Placentia-Yorba Linda service area.[78] The proposed Project would introduce approximately 135 new residents, and incrementally increase water demand to the area. The Project's forecast population would increase the population of the GSWC Placentia-Yorba Linda service area and the County by less than one percent. The proposed Project would construct 44 multi-family residential units on the Project site, at the same time demolishing an existing retail shopping center.

According to the Placentia-Yorba Linda UWMP, consumer demands are estimated by forecasting the number of water connections and then applying unit demand factors (acre feet per year per dwelling unit [AFY/du]). Unit demand factors for each customer category were averaged for the period of 2016 to 2020. The unit demand factor for multi-family residential development is 2.65 AFY/du. These unit demands include all current savings from building codes and water efficiency requirements, including CALGreen and Model Water Efficient Landscape Ordinance, but do not include potential savings from additional future measures. Using this demand factor, estimated water demand for the proposed Project would be 116.6 AFY (44 du × 2.65 AFY/du). Although the proposed Project would increase water demand over existing conditions, the proposed on-site water system and infrastructure would be designed to accommodate for the increased demand. The Placentia-Yorba Linda UMWP forecasted its total water demand for all multi-family land uses within the service area to be 875 AFY in 2025. The proposed Project's water demand is encompassed within the projected water demand for multi-family uses in the UWMP; overall water supply in 2025 is estimated at 19,800 AFY. Therefore, there is sufficient water supply to serve the proposed Project as projected under the UWMP, and no expansion of GSWC facilities would be required.[79]

The Project's forecasted population growth of 135 persons would incrementally increase the GSWC service area's existing population by less than one percent but would not exceed the population increase projected by the UWMP and is therefore consistent with the Placentia-Yorba Linda UWMP. The Placentia-Yorba Linda UWMP indicates that the service area would meet the water demands through 2045. Therefore, the proposed Project would not require the construction of new or expanded water supply or treatment facilities and impacts would be less than significant. No mitigation measures are either required or recommended.

Wastewater. The Project site is within the Yorba Linda Water District service area for wastewater. Yorba Linda Water District (YLWD) owns and maintains approximately 263 miles of pipeline, approximately 6,157 manholes, and 1 sewer lift station. Specifically, YLWD maintains a wastewater collection system that sends effluent to be treated at the Orange County Sanitation District (OCSAN) wastewater treatment facilities. Wastewater generated on the Project site flows through YLWD sewer lines until reaching OCSAN

[78] Golden State Water Company, July 2021, Placentia-Yorba Linda Service Area,

[79] Golden State Water Company, July 2021, Placentia-Yorba Linda Service Area, Available at: https://wuedata.water.ca.gov/public/uwmp_attachments/2971326529/GSWC-Placentia-Yorba%20Linda%20Final.pdf, Accessed April 20, 2022 and July 21, 2023.

trunk sewers, which carry flows to treatment plants. OCSAN operates water treatment plants in the cities of Fountain Valley and Huntington Beach. The estimated average daily flow of wastewater received at Plant No. 1 in Fountain Valley from 2021-2022 was 120 million gallons per day (MGD) and 59 MGD at Plant No. 2 in Huntington Beach.[80]

The proposed Project would increase wastewater generation on the Project site. Projected wastewater demand for the Project is shown in **Table 4.19-1: Future Wastewater Generation**. The projected peak wastewater generation is 8,150 gallons per day. The Project's estimated wastewater generation represents less than one percent of the total treatment capacity of both plants. Therefore, existing wastewater treatment facilities can accommodate wastewater generated by the Project and impacts would be less than significant. No mitigation measures are either required or recommended.

Table 4.19-1: Future Wastewater Generation

Land Use	Unit of Measure	Proposed Project	Demand Factor (gpd)[1]	Generated Wastewater (gpd)
Residential	DU	44 DU	185	8,150

gpd = gallons per day; DU = dwelling unit
1. Based on OCSAN Cost of Service Study Report Table 14 Unit Cost Calculation of FYE 2019 Rates (185 GPD/EDU)
Source: OCSAN. *Cost of Service Study Report. Table 14 Unit Cost Calculation of FYE 2019 Rates.*

Storm Water Drainage Facilities. See Section 4.10, *Hydrology and Water Quality* Threshold Cii, for further discussion. Under existing conditions, runoff from the existing site generally sheet flows to ribbon gutters that flow south and outlet to the surface of Esperanza Road. Runoff is then intercepted by an existing catch basin on the north side of the curb at Esperanza Road approximately 250 feet west of the intersection of Fairlynn Boulevard at Esperanza Road. There is an existing 112-inch storm drain pipe in Esperanza Road and a 54-inch pipe which continues north to Fairlynn Boulevard. The proposed Project would include a private storm drain system with four collection points with catch basins. Specifically, catch basin #1 would be located in Private Drive "C" southeast of the Fairlynn Boulevard driveway. Catch basin #2 is proposed near the northeast corner of Private Drive "A." Catch Basin #3 would be 110 feet north of the Esperanza Road access. Catch Basin #4 would be located 10 feet north of the Esperanza Road access on Private Drive "A." All catch basins would connect via an internal 18-inch storm drain that would carry flows southerly and ultimately connecting to the existing 112-inch storm drain in Esperanza Road. With regards to the existing storm drain north of the alley, a new catch basin with an 18-inch RCP storm drain line is proposed to collect the neighboring flows. Captured flows would connect to the proposed 18-inch storm drain within Private Drive "A", and continue toward Esperanza Road. Pre-treated Project flows would be kept separate from the neighboring flows.

The proposed Project would implement BMPs to minimize impacts associated with impervious surfaces. The Project includes structural and non-structural BMPS. The Project would use MWS biotreatment systems and bioretention rain gardens to treat runoff flows. Non-structural BMPs include implementing HOA guidelines and common area catch basin inspections. The Project's storm drainage infrastructure includes three MWS and 3,400 sf of bioretention rain gardens to treat onsite runoff. Based on the Orange County Model WQMP and Technical Guidance Document, the MWS are required to be sized to treat runoff from the Design Capture Storm (85th percentile, 24-hour). The proposed MWS would exceed the required treatment volumes. Further, to meet the Recommended Minimum Criteria for Site Design for Redevelopment Projects, three percent of the site must be made available for LID BMPs. The proposed

[80] Orange County Sanitation District. Regional Sewer Service Facts and Key Statistics. Available at: https://www.ocsan.gov/services/regional-sewer-service, Accessed July 21, 2023.

bioretention rain garden would exceed three percent of the site, therefore meeting the Recommended Minimum Criteria for Site Design for Redevelopment Projects. Therefore, the Project's storm drain infrastructure would adequately capture, treat, and release runoff into OCSAN facilities. The proposed Project would not exceed the capacity of existing or planned stormwater drainage systems. Potential environmental impacts associated with the proposed drainage improvements are analyzed as a part of the overall Project analysis in this Initial Study. As concluded in this Initial Study, following compliance with the established regulatory framework, the proposed drainage improvements' environmental effects would be less than significant. No mitigation measures are either required or recommended.

Electric Power, Natural Gas, and Telecommunication Facilities. Electrical power service is provided by Southern California Edison (SCE) and natural gas is provided by SoCalGas. SCE, SoCalGas, and local telecommunications companies operate and maintain transmission and distribution infrastructure in the Project area, which currently serve the Project site (see Thresholds 4.6a and 4.6b in Section 4.6, *Energy*) for further discussions concerning electricity and natural gas usage. The Project's anticipated electricity demand would be approximately 221,770 kilowatt-hours per year (kWh/year) and anticipated natural gas demand would be approximately 726,239 KBTU/year. Telecommunications service providers include AT&T U-Verse, Frontier Communications, and Spectrum (Time Warner Cable). The Project site is served by existing telecommunication infrastructure. The various telecommunications providers would continue to provide service coverage to the proposed Project. The Project would connect to existing electrical, natural gas, and telecommunications infrastructure, and no extensive off-site improvements beyond point of connections to existing utility infrastructure are proposed or required. The environmental effects associated with the necessary on-site electrical, natural gas, and telecommunications improvements are analyzed as part of the overall Project analysis in this Initial Study. As concluded in this Initial Study, following compliance with the established regulatory framework, the proposed utility improvements environmental effects would be less than significant. No mitigation measures are either required or recommended.

Response to Question b): Less than Significant Impact. As discussed above in Impact Question a), GSWC provides water services to the Project area. GSWC delivers water to more than one million people in over 80 communities throughout California. GSWC's Placentia-Yorba Linda System is located in northeast Orange County and provides retail water to about 54,000 people in most of the City of Placentia, portions of the cities of Yorba Linda and Anaheim, and unincorporated areas of Orange County. The Placentia-Yorba Linda System has two primary sources of water supply: imported water and GSWC operated groundwater wells. Imported water is purchased from the Municipal Water District of Orange County (MWDOC). MWDOC obtains its water from Metropolitan Water District of Southern California (MWD) and is largely a pass-through provider of MWD's imported water. GSWC obtains water from MWDOC for several systems including the Placentia-Yorba Linda System through three connections that have a combined design capacity of 15,300 gallons per minute.

The GSWC Placentia-Yorba Linda System is supplied by four active GSWC-owned groundwater wells in the Orange County Groundwater Basin. GSWC Placentia-Yorba Linda system has taken out two wells (Bradford Well 3 and 4) due to water quality issues.[81] The Groundwater Basin is managed by the Orange County Water District and is the only major non-adjudicated groundwater basin in Southern California. Orange County Water District has sustainably managed groundwater for decades, and currently manages the Groundwater Basin in compliance with the Sustainable Groundwater Management Act under an Alternative Groundwater Sustainability Plan, adopted in 2017 and approved in 2019. Orange County

[81] Golden State Water Company, Water Quality Alert – Placentia, Yorba Linda, and portions of Anaheim, available at: https://www.gswater.com/placentia-pfas, accessed October 20, 2022 and July 21, 2023.

Water District sets production limits, regulates, and controls the storage of water and use of underground storage space, and controls conditions in-lieu contracts. Contaminants present in groundwater wells are subject to wellhead treatment.

The Placentia-Yorba Linda UWMP indicates that water supplies would meet the water demands for normal, single-dry, and multiple dry-year conditions through 2045. As noted above, GSWC Placentia-Yorba Linda has implemented Stage 2 Drought Restrictions as of June 26, 2022, which limits outdoor irrigation.

As discussed in Impact Question 4.10b, the OC Basin is not adjudicated and as such, pumping from the OC Basin is managed through a process that uses financial incentives to encourage groundwater producers to pump a sustainable amount of water. The framework for the financial incentives is based on establishing the Basin Production Percentage (BPP), the ratio of groundwater production to the total water demand. The BPP is set based on groundwater conditions, availability of imported water supplies, and OC Basin management objectives. Orange County Water District has a policy to manage the groundwater basin within a sustainable range to avoid adverse impacts to the basin.

The Placentia-Yorba Linda UWMP forecasted its total water demand to be 6,762 AF by 2045 under normal year conditions. Additionally, the UWMP forecasts a population increase from 55,173 persons in 2025 to 60,719 persons by 2045. As discussed in Impact Question 4.19, population growth forecasts are factored into UWMP water demand forecasts. The proposed Project is consistent with the General Plan land use designation and therefore is encompassed within the projected growth forecast in the SCAG RTP/SCS, which forms the basis for the Placentia-Yorba Linda UWMP. Therefore, Project water supply demands have already been accounted for in the UWMP by virtue of its reliance on population growth forecasts that encompass the growth caused by the proposed Project. Further, the Placentia-Yorba Linda UWMP states that the GSWC Placentia-Yorba Linda service area has reliable supplies to meet its retail customer demands in normal, single dry, and five consecutive dry year conditions through 2045. As such, the Project would not result in the GSWC Placentia-Yorba Linda service area facing water shortages during normal or dry years through 2045 and impacts would be less than significant No mitigation measures are either required or recommended.

Response to Question c): Less than Significant. As previously addressed in Impact Question a), the Project site is within the wastewater service area of the Yorba Linda Water District. Wastewater collected within the Yorba Linda Water District system flows by gravity to the Orange County Sanitation District trunk sewers that route the flow to water treatment plants in Fountain Valley and Huntington Beach. Orange County Sanitation District collects, treats, and disposes of and/or reclaims wastewater at two operating facilities, Reclamation Plant No. 1 and Treatment Plant No. 2, located in the cities of Fountain Velley and Huntington Beach, respectively. The proposed Project would result in a total increase in sewer flows of 8,150 gallons per day. This represents a nominal increase in wastewater treatment demand at the wastewater treatment plants. Further, prior to issuance of a sewer connection permit, the Applicant would pay any required sewer connection and/or service fees to the Orange Sanitation District. Existing wastewater treatment capacity, as discussed above under Question A, is sufficient to meet Project demand and Project implementation would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Therefore, impacts would be less than significant. No mitigation measures are either required or recommended

Response to Question d): Less than Significant Impact. OC Waste and Recycling serves the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises, and promoting recycling to ensure a safe and health community for current and future generations.

As identified in **Table 4.19-2: County of Orange Landfill Capacities**, OC Waste and Recycling manages three active landfills in the northern, central and southern regions of the County: Olinda Alpha Landfill near the City of Brea, Frank R. Bowerman Landfill near the City of Irvine, and the Prime Deshecha Landfill located partially in a County unincorporated area and partially in the cities of San Juan Capistrano and San Clemente. According to the latest approved Waste and Recycling Strategic Plan (2016), these landfills collectively provided safe disposal for approximately 4.8 million tons of municipal solid waste in 2015-2016 (including both in-County and imported waste). OC Waste and Recycling also maintains or monitors 20 closed landfill sites.

Table 4.19-2: Orange County Landfill Capacities

Landfill	Maximum Daily Permitted Tonnage (tons per day)	Maximum Permitted Capacity (Cubic Yards)	Remaining Capacity (Cubic Yards)
Olinda Alpha	8,000	148,800,000	17,500,000
Frank R. Bowerman	11,500	266,000,000	205,000,000
Prima Deshecha	4,000	173,100,000	134,300,000

Source: CalRecycle. Solid Waste Information System (SWIS). 2022.

Table 4.19-3: Estimated Project Solid Waste Generation shows the proposed Project's approximate municipal solid waste generation, using CalRecycle' s estimated solid waste generation rate per land use.[82] As shown in the table, the proposed Project would generate 192,720 pounds of municipal solid waste per year, or 96.36 tons per year.

Table 4.19-3: Estimated Project Solid Waste Generation

Land Use	Generation Rate	Project Information	Solid Waste Generation (lbs/yr)
Multi-Family Residential	12 lbs/du/day	44 du	192,720

Source: CalRecycle. Estimated Solid Waste Generation Rates. (Source Date: 2006)
https://www2.calrecycle.ca.gov/wastecharacterization/general/rates

As noted in the table, the municipal solid waste volume generated would be 192,720 lbs/yr (approximately 0.26 ton per day), which is considered a nominal amount of the daily capacity of any of the landfills serving the Project site. It is also noted that this estimated total does not deduct the municipal solid waste that is currently generated by existing uses on the Project site. Existing landfills that serve unincorporated Orange County have sufficient capacity to serve the Project. Therefore, impacts would be less than significant. No mitigation measures are either required or recommended.

Response to Question e): No Impact. State, County, and local agencies with regulatory authority related to solid waste include the California Department of Resources Recycling and Recovery and OC Waste and Recycling. Regulations specifically applicable to the proposed Project include the California Integrated Waste Management Act of 1989 (AB 939), Section 4.408 of the CalGreen Code, SB 1383, and AB 341 which requires multi-family residential development and commercial uses to implement recycling programs. The Integrated Waste Management Act, which requires every city and county in the State to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, identifies how each jurisdiction will meet the State's mandatory waste diversion goal of 50 percent by and after the year 2000.

[82] CalRecycle, *Estimated Solid Waste Generation Rates*, Available at: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates, Accessed April 20, 2022 and July 21, 2023.

SB 1383 aims to keep food and other compostable materials out of landfills to reduce emissions that contribute to climate change. To comply with SB 1383, all businesses and residents are required to separate organics and recyclable materials from trash and either subscribe to the required collection services or self-haul to an appropriate facility for diversion. Future residents would have trash and recycling bins within the garage. To comply with SB 1383, residents would sort organic waste, including specific food items, and dispose into green recycling bins.

AB 341 increased the diversion goal to 75 percent by 2020. Further, the 2022 CalGreen Code Section 4.408 requires preparation of a Construction Waste Management Plan for projects that outlines specific details on how to recycle or salvage a minimum of 65 percent of the nonhazardous construction and demolition debris. The Orange County Board of Supervisors adopted Resolution 16-118, which contains various policies and programs related to diversion of construction and demolition waste. OC Waste & Recycling implements the programs outlined in the Resolution. During construction, receipts are provided by the permit applicant for each project to OC Waste & Recycling to document which materials were salvaged for reuse or recycling. Alternatively, the materials can be disposed of at an approved recycling facility or processed through collection by the County of Orange's Franchised Waste Haulers. The Project would comply with all applicable reduction regulations related to solid waste and construction and demolition debris. No conflict with statues and regulation related to solid waste would occur . No mitigation measures are either required or recommended.

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

Response to Question a): Less than Significant Impact. The proposed Project would not impair any adopted emergency response or evacuation plan. According to the Orange County Emergency Operations Plan and CalFire Fire Hazard Severity Zone Map, the Project site is not within a State Responsibility Area or a Very High Fire Hazard Severity Zone (VHFHSZ).[83,84] The Project site is located within a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ), or a low risk area for wildfires, and within a local responsibility area. Project design and site access would adhere to Orange County Fire Authority regulations and standards outlined in the OCFA Fire Master Plan (Guideline B-01).[85] Further, Project construction would

[83] Orange County. (2020). Emergency Operations Plan. Available at https://voiceofoc.org/wp-content/uploads/2020/03/OC-Emergency-Operations-Plan-as-of-March-2020-approved-in-August-2019.pdf. Accessed on March 22, 2022.

[84] CalFire. Fire Hazard Severity Zone Viewer. Available at https://egis.fire.ca.gov/FHSZ/. Accessed on March 22, 2022, December 29, 2022, July 21, 2023.

[85] OCFA. (2023). Fire Master Plans for Commercial and Residential Development. Available at Microsoft Word - B-01 Fire Master Plan 2023 (ocfa.org). Accessed on July 21, 2023.

not require the complete closure of any public streets during construction, although temporary single-lane closures may be required for short periods of time. Temporary construction activities would not impede use of the streets for emergencies or access for emergency response vehicles, as a minimum of one lane of free-flowing traffic in each direction would be open at all times. Therefore, the Project would not result in inadequate emergency access nor would it impair an adopted emergency plan and would result in a less than significant impact. No mitigation measures are either required or recommended.

Response to Question b): No Impact. As discussed above in Impact Question a), the Project site is not within an area classified as VHFHSZ. Non-VHFHSZ are mapped areas that have lower risk of wildfires. Therefore, no impact would occur. No mitigation measures are either required or recommended.

Response to Question c): No Impact. As discussed above in Impact Question a), the Project site is not within an area classified as VHFHSZ. The site is already fully developed and is bordered by development, roadways, and a rail line in an urbanized area of the County. The Project would tie into existing infrastructure on Esperanza Road. Project implementation would not result in the construction, installation, or maintenance of new infrastructure that would exacerbate fire risk. No mitigation measures are either required or recommended.

Response to Question d): No Impact. The Project site is not within an area classified as VHFHSZ. The site and surrounding vicinity are relatively flat. There are no known landslides near the site nor is the site in the path of any known or potential landslides. Therefore, the Project would not expose people or structures to significant risks, as a result of runoff, post-fire slope instability, or drainage changes. No mitigation measures are either required or recommended.

4.21 Mandatory Findings of Significance *Would the Project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less than Significant Impact**	**No Impact**
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Response to Question a): Less Than Significant Impact with Mitigation. The Project site is located within an urbanized setting. On the basis of the foregoing analysis, the Project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The Project is consistent with the General Plan land use designation which envisions for residential development on the Project site. With the implementation of mitigation measures, County Standard Conditions of Approval, and regulatory requirements, impacts would be less than significant.

Response to Question b): Less Than Significant Impact. The Project does not have impacts that are individually limited, but cumulatively considerable. Incremental impacts resulting from Project construction and operations and other projects that may be under construction include air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, and tribal resources. The Initial Study analysis concluded that the Project would result in less than significant impacts or can be mitigated to a less than significant level. There are no known proposed projects in the City of Yorba Linda proximate to the Project site. The nearest proposed projects in the City of Anaheim are two warehouses. One is southwest of La Palma Avenue Road and Imperial Highway (approximately 0.8 mile); this proposed project is a replacement of an existing warehouse with a new warehouse. Another is on Hunter Avenue south of Orangethorpe Avenue approximately 0.9 mile west of the Project site; it is a replacement of an existing industrial building with a warehouse. When viewed in connection with the effects of other current projects and the effects of probable future projects, the Project's contribution would be less than cumulatively considerable. The proposed Project is consistent with the General Plan land use designation, long-term regional air quality plans, regional population forecasts, and is within the service capabilities of utility purveyors. There would be no significant adverse environmental impacts. The analysis contained in this Initial Study evaluated existing conditions, potential impacts associated with Project development, and possible environmental cumulative impacts. The Project does not have any impact on forecasted growth or planned projects for the County or neighboring jurisdictions known as of the date of this analysis.

Response to Question c): Less Than Significant Impact. There are no known substantial adverse effects on human beings, which the proposed Project would cause, either directly or indirectly. The environmental evaluation has concluded that no significant environmental impacts would result from the Project.

Chapter 5: Summary of Standard Conditions and Mitigation Measures

SC AQ-1 **Dust Control.** During construction, construction contractors shall comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 in order to minimize construction emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403 requires that fugitive dust be controlled with Best Available Control Measures so that the presence of such dust does not remain visible beyond the property line of the emission source. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 lists the Best Available Control Measures that are applicable to all construction projects. The measures include, but are not limited to, the following:

f. Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

g. All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.

h. All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

i. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

j. Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

SC AQ-2 **Architectural Coatings.** South Coast Air Quality Management District (SCAQMD) Rule 1113 requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce reactive organic gas (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories. Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on contractor specifications.

MM BIO-1 **Nesting Migratory Birds.** In the event grubbing, brushing, or tree removal are conducted during the State identified nesting season for migratory birds (i.e., typically March 15 through September 1), a Pre-Construction Nesting Bird Survey on the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a

Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

MM BIO-2 **Protected Trees.** Prior to the issuance of demolition permits, an Arborist Report shall be submitted to the County for review to evaluate whether existing trees on-site meet the qualifications of Protected Trees as defined by County of Orange Codified Ordinances Section 7-9-69.2.

If existing trees are found to be considered "Protected Trees" as defined by the ordinance, a Tree Preservation Permit Application shall be required and submitted to OC Development Services prior to the removal of any Protected Tree or prior to any encroachment into the Tree Protection Zone. The Tree Preservation Permit Application shall include an explanation of why removal or encroachment is necessary and more desirable than alternative Project designs, potential landscaping plans demonstrating how Protected Trees will be shielded during construction, or if removal is necessary, a Tree Preservation Management Plan prepared by an Arborist. In the event that trees need to be removed and a Tree Preservation Management Plan is prepared, there are three options for tree replacement: on-site replacement, off-site replacement or the payment of an in-lieu fee into a Tree Preservation Fund.

Prior to final inspection for OC Development Services, closure of building or grading permit, and issuance of a Certificate of Use and Occupancy, the Applicant shall submit a Tree Replacement Installation Certification and record a Tree Preservation Covenant against the property.

MM CUL-1 Prior to issuance of any permit for ground-disturbing activities, the Applicant shall provide evidence to the County of Orange Development Services that a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), has been retained. The selection of the qualified professional(s) shall be subject to the County's acceptance. In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during project excavation and grading activities, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and determine the appropriate course of action in consultation with the County. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to CEQA Guidelines Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

SC GEO-1 Prior to the issuance of any grading permit, the Applicant shall provide written evidence to the Manager, Subdivision and Grading, that Applicant has retained a County certified paleontologist to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the Applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are

found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the Applicant, which ensure proper exploration and/or salvage.

Prior to the release of the grading bond the Applicant shall submit the paleontologist's follow up report for approval by the Manager, HBP/Coastal and Historical Facilities. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. Applicant shall prepare excavated material to the point of identification. The Applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the HBP/Coastal and Historical Facilities. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee, all in a manner meeting the approval of the Manager, HBP/Coastal and Historical Facilities.

MM GEO-1 Prior to approval grading plans, the Applicant shall demonstrate, to the satisfaction of the County of Orange Manager, Building and Safety, that the recommendations in the *Geotechnical Investigation for the Proposed Residential Development 6821 Fairlynn Boulevard, Yorba Linda, California* (dated November 20, 2020, and prepared by Geocon West, Inc) and in any future geotechnical reports have been fully and appropriately incorporated.

SC HAZ-1 **A.** Prior to the issuance of a grading or building permit, the Applicant shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be classified according to the Uniform Fire Code and a document submitted to the Fire Chief with a summary sheet listing the totals for storage and use for each hazard class. Please contact the Orange County Fire Authority at (714) 744- 0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guideline for Completing Chemical Classification Packets."

B. Prior to the issuance of a building permit, the Applicant shall complete and submit to the Fire Chief a copy of a "Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan" packet. Please contact the Orange County Fire Authority Hazardous Materials Services Section at (714) 744-0463 to obtain a copy of the packet.

MM HAZ -1 Prior to structural demolition/renovation activities, a Certified Environmental Professional shall perform an asbestos-containing materials (ACM) survey to confirm the presence or absence of ACMs. Should ACMs be present, demolition materials containing ACMs shall be removed and disposed of at an appropriate permitted facility. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.

MM HAZ-2 Prior to structural demolition/renovation activities, a Certified Environmental Professional shall perform a lead based paint (LBP) survey to confirm the presence or absence of LBPs. If LBP is found, abatement shall be completed by a qualified Lead Specialist. No pre-demolition activities that would create lead dust or fume hazard shall be permitted. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits,

exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the County Engineer. Further, if paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional.

SC HYD-1 Prior to the issuance of any grading or building permits, the Applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the Project site and be available for County review on request.

SC HYD-2 Prior to the issuance of any grading or building permits, the Applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building Permit Services, to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the Applicant will ensure that all BMPs will be maintained during construction of any future public rights-of-way. A copy of the current ESCP shall be kept at the Project site and be available for County review on request.

SC HYD-3 Prior to the issuance of any grading permits, Applicant shall submit a Runoff Management Plan (RMP) to the Manager, Subdivision and Grading for review and approval.

SC NOI-1 The Applicant shall sound attenuate all residential lots and dwellings against present and projected noise (which shall be the sum of all noise impacting the project) so that the composite interior standard of 45 dBA CNEL for habitable rooms and a source specific exterior standard of 65 dBA CNEL for outdoor living areas is not exceeded. The Applicant shall provide a report prepared by a County-certified acoustical consultant, which demonstrates that these standards will be satisfied as follows:

A. Prior to the recordation of a subdivision map or prior to the issuance of grading permits, as determined by the Manager, Building Permits Services, the Applicant shall submit an acoustical analysis report to the Manager, Building Permits Services, for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report in which case it may also satisfy "B" below.

B. Prior to the issuance of any building permits for residential construction, the Applicant shall submit an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards

to the Manager, Building Permits Services, for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report have been incorporated into the design of the Project.

C. Prior to the issuance of any building permits, the Applicant shall show all freestanding acoustical barriers on the Project's plot plan illustrating height, location and construction in a manner meeting the approval of the Manager, Building Permits Services.

SC NOI-2 A. Prior to the issuance of any grading permits, the Project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that:

1. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
2. All operations shall comply with Orange County Codified Ordinances Division 6 (Noise Control).
3. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the Project's permitted grading plans, will be considered as adequate evidence of compliance with these conditions.

SC NOI-3 Prior to the issuance of any building or grading permits, the applicant shall obtain the approval of the Manager, Building Permits Services of an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by this Project during its operation shall be controlled in compliance with Orange County Codified Ordinances, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified Acoustical Consultant and shall describe the noise generation potential of the Project during its operation and the noise mitigation measures, if needed, which shall be included in the plans and specifications of the Project to assure compliance with Orange County Codified Ordinances, Division 6 (Noise Control).

SC PS-1 Prior to issuance of a building permit, the Applicant shall comply with local park code either through the payment of in-lieu fees and/or the application of any potential local park credits due to the development of on-site private recreational facilities including; pool, spa, restroom facilities, overhead shade structure, BBQ, fireplace, seating, pocket park, dog park, trail access in compliance with the County's Local Park Code (Zoning Code Section 7-9- 500, et seq) (currently $8,800 per unit) (SG17 Local Park Code). Fee payment shall be in the amount in effect at the time of issuance.

SC PS- 2 Prior to the issuance of any building permits, the Applicant shall pay development fees for the Orange County Public Library, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-3 Prior to the recordation of any subdivision map, the Applicant shall enter into an agreement with the County of Orange to pay development fees for the Orange County Public Library as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. Said agreement shall be accompanied by financial security. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-4 Prior to the issuance of any building permits, the Applicant shall pay development fees for Fire Stations No. 10 and 32, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-5 Prior to the recordation of any subdivision map, the Applicant shall enter into an agreement with the County of Orange to pay development fees for Fire Station No. 10 and 32, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684. Said agreement shall be accompanied by financial security. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-6 Prior to the issuance of building permits, the Applicant shall be required to pay development fees for sheriff substation facilities or, if an applicable fee program has not been adopted by the Board of Supervisors, shall enter into a secured agreement with the County of Orange to pay development fees for a sheriff substation, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-7 Prior to the recordation of any subdivision map, the Applicant shall enter into a secured agreement with the County of Orange to pay development fees for sheriff substation facilities when an applicable fee program is adopted by the Board of Supervisors, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange. This condition may be satisfied by entering into an implementation agreement with the County pursuant to an applicable development agreement, in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC PS-8 Prior to the issuance of building permits, the Applicant shall pay development fees for general County facilities if an applicable fee program has been adopted by the Board of Supervisors pursuant to Section 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange, and such fee program is in effect at the time of issuance of building permits, all in a manner meeting the approval of the Manager, Environmental & Project Planning.

SC TRANS-1 Prior to the recordation of a subdivision map, the issuance of any grading permits or the issuance of a building permit, whichever occurs first, the Applicant shall obtain approval of the OCFA Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on site.

SC TCR-1 **Unanticipated Discovery of Tribal Cultural Resources in Previously Undisturbed Soils.** If unanticipated Tribal Cultural Resources are discovered during ground-disturbing activities in previously undisturbed soils, OC Public Works will implement the following measures. All work will halt within a 50-foot radius of the discovery. OC Public Works will have a County-certified professional archaeologist with knowledge of Native American resources and a Native American Monitor assess the significance of the find. If the resources are Native American in origin, the County shall coordinate with a Tribe regarding evaluation, treatment, curation, and preservation of these resources. The archaeologist will have the authority to modify the no-work radius as appropriate, using professional judgment in consultation with OC Public Works. Work will not continue within the no-work radius until the archaeologist conducts sufficient research and evidence and data collection to establish that the resource is either: (1) not Native American in origin; or (2) not potentially eligible for listing in the California Register of Historical Resources. If a potentially eligible resource is encountered, then the archaeologist and OC Public Works, as lead agency, in consultation with a Tribe, will arrange for either: (1) avoidance of the resource, if possible; or (2) test excavations to evaluate eligibility, and if eligible, an attempt to resolve adverse effects to determine appropriate mitigation. The assessment of eligibility will be formally documented in writing as verification that the provisions in CEQA for managing unanticipated discoveries and Public Resources Code Section 5024 have been met.

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