

**7101 LINCOLN AVENUE
WORKFORCE HOUSING PROJECT
Initial Study and Mitigated Negative Declaration (IS/MND)**



CEQA Analysis Prepared for:

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July 2023
Project No. 7181

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PROJECT INFORMATION SHEET

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2. **CEQA Lead Agency** **City of Buena Park**
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5. **Project Location**
6. **Assessor's Parcel Number** 135-192-50
7. **Project Site General Plan Designation(s)** Commercial
8. **Project Site Zoning Designation(s)** CS - Community Shopping
9. **Surrounding Land Uses and Setting** Surrounding land uses include detached single-family homes to the north, and commercial/retail to the east and west. A hotel is located to the southeast and is within the jurisdiction of the City of Anaheim.
10. **Description of Project** The project is proposed on an approximately 1.35-acre site located at 7101 Lincoln Avenue in Buena Park, California. The site currently has a vacant commercial building onsite.

The project applicant is requesting the following discretionary actions, which are discussed in detail in **Section 3.0** of this document:
 - General Plan Amendment
 - Zone Change
 - Site Plan approval and issuance of building permits
11. **Selected Agencies whose Approval is Required**
 - City of Buena Park



12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1? If so, has consultation begun?

Letters were sent by the City of Buena Park (the Lead Agency), to eleven local Native American tribes on October 6, 2022 asking if they wished to participate in AB 52 consultation concerning the Project per Public Resources Code § 21074.

The Juaneño Band of Mission Indians – Belardes, the Gabrielino Band of Mission Indians – Kizh Nation, and the Gabrielino-Tongva Indians of California Tribal Council responded requesting consultation. The AB 52 consultation process was conducted with the three groups. The Juaneño Band requested that language describing their tribe be placed in the Cultural Resources technical report; the Gabrielino-Kizh Nation requested a set of Tribal Cultural Resource (TCR) mitigation measures that include tribal monitoring by this Band; the Gabrielino Tongva Indians also requested TCR mitigation measures that include tribal monitoring by this Band. TCR mitigation measures are included that address these tribes' concerns and includes tribal monitoring by both groups. With these actions AB 52 consultation was concluded. See **Section 4.18** of this document.

13. Other Public Agencies whose Approval is Required

Agencies that will review the proposed project include the following:

- Orange County Fire Authority



TABLE OF CONTENTS

1.0	INTRODUCTION.....	1-1
1.1	Proposed Project.....	1-1
1.2	Lead Agencies – Environmental Review Implementation.....	1-1
1.3	CEQA Overview.....	1-1
1.4	Purpose of Initial Study.....	1-2
1.5	Review and Comment by Other Agencies.....	1-3
1.6	Impact Terminology.....	1-3
1.7	Organization of Initial Study.....	1-4
1.8	Findings from the Initial Study.....	1-5
2.0	ENVIRONMENTAL SETTING.....	2-1
2.1	Project Location.....	2-1
2.2	Project Setting.....	2-1
2.3	Existing Characteristics of the Site.....	2-6
3.0	PROJECT DESCRIPTION.....	3-1
3.1	Project Background.....	3-1
3.2	Project Overview.....	3-1
3.3	Proposed Project Features.....	3-5
3.4	Off-Site Improvements.....	3-18
3.5	Construction Activities.....	3-18
3.6	Discretionary Actions.....	3-19
4.0	ENVIRONMENTAL CHECKLIST.....	4-1
4.1	Aesthetics.....	4.1-1
4.2	Agriculture and Forestry Resources.....	4.2-1
4.3	Air Quality.....	4.3-1
4.4	Biological Resources.....	4.4-1
4.5	Cultural Resources.....	4.5-1
4.6	Energy.....	4.6-1
4.7	Geology and Soils.....	4.7-1
4.8	Greenhouse Gas Emissions.....	4.8-1
4.9	Hazards and Hazardous Materials.....	4.9-1
4.10	Hydrology and Water Quality.....	4.10-1
4.11	Land Use and Planning.....	4.11-1
4.12	Mineral Resources.....	4.12-1
4.13	Noise.....	4.13-1
4.14	Population and Housing.....	4.14-1
4.15	Public Services.....	4.15-1
4.16	Recreation.....	4.16-1
4.17	Transportation.....	4.17-1
4.18	Tribal Cultural Resources.....	4.18-1
4.19	Utilities and Service Systems.....	4.19-1
4.20	Wildfire.....	4.20-1
4.21	Mandatory Findings of Significance.....	4.21-1
5.0	REFERENCES.....	5-1



6.0 LIST OF PREPARERS 6-1
6.1 CEQA Lead Agency..... 6-1
6.2 Project Applicant..... 6-1
6.3 UltraSystems Environmental, Inc..... 6-1

7.0 MITIGATION MONITORING AND REPORTING PROGRAM 7-1

TABLES

Table 2.2-1 - Summary of Existing Land Use and Zoning Designations 2-6
Table 3.2-1 - Project Summary 3-2
Table 3.2-2 - Project Floorplans by Type 3-3
Table 3.3-1a - Proposed Plant Palette - Trees 3-12
Table 3.3-1b- Proposed Plant Palette - General Shrubs and Groundcovers 3-13
Table 3.5-1 - Construction Phasing and Equipment Details 3-19
Table 3.6-1 - Permits and Approvals 3-20
Table 4.1-1 - Project Compliance with City of Fontana General Plan Policies Regarding Scenic Quality and Aesthetics 4.1-4
Table 4.3-1 - Ambient Air Quality Standards for Criteria Air Pollutants 4.3-2
Table 4.3-2 - Federal and State Attainment Status 4.3-5
Table 4.3-3 - Ambient Air Quality Monitoring Data 4.3-8
Table 4.3-4 - SCAQMD Thresholds of Significance 4.3-10
Table 4.3-5 - Construction Schedule 4.3-11
Table 4.3-6 - Maximum Daily Regional Construction Emissions 4.3-12
Table 4.3-7 - Maximum Daily Project Operational Emissions 4.3-12
Table 4.3-8 - Results of Localized Significance Analysis 4.3-14
Table 4.6-1 - Estimated Project Operational Energy Use 4.6-3
Table 4.8-1 - Project Construction-Related GHG Emissions 4.8-11
Table 4.8-2 - Project Operational GHG Emissions 4.8-11
Table 4.9-1 - Hazardous Materials Sites Within 0.5 Mile of the Project Site 4.9-7
Table 4.13-1 - Sensitive Receivers in Project Area 4.13-4
Table 4.13-2 - Ambient Noise Measurement Results 4.13-6
Table 4.13-3 - California Land Use Compatibility for Community Noise Sources 4.13-8
Table 4.13-4 - City of Buena Park General Plan Interior and Exterior Noise Standard 4.13-9
Table 4.13-4 - City of Anaheim Interior and Exterior Noise Standards 4.13-13
Table 4.13-5 - Construction Equipment Characteristics 4.13-15
Table 4.13-6 - Estimated Maximum One-Hour Construction Noise Exposures 4.13-19
Table 4.13-7 - Vibration Levels of Typical Construction Equipment 4.13-22
Table 4.14-1 - Project Population Increase Potential 4.14-2
Table 4.17-1 - Project Trip Generation Estimates 4.17-4
Table 4.19-1 - Estimated Project Wastewater Generation 4.19-2
Table 4.19-2 - City of Buena Park Projected Water Supply and Demand Assessment 4.19-3
Table 4.19-3 - Estimated Range In Project Water Demand 4.19-4
Table 4.19-4 - Estimated Project-Generated Solid Waste 4.19-6
Table 7.0-1 - Mitigation Monitoring and Reporting Program 7-2

FIGURES

Figure 2.1-1 - Regional Location 2-2



Figure 2.1-2 - Project Location 2-3

Figure 2.2-1 - Topographic Map 2-4

Figure 2.2-2 - Project Site Photographs..... 2-5

Figure 3.2-1 - Site Plan..... 3-4

Figure 3.3-1 - Building 1 Elevations..... 3-6

Figure 3.3-2 - Casitas Elevations 3-7

Figure 3.3-3 - Building 1 Left and Rear Elevations 3-8

Figure 3.3-4 - Apartment Floorplans by Unit Type..... 3-9

Figure 3.3-5 - Non-Residential Project Components3-10

Figure 3.3-5 - Conceptual Landscape Plan 3-14

Figure 3.3-6 - Site Lighting Exhibit..... 3-16

Figure 4.1-1 - State Highways and National Byways 4.1-3

Figure 4.2-1 - Important Farmland Categories 4.2-2

Figure 4.4-1 - Biological Study Area..... 4.4-4

Figure 4.4-2 - CNDDDB Species Map..... 4.4-6

Figure 4.5-1 - Topographic Map 4.5-2

Figure 4.7-1 - Alquist-Priolo Earthquake Fault Zones..... 4.7-3

Figure 4.7-2 - Regionally Active Faults 4.7-4

Figure 4.7-3 - Landslides and Liquefaction..... 4.7-6

Figure 4.9-1 - Joint Forces Training Base Los Alamitos Notification Areas..... 4.9-8

Figure 4.9-2 - Fire Hazard Severity Zones - State Responsibility Area..... 4.9-12

Figure 4.9-3 - Fire Hazard Severity Zones - Local Responsibility Area..... 4.9-13

Figure 4.10-1 - USGS Surface Waters and Watersheds..... 4.10-2

Figure 4.11-1 - Project Site Current General Plan Land Use Designations..... 4.11-2

Figure 4.11-2 - Project Site Zoning Designation 4.11-3

Figure 4.12-1 - Mineral Resources 4.12-2

Figure 4.12-2 - Oil and Gas Wells 4.12-3

Figure 4.13-1 - Sensitive Noise Receivers in Project General Area..... 4.13-3

Figure 4.13-2 - Ambient Noise Monitoring Locations 4.13-5

Figure 4.13-3 - Sensitive Receivers for Construction Noise Analysis 4.13-17



APPENDICES

Appendix A	Project Plans and Drawings
Appendix B1	Air Quality and Greenhouse Gas Emissions Assessment
Appendix B2	Greenhouse Gas Emissions Assessment
Appendix C	Biological Resources Assessment
Appendix D	Cultural Resources Report
Appendix E	Paleontological Resources Records Search
Appendix F1	Preliminary Geotechnical Investigation
Appendix F2	Soils Information - USDA
Appendix G1	Phase I ESA
Appendix G2	Asbestos Inspection Report
Appendix G3	Lead Based Paint Report
Appendix H	Preliminary WQMP
Appendix I	Noise Assessment
Appendix J	Traffic Study
Appendix K	Services Letters



1.0 INTRODUCTION

1.1 Proposed Project

The City of Buena Park (City) is processing a request to implement a series of discretionary actions that would allow for the development of an affordable housing project at 7101 Lincoln Avenue (APN 135-192-50). The approximately 1.35-acre site is a rectangular parcel that contains a vacant commercial building and a surface parking lot, which would be demolished as part of the project. The proposed project would develop four three-story residential buildings that would accommodate 55 residential units, a surface parking lot, and five open space areas within the project site.

The project site is currently zoned as CS, Community Shopping. A Zoning Amendment from the existing CS zoning designation to General Mixed-Use (GMU) will be required, to allow for the vertical mix of high-density residential uses along a major arterial road (Lincoln Avenue). The (GMU) zoning designation requires a Development Agreement to accompany proposed developments. The Buena Park General Plan land use designation for this parcel is currently COM, Commercial, which would require a General Plan Amendment to be changed to GMU. Base density for the GMU designation is 32 dwelling units per acre (du/ac), but the city's Affordable Housing Area Bonus (35% of base density) may increase the density to 43 du/ac; the proposed project density of 40.9 units per acre falls within that range.

1.1.1 Project Components

The proposed project would consist of:

- Four residential apartment buildings with three stories each, accommodating 55 residential units.
- A surface parking lot.
- Five landscaped open space areas.

1.2 Lead Agencies – Environmental Review Implementation

The City of Buena Park is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,¹ the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.3 CEQA Overview

1.3.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing

¹ Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.



public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements.

- An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures (MMs) when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.3.2 Authority to Mitigate under CEQA

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus”² and “rough proportionality”³ standards.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

1.4 Purpose of Initial Study

The CEQA process begins with a public agency making a determination as to whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. If the project is not exempt, the Lead Agency takes the second step and conducts an Initial Study to determine whether the project may have a significant effect on the environment.

The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared.

2 A nexus (i.e., connection) must be established between the mitigation measure and a legitimate governmental interest.

3 The mitigation measure must be “roughly proportional” to the impacts of the Project.



- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND or MND.
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR, or other process, can be used to analyze adverse environmental effects of the project.
- Facilitate an environmental assessment early during project design.
- Provide documentation in the ND or MND that a project would not have a significant effect on the environment.
- Eliminate unnecessary EIRs.
- Determine if a previously prepared EIR could be used for the Project.

In cases where no potentially significant impacts are identified, the Lead Agency may issue a ND, and no MMs would be needed. Where potentially significant impacts are identified, the Lead Agency may determine that MMs would adequately reduce these impacts to less than significant levels. The Lead Agency would then prepare an MND for the proposed project. If the Lead Agency determines that individual or cumulative effects of the proposed project would cause a significant adverse environmental effect that cannot be mitigated to less than significant levels, then the Lead Agency would require an EIR to further analyze these impacts.

1.5 Review and Comment by Other Agencies

Other public agencies are provided the opportunity to review and comment on the IS/MND. Each of these agencies is described briefly below.

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.
- A Trustee Agency⁴ (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

1.6 Impact Terminology

The following terminology is used to describe the level of significance of potential impacts:

- A finding of **no impact** is appropriate if the analysis concludes that the project would not affect the particular environmental threshold in any way.

⁴ The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.



- An impact is considered ***less than significant*** if the analysis concludes that the project would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that the project would cause no substantial adverse change to the environment with the inclusion of environmental commitments, or other enforceable measures, that would be adopted by the lead agency.
- An impact is considered ***potentially significant*** if the analysis concludes that the project could have a substantial adverse effect on the environment.

An EIR is required if an impact is identified as ***potentially significant***.

1.7 Organization of Initial Study

This document is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- **Section 1.0 - Introduction**, which identifies the purpose and scope of the IS/MND.
- **Section 2.0 - Environmental Setting**, which describes location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the project site and surroundings.
- **Section 3.0 - Project Description**, which provides an overview of the project, a description of the proposed development, project phasing during construction, and discretionary actions necessary for project approval.
- **Section 4.0 - Environmental Checklist**, which presents checklist responses for each resource topic to identify and assess impacts associated with the proposed project, and proposes MMs, as needed, to reduce potential environmental impacts to less than significant.
- **Section 5.0 - References**, which includes a list of documents cited in the IS/MND.
- **Section 6.0 - List of Preparers**, which identifies the primary authors and technical experts that prepared the IS/MND.
- **Section 7.0 - Mitigation Monitoring and Reporting Program (MMRP)**, which provides a table showing all of the recommended mitigation measures for the project.

Technical studies and other documents, which include supporting information or analyses used to prepare this IS/MND, are included in the following appendices:

- Appendix A Project Plans and Drawings
- Appendix B1 Air Quality and Greenhouse Gas Emissions Assessment
- Appendix B2 Greenhouse Gas Emissions Assessment
- Appendix C Biological Resources Assessment
- Appendix D Cultural Resources Report
- Appendix E Paleontological Resources Records Search
- Appendix F1 Preliminary Geotechnical Investigation
- Appendix F2 Soils Information - USDA
- Appendix G1 Phase I ESA
- Appendix G2 Asbestos Inspection Report
- Appendix G3 Lead Based Paint Report
- Appendix H Preliminary WQMP
- Appendix I Noise Assessment



- Appendix J Traffic Study
- Appendix K Services Letters

1.8 Findings from the Initial Study

1.8.1 No Impact or Impacts Considered Less than Significant

Based on IS findings, the project would have no impact or a less than significant impact on the following environmental categories listed from Appendix G of the CEQA Guidelines.

- Agriculture and Forestry Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Wildfire

1.8.2 Impacts Considered Less than Significant with Mitigation Measures

Based on IS findings, the project would have a less than significant impact on the following environmental categories listed in Appendix G of the CEQA Guidelines when proposed MMs are implemented.

- Aesthetics
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Noise
- Transportation
- Tribal Cultural Resources
- Mandatory Findings of Significance



2.0 ENVIRONMENTAL SETTING

2.1 Project Location

The proposed project is located at 7101 Lincoln Avenue in the City of Buena Park, bordering the city of Anaheim, California. The project site is approximately 1.35 acres and is currently occupied by a vacant commercial building and surface parking lot. Refer to **Figure 2.1-1**, which shows the project's location in a regional context, and **Figure 2.1-2** shows the project boundaries and current conditions onsite and in the immediate vicinity.

2.2 Project Setting

The approximately 1.35-acre project site is located within an urban and developed portion of the city and currently consists of a vacant commercial building with surface parking lot (APN 135-192-50). The project site is surrounded by residential land uses to the north fronting on to Jefferson Drive, and commercial land uses to the east, west (in the City) and to the south (in Anaheim). The project site is located on United States Geological Survey, 7.5-Minute Series, Topographic Map, Los Alamitos Quadrangle, California. **Figure 2.2-1** depicts the topography of the site and the area within a half-mile radius of the project site. Topography within the project site is relatively flat. The elevation of the site ranges from approximately 64 to 71 feet above sea level (Google Earth Pro, 2022). Photographs depicting the project site are provided in **Figure 2.2-2**.

2.2.1 Land Use and Zoning

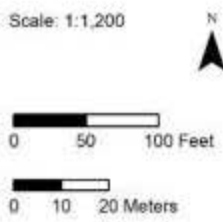
The General Plan land use designation for the project site is Commercial (COM) and it has a zoning designation of Community Shopping (CS) (City of Buena Park, 2023). The General Plan land use and zoning designations, and the existing use of the project site and its immediate vicinity are listed in **Table 2.2-1**.



**Figure 2.1-2
PROJECT LOCATION**



Path: Y:\gis\GIS\Projects\7181_BuenaPark_CC_Development_ISMND\MXD\7181_BuenaPark_CC_3_6_Project_Location_2022_10_27a.mxd
 October 27, 2022
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGIS, (c) OpenStreetMap contributors, and the GIS User Community; Esri, HERE, Garmin, (s) OpenStreetMap contributors, and the GIS user community; © 2022 Microsoft Corporation © 2022 Massar (CHES) (2022) Distribution Airbus DS; Orange County, 2018; UltraSystems Environmental, Inc., 2022

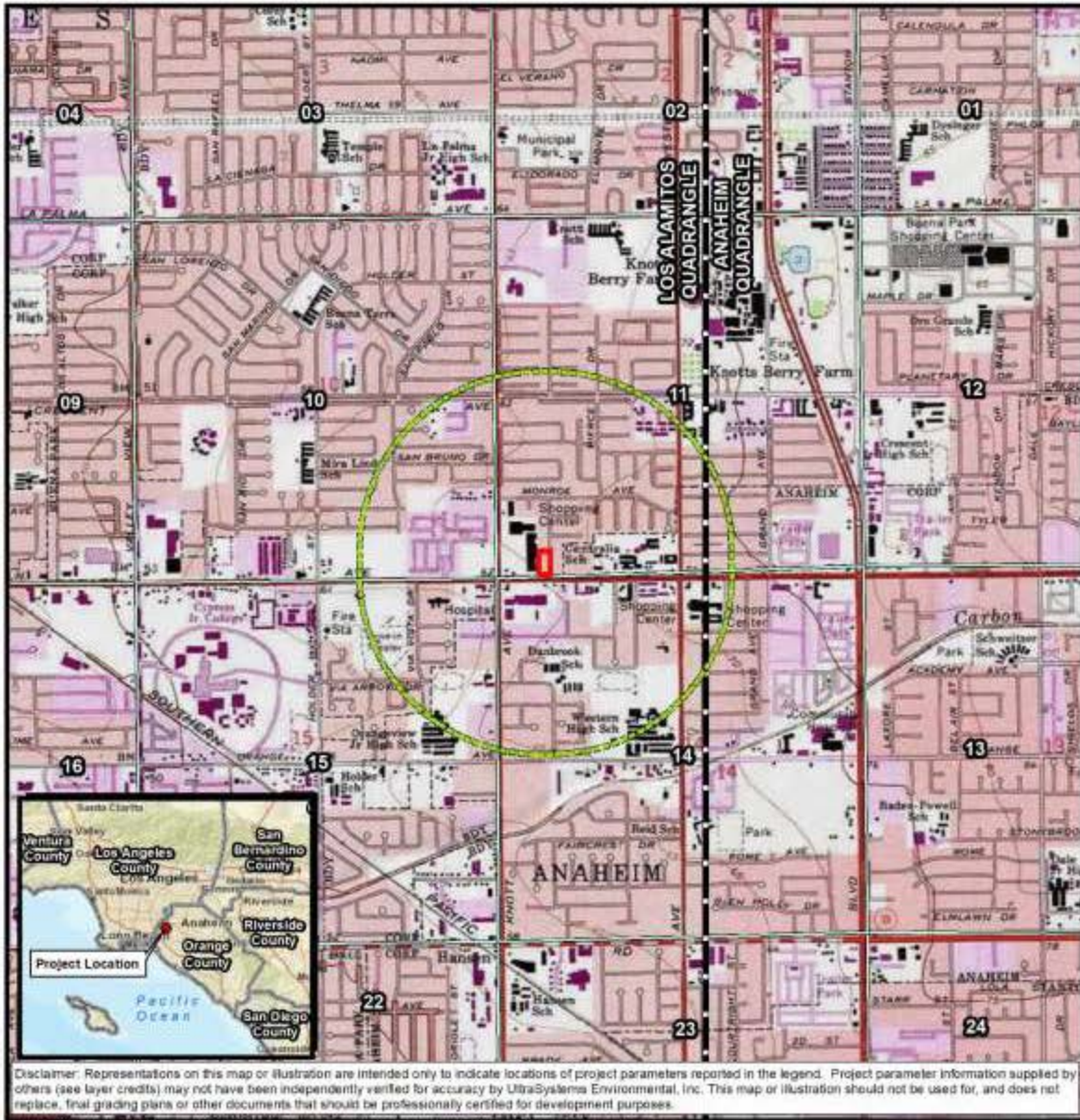


**Buena Park
Workforce Housing Project**
Project Location





Figure 2.2-1
TOPOGRAPHIC MAP



Path: \\G:\Projects\Projects\7181_BuenaPark_CC_Development_USM\MXDs\7181_BuenaPark_CC_4_9_Topo_2022_08_03.mxd
 Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, (c) California Department of Conservation, 2019, UltraSystems Environmental, Inc., 2022

Scale: 1:24,000

0 1,000 2,000 Feet

0 250 500 Meters

Legend

- Project Boundary
- Half-Mile Radius
- Quadrangle Boundary
- Section Boundary

Buena Park Workforce Housing Project

Topographic Map
 USGS Quadrangle: Los Alamitos
 Township: 4S Range: 11W
 Section: 11

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Figure 2.2-2
PROJECT SITE PHOTOGRAPHS



Photo 1: Northeast view of project site looking southwest towards the project site.



Photo 2: North view of project site boundary at Jefferson Drive looking south to project site.



Photo 3: Northwest view of project site looking southeast to the project site



Photo 4: Southwest View of project site looking northeast to the project site



Photo 5: South view of project site looking north from Lincoln Avenue to the project site.



Photo 6: Southeast view of project site looking northwest to the project site

Source: UltraSystems Environmental, 2022



Table 2.2-1
SUMMARY OF EXISTING LAND USE AND ZONING DESIGNATIONS

Location	General Plan	Zoning	Existing Use	City
Project Site	Commercial (COM)	Community Shopping (CS)	Vacant commercial building with surface parking lot	Buena Park
Surrounding Areas				
North	Residential Single Family (RSF)	One Family Residential (RS-6)	Single-family homes	Buena Park
East	Commercial (COM)	Community Shopping (CS)	Commercial land uses (Lincoln Village Shopping Center)	Buena Park
West	Commercial (COM)	Community Shopping (CS)	Commercial shopping center	Buena Park
South	Neighborhood Center	General Commercial (C-G)	Commercial shopping center	Anaheim

Source: City of Buena Park, 2023; City of Anaheim 2022a; City of Anaheim 2022b; Google Earth Pro, 2022

2.3 Existing Characteristics of the Site

2.3.1 Climate and Air Quality

The project site is located within the South Coast Air Basin (SCAB), a 6,600-square-mile area encompassing all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. A persistent high-pressure area that commonly resides over the eastern Pacific Ocean largely dominates regional meteorology. The distinctive climate of this area is determined primarily by its terrain and geographic location. Local climate is characterized by warm summers, mild winters, infrequent rainfall, moderate daytime onshore breezes, and moderate humidity. Ozone (O₃) and pollutant concentrations tend to be lower along the coast, where the constant onshore breeze disperses pollutants toward the inland valley of the SCAB and adjacent deserts. However, as a whole, the SCAB fails to meet National Ambient Air Quality Standards (NAAQS) for O₃ and fine particulate matter (PM_{2.5}), and is classified as a “nonattainment area” for those pollutants.

2.3.2 Geology and Soils

Currently the project site is covered by hardscape and existing structure and there are no exposed soils present. Quaternary alluvium covered by minor thicknesses of artificial fill were detected at the project site. The thickness of artificial fill was generally observed to vary from approximately four to five feet. The artificial fill materials consist of brown, dark brown to dark grayish brown, damp to moist, loose silty sand. The alluvial deposits encountered in the upper 50 feet consist of interbedded fine- and coarse-grained soils. The coarse-grained soils consist of sand and silty sand that are light gray to gray, grayish brown and light brown to brown, damp to saturated, and very loose to dense (Albus & Associates, Inc., 2022 p. 4). The nearest Alquist-Priolo Earthquake Fault Zones are located south of the proposed project and include the Reservoir Hill Fault, Northeast Flank Fault, and Cherry



Hill Fault (which cumulatively comprise part of the south Los Angeles Basin section of the Newport-Inglewood Fault Zone).

2.3.3 Hydrology

As detailed in **Section 4.10**, Hydrology and Water Quality, the project site is currently developed with one single-story commercial building, comprised of an estimated 21,800 square feet on 1.35 acres of land (IPA, 2022). The Project site contains asphalt pavement, street trees, decorative landscaping and the existing building (Google Earth Pro, 2022). Under existing conditions drainage sheet flows from the parking lot in a southerly direction toward the Lincoln Avenue road frontage. Under existing conditions, stormwater runoff generated on the proposed project site is discharged to the southwest, entering the storm drain system at Lincoln Avenue and eventually discharges into an existing Orange County Flood Control Department rectangular concrete flood control channel which, in turn, discharges into Moody Creek. Moody Creek is a tributary of Coyote Creek; Coyote Creek discharges into the San Gabriel River, which empties into the Pacific Ocean (OCFD, 2012), making these tributaries waters of the U.S. and State of California.

2.3.4 Biology

As detailed in **Section 4.4**, Biological Resources, the project site is developed with a vacant commercial building and vacant parking lot. The project site is surrounded by development on all sides and contains ornamental vegetation. This ornamental vegetation contains carrotwood (*Cupaniopsis anacardioides*) trees along the southern project boundary. Off-site areas within the biological study area (BSA) are primarily residential developments with landscaped areas, paved areas including roads and sidewalks, and some commercial developments. There is no USFWS critical habitat in the BSA. No special-status plants were observed within the project site. Due to the lack of suitable habitat to support special-status plant species, project activities will have no direct or indirect impacts on these species.

2.3.5 Public Services

The City is served by a full range of public services. Fire and emergency medical services for the City of Buena Park are provided by Orange County Fire Authority (OCFA) (Orange County Fire Authority, Division 7, 2022a). The nearest station to the project site is OCFA Fire Station 63, located about 0.6 mile southwest of the project site at 9120 Holder Street (Google Earth Pro, 2022).

The Buena Park Police Department (BPPD) provides police services in the City of Buena Park and would provide law enforcement services to the project site. The station is located 2.2 miles to the northeast (Google Earth, 2022).

The project site is located within the boundaries of two school districts – Centralia Elementary School District (CESD) and Anaheim Union High School District (AUHSD) – which serve a combined approximately 35,000 students at eight elementary schools, eight junior high schools and nine high schools in the City of Anaheim, Cypress, Buena Park, La Palma and Stanton, (Orange County GIS, 2022, CESD, 2022a, AUHSD, 2022a). The closest public school to the project site is Centralia Elementary School, located approximately 0.1 mile to the east. The Anaheim Union High School District (AUHSD) serves grades 9-12, with 12 comprehensive high schools operated by the district in Anaheim, Cypress, Buena Park, La Palma and Stanton. (AUHSD, 2022b). The closest high school to the project site is Western High School, located 0.3 mile to the south. The closest junior high school is Orangeview



Junior High School, 0.3 miles from the project site. The closest elementary school to the project site is Centralia Elementary School, 0.1 mile to the east (Google Earth Pro, 2022).

The Buena Park Public Library is operated by the Buena Park Library District, an independent special district, which was organized in 1919. The library is located at 7150 La Palma Avenue, about 2.0 miles northeast of the project site (Buena Park Library District, 2019a).

The closest hospital to the project site is the West Anaheim Medical Center, located approximately 0.9-miles southeast of the project site at 3033 West Orange Avenue. The West Anaheim Medical Center is a 219-bed acute-care and general medical/surgical hospital with a complete range of services. (West Anaheim Medical Center, 2022a)

2.3.6 Utilities

The City of Buena Park Water Division designs, constructs and maintains the system that supplies drinking water to customers. Buena Park water supplies consist primarily of imported water from the Metropolitan Water District (MWD) and local groundwater from the Orange County Groundwater Basin, managed by the Orange County Water District (OCWD) (RBF Consulting, 2010b, p. 5.11-16).

The City of Buena Park Public Works Department provides sewer services within the City through a network of local sewer mains. The City's local sewer system connects to regional trunk sewer systems for the Orange County Sanitation District (OCSD), with a small portion going to Los Angeles County Sanitation Districts of (LACSD) for conveyance, treatment and disposal by these agencies. The entire Buena Park collection system is comprised of approximately 165 miles of sewer lines ranging in size from six to 21 inches in diameter. All sewage flow from Revenue Area 3 goes to OCSD Treatment Plant No. 2 in Huntington Beach. This facility has a total primary treatment capacity of 168 million gallons daily (mgd), with an average daily treatment of approximately 127 mgd, indicating approximately 41 mgd of excess treatment capacity. Plant No. 2 also has 90 mgd of secondary treatment capacity (RBF Consulting, 2010b, p. 5.12-1 and 5.12-9).

The City of Buena Park storm drain system is comprised of the Orange County Flood Control District (OCFCD) regional channels and pipelines, and the city's local drainage facilities that connect to the OCFCD facilities. Under current conditions, stormwater sheet flows from the project site into Valley View Street into City storm drains.

The City contracts with Park Disposal (EDCO) for collection and disposal of the City's solid waste. Electric power for the City of Buena Park is provided by Southern California Edison (SCE). Natural gas is provided by Southern California Gas Company (SoCalGas), which maintains a local system of transmission lines, distribution lines and supply regulation stations (City of Buena Park, 2019a).



3.0 PROJECT DESCRIPTION

3.1 Project Background

The City of Buena Park (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of an affordable housing project (project) located at 7101 Lincoln Avenue, 630 feet east of Knott Avenue and at the southern border of the City of Buena Park (APN 135-192-50). The project proposes development of 55 residential units in four buildings on an approximately 1.35-acre site, a density of 40.9 units per acre. The land uses proximate to the site include retail (west), commercial (east), residential single-family (north), and hotel, apartments, and retail (south, in the city of Anaheim).

The project site is currently zoned CS, Community Shopping. That zone would be changed to GMU, General Mixed-Use, to allow for the vertical mix of high-density residential uses along a major arterial. A Development Agreement would need to be established and executed to allow for the development within this zone designation. The General Plan land use designation is currently COM, Commercial. That land use designation would also need to be changed to General Mixed-Use. Currently, the project site has a vacant commercial building onsite, along with parking areas located directly outside of the front and rear exits of that building; the building would be demolished for this project to be built in its place.

The GMU zone allows for a horizontal or vertical mix of high density residential and neighborhood commercial uses along major arterials; Lincoln Avenue is classified as a major arterial within the City of Buena Park's Mobility (Circulation) Element of the General Plan. Base density for the GMU designation is 32 dwelling units per acre (du/ac), but the city's Affordable Housing Area Bonus (35% of base density) may increase the density to 43 du/ac; the proposed project density of 40.9 units per acre falls within that range.

A Community Outreach Meeting to introduce the project to the community was held on August 2, 2022 in Buena Park Council Chambers. The meeting was attended by city officials and community members, including four local neighbors.

The City of Buena Park is the Lead Agency for the purposes of CEQA.

3.2 Project Overview

The project would consist of: (1) demolition of the existing structure and parking lots; (2) utilities improvements; (3) construction of four new residential buildings, trash enclosure and paved driveways; and (3) project site amenities and landscaping. The project would include 14 one-bedroom, 23 two-bedroom and 18 three-bedroom units, totaling 114 bedrooms. At maximum unit occupancy based on two persons per bedroom plus one, there would be 283 persons housed in the project.

The project site is rectangular in shape. The southern edge of the site is located on the north side of Lincoln Avenue, to the immediate north of the Buena Park city border with the city of Anaheim; Lincoln Avenue right-of-way (to edge of curb) is within the jurisdiction of the city of Anaheim. The project includes four residential buildings, with the main entrance accessed from a right-turn-in, right-turn-out driveway on Lincoln Avenue. In addition to the access driveway, there are two internal alleyways, one providing access to parking for Buildings 1 and 2, and another providing access to parking for Buildings 3 and 4.



Table 3.2-1 summarizes the proposed project features while **Table 3.2-2** provides specific information for each of the four apartment unit types in the project. **Figure 3.2-1** is a site plan depicting the layout of the proposed project’s buildings and onsite amenities.

**Table 3.2-1
PROJECT SUMMARY**

New Construction	Proposed Uses/Features	Square Feet (Approximate)	No. of Stories	Building Height
Building 1	5 1-bedroom (Unit 2) 5 2-bedroom (Unit 1) 5 3-bedroom (Unit 3) 9 Covered Carports	10,735 sf apts	3	34’ 8”
Building 2	5 1-bedroom (Unit 2) 4 2-bedroom (Unit 1) 5 3-bedroom (Unit 3) 9 Covered Carports Leasing Office Suite	10,035 sf apts. 627 sf leasing office	3	33’ 6”
Building 3	5 2-bedroom (Unit 1) 5 2-bedroom (Unit 4) 4 3-bedroom (Unit 3) 10 Covered Carports Community Room Laundry	10,912 sf apts. 1,135 sf community rm. 394 sf laundry rm.	3	33’ 6”
Building 4	4 1-bedroom (Unit 2) 4 2-bedroom (Unit 1) 4 3-bedroom (Unit 3) 9 Covered Carports	6,494 sf apts.	3	33’ 6”
Total Building Area		40,332		
Parking Provided (including covered and uncovered spaces)	41 Standard (28 covered) 31 Compact (3 covered) 10 ADA (6 covered) 82 Total (37 covered)		N/A	N/A
Open Space	Public Private Total	8,627 3,330 11,957	N/A	N/A

Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



Table 3.2-2
PROJECT FLOORPLANS BY TYPE

Plan No.	Total Units	Square Feet Living Area	Square Feet Balcony/Patio	Bedrooms	Baths
1	18	700	49	2	1
2	14	523	55	1	1
3	18	923	49	3	2
4	5	744	63	2	1

Source: IDEArc Architecture & Planning, Project Plans dated May 28, 2022



3.3 Proposed Project Features

3.3.1 New Residential Buildings

The project includes construction of four three-story residential buildings of varying composition and sizes. Maximum building height in Buildings 2, 3 and 4 is 33 feet 6 inches, while in Building 1 the maximum height is 34 feet 8 inches. A total of 82 parking spaces are provided, including 37 covered carport spaces and 45 uncovered spaces. Each building provides both covered and uncovered parking, as well as ADA spaces. Detail of covered parking spaces per building is shown in Table 3.2-1 above and as follows: 82 total spaces, including vehicles 41 standard spaces (28 covered); 31 compact spaces (three covered); 10 ADA spaces (six covered).

Total building floor area is 40,332 square feet (sf), with a total building footprint of 21,213 sf on the 58,614-sf site (36% lot coverage). Landscaped area totals 9,722 sf.

Buildings 1 and 4, sited at the south and north ends of the project respectively, contain only residential units, with Building 1 having 15 apartments (10,735 sf living area) and Building 4 having 12 apartments (6,494 sf living area). Building 2 has 14 apartments (10,035 sf living area), as well as a leasing office with approximately 627 square feet of floor area. Building 3, which contains 14 apartments (10,912 sf living area), also includes a community room (approximately 1,135 sf) and a laundry room (approximately 394 sf).

Figure 3.3-1 shows a perspective of the project from Lincoln Avenue, the southern border of the site. **Figures 3.3-2 and 3.3-3** show elevations of Building 1, the southernmost building in the project and the only building in the project that is fully visible from a public street. **Figure 3.3-4** provides floorplans of the proposed unit types in the project, while **Figure 3.3-5** contains floorplans of the leasing suite, community room and laundry.

Figure 3.3-1
PERSPECTIVE OF PROJECT FROM SOUTHWEST CORNER OF SITE ON LINCOLN AVENUE



Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



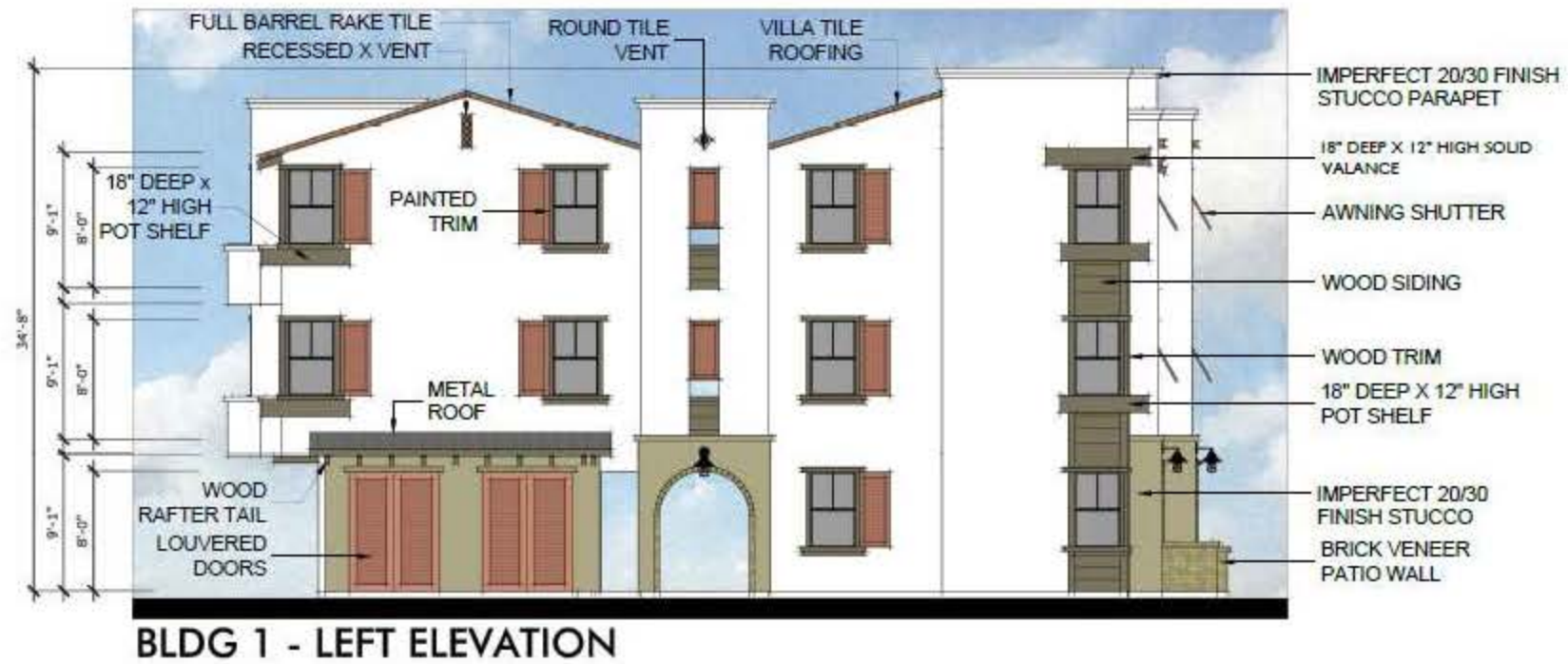
Figure 3.3-2
BUILDING 1 RIGHT AND FRONT ELEVATIONS



Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



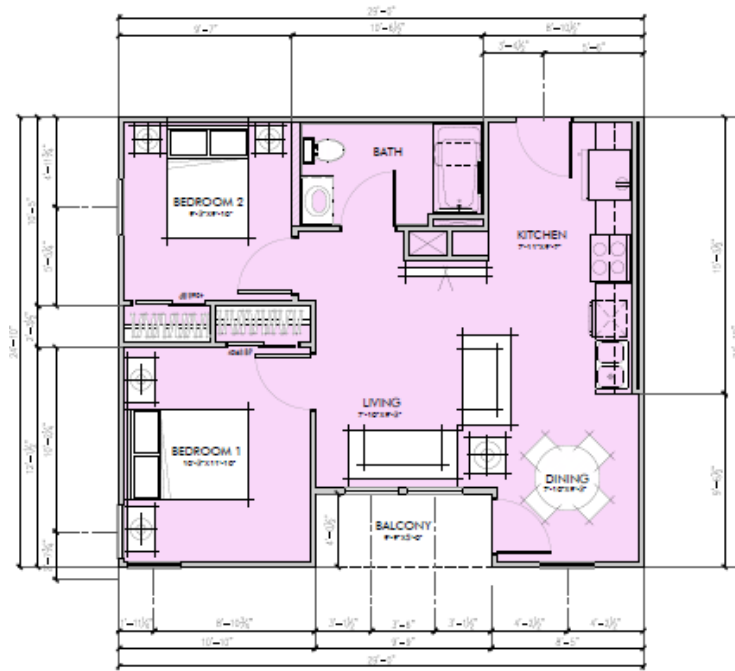
Figure 3.3-3
BUILDING 1 LEFT AND REAR ELEVATIONS



Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022

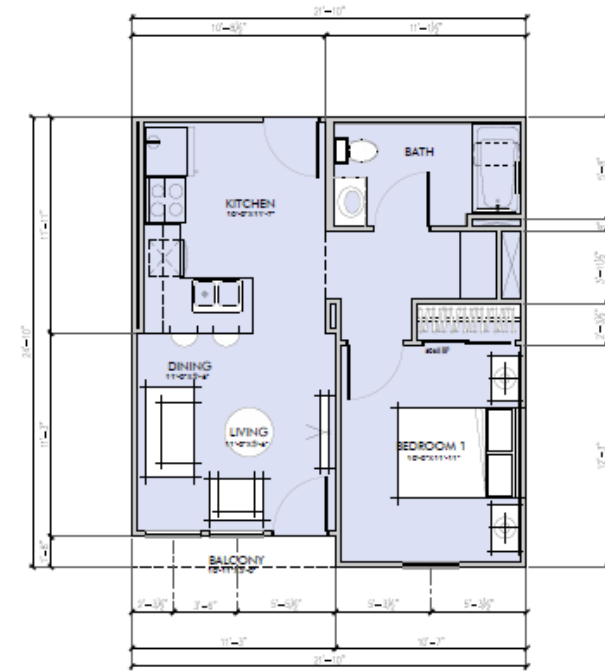


Figure 3.3-4
APARTMENT FLOORPLANS BY UNIT TYPE



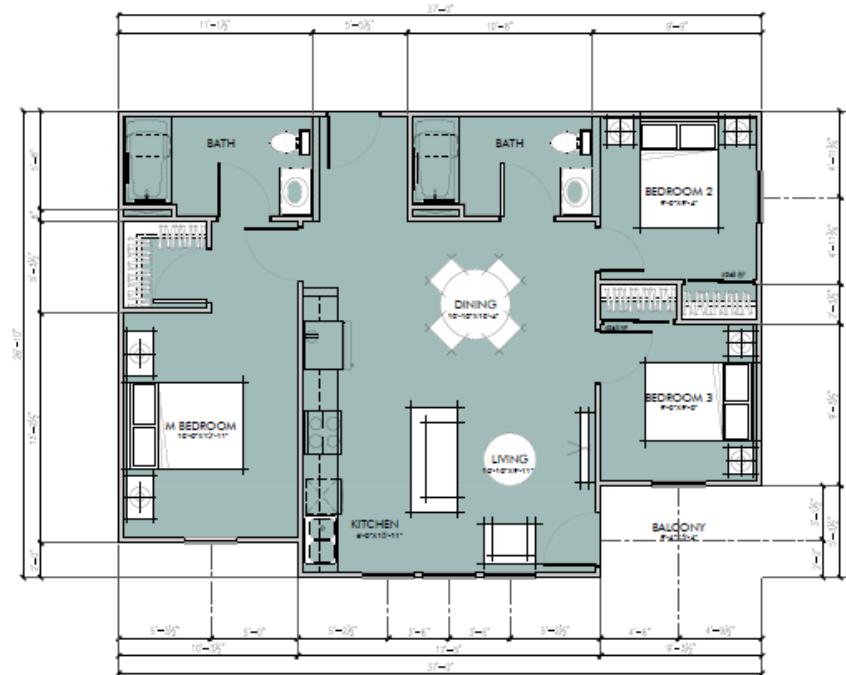
PLAN 1
2 BED / 1 BATH

1/4" = 1'-0"



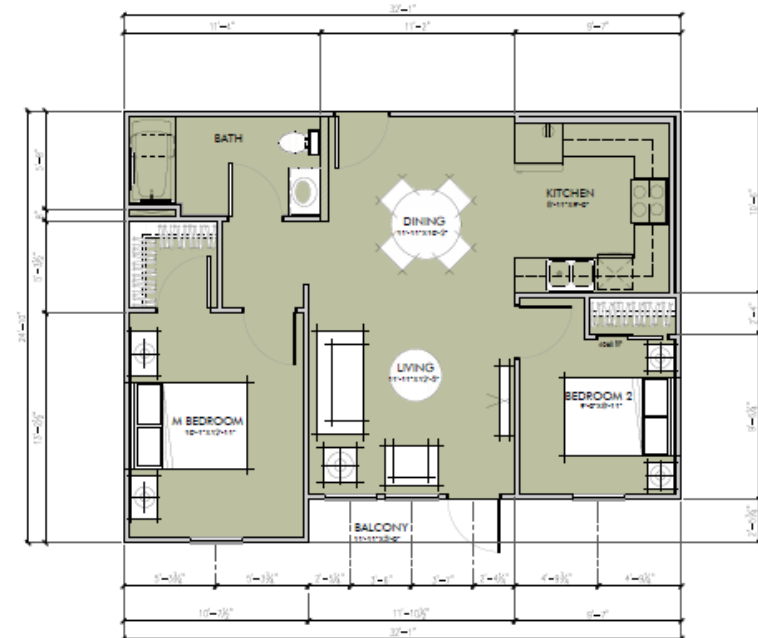
PLAN 2
1 BED / 1 BATH

1/4" = 1'-0"



PLAN 3
3 BED / 2 BATH

1/4" = 1'-0"



PLAN 4
2 BED / 1 BATH

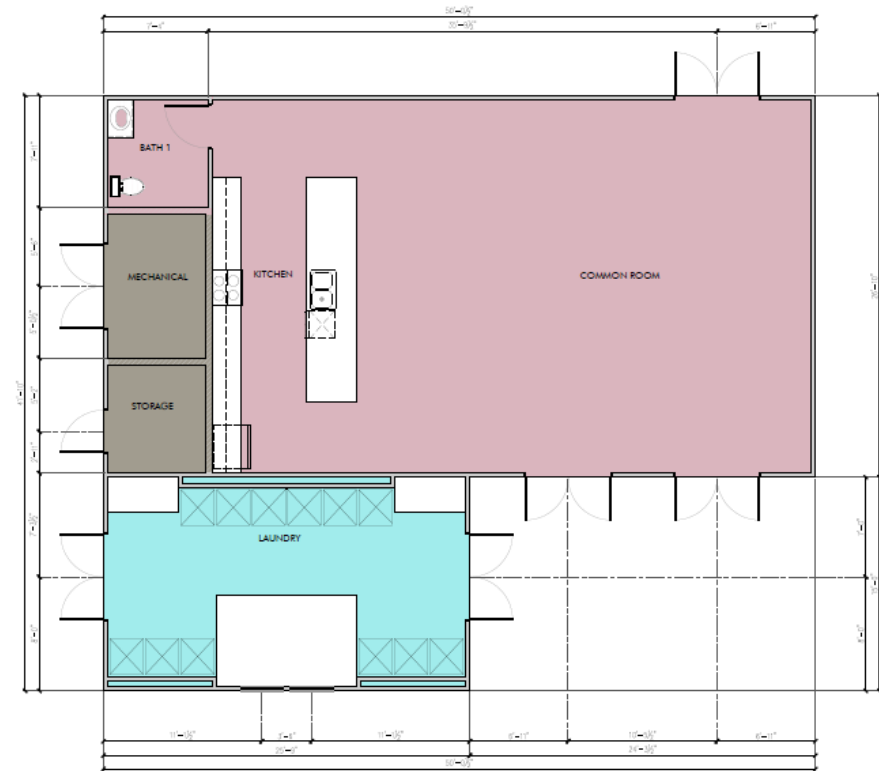
1/4" = 1'-0"

Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022

**Figure 3.3-5
NON-RESIDENTIAL PROJECT COMPONENTS**



LEASING OFFICE



COMMUNITY ROOM / LAUNDRY ROOM

Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



3.3.2 Community Room, Laundry and Leasing Office

As illustrated in **Figure 3.3-5**, a 1,135-square-foot community room is proposed for use by project residents/visitors exclusively. The community room includes a kitchen area, restroom and community center and would be located at the west end of the first floor of Building 3. A laundry room with six washers and six dryers is also located at the west end of the first floor of Building 3.

A leasing office, containing a lobby, two offices and supporting space (computer room, storage, restroom) is located at the west end of the first floor of Building 2.

3.3.3 Site Access, Circulation and Parking

Vehicular access to the project site would be provided via a 25-foot-wide driveway from Lincoln Avenue near the southwest corner of the project site, southwest of Building 1. Access from the project onto Lincoln Avenue will be restricted to right turn only. Uncovered parking spaces are provided on both sides of the driveway, which runs the length of the property along its western border. In addition, two alleyways – one between Building 1 and 2 and the other between Buildings 3 and 4 – open onto the entry driveway. The project proposes 20,575 square feet of paved parking and driveways and 5,781 square feet of concrete/sidewalk area.

To accommodate residents, visitors and staff, 82 total parking stalls are proposed for a ratio of 1.49 spaces per unit. Uncovered spaces, which are arrayed on both sides of the entry driveway, total 45 stalls, including four ADA spaces. There are 37 covered carport spaces distributed throughout the project, including six ADA spaces. Carports are sited adjacent to each residential building and are accessed by alleyways between the buildings.

3.3.4 Project Signage

An entry monument sign will be placed on the east side of the entry driveway. The structure will be finished in white stucco to match the buildings, and will feature a double stacked terra cotta cap. An exit sign, indicating “right turn only” and cautioning to look out for pedestrians, will be placed on a 9-foot 9-inch pole on the west side of the entry driveway.

3.3.5 Architecture

The project proposes a Contemporary Mission Revival architectural style, with an imperfect white stucco finish to be complementary to the surrounding neighborhoods. Architectural features include stucco parapets, villa tile roofing, wood rafter tails, painted wood shutters and wood fascia, awning shutters, wood pot shelves, arched brick surrounds and imperfect 20/30 finish white stucco. The project includes both wall and roof plane articulation and carries the design elements to each elevation, including the inner portions of the site and all detached structures such as trash enclosures. The maximum building height proposed is 34 feet 8 inches.

3.3.6 Landscaping

The objective of the overall landscaping concept is to provide a distinct visual impression and community identity while providing the highest level of aesthetic standards complimented by the quality of the building materials that will assure an attractive environment enhancing the quality of life among its residents.



❖ SECTION 3.0 – PROJECT DESCRIPTION ❖

The landscape irrigation concept for the site will be designed to provide the most efficient and conserving means to distribute irrigation water and provide the property management company and with the latest technology for water conservation.

The layout of the buildings creates several unique landscaped areas that include both passive and active spaces. They include: four short term bike parking spaces adjacent to the office; a 1,912 sf resident courtyard between Buildings 2 and 3 incorporating a dining and social terrace with furniture, two barbecues, 2-5 year old and 5-12 year old age-separated tot lots [615 sf total], bench seating, and 13-17 year old ping pong area; a 2,288 sf off-leash pet area with synthetic turf, a vestibule with seating, agility equipment and a 48-inch high fence; and benches with flowering vines on the wall in three locations along the eastern property line.

Total open space for the project would be 11,957 sf (20.4% of lot area), including 8,627 sf public and 3,330 private spaces. Landscaped area will total 9,722 sf (17% impervious area).

Tables 3.3-1a and b contain the proposed plant palette for the project. Landscape plans are shown in **Figure 3.3-5**.

Table 3.3-1a
PROPOSED PLANT PALETTE – TREES

<u>Botanical Name</u>	<u>Common Name</u>	<u>Size:</u>
LINCOLN AVENUE TREE (in 5' wide parkway):		
<i>Koelrueteria bipinnata</i>	Chinese Flame Tree	24" box
LINCOLN AVENUE LANDSCAPE SETBACK:		
<i>Chamaerops humilis</i>	Mediterranean Fan Palm - multi	36" box
<i>Parkinsonia 'Desert Museum'</i>	Hybrid Palo Verde - multi-trunk	36" box
<i>Quercus agrifolia</i>	California Live Oak	36" box
<i>Washingtonia filibusta</i>	Hybrid California Fan Palm	16' b.t.h.
SCREENING TREES at NORTH and EAST PROPERTY LINE:		
<i>Cupressus sempervirens</i>	Italian Cypress	24" box
<i>Lophostemon conferta</i>	Brisbane - low branching	36" box
<i>Pinus eldarica</i>	Afghan Pine	24" box
<i>Podocarpus gracilior</i>	Fern Pine - column	24" box
ACCENT TREES at OPEN SPACE COURTYARDS:		
<i>Aloe bainei</i>	Tree Aloe	24" box
<i>Lophostemon conferta</i>	Brisbane - low branching	36" box
<i>Magnolia 'Little Gem'</i>	Southern Magnolia - low branching	36" box
<i>Olea 'Swan Hill'</i>	Fruitless Olive - multi	36" box
<i>Trachycarpus fortunei</i>	Windmill Palm	6' - 10' ht. varies
PARKING LOT and CARRIAGEWAYS:		
<i>Prun caroliniana 'Bright & Tight'</i>	Compact Carolina Cherry - column	24" box
<i>Trachycarpus fortunei</i>	Windmill Palm	6' - 10' ht. varies
<i>Ulmus parvifolia 'True Green'</i>	Evergreen Elm	24" box
<i>Washingtonia robusta</i>	Mexican Fan Palm - skinned	12'-18' ht. varies

Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



Table 3.3-1b
PROPOSED PLANT PALETTE - GENERAL SHRUBS AND GROUNDCOVERS

<u>Botanical Name</u>	<u>Common Name</u>
Large shrubs (minimum 5 gallon size at 3' o.c.)	
<i>Agave attenuata</i>	Foxtail Agave
<i>Furcracea mediopicta</i>	Mauritius Hemp
<i>Ligustrum japonicum</i>	Japanese Privet
<i>Pittosporum tobira</i>	Japanese Pittosporum
<i>Rhaphiolpeis indica 'Clara'</i>	White Indian Hawthorn
Medium Shrubs (minimum 5 gallon size)	
<i>Dianella variegata</i>	Variegated Flax Lilly
<i>Dietes vegeta</i>	Fortnight Lily
<i>Phormium 'Yellow Wave'</i>	Hybrid Flax
<i>Strelitzia reginae</i>	Bird of Paradise
<i>Viburnum tinus 'Spring Bouquet'</i>	Spring Bouquet Viburnum
Low Shrubs and Groundcovers (minimum 1 gallon size)	
<i>Bougainvillea 'San Diego Red'</i>	Red Bougainvillea
<i>Buxus japonica - hedge</i>	Boxwood
<i>Cariss macrocarpa 'Green Carpet'</i>	Natal Plum
<i>Dianella 'Little Rev'</i>	Little Rev Flax Lilly
<i>Festuca mairei</i>	Atlas Fescue
<i>Lantana 'Bandana'</i>	Red Lantana
<i>Rosa floribunda 'Iceberg'</i>	Iceberg Rose
<i>Rosmarinus prostratus</i>	Dwarf Rosemary
<i>Trachelospermum jasminoides</i>	Star Jasmine

Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



Figure 3.3-5
CONCEPTUAL LANDSCAPE PLAN



Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



3.3.7 Exterior Lighting

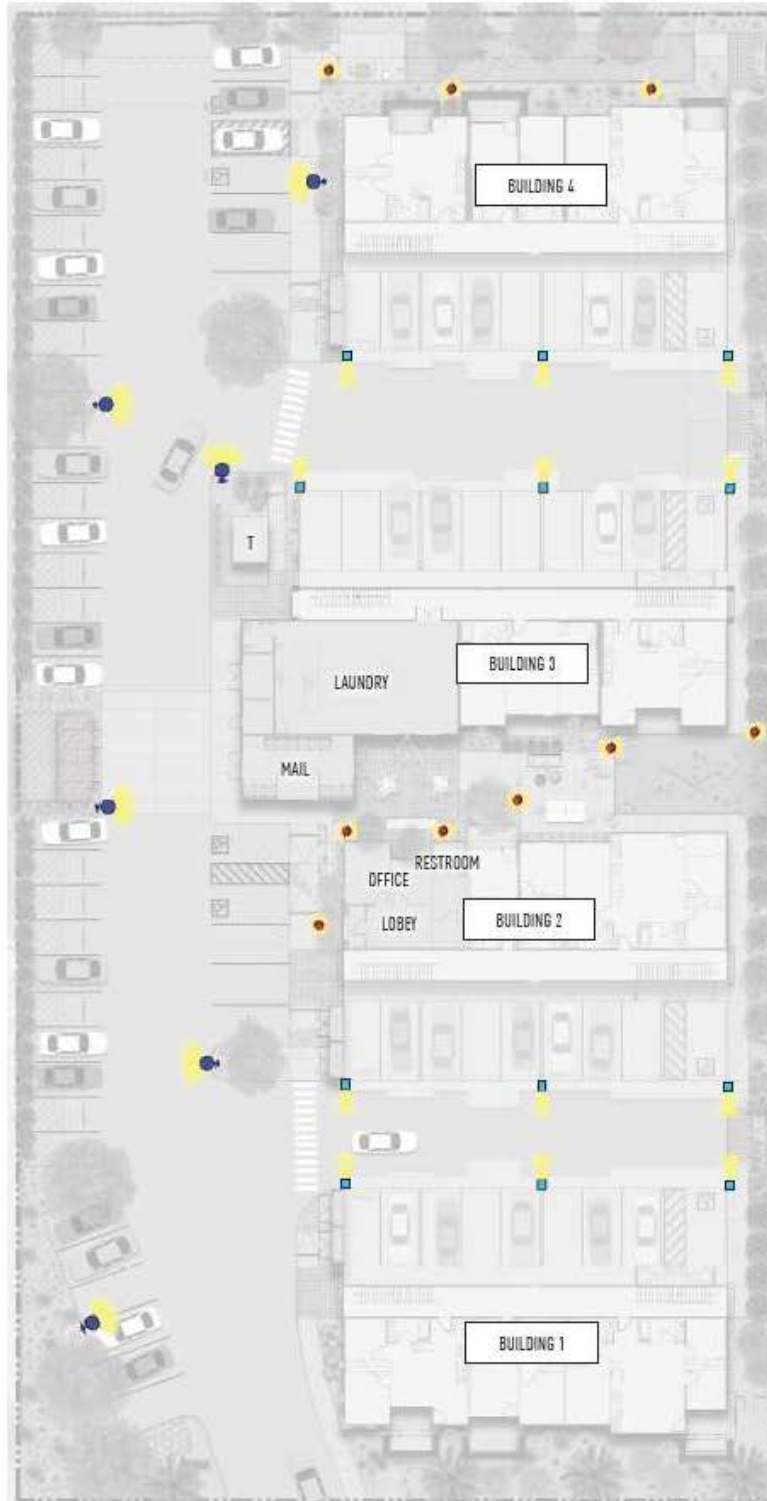
The outdoor lighting concept is to provide levels of lighting sufficient to meet safety and orientation needs. Within public areas lighting will be warm colored and unobtrusive. Light sources will be tungsten or metal halide. Lighting sources for the landscape and paved areas will be concealed and the lighting indirect and not visible from a public viewpoint. Light sources should be directed so that they do not fall outside the area to be lighted. All exterior surface and above-ground mounted fixtures will be sympathetic and complimentary to the architectural theme.

Lighting for the project would comply with the requirements of the City's Municipal Code. Specifically, the project would be required to comply with City of Buena Park Municipal Code § 19.444.030, Lighting, which states, "lighting on any premises shall be directed, controlled, screened, or shaded in such a manner as not to shine directly on surrounding premises." (City of Buena Park Municipal Code, 2020)

Figure 3.3-6 shows the proposed exterior lighting plan, which includes 12-foot-high pole lights (dark blue circles) in the parking lot, 42-inch bollard lights (red circles) at the pedestrian path of travel and wall-mounted lights (light blue squares) on garages.



Figure 3.3-6
SITE LIGHTING EXHIBIT



Source: IDEArc Architecture & Planning, Project Plans dated June 28, 2022



3.3.8 Perimeter Fencing and Exterior Walls

The project would construct six-foot high sourdough-colored split face masonry walls on the east and west property lines and an eight-foot-high sourdough-colored split face masonry wall on the north property line adjacent to existing single-family homes. Private patio walls (inside the perimeter) will be built of 42-inch-high stucco, painted to match the building.

3.3.9 Utilities

As described below, the proposed project will require sewer, domestic water, fire water, irrigation and dry utilities connections to existing utility infrastructure in Lincoln Avenue. Existing overhead utilities and poles along the project frontage will be undergrounded.

Sanitary Sewer – The site is served by an existing sanitary sewer network. New sewer laterals connections to existing sewer mains located near the project site would be installed. These improvements would require trenching and exposing sewer lines for connections to existing mainlines and manholes. The proposed project would connect to the existing sewer connection in the northern portion of the project site.

Domestic Water – New domestic water meters would be installed as required to meet the demands calculated by the plumber for the project and in compliance with the requirements of the City's Public Works Department. Water would be provided by the Metropolitan Water District and the City of Buena Park (City of Buena Park, 2019a). The proposed project would connect to the existing water line that runs through the site near the north property line

Fire Water – A water connection is required to provide water to the proposed fire hydrants on the project site, as specified by the Fire Department. The fire water line would be connected to the new hydrants from the existing water line that runs through the site.

Irrigation Line – A new line would be connected from the existing six-inch water line in Valley View boulevard to the project site to provide irrigation to the proposed project.

Dry Utilities – Natural gas service would be provided to the project site by the Southern California Gas Company (SoCalGas). Southern California Edison Company (SCE) would provide electricity to the project site (City of Buena Park, 2019a).

Stormwater – The proposed development would maintain existing drainage patterns and discharge locations. Stormwater runoff would be collected in a modular bioretention device, as described in the hydrology section of this document. The project will use Modular Wetlands model number MWS-L-8-12, a biofiltration system that accepts sheet flow through a curb opening. This system is designed to handle the anticipated project flow rate.

Trash Service – Trash service would be provided by Park Disposal (EDCO) (City of Buena Park, 2019a).

Cable Television – New cable television connections would be needed to serve the project. Spectrum (formerly Time Warner) provides television service to the project site (City of Buena Park, 2019a).



3.4 Off-Site Improvements

3.4.1 Utility Improvements

For domestic, water, fire water, irrigation, and natural gas, connections would be required to existing water mains, water line, and gas lines in surrounding areas.

3.5 Construction Activities

For safety reasons, the project may erect barricades for safety and security prior to construction activities, and will maintain safe access for construction workers throughout construction.

Construction activities may include the following:

- Site grading-during grading, there would be a raw cut of 85 cubic yards and a raw fill (import of soil) of 6,035 cubic yards.
- New construction, as described below.

After site preparation, including demolition of existing improvements, is completed, infrastructure such as sewer and drainage lines would be installed and connected to existing facilities. The building foundations would be poured with concrete, and framing of the buildings would begin. The final stage of construction would involve interior furnishings, detail work, and completion of common areas and outside landscaping. The only offsite improvements would be street improvements where the point of utility connections would occur. The general contractor would utilize heavy equipment during grading. The types and number of pieces of equipment and length of use are shown below in **Table 3.5-1**.

Construction staging would be limited to the project site; no offsite areas would be used. Project construction workers would park their vehicles on the project site. Employees will be able to park onsite during the construction/demolition phase in the existing paved parking areas; once the new parking lots are constructed employees would use this area to park. Below is the anticipated number of construction employees by construction phase:

- Demolition: 10-12 employees
- Grading: 10-12 employees
- Site work: 5-10 employees
- Vertical construction: 75 employees
- 3.4.1 Construction Schedule and Equipment

Construction would occur in one phase but is broken down into different parts, as detailed in **Table 3.5-1** below. Project construction is anticipated to begin in September 2023 and would last approximately 22 months, ending in June 2025. It is anticipated that residents would move in starting in 2nd quarter of 2025.



**Table 3.5-1
CONSTRUCTION PHASING AND EQUIPMENT DETAILS**

Phase/Months	Number of pieces of equipment	Equipment	Number of working days
Demo Phase: 5 weeks	2	Large Excavators	10 working days
	2	Standard Backhoes	10 working days
	1	Asphalt Grinder	2 working days
	1	Large Loader	15 working days
Grading Phase: 5 weeks	2	Standard Scrapers	20 working days
	1	Larger Loader	15 working days
	1	Standard Blade	15 working days
	1	Standard Skiploader	20 working days
Site Work Phase: 2 weeks	1	Large Excavator	20 working days
	3	Standard Backhoes	70 working days
	2	Standard Skiploaders	4 working days
	1	Paving Machine	4 working days
Vertical Phase: 76 weeks	1	Large Pettibone (forklift)	75 working days
	1	Bobcat (Skid-steer)	40 working days
	1	Standard Skiploader	20 working days

Source: Steven Hehn of C&C Development, email correspondence on August 26, 2022.

3.6 Discretionary Actions

General Plan Amendment

The site is currently designated as Commercial (COM) on the General Plan Land Use map, allowing for commercial development of the site. As currently proposed, the 1.35-acre project site would be developed with 55 dwelling units at an overall density of 40.7 dwelling units per acre (du/ac). For the proposed project, under the requested General Mixed-Use (GMU) designation, the base development density standard is up to 32 du/ac; densities up to 43 du/ac are allowed with a 35% Affordable Housing Bonus. Therefore, to develop the project site, the applicant is requesting approval of a General Plan Amendment from its current Commercial (CO) to General Mixed-Use (GMU).

Zone Change

Similarly, the project requires a Zone Change from Community Shopping (CS) to General Mixed-Use (GMU) to accommodate the residential development and density (including the Affordable Housing Bonus) of the proposed project.

Development Agreement

A Development Agreement between the developer and the City is required under the GMU designation. California Government Code § 65865.2 provides as follows: “A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provision for reservation or dedication of land for public purposes. The development agreement may include conditions,



terms, restrictions and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. "

Site Plan Review Approval

The proposed project would undergo an approval process with the City prior to construction and operation, including but not limited to Site Plan Review. As part of that process, the Applicant submitted a preliminary architectural plan set, including civil and landscape plans, that has been reviewed by the City, and plans were modified based on City comments.

3.6.1 Other Permits and Approvals

Following the Lead Agency's approval of the Initial Study/Mitigated Negative Declaration, the following permits and approvals would be required prior to construction, as shown in **Table 3.6-1** below.

Table 3.6-1
PERMITS AND APPROVALS

Agency	Permit or Approval
City of Buena Park Building & Safety Division	Site Plan Review and Building Permits
City of Buena Park Planning Division	General Plan Amendment Zone Change Site Plan Review Approval Development Agreement
City of Anaheim	Right of Way Construction Permit
Orange County Fire Authority	Building plan check and approval. Review for compliance with the current California Fire Code, current California Building Code, California Health & Safety Code and City of Buena Park Municipal Code. Plans for fire detection and alarm systems, and automatic sprinklers.
Metropolitan Water District and the City of Buena Park	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.
Southern California Gas Company	Letter of authorization/consent for proposed improvements to provide natural gas connection to new development.
Southern California Edison Company	Letter of authorization/consent for proposed improvements to provide electrical connection to new development.



4.0 ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected

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

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Determination (To Be Completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by 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.

Signature

Date

Printed Name

City of Buena Park



Evaluation of Environmental Impacts

- (1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- (4) “Negative Declaration: Less than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to less than significant level.
- (5) Earlier analyses may be use where, pursuant to the tiering, Program EIR, or other CEQA process, an affect has been adequately analyzed in an earlier EIR or negative declaration. (See Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:
 - (a) Earlier Analyses Used. Identify and state where the earlier analysis available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- (6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference



❖ SECTION 4.0 – ENVIRONMENTAL CHECKLIST ❖

to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- (9) The explanation of each issue should identify:
 - (a) The significance criteria or threshold, if any, used to evaluate each question; and
 - (b) The mitigation measure identified, if any, to reduce the impact to less than significant.



4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, outcroppings, and historic buildings within a state scenic highway?				X
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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

A “visual environment” includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views. Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity. Viewer groups identify who is most likely to experience the view. High-sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas. The duration of a view is the amount of time that a particular view can be seen by a specific viewer group. Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene, or feature of interest. The City of Buena Park 2035 General Plan does not include the discussion of any scenic vistas or other important visual resources that are important to the City (RBF Consulting, 2010a). Furthermore, the Buena Park 2035 General Plan EIR states: “Because the City’s topography is relatively flat and the City is densely developed, distant views are obstructed by existing development. Buildings (including existing



residences) and the adjacent roadways are essentially the dominant visual element in the City's environment" (RBF Consulting, 2010b, p. 5.3-1).

The project area is characterized by flat topography and urban development. There are no significant scenic views from public thoroughfares and open spaces in the vicinity of the project. Views of and within the project area are generally limited to immediately adjacent uses/structures. Views to the north consist of developed residential single-family use. Views to the south, east, and west consist of views of multi-tenant commercial retail developments. Therefore, the project would have no impact on any scenic vistas.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways, designated as part of the California Scenic Highway Program. According to Caltrans, there are no officially designated scenic highways within or adjacent to the project area, and no roadways near the project site are currently eligible for scenic highway designation (Caltrans, 2014). As shown in **Figure 4.1-1**, the closest officially designated state scenic highway is State Route 91, which is located approximately 10 miles east of the project site. Due to the large distance between the project site and State Route 91, the construction and implementation of the project will have no impact on state scenic highways. Therefore, the project would have no impact on trees, rock outcroppings, and historic buildings within a state scenic highway.



- c) **In non-urbanized areas, would the project 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?**

Less than Significant Impact

The project site is located in an urban setting with views of the existing streetscapes which are characterized by single-story residential to the north with two- to three-story commercial buildings on the southeast with supporting utility infrastructure and minimal landscaping. The neighborhood is diverse in its architectural design and the proposed project would not conflict with applicable zoning and other regulations governing scenic quality and would not be out of character with the surrounding area. Refer to **Table 4.1-1** below which lists the applicable policies and how the proposed project would comply with the City of Buena Park General Plan regarding scenic quality and aesthetics. The proposed project would comply with all applicable aesthetic regulations and would have a less than substantial impact in this regard.

**Table 4.1-1
COMPLIANCE WITH CITY OF BUENA PARK GENERAL PLAN POLICIES REGARDING SCENIC
QUALITY & AESTHETICS**

Policy	Project Compliance
Goal LU-21: Distinctive and attractive design of the public realm that promotes a positive image and identity.	
Policy LU-21.1: Focus on improving the appearance of corridors in the City by implementing landscaping, enhanced paving, unique streetscape amenities, appropriately-scaled lighting, and placement of utility connections underground.	The proposed project will improve the appearance along Lincoln Avenue with the addition of new streetscaping and structural improvements on and along the project site. The proposed project would comply with General Plan Land Use Policy LU-21.1.
Policy LU-21.3: Support landscaping treatments that complement a comprehensive streetscape program and that maximize water conservation through plant species and irrigation techniques.	The project will abide with all applicable landscape design regulations and guidelines for water-efficient landscaping insuring streetscape landscape design that maximizes water conservation through plant species and irrigation techniques. The proposed project would comply with General Plan Land Use Policy LU-21.3.
Goal LU-22: New development and redevelopment that contributes to a positive visual image of the City.	
Policy LU-22.2: Promote good quality design that considers site and building scale and mass that enhances the experience of employees and customers.	The proposed project will be subject to the approval of a design review by the city ensuring the project design conforms to the bulk and scale, and existing architecture of the neighborhood. The proposed project would comply with General Plan Land Use Policy LU-22.2.

Source: City of Buena Park, 2010a. p. 2-99.



- d) **Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Less than Significant Impact

Construction

The project would not operate construction equipment outside of the permitted hours outlined in the City of Buena Park Noise Ordinance, Chapter 8.28 of the Municipal Code. The ordinance prohibits construction activities between the hours of 8:00 PM and 7:00 AM Monday through Saturday, and at any time on Sundays (RBF Consulting, 2010a, p. 8-6), effectively eliminating light and glare generated from construction equipment during restricted hours.

Additionally, there could be temporary sources of light that may be used to provide security lighting for the construction staging area(s) on the project site. However, the project would be required to comply with City of Buena Park Municipal Code § 19.444.030, Lighting, which states, “lighting on any premises shall be directed, controlled, screened, or shaded in such a manner as not to shine directly on surrounding premises.”

The proposed project would have a less than significant impact regarding temporary construction lighting and glare.

Operation

The project site is located in an urban area characterized by medium nighttime ambient light levels. Street lights, traffic on local streets, and exterior lighting in nearby developments are the primary sources of ambient light near the project site.

The project proposes new exterior lighting throughout the site. Installation of exterior lighting on the building exterior would be necessary for safety and nighttime visibility. Necessary lighting would be provided along walkways and parking areas. All lighting as part of the proposed project would adhere to the City of Buena Park Municipal Code Chapter 19.344 Development Standards, which would ensure that lighting and glare impacts would be less than significant (City of Buena Park, 2022). Therefore, adherence to applicable City Municipal Codes would ensure that new sources of light or glare would not adversely affect day or nighttime views in the area. Impacts would be less than significant.



4.2 Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
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 Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

- a) **Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact

The California Department of Conservation (DOC) established the Farmland Mapping and Monitoring Program (FMMP) in 1982 to identify critical agricultural lands and track the conversion of these lands to other uses. The FMMP is a non-regulatory program and provides a consistent and impartial analysis of agricultural land use and land use changes throughout California. The project site and surrounding uses are designated by the FMMP as “Urban and Built-Up Land,” which means that no agricultural uses occupy the site (DOC, 2016). As shown in **Figure 4.2-1** below, the nearest identified farmland is three miles to the southwest of the site. Therefore, no farmland would be converted to non-agricultural use and no impacts would occur.



- b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact

The project site is developed with urban uses and there are no current agricultural operations existing on or in the vicinity of the project site, shown in **Figure 4.2-1**. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would occur. (DOC, 2016).

- c) **Would the project 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 Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?**

No Impact

The project site is located in an urbanized setting. The site is currently designated as Commercial (COM), and to develop the project site the applicant is requesting approval of a General Plan Amendment from its current Commercial (COM) to General Mixed-Use (GMU). The site is zoned Community Shopping (CS) and also requires a Zone Change to General Mixed-Use (GMU). Designated general plan and zoning do not support the definitions provided by PRC § 4526 for timberland, PRC § 12220(g) for forestland, or California Government Code § 51104(g) for timberland zoned for production. PRC § 12220(g) defines forest land as “land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” Since the project site is located in an urban setting, project-related changes would not conflict with zoning for forest land or timberland, and no impact would occur (California Legislative Information, 1976-2007-2007a).

- d) **Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

No Impact

The project site and surrounding land uses do not contain forest land. Therefore, project implementation would not result in the loss of forest land or conversion of forest land to non-forest use, and no impact would occur.

- e) **Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

No Impact

The project site is a developed property located within an urbanized setting. No existing farmland or forest land is located in the vicinity of the project. Therefore, implementation of the project would not result in changes to the environment, due to its location or nature which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.



4.3 Air Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

4.3.1 Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard (AAQS) has been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter (PM₁₀ and PM_{2.5}), sulfur dioxide (SO₂), lead (Pb), and ozone, and their precursors. Since the 7101 Lincoln Avenue - Workforce Housing project would not generate appreciable SO₂⁵ or Pb emissions, it is not necessary for the analysis to include those two pollutants.

The Federal Clean Air Act (CAA), passed in 1970, established the national air pollution control program, which includes establishing national ambient air quality standards (NAAQS). The State of California began to set California ambient air quality standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. **Table 4.3-1** lists the NAAQS and CAAQS for criteria pollutants.

5 Sulfur dioxide emissions will be below 0.04 pound per day during construction and below 0.02 pound per day during operations.



**Table 4.3-1
AMBIENT AIR QUALITY STANDARDS FOR CRITERIA AIR POLLUTANTS**

Pollutant	Averaging Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O₃)⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM₁₀)⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM_{2.5})⁹	24 Hour	No Separate State Standard		35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—		
Nitrogen Dioxide (NO₂)¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppm (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO₂)¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppm (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	



❖ SECTION 4.3 – AIR QUALITY ❖

Pollutant	Averaging Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

- California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter--PM₁₀, PM_{2.5}, and visibility reduction particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over 3 years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when the expected number of days per calendar with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM_{2.5}, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard.
- Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
- National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by EPA.
- On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- As of December 14, 2012, the annual primary PM_{2.5} standard changed from 15 µg/m³ to 12 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.



❖ SECTION 4.3 – AIR QUALITY ❖

Pollutant	Averaging Time	California Standards ¹		Federal Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
<p>10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.</p> <p>11. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.</p> <p>* Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.</p> <p>12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.</p> <p>13. The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.</p> <p>14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.</p>						



The Workforce Housing project is in the Orange County portion of the South Coast Air Basin (SCAB), for which air pollution control the South Coast Air Quality Management District (SCAQMD) is substantially responsible. **Table 4.3-2** shows the attainment status of the SCAB for each criteria pollutant for both the NAAQS and the CAAQS. Presented below is a description of the air pollutants of concern and their known health effects.

**Table 4.3-2
FEDERAL AND STATE ATTAINMENT STATUS**

Pollutants	Federal Classification	State Classification
Ozone (O ₃)	Nonattainment (Extreme)	Nonattainment
Particulate Matter (PM ₁₀)	Attainment (Serious)	Nonattainment
Fine Particulate Matter (PM _{2.5})	Nonattainment (Serious)	Nonattainment
Carbon Monoxide (CO)	Maintenance (Serious)	Attainment
Nitrogen Dioxide (NO ₂)	Maintenance (Primary)	Attainment
Sulfur Dioxide (SO ₂)	Unclassified/Attainment	Attainment
Sulfates	No Federal Standards	Attainment
Lead (Pb)	Nonattainment	Attainment
Hydrogen Sulfide (H ₂ S)	Unclassified	
Visibility Reducing Particles		

Sources: ARB, 2020a, USEPA, 2022c, USEPA, 2022d, USEPA, 2022e, USEPA, 2022f, USEPA, 2022g, USEPA, 2022h

Nitrogen oxides (NO_x) serve as integral participants in the process of photochemical smog production and are precursors for certain particulate compounds that are formed in the atmosphere, and for ozone. A precursor is a directly emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an ambient air quality standard (AAQS) has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more AAQs. When NO_x and ROG are released in the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone. The two major forms of NO_x are nitric oxide (NO) and NO₂. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO₂ is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO₂ acts as an acute respiratory irritant and eye irritant and increases susceptibility to respiratory pathogens (USEPA, 2011).

Carbon monoxide (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, automobile exhaust accounts for most CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions – primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric



conditions, a typical situation at dusk in urban areas between November and February. The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent. In terms of health, CO competes with oxygen, often replacing it in the blood, thus reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can be dizziness, fatigue, and impairment of central nervous system functions. High concentrations are lethal (USEPA, 2010).

Particulate matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes and mists. Primary PM is emitted directly into the atmosphere from activities such as agricultural operations, industrial processes, construction and demolition activities, and entrainment of road dust into the air. Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides, NO_x, and ROG.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have focused on two types of PM. PM₁₀ corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable particulate matter, while PM_{2.5} refers to the subset of PM₁₀ of aerodynamic diameter smaller than 2.5 micrometers, which is commonly called fine particulate matter.

PM₁₀ and PM_{2.5} deposition in the lungs results in irritation that triggers a range of inflammation responses, such as mucus secretion and bronchoconstriction, and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis. Sufficiently small particles may penetrate the bloodstream and impact functions such as blood coagulation, cardiac autonomic control, and mobilization of inflammatory cells from the bone marrow. Individuals susceptible to higher health risks from exposure to PM₁₀ airborne pollution include children, the elderly, smokers, and people of all ages with low pulmonary/cardiovascular function. For these individuals, adverse health effects of PM₁₀ pollution include coughing, wheezing, shortness of breath, phlegm, bronchitis, and aggravation of lung or heart disease, leading, for example, to increased risks of hospitalization and mortality from asthma attacks and heart attacks (USEPA, 2022a).

Reactive organic gases (ROG) are defined as any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. It should be noted that there are no state or national ambient air quality standards for ROG because ROG are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formation of ozone. ROG are also transformed into organic aerosols in the atmosphere, which contribute to higher PM₁₀ and lower visibility. The term "ROG" is used by the ARB for this air quality analysis and is defined the same as the federal term "volatile organic compound" (VOC).

Ozone is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_x. Ozone creation requires ROG and NO_x to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, ozone is considered a regional, rather than a local, pollutant. The health effects of ozone include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber (USEPA, 2022b).



4.3.2 Climate/Meteorology

Air quality is affected by both the rate and location of pollutant emissions, and by meteorological conditions that influence movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, provide the link between air pollutant emissions and air quality.

The project site is located wholly within the SCAB, which includes all of Orange County, as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds (SCAQMD, 1993).

The average high and low temperatures as recorded at Anaheim, California meteorological station (#040192; latitude: 33.865°, longitude: -117.8432°) (WRCC, 2022), which is approximately 9.73 miles north of the project site, are 77.4°F and 55.4°F, respectively. Average winter (December, January, and February) high and low temperatures are approximately 69.9°F and 47.5°F, respectively, and average summer (June, July, and August) high and low temperatures are approximately 84.1°F and 63.1°F, respectively. The annual average of total precipitation is approximately 14.09 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 2.9 inch during the winter (December, January, and February), approximately 1.1 inch during the spring (March, April, and May), approximately 0.6 inch during the fall (September, October, and November), and approximately 0.1 inch during the summer (June, July, and August).

4.3.3 Local Air Quality

The SCAQMD has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The project site is in SCAQMD's Buena Park air monitoring area (SRA 16), which is served by the Anaheim-Pampas Lane monitoring station, 4.2 miles east of the project site, monitoring ozone, PM₁₀, PM_{2.5}, and NO₂. The ambient air quality data in the project vicinity as recorded from 2019 through 2021 and applicable standards are shown in **Table 4.3-3**.



**Table 4.3-3
AMBIENT AIR QUALITY MONITORING DATA**

Air Pollutant	Standard/Exceedance	2019	2020	2021
Ozone – Anaheim-Pampas Lane	Max. 1-hour Concentration (ppm)	0.096	0.142	0.089
	Max. 8-hour Concentration (ppm)	0.082	0.098	0.068
	# Days > Federal 8-hour Std. of 0.070 ppm	1	15	0
	# Days > California 1-hour Std. of 0.09 ppm	1	6	0
	# Days > California 8-hour Std. of 0.070 ppm	1	16	0
PM ₁₀ - Anaheim-Pampas Lane	Max. Federal 24-hour Concentration (µg/m ³)	127.6	74.8	63.6
	Est. # Days > Fed. 24-hour Std. of 150 µg/m ³	0	ND	0
	State Annual Average (20 µg/m ³)	24.4	ND	23.2
PM _{2.5} - Anaheim-Pampas Lane	Max. State 24-hour Concentration (µg/m ³)	37.1	64.8	54.41
	# Days > Fed. 24-hour Std. of 35 µg/m ³	4	12	10
	State Annual Average (12 µg/m ³)	9.3	12.3	11.5
NO ₂ – Anaheim-Pampas Lane	Max. 1-hour Concentration (ppm)	0.060	0.070	0.060
	State Annual Average (0.030 ppm)	0.012	0.013	0.012
	# Days > California 1-hour Std. of 0.18 ppm	0	0	0

Source: ARB,2022.

ND - There was insufficient (or no) data available to determine the value.

4.3.4 Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality would be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information.⁶ A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implement the programs contained in these plans. Agencies involved include the EPA, ARB, local governments, Southern California Association of Governments (SCAG), and SCAQMD. The SCAQMD and the SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SCAB. The SCAQMD updates its AQMP every three years.

The 2016 AQMP (SCAQMD, 2017) was adopted by the SCAQMD Board on March 3, 2017, submitted to the ARB and on March 10, 2017 was made part of the State Implementation Plan (SIP).⁷, which was submitted to the USEPA (ARB, 2017). It focuses largely on reducing NO_x emissions as a means of attaining the 1979 1-hour ozone standard by 2022, the 1997 8-hour ozone standard by 2023, and the 2008 8-hour standard by 2031. The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions. The NO_x control measures would also help the Basin attain the 24-hour standard for PM_{2.5}.

⁶ CCAA of 1988.

⁷ The State Implementation Plan (SIP) is a collection of local and regional plans, regulations, and rules for attaining ambient air quality standards. It is periodically submitted to the USEPA for approval.



4.3.5 Sensitive Receptors

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours (Chico and Koizumi, 2008, p. 3-2). Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM₁₀ is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The nearest sensitive receptors to the project site are single-family residences, to the immediate north, adjacent to the project site.

4.3.6 South Coast Air Quality Management District Fugitive Dust Rule (Rule 403)

During construction, the project would be subject to SCAQMD Rule 403 (fugitive dust). SCAQMD Rule 403 does not require a permit for construction activities; rather, it sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAB. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. SCAQMD Rule 403 also prohibits construction activity from causing an incremental PM₁₀ concentration impact, measured as the difference between upwind and downwind samples at the property line of more than 50 micrograms per cubic meter as determined through PM₁₀ high-volume sampling. The concentration standard and associated PM₁₀ sampling do not apply if specific measures identified in the rules are implemented and appropriately documented.

Other requirements of Rule 403 include not causing or allowing emissions of fugitive dust that would remain visible beyond the property line; no track-out extending 25 feet or more in cumulative length and all track-out to be removed at conclusion of each workday; and using the applicable best available control measures included in Table 1 of Rule 403.

4.3.7 Impact Analysis

- a) **Would the project conflict with or obstruct implementation of the applicable air quality plan?**

Less than Significant Impact

The South Coast 2016 AQMP, discussed above, incorporates land use assumptions from local General Plans (GP) and regional growth projections developed by the SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local GP, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporates projections from local GPs.



For the proposed project, under the requested General Mixed-Use (GMU) designation, the base development density standard is up to 32 du/ac; densities up to 43 du/ac are allowed with a 35 percent Affordable Housing Bonus. Therefore, to develop the project site, the applicant is requesting approval of a General Plan Amendment from its current Commercial (CO) to General Mixed-Use (GMU). Similarly, the project requires a Zone Change from Community Shopping (CS) to General Mixed-Use (GMU) to accommodate the residential development and density (including the Affordable Housing Bonus) of the proposed project.

Another measurement tool in evaluating consistency with the AQMP is to determine whether a project would generate population and employment growth and, if so, whether that growth would exceed the growth rates forecasted in the AQMP and how the project would accommodate the expected increase in population or employment. The Workforce Housing project would create minimal increase in population and overall VMT, which would be included in the growth rates forecasted in the AQMP.

Additionally, to assist the implementation of the AQMP, projects must not create regionally significant emissions of regulated pollutants from either short-term construction or long-term operations. The SCAQMD has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant (SCAQMD, 2019). They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-4**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

Table 4.3-4
SCAQMD THRESHOLDS OF SIGNIFICANCE

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO _x)	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO _x)	150	150
Particulate Matter (PM ₁₀)	150	150
Fine Particulate Matter (PM _{2.5})	55	55

Note: lbs = pounds.

Source: SCAQMD, 2019.

Regional Construction Emissions

Construction activities for the project is anticipated to begin in January 2023 and end in June 2025 and would have six construction phases:

- Demolition
- Grading



- Site Work Phase
- Vertical Phase: Building Construction
- Vertical Phase: Paving
- Vertical Phase: Architectural Coating

Table 4.3-5 shows the project schedule used for the air quality, GHG emissions, and noise analyses.

**Table 4.3-5
CONSTRUCTION SCHEDULE**

Construction Phase	Start	End
Demolition	January 1, 2023	February 5, 2023
Grading	February 6, 2023	March 13, 2023
Site Work Phase	March 14, 2023	March 27, 2023
Vertical Phase: Building Construction	March 28, 2023	January 1, 2025
Vertical Phase: Paving	January 2, 2025	March 15, 2025
Vertical Phase: Architectural Coating	March 16, 2025	June 1, 2025

These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_x emissions. The amount of emissions generated daily would vary, depending on the amount and types of construction activities occurring at the same time.

Estimated criteria pollutant emissions from the Workforce Housing project's onsite and offsite project construction activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0 (CAPCOA, 2021). CalEEMod is a planning tool for estimating emissions related to land use projects. Model-predicted the Workforce Housing project emissions are compared with applicable thresholds to assess regional air quality impacts. CalEEMod defaults were used for offroad construction equipment and onroad construction trips and direct and indirect operational emissions.

As shown in **Table 4.3-6**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the Workforce Housing project's short-term regional air quality impacts would be less than significant. Refer to **Appendix B** of this document for air quality calculations.



**Table 4.3-6
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS**

Construction Activity	Maximum Emissions (pounds/day)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Emissions, 2023	1.70	17.94	14.57	4.44	2.29
Maximum Emissions, 2024	1.59	11.61	14.35	1.19	0.64
Maximum Emissions, 2025	5.02	10.95	14.17	1.13	0.58
<i>SCAQMD Significance Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>55</i>
Significant? (Yes or No)	No	No	No	No	No

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021)

Regional Operational Emissions

The project would consist of: (1) demolition of the existing structure and parking lots; (2) utilities improvements; (3) construction of four new residential buildings, trash enclosure and paved driveways; and (3) project site amenities and landscaping. The project would include 14 one-bedroom, 23 two-bedroom and 18 three-bedroom units, totaling 114 bedrooms. At maximum unit occupancy based on two persons per bedroom plus one, there would be 283 persons housed in the project. Operational emissions generated by area sources, motor vehicles and energy demand would result from normal day-to-day activities of the project. CalEEMod 2020.4.0 was used to estimate these emissions. The results of these calculations are presented in **Table 4.3-7**. As seen in the table, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, operational criteria pollutant emissions would be less than significant.

**Table 4.3-7
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS**

Emission Source	Pollutant (pounds/day)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Area Source Emissions	1.02	0.05	4.54	0.03	0.03
Energy Source Emissions	0.02	0.15	0.07	0.01	0.01
Mobile Source Emissions	0.79	0.78	7.90	2.17	0.59
Total Operational Emissions	1.83	0.99	12.51	2.20	0.62
<i>SCAQMD Significance Thresholds</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>55</i>
Significant? (Yes or No)	No	No	No	No	No

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).



b) Would the project 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?

Less Than Significant Impact

Because the SCAB is currently in nonattainment for ozone and PM_{2.5}, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor does it provide methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, SCAQMD recommends that a project's potential contribution to cumulative impacts be assessed by utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the mass daily construction and operational emissions generated by the 7101 Lincoln Avenue project would not exceed any of the SCAQMD's significance thresholds. Also, as discussed below, localized emissions generated by the project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants which the SCAB is in nonattainment. Thus, cumulative air quality impacts associated with the proposed project would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact

Construction of the project would generate short-term and intermittent emissions. Following the SCAQMD's Final Localized Significance Threshold Methodology (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The single-family residence adjacent to (less than 25 meters away from) the project site is the nearest sensitive receptor. LSTs for projects in Source Receptor Area 16 (Buena Park) were obtained from tables in Appendix C of the aforementioned methodology. **Table 4.3-8** shows the results of the localized significance analysis for the project. Localized short-term air quality impacts from construction of the project would be less than significant.



Table 4.3-8
RESULTS OF LOCALIZED SIGNIFICANCE ANALYSIS

Nearest Sensitive Receptor	Maximum Onsite Emissions (pounds/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum daily emissions	14.5	13.5	3.8	2.1
SCAQMD LST for 1.35 acres @ 25 meters	118.4	606	4.7	3.35
Significant (Yes or No)	No	No	No	No

- d) **Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Less than Significant Impact

A project-related significant adverse effect could occur if construction or operation of the proposed project would result in generation of odors that would be perceptible in adjacent sensitive areas. According to the SCAQMD CEQA Air Quality Handbook (SCAQMD, 1993), land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the project. The project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

The project would not create substantial objectionable odors and this impact would be less than significant



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?		X		
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 US Fish and Wildlife Service?				X
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?				X
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 nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

4.4.1 Methodology

UltraSystems researched readily available information, including relevant literature, databases, agency web sites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house records to identify the following: 1) habitats, special-status plant and wildlife species, jurisdictional waters, critical habitats, and



wildlife corridors that may occur in and near the project site; and 2) local or regional plans, policies, and regulations that may apply to the project.

The following data sources were accessed by UltraSystems for synthesis of data within this report.

- United States Geological Survey (USGS) 7.5-Minute Topographic Map *Los Alamitos* Quadrangle (USGS, 1974) and current aerial imagery (Google Earth, 2022).
- The Web Soil Survey, provided by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (Soil Survey Staff, 2022).
- California Natural Diversity Database (CNDDB), provided by the CDFW (CNDDB, 2022a).
- California Wildlife Habitat Relationships (CWHR) Life History Accounts and Range Maps provided by the CDFW (CDFW, 2022a).
- BIOS Habitat Connectivity Viewer, provided by the CDFW (CDFW, 2022b)
- Information, Planning and Conservation (IPaC), provided by the USFWS (USFWS, 2022a).
- Environmental Conservation Online System (ECOS). Critical Habitat Mapper, provided by the USFWS (USFWS, 2022b).
- National Wetlands Inventory (NWI), provided by the USFWS (USFWS, 2022c).
- Inventory of Rare and Endangered Plants of California, 8th Edition, provided by the California Native Plant Society (CNPS, 2022).
- National Hydrography Dataset, provided by the USGS (USGS, 2022).
- Sawyer, J.O., T. Keeler-Wolf, J.M. Evens, 2009. *A Manual of California Vegetation, Second Edition*, provided by California Native Plant Society Press.
- EPA Waters GeoViewer, provided by USEPA (USEPA, 2022).
- Information on California plants for education, research and conservation, provided by Calflora (Calflora, 2022)

Plant and wildlife species protected by federal agencies, state agencies, and nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as “special-status species”.⁸ Some of these plant and wildlife species are afforded special legal or management protection because they are limited in population size, and typically have a limited geographic range and/or habitat.

Aerial imagery from the above-mentioned sources was overlaid with geospatial data by utilizing Geographic Information System (GIS) software (ArcGIS 10.1) to identify documented observations of the following biological or environmental components within the project vicinity: 1) Previously recorded observations within the project vicinity and geographic range of special-status species and

⁸ Avian species protected by the Migratory Bird Treaty Act (MBTA) are not considered “special-status species.”



❖ SECTION 4.4 – BIOLOGICAL RESOURCES ❖

potentially suitable habitats; 2) special-status vegetation communities; 3) protected management lands; 4) proposed and final critical habitats; 5) wetlands, waters of the State (WOS), and waters of the United States (WOUS); and, 5) wildlife corridors. An analysis was then made to plan either the avoidance of or to minimize project impacts to any of those biological resources. A Biological Study Area (BSA) was defined for the project and includes the project site and a 500-foot buffer zone around the perimeter of the property (refer to **Figure 4.4-1**).

UltraSystems biologist Matthew Sutton conducted a field evaluation for existing biological resources of the BSA on August 26, 2022. In this survey, he documented habitat types, potential threats to ecosystem health and plant and wildlife species in the BSA.



- a) **Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Less Than Significant with Mitigation Incorporated

In its current state, the project site contains a vacant commercial building with parking areas located directly outside of the front and rear exits of the building. The project site contains ornamental carrotwood (*Cupaniopsis anacardioides*) trees along the southern project boundary. Off-site areas within the BSA are comprised of primarily residential developments with landscaped areas, paved areas including roads and sidewalks, and some commercial developments. There is no USFWS critical habitat in the BSA. No special-status plants were observed within the project site. Due to the lack of suitable habitat to support special-status plant species, project activities will have no direct or indirect impacts on these species.

Considering that the project is located in a highly urbanized area with developed and landscaped substrates, there is a lack of optimal habitat for special-status plant and wildlife species. The BSA contains residential homes and associated landscaped areas in the northeast quadrant, and a variety of commercial spaces, parking lots, and additional landscaped areas in the remainder of the BSA. The BSA contains structures, sidewalks, and multiple impervious, paved surfaces. It lacks suitable soils, biological resources, and physical features to support a healthy native ecosystem with a diversity of plant and wildlife species.

Plants

Based on a literature review and query from publicly available databases for reported occurrences (CNDDDB, 2022a, CNPS, 2022), within a 10-mile radius of the project site, a total of 24 special-status plant species resulted from the query. Of these 22 species, six special-status plant species show recorded observations within two miles of the project site, however there is no suitable habitat for these species present within the BSA and therefore these species were determined to have no potential to occur in the BSA. Therefore, the 24 special-status plant species were determined not to have a potential to occur within the project BSA because the BSA lacks suitable habitat for the establishment of those species, as it contains primarily impermeable, paved surfaces with landscaped areas containing non-native ornamental vegetation. The BSA may also not lie within the species' reported distribution or elevation range, or a combination of the abovementioned factors. Due to several physical and biological factors within the BSA, it was determined that special-status plant species identified in the 10-mile radius database query do not have the potential to occur in the BSA. Refer to **Appendix C Special-Status Species Occurrence Potential Determination** for a list of all species evaluated in the species inventory and for all federal, state and other agencies special-status species designations.

Upon completing a habitat assessment survey on August 26, 2022, Mr. Sutton concluded that all of the BSA consists of developed/ornamental areas. Non-native ornamental trees were documented in the project area including white ash (*Fraxinus americana*), Mexican fan palm (*Washingtonia robusta*), crape myrtle (*Lagerstroemia indica*), olive (*Olea europaea*), jacaranda (*Jacaranda mimosifolia*), palo verde (*Parkinsonia aculeate*), and queen palm (*Syagrus romanzoffiana*). In addition, Mr. Sutton observed several decorative plants in the landscaped areas within the BSA such as plumeria (*Plumeria rubra*) and agave (*Agave* spp.).



Wildlife

A literature review and site habitat assessment were conducted by UltraSystems biologists. The results of this literature review and site habitat assessment determined that the project site does not support habitat that is suitable to a diverse community of wildlife species. Thus, very few special-status wildlife species have the potential to occur in the BSA.

Based on a literature review and query from publicly available databases for reported occurrences within a ten-mile radius of the project site, 16 listed and 28 sensitive wildlife species were reported as recent occurrences (≤ 20 years), had documented historical observations within two miles of the BSA, or are recognized as occurring based on previous surveys or knowledge of the area. Of those 44 total species, two sensitive species were determined to have a low potential to occur within the project BSA. One listed (candidate for federal listing) species was determined to have a low potential to occur in the BSA. Due to several biological and physical factors within the BSA, it was determined that there is a lack of suitable habitat conditions to support 41 of the 44 special-status wildlife species identified in the 10-mile radius database query (CDFW 2022a; CDFW, 2022b; CNDDDB, 2022a; USFWS, 2022a; USFWS, 2022b). The 41 wildlife species that were evaluated were determined to have no potential to occur or are not expected to occur because the BSA lacks suitable habitat for foraging, nesting or breeding, the BSA does not lie within the species reported distribution or elevation range, there are no recent (<20 years) occurrences within a 10-mile radius of the project (CNDDDB, 2022a), the BSA undergoes significant disturbances and the species may not be adaptive to urbanized settings, or a combination of these factors (CDFW, 2022a; CDFW, 2022b; Cornell Lab of Ornithology, 2022; Google Earth, 2022; Soil Survey Staff, 2022; USEPA, 2022; USFWS, 2022a; USFWS, 2022b; USFWS, 2022c). Refer to **Appendix C Special-Status Species Occurrence Potential Determination** for more information including applicable status ranking definitions. The three sensitive wildlife species determined to have a low potential to occur in the BSA and their respective status ranks are provided below:

Cooper's hawk (*Accipiter cooperii*) WL

Cooper's hawks are medium-sized hawks of the woodlands. These raptors are commonly sighted in parks, neighborhoods, over fields, and even along busy streets if there are large trees nearby for perching and adequate prey species such as other birds and small mammals. They prefer to breed in more densely wooded areas than occur in the BSA, such as woodland openings and edges of riparian and oak habitat (CDFW, 2014; Cornell Lab of Ornithology, 2022). Cooper's hawks build nests in pines, oaks, Douglas-firs, beeches, spruces, and other trees. Males typically build the nest over a period of about two weeks, with just the slightest help from the female. Nests are piles of sticks roughly 27 inches in diameter and 6-17 inches high with a cup-shaped depression in the middle, 8 inches across and 4 inches deep. The cup is lined with bark flakes and, sometimes, green twigs. (Cornell Lab of Ornithology, 2022)

Considering the highly urbanized nature of the project site and surrounding vicinity, this species was determined to have only a low potential to occur as a result of the field survey and literature search. The project site does not contain suitable nesting and/or foraging habitat for this raptor, and the large trees and other structures in the BSA only offer low-quality foraging habitat for this species. Raptors nests were not observed in the trees within the BSA; however, many trees within the BSA are routinely trimmed removing dense foliage needed for nesting cover. Thus, the onsite trees do not provide optimal nesting habitat for this raptor. Cooper's hawks breed between March and August. Activities associated with the project are not anticipated to significantly impact nesting and breeding behavior of this raptor.



Western mastiff bat (*Eumops perotis californicus*) SSC, WBWG:H

The BSA lacks many of the habitat types in which this species typically occurs such as , desert riparian, desert wash, desert scrub, desert succulent shrub, alkali desert scrub, palm oasis, conifer and deciduous woodlands, coastal scrub. However, this species may occasionally utilize buildings in urbanized settings for roosting. The BSA contains several buildings and ornamental trees which results in this species to have a low potential to roost in the BSA, as the available roosting habitat is not optimal due to frequent disturbance and lack of open area. Project activities are not anticipated to significantly impact this bat species.

monarch butterfly (*Danaus plexippus* pop. 1) FC: California overwintering population

Ornamental flowering plants in the BSA could provide a suitable nectar source for this species. However, the BSA is primarily developed and undergoes significant, frequent disturbances that compromise the suitability of the BSA for this species. The project site itself does not provide suitable habitat for this species, and therefore project activities are not anticipated to significantly impact this butterfly species.

Although the abovementioned species were determined to have a low potential to occur, is not expected that these species would nest in the BSA due to lack of optimal factors that would create suitable nesting habitat. The BSA is comprised of developed/ornamental areas. Occurrence of the species discussed above in the BSA would likely be restricted to passage and occasional foraging.

Birds

During the survey, common urban-adapted bird species such as American crow (*Corvus brachyrhynchos*), house finch (*Haemorhous mexicanus*), black phoebe (*Sayornis nigricans*), house sparrow, mourning dove, European starling, western gull, lesser goldfinch, and Anna's hummingbird were observed on the site. Several observed bird species are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (USFWS, 2020), which render it unlawful to take native breeding birds, and their nests, eggs, and young. Indirect impacts on breeding birds could occur from increased noise, vibration, and dust during construction, which could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. Migratory avian species that may use portions of the area for nesting during the breeding season are protected under the MBTA. Construction-related activities that may include, but are not necessarily limited to, building demolition and/or relocation, grading, materials laydown, access and infrastructure improvements, and building construction, could result in the disturbance of nesting migratory species covered under the MBTA.

The project site contains ornamental vegetation and building structures that could potentially provide cover and nesting habitat for bird species that have adapted to urban areas, such as those observed during the biological field survey. (Cornell Lab of Ornithology, 2022; CDFW, 2022b; CDFW, 2014). Native bird species such as mourning doves, Anna's hummingbird, American crow, and others are protected by the MBTA and the California Fish and Game Code (Sections 3503, 3503.5, and 3513; USFWS, 2020; California Legislative Information, 2022), which render it unlawful to take native breeding birds, their nests, eggs, and young. Indirect impacts on breeding birds could occur from increased noise, vibration and dust during construction, which could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. Therefore, the project has the potential to impact migratory non-game breeding birds and their nests, young and eggs.



Special-Status Bird Species

One sensitive raptor, Cooper's hawk, was determined to have a low potential to occur in the BSA. This determination was based on professional knowledge that Cooper's hawks occur in urbanized habitats such as this where there are numerous larger trees available for perching and abundant prey sources such as rodents and smaller birds. However, they prefer more densely wooded areas than occur in the BSA, such as woodland openings and edges of riparian and oak habitats (Cornell Lab of Ornithology, 2022). Furthermore, they prefer to nest where there is a grove of six or more contiguous trees providing dense canopy cover, and no such grove occurs in the BSA. Thus, there is only a low potential for Cooper's hawks to occur in the BSA.

No nests or nesting behavior was observed in the BSA during the survey. There were no listed species in the wildlife inventory that were determined to have the potential to occur on the project site or are not expected to occur for reasons discussed below. The remaining special-status species in the wildlife inventory were determined to have no potential to occur or are not expected to occur due to a combination of factors including: the BSA may be outside the geographic and/or elevation range of the species, the BSA lacks suitable habitat to support the species, the BSA frequently undergoes a variety of disturbances and the species may not be able to readily adapt to urbanized settings, or there is lack of recorded recent (<15 years) occurrences of the species (CNDDDB, 2022a) within a ten mile radius of the project. No special-status birds, including Cooper's hawk and other birds in the wildlife inventory, were observed during the biological field survey.

Although special-status bird species were not observed during the field survey, several bird species protected under the MBTA could use the project site for foraging and may be adversely impacted by construction activities. This could include the species observed during the field survey, several of which are protected under the MBTA and the California Fish and Game Code (USFWS, 2020). With the implementation of mitigation measure **MM BIO-1**, the project would have less than significant impacts to native bird species protected under the MBTA and the California Fish and Game Code.

Mitigation Measure

MM BIO-1 Pre-Construction Breeding Bird Survey. To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.

- Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.



- If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.
- If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.
- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.
- If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.
- Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.

Level of Significance After Mitigation

With implementation of mitigation measure **MM BIO-1**, the proposed project would not have substantial adverse effects, either directly or through habitat modifications, to habitat, plant and wildlife species and less than significant impacts would occur.



- b) **Would the project have a substantial adverse impact 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?**

No Impact

Land Covers

Developed/Ornamental

The developed/ornamental land cover type includes areas that often support man-made structures such as houses, sidewalks, buildings, parks, water tanks, flood control channels and transportation infrastructure (bridges and culverts), as well as turf lawns and other landscaped areas containing non-native ornamental plant species.

Developed/ornamental is the only mapped land cover in the BSA, including the project area. The project site and within the BSA are comprised of residential and commercial developments, landscaped areas containing ornamental vegetation, paved surfaces, and other associated structures.

Approximately 31.12 acres of developed/ornamental land cover was mapped in the BSA, and approximately 1.34 acres on the project site. The project site is comprised of developed areas containing impermeable surfaces. Vegetation on-site includes carrotwood trees. Both the literature review and results of the reconnaissance-level field survey indicate that riparian habitat or other sensitive natural communities do not exist on or adjacent to the project site. The BSA is either developed or disturbed and contains no riparian habitat. Therefore, no direct or indirect impacts to riparian habitat or other sensitive natural communities would occur.

- c) **Would the project 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

Based on the lack of wetlands and/or wetland conditions observed during the site visit by a staff biologist and the results of a literature query showing a lack of recorded historic wetlands, no wetlands occur within the BSA. Therefore, no direct or indirect impacts to federally-protected wetlands as defined by Section 404 of the Clean Water Act would occur. The project would have no impact in this regard.

- d) **Would the project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**

No Impact

The project site and surrounding areas do not support resident or migratory fish species or wildlife nursery sites. The project site and its surrounding areas are currently developed, and therefore the project would not result in any new fragmentation of available habitat. No established resident or migratory wildlife corridors occur on the project site or in the surrounding areas (CDFW, 2022b). As



a result, the project would not interfere substantially with or impede: 1) the movement of any resident or migratory fish or wildlife species; 2) established resident or migratory wildlife corridors; or 3) the use of wildlife nursery sites. Therefore, the project would have no impact in this regard.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact

The City of Buena Park recognizes that it is located in an urban setting, and has tailored the goals of its Conservation Element (City of Buena Park, 2010), Water Efficient Landscape Ordinance (City of Buena Park, 2022a) and Urban Forest Management Plan (City of Buena Park, 2022b) accordingly. To obtain its overall conservation goals with respect to development, the City has established objectives that focus on protecting biological resources. One way in which the City encourages conservation of resources is through its Water Efficient Landscape Ordinance. This ordinance promotes the design, installation, and maintenance of landscaping in a manner that conserves regional water resources by ensuring that landscaping projects are not unduly water-needy and that irrigation systems are appropriately designed and installed to minimize water waste.

As there are no street trees in the existing landscaping of the project site, the City ordinances relating to street tree removal (City of Buena Park, 2022c) do not apply to any of the tree removals scheduled for this project. Due to the fact that no street trees will be affected by this project, the project would not conflict with any local policies or ordinances protecting biological resources.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact

The project site is not located in a Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or other approved HCP area. For this reason, the project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP. Therefore, the project would have no impact in this regard.



4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Information from the *Cultural Resources Inventory Report* dated February 14, 2023 (see Appendix D), prepared by UltraSystems for the Workforce Housing Project has been included within this section.

4.5.1 Methodology

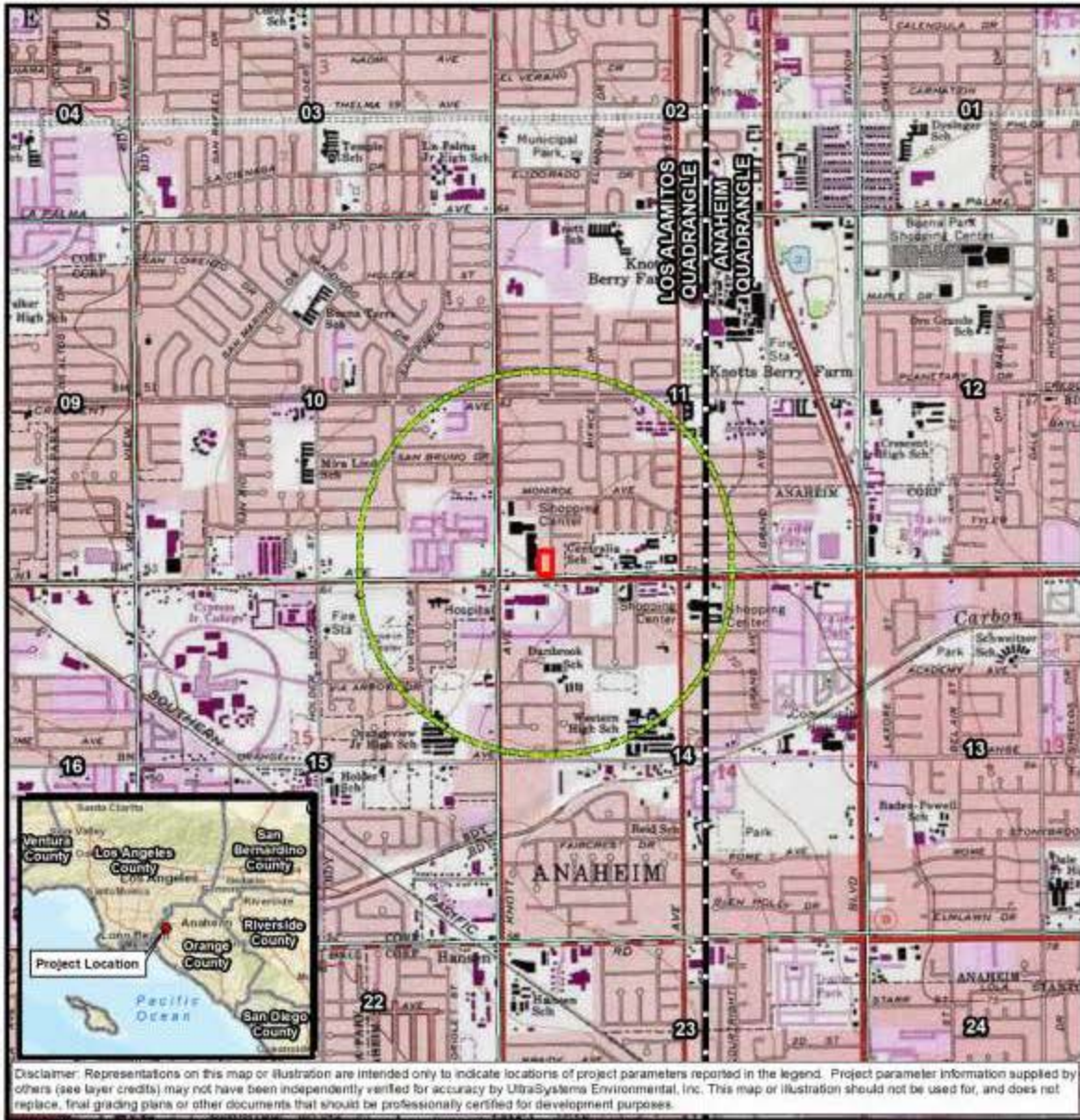
A cultural resources inventory was conducted for the Workforce Housing Project site (**Figure 4.5-1**) that included a California Historic Resources Inventory System (CHRIS) records and literature search at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. Additionally, a request was made to the Native American Heritage Commission (NAHC) to conduct a search of their Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribes and tribal representatives to contact. Finally, a pedestrian survey of the project site was completed. The SCCIC records search was conducted on October 4, 2022. The NAHC request was made on August 5, 2022, and a reply was received on September 15, 2022; letters were sent to the listed tribes on September 20, 2022 and follow-up telephone calls were conducted following conclusion of the response period on October 18, 2022. The pedestrian field survey was conducted on October 9, 2022.

4.5.2 Existing Conditions

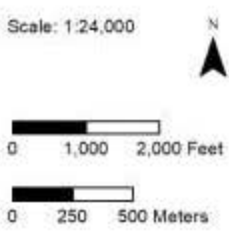
Based on the cultural resources records search, it was determined that no cultural resources have been previously recorded within the project site boundary. Within the half-mile buffer zone around the project site, there is one historic resource identified by the SCCIC, seven historic-era resources were identified in the Built Environmental Resource Directory, and no pre-historic resources. Table 4.1-1 in Appendix D of this document summarizes these resources.



Figure 4.5-1
TOPOGRAPHIC MAP



Path: \\G:\Projects\Projects\7181_BuenaPark_CC_Development\ISAND\MXDs\7181_BuenaPark_CC_4_5_Topic_2022_06_03.mxd
 Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, (c)ed: California Department of Conservation, 2019, UltraSystems Environmental, Inc., 2022



**Buena Park
 Workforce Housing Project**

Topographic Map
 USGS Quadrangle: Los Alamitos
 Township: 4S Range: 11W
 Section: 11





The primary historic feature in the vicinity of the project site is the Good Shepherd Lutheran Church, built circa 1967, which is located to the north within the half-mile project buffer (see Sections 2.2.3.5 and 4.1.1 in Appendix D).

The Good Shepherd Lutheran Church, 30-177543, is located at 7082 Crescent Avenue, in the city of Buena Park. It was constructed circa 1967 on what was originally agricultural land until at least 1954. The church was built in the Modern style. It has a concrete foundation, stucco exterior and a hipped and gabled roof system. The building was evaluated under the National Register of Historic Places Criterion A, B, C, and D, and does not appear to qualify for the National Register under Section 106. The property was not assessed for eligibility under the California Register or local Buena Park Register.

4.5.3 Impact Analysis

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Less Than Significant Impact with Mitigation Incorporated

A historical resource is defined in § 15064.5(a)(3) of the *CEQA Guidelines* as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register criteria (contained in 36 CFR 60.4) are used to evaluate resources when complying with Section 106 of the National Historic Preservation Act. Specifically, the National Register criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of a historical resource, as a result of a project or development, is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

The cultural resources records search conducted at the SCCIC determined that one historic resource has been recorded within the half-mile radius buffer zone of the area of potential effect (APE) of the



project boundary (Table 4.1-2 in Appendix D), but none have been recorded within the APE. The site is an historic church.

Grading activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unique historic archeological resources. Implementation of Mitigation Measure **MM CUL-1** will be available should there be such an unanticipated discovery.

Mitigation Measure

MM CUL-1 In the event of an unexpected discovery of an historical resource as defined by CEQA Guidelines § 15064.5, during any project-related earth-disturbing activities, all earth-disturbing activities within 30 feet of the find shall be halted and the City of Buena Park shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts on any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the SCCIC. Construction activities may continue on other parts of the project site while evaluation and treatment of historic archaeological resources takes place.

Level of Significance After Mitigation

With the implementation of mitigation measure **MM CUL-1** above, potential project impacts on historical resources would be less than significant.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically-recognized important prehistoric or historic event or person. The past agricultural use on the project site and level elevation relative to adjacent roads suggests that ground here has been minimally disturbed, with the native surface soil remaining. It is unlikely that undisturbed unique archeological resources exist on the project site as determined by the cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and buffer zone, a search of the SLF by the NAHC, and pedestrian field survey.

The cultural resources records search conducted at the SCCIC determined that there are no prehistoric cultural resource sites or isolates recorded within the project boundary or within the half-mile radius buffer area around the project footprint and areas of direct and indirect impacts. The



result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site.

According to records at the SCCIC, there are no previous cultural resource surveys that included a portion of the project boundary. Eight surveys have been completed within or intersecting the half-mile radius project buffer but not within the project footprint and areas of direct and indirect impacts (refer to Table 4.5-2 in Appendix D). As noted above, the recording of the Good Shepherd Lutheran Church (OR-04444) did not result in a determination of NRHP or CHL eligibility. There were no other prehistoric or historic cultural resources recorded within the project boundary or the half-mile project buffer.

A NAHC SLF search was conducted on and within a half-mile buffer around the project site. The NAHC letter of August 5, 2022 indicated that there are no records documenting the presence of traditional cultural properties within this area. Thirteen representatives of ten Native American tribes were contacted requesting a reply if they have knowledge of cultural resources in the area that they wished to share and asking if they had any questions or concerns regarding the project. These tribes included:

- Gabrieleno Band of Mission Indians-Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrieleno/Tongva
- Gabrielino/Tongva Indians of California Tribal Council
- Gabrielino Tongva Tribe
- Juaneño Band of Mission Indians Acjachemen Nation 84A
- Juaneño Band of Mission Indians – Acjachemen Nation (Belardes)
- Pala Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseño Indians

On August 5, 2022, Mr. O’Neil contacted the NAHC via email requesting a search of their SLF and a list of local tribal organizations and individuals to contact for project outreach. The results of the search request were received September 15, 2022 from Mr. Andrew Green, Cultural Resources Analyst. The NAHC letter stated that “A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative [emphasis in the original].” (See Attachment C in Appendix D.)

UEI sent letters and emails on September 20, 2022 to each of the thirteen tribal contacts representing ten tribal entities describing the project and including a map showing the project’s location, requesting a reply if they have knowledge of cultural resources in the area, and asking if they had any questions or concerns regarding the project (see Attachment C in Appendix D).

There has been one direct response to the letters and emails to date. On September 28, 2022, Christina Conley, Tribal Consultant and Administrator, Gabrielino - Tongva Indians of California Tribal Council indicated through email that the tribe has no comment. An additional email was received from Ms. Conley on September 29, 2022, asking for our cultural resources findings as they may have a comment for this project. Mr. O’Neil indicated through email on September 29, 2022, that research for this project had just started and that they may request a copy of the report from the city when it is done. They may also request to be included in AB-52 consultation. Ms. Conley responded



on September 30, 2022, that they would like to participate in AB-52 consultation. Mr. O’Neil forwarded the tribe’s message to the Lead Agency, the City of Buena Park, on September 30, 2022.

Following up on the initial letter and email contacts, telephone calls were conducted on October 18, 2022, to complete the outreach process. These calls were to the 11 tribal contacts who had not already responded to UEI mailing and email to the tribes. Six telephone calls were placed with no answer and so messages were left describing the project and requesting a response. These were to Chairperson Sandonne Goad, Chairperson of the Gabrielino/Tongva Nation; Chairperson Anthony Morales, Chairperson of the Gabrieleno/ Tongva San Gabriel Band of Mission Indians; Chairperson Matias Belardes, Chairperson of the Juaneño Band of Mission Indians Acjachemen Nation; Shasta Gaughen, Tribal Historic Preservation Officer of the Pala Band of Mission Indians; Joyce Perry, Tribal Manager of the Juaneño Band of Mission Indians Acjachemen Nation; and Heidi Lucero, Chairperson for the Juaneño Band of Mission Indians Acjachemen Nation. In a call to councilmember Charles Alvarez with the Gabrielino-Tongva Tribe, the line rang but there was no answer and no ability to leave a message. In a call to Lovina Redner, Tribal Chair for the Santa Rosa Band of Cahuilla Indians, the tribal receptionist indicated that the Tribal Chair was not in the office and that to contact the chair we should email her.

During the telephone calls of October 18, 2022, Chairperson Andrew Salas, Chairperson of the Gabrieleno Band of Mission Indians - Kizh Nation indicated that we should have received a positive SLF report because they had submitted one recently to the NAHC. The Chairperson indicated that he will be contacting his archaeologist and will get back to us. On the same day UEI received an email from Brandy Salas, Admin Specialist for the Gabrielino – Kizh Nation, asking for the project developer’s name and the Lead Agency’s contact information. This information was provided the same day. Joseph Ontiveros, of the Cultural Resource Department for the Soboba Band of Luiseño Indians, indicated that the tribe defers to the Gabrieleno/ Tongva San Gabriel Band of Mission Indians. There have been no further responses from these tribes to date (see Attachment C in Appendix D).

The result of the October 9th pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site. Based on the results of the records search and the onsite field survey, it was determined that it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project. Outreach to local Native American tribes did not result in information on potential traditional cultural properties at or near the project site. Therefore, archaeological monitoring of subsurface ground disturbance during construction is not recommended.

However, grading activities associated with development of the project would cause new subsurface disturbance and may result in the unanticipated discovery of unique historic and/or prehistoric archeological resources. In the event of an unanticipated discovery, implementation of mitigation measure **MM CUL-2** described below would ensure that impacts on archeological resources would be less than significant.

Mitigation Measure

MM CUL-2 In the event of an unexpected discovery of a cultural resource as defined by CEQA Guidelines § 15064.5, during any project-related earth-disturbing activities, all earth-disturbing activities within 50 feet of the find shall be halted and the City of Buena Park shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for



Archaeology to assess the significance of the find. Impacts on any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the SCCIC. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.

Level of Significance After Mitigation

With implementation of mitigation measure **MM CUL-2** above, the proposed project's impacts on potential cultural resources would be less than significant.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporated

As discussed in **Section 4.5 b)** above, the project would be built on land that is currently developed with a vacant commercial building and associated parking areas that appears to have been previously occupied by a thrift store, constructed circa 1961. As late as 1953, the property was used as an orchard according to aerial photos and topographic maps analysis. No human remains have been previously identified or recorded onsite. Therefore, it is unlikely that undiscovered human remains exist on the project site.

The project proposes grading activities for the construction of infrastructure that includes water, sewer, and utility lines. Grading activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, implementation of mitigation measure **MM CUL-3** would ensure that impacts related to the accidental discovery of human remains would be less than significant.

Mitigation Measure

MM CUL-3 If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Orange County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).



Level of Significance After Mitigation

With implementation of mitigation measure **CUL-3** above, the proposed project would result in less than significant impacts to human remains.



4.6 Energy

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

- d) **Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less than Significant Impact

According to the CEQA Guidelines, “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.” Therefore, the purpose of this analysis is to identify any significant irreversible environmental effects of project implementation that cannot be avoided.

Construction Impact Analysis

The following forms of energy are anticipated to be expended during project construction:

- Diesel fuel for off-road equipment (expressed in gallons).
- Electricity to deliver water for use in dust control (expressed in kilowatt-hours [kWh]).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (expressed in gallons).

Transportation Energy

Project construction would consume energy in the form of petroleum-based fuels associated with the use of offroad construction vehicles and equipment on the project site, construction workers' travel to and from the project site, and delivery and haul truck trips hauling solid waste from and delivering building materials to the project site.

During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also



apply (ARB, 2016). Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy.

Electricity

The proposed project is located in a developed area, and infrastructure for providing electric power to the area is well established by the Southern California Edison Company (SCE). As of October 2022, the City of Buena Park is a member in the Orange County Power Authority (OCPA). Residents and businesses have the option to purchase their energy from OCPA. The benefits of OCPA include local control over what type of energy is purchased in the community, and the opportunity to purchase higher amounts of renewable energy (i.e., solar and wind). Residential customers are automatically opted in to OCPA at the 100 percent renewable energy level. OCPA mailed notices out to all households in early August 2022, to inform residential customers that OCPA will be their local energy provider beginning October 1, 2022, unless they take the action to opt out,⁹ and continue service with SCE.

SCE will still own and manage the transmission and distribution lines that are necessary and serve as conduits of OCPA's power to customers. Before construction of the project begins, the project applicant will need to make the decision regarding selection of the electricity supplier for the project site.

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power.

Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative.

Lighting used during project construction would comply with California Code of Regulations (CCR) Title 24 standards/requirements, such as wattage limitations. This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Lighting would be used in compliance with applicable City of Buena Park Municipal Code requirements to create enough light for safety.

Natural Gas

Natural gas is supplied to the project site by Southern California Gas Company (SoCalGas). SoCalGas is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Buena Park.

Operation

Energy would be consumed during project operations for lighting and equipment operation, space and water heating, water conveyance, solid waste disposal, and vehicle trips of residents and visitors. Project operation energy usage, which was estimated by CalEEMod as part of the greenhouse gas

⁹ https://www.buenapark.com/city_departments/city_manager/orange_county_power_authority.php



emissions analysis (refer to **Section 4.8**), is shown in **Table 4.6-1**. Note that the table does not include energy use by existing buildings and activities; to obtain a conservative estimate of energy use impact, existing use was assumed to be zero, as the existing building is vacant.

The following forms of energy would be expended during project operation:

- Electricity for the proposed commercial uses, street lighting, space and water heating, and conveyance and treatment of water.
- Gasoline for onroad motor vehicles.

Estimated project operational energy usage, which was estimated by CalEEMod as part of the greenhouse gas emissions analysis,¹⁰ is shown in **Table 4.6-1**. Note that the table does not include energy use by existing buildings and activities; as noted above, to obtain a conservative estimate of energy use impact, existing use was assumed to be zero.

The commitment of resources required for the construction and operation of the project would limit the availability of such resources for future generations or for other uses during the life of the project. However, the use of such resources would be reduced when compared to what they would be in the absence of complying with the CALGreen Code. Therefore, energy consumption would not result in a substantial increase in energy production for energy providers and the energy demand associated with the project would be less than significant.

Table 4.6-1
ESTIMATED PROJECT OPERATIONAL ENERGY USE

Energy Type	Units	Value	Energy Use (Per Resident ^a)
Onroad Motor Vehicle Travel (Fuel) ^b	Gallons gasoline/year	36,600	97
	Gallons diesel/year	2,930	0.18
Natural Gas Use	1,000 BTU per year	457,134	1,615
Electricity Use	Kilowatt-hours per year	189,387	669

^a Based upon estimated residential population of 283; see **Section 4.14**. The Energy Use (per resident) for the onroad motor vehicle fuel consumption is calculated from fuel consumption by passenger vehicles (automobiles and light-duty trucks).

^b Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022) and CalEEMod (2020.4.0) (CAPCOA, 2022); see Appendix B1. Natural Gas Use and Electricity Use calculated by UltraSystems with CalEEMod (2020.4.0).

e) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

¹⁰ See **Section 4.3** (Air Quality), **Section 4.8** (Greenhouse Gas Emissions), and **Appendix B2**.



Less than Significant Impact

Title 24 Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations, also known as the “California Energy Code,”) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in decrease in GHG emissions.

The provisions of Title 24, Part 6 apply to all buildings for which an application for a building permit or renewal of an existing permit is required by law. They regulate design and construction of the building envelope, space-conditioning and water-heating systems, indoor and outdoor lighting systems of buildings, and signs located either indoors or outdoors. Title 24, Part 6 specifies mandatory, prescriptive and performance measures, all designed to optimize energy use in buildings and decrease overall consumption of energy to construct and operate residential and nonresidential buildings. Mandatory measures establish requirements for manufacturing, construction, and installation of certain systems, equipment, and building components that are installed in buildings.

During the 2021 Triennial Code Adoption Cycle, California state agencies reviewed the most recent edition of national model codes and standards, and made amendments and additions to most parts of the California Building Standards Code. The latest version of Title 24 of the California Code of Regulations (Title 24) was published on July 1, 2022 and became effective on January 1, 2023 (State of California, 2023a). Below is the list of modified chapters in Part 6 Building Energy Efficiency Standards (State of California, 2023a).

Multifamily What's New for 2022 Summary

The 2022 California Energy Code reorganizes low-rise (three or fewer habitable stories) and high-rise (four or more habitable stories) multifamily buildings into one building type, updates the multifamily buildings definition, and moves all requirements for multifamily buildings to their own subchapters under §§ 160.0-180.4.

Administrative Regulations:

- Lighting controls and mechanical systems Acceptance Test Technician Certification Providers (ATTCPs) must record related Certificates of Compliance, Installation, and Acceptance Testing in an electronic database. § 10-103.1(c)3H and § 10-103.2(c)3H
- Outdoor lighting zones (LZ) updated and rural areas moved to LZ1 and urban clusters added to LZ2. Building types added to state defaults, and notification requirements for LZ amendments were removed. § 10-114.
- Energy Commission-approved community shared solar or renewable system and energy storage system qualification requirements updated. §10-115.



Mandatory Requirements:

- Minimum HVAC efficiency requirements updated for various equipment types, and minimum efficiency requirements added for dedicated Outside Air System (DOAS), ACs serving computer rooms, and heat pump and heat recovery chiller packages. § 110.2.
- Demand responsive lighting controls trigger changed to 4,000 watts or more, and requirements added for controlled receptacles. § 110.12 & § 160.5(b)4E.
- All envelope insulation, vapor retarder, and fenestration requirements unified. § 160.1.
- For dwelling units, vented kitchen range hoods require ventilation rates or capture efficiencies based on conditioned floor area and fuel type (see Tables 160.2-E, F, and G). §160.2(b)2Aivc2.
- For dwelling units, installed heat recovery ventilation (HRV) and energy recovery ventilation (ERV) systems must have a Home Energy Rating System (HERS) verified maximum fan efficacy of 1.0 W/cfm. § 160.2(b)2Biii.
- For common areas, filter racks or grilles shall be gasketed or sealed to prevent air from bypassing the filter. §160.2(c)1D.
- Mechanical ventilation systems of enclosed parking garages must meet the requirements of § 120.6(c). § 160.2(d).
- For dwelling units, duct leakage and HVAC airflow and fan watt draw testing is conducted by installing contractor in buildings with four or more habitable stories. Exceptions are provided for certain climate zones. §160.3(b)5K & §160.3(b)5L.
- For common areas, formerly prescriptive duct leakage testing is now mandatory. §160.3(c)2H.
- New acceptance testing requirements added for dwelling units. §160.3(d)2.
- Water heating piping must be insulated per Table 160.4-A. § 160.4(f).
- Indoor and outdoor lighting requirements unified and applicability clarified for dwellings, common areas, and outdoor lighting. §160.5.
- Requirements clarified for communal pool and spa systems versus private single-tenant pools and spas. §160.7(b).
- New electric ready requirements for space heating, cooking, and clothes dryers serving individual dwelling units and common areas, when gas equipment is installed. Electrical infrastructure must be provided and reserved to the equipment location for the future installation of electrical appliances. § 160.9(a)-(c).



Prescriptive Compliance

- All envelope requirements unified. Vertical fenestration and glazed doors area requirements based on conditioned floor area and gross wall area. Fenestration efficiency values dependent on type, climate zone, and number of habitable stories. § 170.2(a).
- All HVAC requirements unified. For dwelling units: heat pump baselines for space heating in most climate zones; refrigerant charge; and central fan integrated (CFI) fan efficacy testing applies to all multifamily buildings but installing contractor conducts testing for buildings with four or more habitable stories; ERV/HRV required when balanced ventilation is used to meet ventilation requirements in certain climate zones. § 170.2(c)(3).
- For common use areas: major revisions to fan power requirements, including one kW fan electrical input power trigger and multiple new allowances for system type, air flow, filtration, etc.; and new requirements added for DOAS and exhaust air heat recovery. § 170.2(c)(4).
- Water heater requirements unified. Water heaters serving single dwelling units must be a heat pump water heater (HPWH) with certain plumbing conditions for climate zones 1 and/or 16, or gas instantaneous water heater up to 200,000 Btu/hour; new plumbing and configuration requirements for central HPWHs; in climate zones 1-9, gas/propane central water heater systems must meet minimum equipment thermal efficiency, recirculation, and solar water heating meeting solar savings fraction. § 170.2(d).
- Indoor common area lighting and outdoor lighting requirements unified. Updates to indoor luminaire power densities (LPDs) and outdoor hardscape and additional lighting power allowances. § 170.2(e).
- New photovoltaic (PV) and battery storage requirements added for specific building types, including buildings over three habitable stories. § 170.2(g)&(h.)

Performance Compliance

- Approved community shared solar or battery storage programs may offset required PV or battery storage system time dependent valuation (TDV) energy. § 170.1.

Title 24 Part 11, California Green Building Standards Code

The California Green Building Standards Code (Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

The 2021 Triennial Code Adoption Cycle, California state agencies reviewed the most recent edition of national model codes and standards, and made amendments and additions to most parts of the California Building Standards Code, Title 24 of the California Code of Regulations (Title 24) which



became effective on January 1, 2023 (State of California, 2023a). Below is the list of modified chapters in Part 11 California Green Building Standards Code.

Chapter 4 - Residential Mandatory Measures

Department of Housing and Community Development (HCD)

HCD repealed various existing code sections and provisions to reformat, modify, and adopt new sections addressing EV charging for multifamily buildings, and hotels and motels.

4.106.4 and subsections. EV charging for new construction

Expanded EV charging requirements to installation of EV charging receptacles and EV chargers (EVSE).

- Modified Exception 1 to address situations in which there is no local utility power supply or when the local utility is unable to supply adequate power.
- Repealed references to specific dollar amounts for exceptions due to variations in utility costs based upon locations.
- Included an exception related to adverse impact to construction cost of a project, similar to the provision for non-residential EV charging.

4.106.4.2 New multifamily dwellings, hotels and motels and new residential parking facilities

New regulation to clarify that calculations for EV spaces are to be rounded up to the nearest whole number and EV spaces to be counted as parking spaces only for the purposes of meeting parking space requirements at the local level (Vehicle Code § 22511.2).

4.106.4.2.2 Multifamily development projects with 20 or more dwelling units, hotels and motels with 20 or more sleeping units or guest rooms

New regulations requiring that ten percent of the total number of parking spaces on site support future Level 2 EVSE; the installation of EV-ready spaces for 25 percent of the total number of parking spaces equipped with low power Level 2 EV charging receptacles; and five percent of the total number of parking spaces shall be equipped with Level 2 EVSE. The use of an ALMS is allowed when low-power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required.

4.106.4.2.2.1 Electric vehicle charging stations (EVCS)

Added requirements for space location and dimensions, with a reference to the California Building Code to address accessibility.

4.106.4.2.3 EV space requirements

Amended requirements for single and multiple EV spaces, and added a requirement for EV-ready space signage.

4.410.1 Operation and maintenance manual

Amended existing Item 11 to add Department of Forestry and Fire Protection, and added a new Item 12 to require that the operation and maintenance manual contain information and/or drawings identifying the location of grab bar reinforcements.



Chapter A4 – Residential Voluntary Measures

California Energy Commission

A4.2 Energy efficiency

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. CalCERTS, Inc. (CalCERTS) and ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS) have each applied to the California Energy Commission (CEC) to be certified as residential data registries for the 2022 Energy Code. Both CalCERTS and CHEERS are creating new systems to process and register the new Low-Rise Multifamily (LRMF) compliance documents required by the 2022 Energy Code.

A4.203.1.1 Hourly source energy design rating (EDR1) and Table A4.203.1.1

A4.203.1.2.3 HERS – Verified compact hot water distribution system and A4.203.1.2.4 HERS – Verified drain water heat recovery

A4.203.1.2.5 High performance vertical fenestration, A4.203.1.2.6 Heat pump water heater demand management, A4.203.1.2.7 Battery storage system controls and A4.203.1.2.8 Heat pump space and water heating

Added as prerequisite options to standardize phrasing to remove unneeded references to HERS verification and to apply a broader range of equipment types and construction performance approaches to meet the overall requirements.

A4.203.1.3 Performance standard (repealed), A4.203.1.3.1 Tier 1 (repealed), A4.203.1.3.2 Tier 2. (repealed) and A4.203.1.3 Consultation with local electric service provider (renumbered)

Sections repealed and amended to remove reference to CALGreen tiers and to recommend consultation with a local electric service provider for jurisdictions considering reducing the Energy Design Rating (EDR) target when using solar PV systems larger than required by the California Energy Code.

The proposed project would be designed with energy-efficient features, including insulated and glazed windows and low-E coating on windows, and will be built in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11). Hence, the impacts would be less than significant.

City of Buena Park General Plan

The City of Buena Park 2035 General Plan is a comprehensive update to the city's existing 2010 General Plan, adopted in 1994. The update includes an update and reorganization of existing elements, resulting in the following state mandated and optional elements: Land Use and Community Design Element; Mobility Element; Community Facilities Element; Conservation and Sustainability Element; Open Space and Recreation Element; Safety Element; Noise Element; Economic Development Element; and Housing Element. The elements establish goals and policies to promote appropriate development and redevelopment within the city (Buena Park, 2010).

Sustainability and green building are of great importance to the City of Buena Park. In addition to state mandates on energy efficiency, the City is focused on achieving greater energy efficiency in buildings, as well as reducing consumption of energy resources and generation of solid waste.



The proposed project shall be designed in compliance with the applicable City of Buena Park goals and policies, federal and state requirements for energy efficiency, including Title 24 standards and General Plan Chapter 5, Conservation and Sustainability Element. Therefore, impacts would be less than significant.

Further, the roadway network in the vicinity of the project site is served by Orange County Transportation Authority (OCTA), the public transit agency serving the city of Buena Park. OCTA has nine bus routes in the city (Buena Park, 2010a). Employees and visitors would be able to access the project site via the public transit system, thereby reducing transportation-related fuel demand.



4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant Impact 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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
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?		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?		X		

The following section is based in part on findings and conclusions of the *Preliminary Geotechnical Investigation Report, Proposed Residential Development, 7101 Lincoln Avenue, Buena Park, California*, dated January 5, 2022 and prepared by Albus & Associates, Inc., (**Appendix F**) and the *Custom Soil*



Resource Report for Orange County and Part of Riverside County, California dated August 22, 2022 and prepared by the Natural Resource Conservation Service (NRCS) of the United States Department of Agriculture (USDA) (**Appendix F2**).

- a) **Would the project 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.**

Less Than Significant

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years (CGS, 2019). The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone. As shown in **Figure 4.7-1**, the nearest Alquist-Priolo Earthquake Fault Zone is the Reservoir Hill Fault, located 7.5 miles southwest of the project site. No active faults are known to project through the site nor does the site lie within the bounds of an “Earthquake Fault Zone” as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act (Albus & Associates, 2022 p. 4).

The fault nearest to the project site is the Puente Hills Blind Thrust System, approximately three miles to the north (USGS, 2017; see **Figure 4.7-2**), located approximately three miles north of the project site. Due to the location and path of this fault, is not anticipated that rupture of this section of the Puente Hills Blind Thrust System would pose a hazard to the proposed project. As with the other faults in the project area the location and trend of this fault make it extremely unlikely to produce a surface rupture that would pose a hazard to the proposed project.

As shown in **Figure 4.7-1**, the proposed project would not be located within an Alquist-Priolo Earthquake Fault Zone, and as seen in **Figure 4.7-2**, no active faults are known to traverse the project site. For these reasons, the project site would not expose people or structures to potentially substantial adverse effects from rupture of a known earthquake fault, including faults that are delineated on an Alquist-Priolo Earthquake Fault Zoning Map, and impact would be less than significant.



ii) **Strong seismic ground shaking?**

Less than Significant Impact

The site lies in relatively close proximity to several seismically active faults; therefore, during the life of the proposed structures, the property will probably experience similar moderate to occasionally high ground shaking from these fault zones, as well as some background shaking from other seismically active areas of the Southern California region. Design and construction in accordance with the current California Building Code (CBC) requirements are anticipated to adequately address potential ground shaking (Albus & Associates, 2022, p. 9).

The project would be constructed in accordance with the applicable CBC standards (CBC, 2022). In addition, the CBC is included in the City's Municipal Code (City of Buena Park Municipal Code, 2022) and provides minimum standards to protect property and for public welfare by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic activities and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with specified probability of occurring at the site.

Although the project site is susceptible to occasional very strong to severe ground shaking from seismically active fault zones in the Southern California region, design and construction in accordance with the CBC would reduce impacts related to potential seismic ground shaking at the site. For these reasons, impacts from strong seismic ground shaking would be less than significant and mitigation is not proposed.

iii) **Seismic-related ground failure, including liquefaction?**

Less than Significant Impact with Mitigation

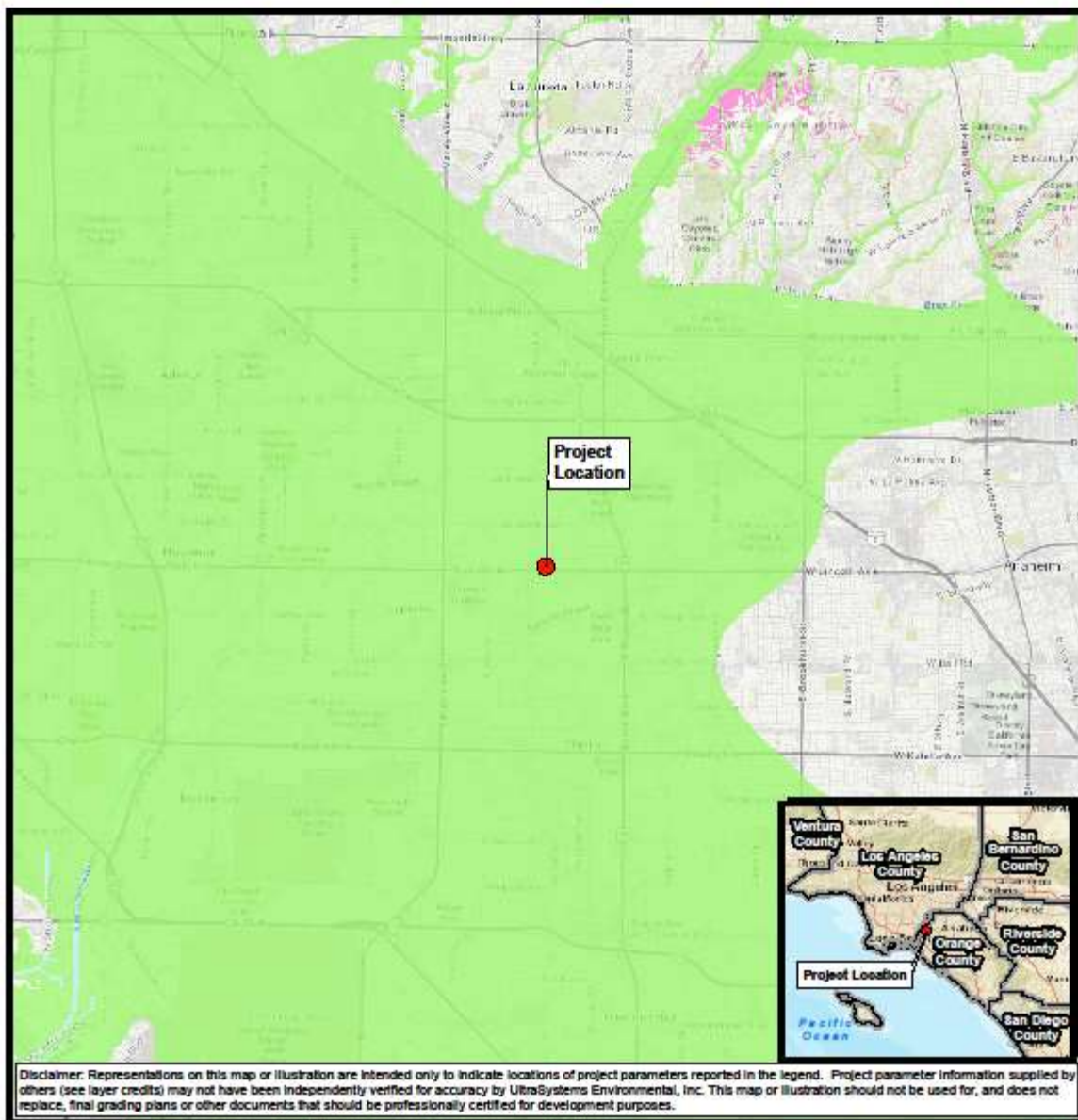
General types of ground failures that might occur as a consequence of severe ground shaking typically include landslides, ground subsidence, ground lurching and shallow ground rupture. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from the faults, topography, subsoils and relatively shallow groundwater tables (approximately 50 feet or less below ground surface), in addition to other factors.

Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, as a result of losses in strength and stiffness in response to an applied stress caused by earthquake shaking or other sudden change in stress conditions. As presented in the Preliminary Geotechnical Report for the project, groundwater was encountered at 13.6 feet below existing ground surface within all of the borings made during the subsurface exploration. Moreover, the highest historical groundwater depth for the project area is mapped at 10 feet below ground surface (Albus & Associates, 2022, p. 4). Additionally, as shown in **Figure 4.7-3**, the project site is located within a liquefaction hazard zone delineated by the California Geological Survey (CGS; 1986a).

Analysis of soil borings taken on the proposed project site indicated that liquefaction could lead to a total seismic settlement (saturated and dry) of the ground surface of between 1.5 and 2.2 inches due to seismic consolidation during liquefaction. The maximum differential settlement would likely be approximately 1.1 inches over 30 feet (Albus & Associates, Inc. 2022, p. 9).



**Figure 4.7-3
LANDSLIDES AND LIQUEFACTION**



File: \\GIS\GIS\Projects\7181_BuenaPark_CC_Development\889\DMX\067181_BuenaPark_4_7_Landslide_Liquefaction_2022_08_24.mxd
 Service Layer Credits: Source: Esri, HERE, Garmin, USGS, Imagery, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Esri Korea, Esri (Thailand), NOAA, JP OpenStreetMap contributors, and the GIS User Community; Source: Esri, HERE, Garmin, OpenMap, InRoads, Incorporated, P-Top, USGS, FAO, NPS, NRCAN, GEBCO, Esri, Swisstopo, Esri, Esri Japan, Esri Korea, Esri (Thailand), NOAA, JP OpenStreetMap contributors, and the GIS User Community; CA Dept. of Conservation, 2016; UltraSystems Environmental, Inc., 2022

Scale: 1:95,040

N

0 0.75 1.5 Miles

0 0.7 1.4 Kilometers

Legend

- Project Location
- Earthquake-induced Landslides
- Liquefaction

Buena Park Workforce Housing Project

Landslides and Liquefaction



The CBC (2019) provides construction and building design standards, such as the use of well-reinforced foundations, post-tensioned slabs, grade beams with structural slabs, or mat foundations, which have been demonstrated to provide adequate basal support for structures during comparable liquefaction events. The project would be constructed in accordance with the applicable CBC adopted by the legislature and used throughout the state (CBC, 2022) as well as in the City's Municipal Code (City of Buena Park Municipal Code, 2022). The CBC provides minimum standards to protect property and public welfare by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on multiple factors including liquefaction potential on the proposed project site.

Compliance with recommendations of the geotechnical survey report (Albus & Associates, 2022, p. 11-22), and with state and local regulations would minimize the potential risk from liquification. Mitigation measure **MM GEO-1** below is proposed to ensure that the project complies with the recommendations of the geotechnical report prepared for the project and to reduce potential impacts from the project's location in a liquefaction hazard zone delineated by the California Geological Survey.

Mitigation Measure

MM GEO-1 During grading and construction of the proposed project, the project applicant shall follow all recommendations in Section 6.0, Recommendations, on pages 11-22 of the geotechnical report prepared for the project (Albus & Associates, *Preliminary Geotechnical Investigation, Proposed Residential Development, 7101 Lincoln Avenue, Buena Park, California*, dated January 5, 2022).

Level of Significance After Mitigation

Potential impacts from seismic-related ground failure, including liquefaction would be reduced to a less than significant level with implementation of **MM GEO-1** above.

iv) Landslides?

No Impact

Landslides occur when a slope becomes unstable. A change in the stability of a slope can be caused by a number of factors, acting together or alone. Natural causes of landslides include groundwater (pore water) pressure acting to destabilize the slope, loss of vegetative structure, erosion of the toe of a slope by rivers or ocean waves, weakening of a slope through saturation by snow melt or heavy rains, earthquakes adding loads to barely stable slope, earthquake-caused liquefaction destabilizing slopes, and volcanic eruptions.

Topography within the project site is relatively flat (Google Earth Pro, 2022). As shown in **Figure 4.7-3**, the project site is not located within or adjacent to a zone of required investigation for earthquake-induced landslides. Additionally, the project site is located in a flat, developed urban area that does not contain steep slopes or hills. Therefore, the probability of slope stability hazards affecting the site is considered very low and no impacts are anticipated.



b) **Would the project result in substantial soil erosion or the loss of topsoil?**

Less Than Significant Impact

The entire site is composed of map unit 164, Metz loamy sand, moderately fine substratum (NRCS 2022, p.12). The project would develop approximately 83 percent (48,877 square feet) with impervious surfaces and approximately 17 percent (9,722 square feet) with pervious surfaces (CA Engineering, 2022).

Ways to measure soil erosion include wind erodibility groups and erosion factors, both of which are discussed below.

- **Wind erodibility groups (WEG)** consist of soils that have similar properties affecting their susceptibility to wind erosion in cultivated areas. Soils assigned to group 1 are the most susceptible to wind erosion, and those assigned to group 8 are the least susceptible. The soils mapped on the proposed project site, Metz loamy sand, has a WEG rating of 2, indicating that this soil is highly susceptible to erosion by wind (NRCS 2022, p. 20).
- **Erosion factor K** indicates the susceptibility of a soil to sheet and rill erosion by water. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity. Values of K range from 0.02 to 0.69 (median $[a] = 0.355$). Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water. *Erosion factor Kw* indicates the erodibility of the whole soil: the value of Kw is modified by the presence of rock fragments. The soil mapped on the project site, Metz loamy sand, has an erosion factor Kw of 0.43, indicating that soil on the project site has a moderate potential for sheet and rill erosion by water (NRCS 2022, p. 24).

Because the proposed project would disturb an area greater than one acre of soil, the project would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (Construction General Permit). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. Dischargers whose projects disturb one or more acre of soil are required to obtain coverage under this permit through the California State Water Resources Control Board (SWRCB); in addition, the Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP; SWRCB, 2020)). The SWPPP would mandate site-specific construction best management practices (BMPs) that would minimize or avoid soil erosion through stormwater or wind. These BMPs would be implemented prior to ground-disturbing activities and would remain in place until construction is complete.

As detailed in the grading plan, the proposed project would disturb approximately 1.35 acres of land. During grading, there would be a there would be a raw cut of 85 cubic yards and a raw fill (import of soil) of 6,035 cubic yards (CA Engineering, 2022). As part of project design, the project proposes the development of grass and landscaped areas, thus reducing the potential for post-construction soil erosion. Moreover, the project would adopt construction BMPs in accordance with the County of Orange Drainage Management Plan (DAMP). The DAMP requires construction site to implement control practices that address soil erosion/sedimentation to avoid and minimize the transport of soil or contaminants offsite (DAMP 2003, Section 8.0). For these reasons, the project would have less than significant impacts related to soil erosion or loss of topsoil, and mitigation is not proposed.



- c) **Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Less than Significant Impact with Mitigation

Impacts related to liquefaction and landslides are discussed above in **Section 4.7.a** above. The site is underlain by soils that are susceptible to liquefaction. Mitigation measure **GEO-1** is recommended to address the potential for liquefaction associated with the project site.

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to gravity and earthquake shaking combined. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e., retaining wall, slope, or channel) and to lesser extent on ground surfaces with a very gentle slope. The geotechnical report for the project states that the potential for lateral spreading is negligible, because the general area is relatively flat and located more than 3,000 feet from a free face slope (Albus & Associates, 2022, p. 9).

Volumetric changes in earth quantities will occur when excavated onsite soil materials are replaced as properly compacted fill. Shrinkage of the underlying alluvial soils is anticipated to be negligible. Subsidence due to reprocessing of removal bottoms is also anticipated to be negligible. These estimates should be used with some caution since they are not absolute values and contingencies should be made for balancing earthwork quantities based on actual shrinkage and subsidence that occurs during the grading process (Albus & Associates, 2022, p. 11).

The project would be constructed in accordance with the requirements of the City of Buena Park, CBC, which are designed to assure safe construction and include building foundation requirements appropriate to site conditions.

Mitigation Measure

Refer to mitigation measure **MM GEO-1** above.

Level of Significance After Mitigation

With implementation of mitigation measure **MM GEO-1** above (i.e., compliance with the recommendations of the geotechnical survey report for the proposed project), as well as compliance with local, state, and federal building and construction regulations, potential impacts regarding on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant.



- d) **Would the project 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?**

Less than Significant Impact with Mitigation

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. The soil on the project site is designated Metz loamy sand (Soil Survey Staff, 2022). Metz loamy sands are formed on alluvial fans from alluvium derived from mixed sources. Geotechnical borings onsite determined that soils encountered at the site consisted of alluvial soils to the maximum depth explored, 51.5 feet below ground surface, and that the onsite alluvial soils generally possess a very low expansion potential. Although not encountered, localized artificial fill materials could be present within the site, and the geotechnical report recommends that additional testing for expansive soils be conducted subsequent to rough grading and prior to construction of foundations and other concrete flatwork (Albus & Associates, 2022, p. 3). With implementation of Mitigation Measure **MM GEO-1** above, to follow the recommendations of the project's geotechnical report, there would be less than significant impacts regarding expansive soil.

Mitigation Measure

Refer to mitigation measure **MM GEO-1** above.

Level of Significance After Mitigation

With implementation of mitigation measure **GEO-1** above (i.e., compliance with the recommendations of the geotechnical survey report for the proposed project), as well as compliance with local, state, and federal building and construction regulations, potential impacts resulting from expansive soils would be less than significant.

- e) **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

No Impact

The project site is currently connected to the City of Buena Park's sewer system, and the project would also connect to existing sewers. Therefore, the project would not use septic tanks or alternative wastewater disposal systems. For this reason, no impacts associated with septic tanks or alternative waste water disposal systems would occur.

- f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Less than Significant Impact with Mitigation

Los Angeles County Natural History Museum records indicate that there are no fossil localities that lie directly within the project area, but there are fossil localities nearby from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth. (see **Appendix E**). Grading and excavation activities associated with development of the project would cause new



subsurface disturbance and could result in the unanticipated discovery of paleontological resources. Mitigation measure **MM GEO-2** is required to ensure the project would have a less than significant impact regarding paleontological resources.

Mitigation Measure

MM GEO-2: If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the City of Buena Park. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.

Level of Significance After Mitigation

With implementation of Mitigation Measure **MM GEO-2**, potential impacts to paleontological resources would be reduced to a less than significant level.



4.8 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

4.8.1 Background Information on Greenhouse Gas Emissions

Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90 percent of this heat is then absorbed by carbon dioxide (CO₂) and other greenhouse gases (GHG) and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F) (NASA, 2022).

Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric CO₂. This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO₂. To a lesser extent, the clearing of land for agriculture, industry, and other human activities has increased concentrations of GHGs (NASA, 2022).

GHGs are defined under the California Global Warming Solutions Act of 2006 (AB 32) as CO₂, methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆). Associated with each GHG species is a “global warming potential” (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO₂, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH₄ and N₂O are 25 and 298, respectively (GMI, 2022). “Carbon dioxide equivalent” (CO₂e) emissions are calculated by weighting each GHG compound’s emissions by its GWP and then summing the products. HFCs, PFCs, and SF₆ are not emitted in significant amounts by Workforce Housing (7101 Lincoln Avenue) project sources.

Carbon Dioxide (CO₂) is a colorless, odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. CO₂ is produced when an organic carbon compound (such as wood) or fossilized organic matter (such as coal, oil, or natural gas) is burned in the presence of oxygen. Since the industrial revolution began in the mid-1700s, industrial activities have increased in scale and distribution. Prior to the industrial revolution, CO₂ concentrations were stable at a range of 275 to 285 parts per million (ppm) (IPCC, 2007a). The National Oceanic and Atmospheric Administration (NOAA’s) Earth System Research Laboratory (ESRL) indicates that global concentration of CO₂ was 409.09 ppm in October



2019. (ESRL, 2022). These concentrations of CO₂ exceed by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.

Methane (CH₄) is a colorless, odorless non-toxic gas consisting of molecules made up of four hydrogen atoms and one carbon atom. CH₄ is combustible, and is the main constituent of natural gas, a fossil fuel. CH₄ is released when organic matter decomposes in low-oxygen environments. Natural sources include wetlands, swamps and marshes, termites, and oceans. Anthropogenic sources include the mining of fossil fuels and transportation of natural gas, digestive processes in ruminant animals such as cattle, rice paddies, and the buried waste in landfills. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH₄. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide (N₂O) is a colorless, non-flammable gas with a sweetish odor, commonly known as "laughing gas," and sometimes used as an anesthetic. N₂O is naturally produced in the oceans and in rainforests. Manmade sources of N₂O include the use of fertilizers in agriculture, nylon and nitric acid production, cars with catalytic converters and the burning of organic matter. Concentrations of N₂O also began to rise at the beginning of the industrial revolution.

Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in CH₄ or ethane with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically un-reactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Because of the discovery that they can destroy stratospheric ozone, an ongoing global effort to halt their production was undertaken and has been extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years. The project is not expected to emit any CFCs.

Hydrofluorocarbons (HFCs) are synthesized chemicals that are used as a substitute for CFCs. Out of all the GHGs, HFCs are one of three groups with the highest GWP. HFCs are synthesized for applications such as automobile air conditioners and refrigerants. The project is not expected to emit any HFCs.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface can destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture. The project is not expected to emit any PFCs.

Sulfur Hexafluoride (SF₆) is an extremely potent greenhouse gas. SF₆ is very persistent, with an atmospheric lifetime of more than a thousand years. Thus, a relatively small amount of SF₆ can have a significant long-term impact on global climate change. SF₆ is human-made, and the primary user of SF₆ is the electric power industry. Because of its inertness and dielectric properties, it is the industry's preferred gas for electrical insulation, current interruption, and arc quenching (to prevent fires) in the transmission and distribution of electricity. SF₆ is used



extensively in high voltage circuit breakers and switchgear, and in the magnesium metal casting industry. The project is not expected to emit SF₆.

4.8.2 Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The United States Environmental Protection Agency (USEPA) regulates at the national level; the California Air Resources Board (ARB) regulates at the state level; and the South Coast Air Quality Management District (SCAQMD) regulates at the air basin level in the Workforce Housing (7101 Lincoln Avenue) project area.

4.8.2.1 Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990, and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

Previous USEPA efforts documented through historical website material, reflecting the USEPA website as it existed on January 19, 2017 (USEPA, 2022c), include regulatory initiatives such as mobile source GHG emission standards and the Clean Power Plan; partnering with the private sector through voluntary energy and climate programs; and reducing USEPA's carbon footprint with the federal GHG requirements and USEPA's Strategic Sustainability Performance Plan. Executive Order (EO) on Energy Independence (White House, 2017) specifically addresses revisions in the Clean Power Plan and standards of performance for GHGs for new stationary sources; CH₄ standards for the oil and gas sector; and light-duty vehicle GHG standards.

4.8.2.2 State Regulations

Executive Order S 3-05

On June 1, 2005, the governor issued EO S 3-05, which set the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels;
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

To meet these targets, the Climate Action Team (CAT)¹¹ prepared a report to the Governor in 2006 that contains recommendations and strategies to help ensure that the targets in EO S-3-05 are met.

11 The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state's Climate Adaptation Strategy.



Assembly Bill 32 (AB 32)

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the California Air Resources Board (ARB) to develop and enforce regulations for the reporting and verification of statewide GHG emissions (ARB, 2022b). The ARB was directed to set a statewide GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill was the requirement that statewide GHG emissions be reduced to 1990 levels by 2020.

Climate Change Scoping Plan

The first AB 32 Scoping Plan (ARB, 2008) contained the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the Climate Action Team and proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the AB 32 Scoping Plan included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

In May 2014, the ARB adopted the First Update to the AB 32 Scoping Plan (ARB, 2014). This update identified the next steps for California's leadership on climate change. It described progress made to meet the near-term objectives of AB 32 and defined California's climate change priorities and activities for the next several years. It also framed activities and issues facing the state as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original AB 32 Scoping Plan, the ARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons (MT) of CO_{2e}. As part of the update, the ARB revised the 2020 Statewide limit to 431 million MT of CO_{2e}, an approximately one percent increase from the original estimate. The 2020 Business as Usual forecast in the update is 509 million MT of CO_{2e}. The state would need to reduce those emissions by 15.3 percent to meet the 431 million MT of CO_{2e} 2020 limit.

In November 2017, the ARB published the 2017 AB 32 Scoping Plan (ARB, 2017), which built upon the former AB 32 Scoping Plan and Updates by outlining priorities and recommendations for the state to achieve its 2030 GHG target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed were: enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard (LCFS); a Mobile Source Strategy, Sustainable Freight Action Plan, Short Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post 2020 Cap and Trade Program; a 20 percent reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

In May 2022, the ARB circulated its Draft 2022 Scoping Plan Update (ARB, 2022a), which adds upon carbon neutrality to the former Scoping Plan. If the plan is adopted, it would identify a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier. Through the lens of carbon neutrality, the draft plan expands the scope to more meaningfully consider how our natural



and working lands (NWL) contribute to our long-term climate goal. A draft environmental analysis was recirculated in July 2022 (ARB, 2022b).

Renewables Portfolio Standard (Scoping Action E-3)

The California Energy Commission estimates that in 2000 about 12 percent of California’s retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California’s current RPS is intended to increase that share to 33 percent by 2020. Increased use of renewables will decrease California’s reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. Most recently, former Governor Brown signed into legislation Senate Bill (SB) 350 in October 2015, which requires retail sellers and publicly-owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030.

Senate Bill 375 (SB 375)

SB 375 was signed by the governor on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions and is responsible for over 40 percent of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30 percent. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed land use patterns and improved transportation also are necessary. SB 375 states, “Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.” SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Executive Order B-30-15

On April 29, 2015, the governor issued EO B-30-15, which added an interim target of GHG emissions reductions to help ensure that the state meets its 80 percent reduction by 2050, as set in EO S-3-05. The interim target is reducing GHG emissions by 40 percent by 2030. It also directs state agencies to update the Scoping Plan, update the Adaptation Strategy every three years, and take climate change into account in agency planning and investment strategies. Additionally, it requires the state’s Five-Year Infrastructure Plan to take current and future climate change impacts into account in all infrastructure projects.

4.8.2.3 Local Regulations

The City of Buena Park’s latest General Plan (City of Buena Park, 2010) addresses climate change primarily in the Conservation and Sustainability Element, which “provides direction regarding conservation, development, and utilization of manmade and natural resources, as well as sustainability including green building, source reduction, and air quality.” This Element also sets forth several programs to reduce current pollutant emissions and requires that “new development include measures to comply with new air quality requirements related to GHG emissions.” General Plan goals and policies related to climate change and GHG emissions reduction are:

- **Goal CS-6:** Integration of green building requirements into the building permit process.



❖ SECTION 4.8 – GREENHOUSE GAS EMISSIONS ❖

- Policy CS-6.1: Consider incentives to encourage new nonresidential development and remodels to utilize the U.S. Green Building Council's LEED rating system.
- **Goal CS-7:** Use of green techniques in new buildings, new building sites, and building remodels and retrofits.
 - Policy CS-7.1: Consider incentives such as expedited permitting process or reduced fees for new development or redevelopment projects that incorporate green building practices, Build it Green, and Leadership in Energy and Environmental Design (LEED) certified buildings.
- **Goal CS-8:** Use of environmentally preferable products for new and existing developments.
 - Policy CS-8.1: Encourage green building efforts in single-family homes as well as in municipal, commercial, mixed-use, or multifamily residential projects.
 - Policy CS-8.2: Consider advertising and/or providing incentives for green building techniques in existing building retrofits as well as new buildings.
- **Goal CS-9:** Maximized use of “green” streets and/or parking lots with trees and other landscaping in order to improve visual appearance and to minimize negative effects on the environment.
 - Policy CS-9.1: Encourage the development of green streets and parking lots throughout the City with trees and other landscaping in order to minimize the negative effects of the environment.
 - Policy CS-9.2: Require that large parking lots be well landscaped with trees and other plants, as well as designed to hold and filter stormwater runoff, reduce heat island effects, and create a comfortable pedestrian environment.
 - Policy CS-9.3: Require landscaping when parking lots front public streets, which will serve as a buffer between the parking lot and the public right-of-way.
 - Policy CS-9.4: Require new development and redevelopment projects to plant trees and other landscaping in and around parking lots as part of the project.
 - Policy CS-9.5: Goal CS-10: Encourage edible landscaping and community gardens where appropriate.
- **Goal CS-10:** Reduction in total waste diverted to treatment or disposal at the waste source and through re-use and recycling.
 - Policy CS-10.1: Ensure the Source Reduction and Recycling Element (SRRE) is updated as necessary to serve as an effective tool in the reduction of solid waste diverted to landfills.



❖ SECTION 4.8 – GREENHOUSE GAS EMISSIONS ❖

- Policy CS-10.2: Continue to implement and improve the Construction and Demolition Waste Recovery Ordinance, requiring building projects to recycle or reuse a minimum of 50 percent of unused or leftover building materials.
- Policy CS-10.3: Encourage business material reuse through waste exchange.
- Policy CS-10.4: Encourage the use of materials with minimal impacts to the environment for new development or redevelopment projects in the city.
- Policy CS-10.5: Encourage materials recycling during renovation or demolition of old buildings.
- Policy CS-10.6: Encourage the use of recycled or rapidly renewable materials, and building reuse and renovation over new construction, where feasible.
- **Goal CS-11:** Maximum public participation in source reduction, recycling, and composting activities.
 - Policy CS-11.1: Encourage professional services contracts to incorporate reused and recycled contents into new development and re-use of raw materials.
 - Policy CS-11.2: Encourage the use of recycled mulch and soil products in city parks and landscaping projects whenever practicable and include the same direction in city landscaping contracts.
 - Policy CS-11.3: Continue to operate and expand all public information and education programs to complement source reduction, recycling and composting efforts, and participation.
- **Goal CS-12:** Reduction of the volume of solid waste generated and raw materials used by the city.
 - Policy CS-12.1: Use recycled-content materials for building, streetscaping, and roadway construction, whenever feasible.
 - Policy CS-12.2: Purchase and use recycled-content for city office products, where practicable and to the extent feasible.
 - Policy CS-12.3: Include environmentally preferable purchasing requirements in janitorial contracts and direct city custodians to purchase and use environmentally preferable products to be consistent with the city goal to provide a safe work environment and minimize environmental damage.
 - Policy CS-12.4: Use recycled-content playground equipment, park landscape surfacing, and other park and recreational equipment, whenever feasible.
- **Goal CS-13:** Reduction of per-capita nonrenewable energy usage and citywide peak electricity demand through energy efficiency and conservation.



❖ SECTION 4.8 – GREENHOUSE GAS EMISSIONS ❖

- Policy CS-13.1: Consider adopting renewable energy building standards. The standards would incorporate technically and financially feasible renewable energy requirements into development and building standards.
- Policy CS-13.2: Explore methods to facilitate renewable technologies through streamlined planning and development rules, codes, processing, and other incentives.
- Policy CS-13.3: Explore and, if appropriate, adopt energy efficiency standards for existing residential and commercial buildings upon substantial remodel. Consider requiring energy efficiency inspections, disclosure, and retrofits at change of ownership based on cost-effective and commercially available energy efficiency measures.
- Policy CS-13.4: Encourage new developments, redevelopments, and retro-fit buildings to have solar energy panels, co-generation energy systems, and/or other energy efficient systems installed to reduce the unnecessary consumption of energy.
- Policy CS-13.5: Encourage the installation of energy efficient appliances in new development and redevelopment projects.
- Policy CS-13.6: Encourage new developments and redevelopments to layout or organize buildings to maximize the potential for passive solar panels.
- Policy CS-13.7: Encourage residents and business owners to upgrade insulation in older or energy inefficient homes to reduce the need to operate heating, ventilating, and air conditioning (HVAC) systems.
- Policy CS-13.8: Encourage the use of natural daylight instead of artificial lighting in the design of buildings to minimize electricity use.
- Policy CS-13.9: Encourage the use of roof materials that reflect sunlight rather than absorb sunlight in order to reduce the need for using mechanical air conditioning systems.
- Policy CS-13.10: Encourage the use of shading devices and awnings on window fronts in order to reduce the need for mechanical air conditioning systems.
- Policy CS-13.11: Encourage the use of operable windows and skylights for commercial and retail uses in order to reduce the need for mechanical air conditioning systems.
- Policy CS-13.12: Encourage use of low- or no- Volatile Organic Compounds (VOC) paints in interior spaces of new development and redevelopment projects.
- **Goal CS-14:** Effective reduction of emissions during construction activities.
 - Policy CS-14.1: Ensure that construction activities follow current South Coast Air Quality Management District (SCAQMD) rules, regulations, and thresholds.



❖ SECTION 4.8 – GREENHOUSE GAS EMISSIONS ❖

- Policy CS-14.2: Ensure all applicable best management practices are used in accordance with the SCAQMD to reduce emitting criteria pollutants during construction.
- Policy CS-14.3: Require all construction equipment for public and private projects comply with California Air Resources Board (CARB) vehicle standards. For projects that may exceed daily construction emissions established by the SCAQMD, Best Available Control Measures will be incorporated to reduce construction emissions to below daily emission standards established by the SCAQMD.
- Policy CS-14.4: Require project proponents to prepare and implement a Construction Management Plan, which will include Best Available Control Measures among others. Appropriate control measures will be determined on a project-by-project basis, and should be specific to the pollutant for which the daily threshold is exceeded. Such control measures may include but not be limited to:
 - Minimizing simultaneous operation of multiple construction equipment units. Implementation of SCAQMD Rule 403, Fugitive Dust Control Measures.
 - Watering the construction area to minimize fugitive dust.
 - Require that off-road diesel-powered vehicles used for construction shall be new low emission vehicles, or use retrofit emission control devices, such as diesel oxidation catalysts and diesel particulate filters verified by CARB.
 - Minimizing idling time by construction vehicles.
- **Goal CS-21:** GHG emissions inventories established for all sectors within the city.
 - Policy CS-21.1: The City will establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.
 - Policy CS-21.2: The City will use methods approved by, or that are consistent with guidance from, the CARB.
 - Policy CS-21.3: The City will update inventories every four years to incorporate improved methods, better data, and more accurate tools and methods, in order to assess progress.

4.8.3 Impact Thresholds

The following thresholds of significance are based on criteria in Appendix G of the State CEQA Guidelines. A project has the potential to create a significant environmental impact if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHG.



4.8.4 Impact Analysis

- g) **Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less than Significant Impact

California has enacted several pieces of legislation that relate to GHG emissions and climate change, much of which set aggressive goals for GHG reductions within the state. Per Senate Bill 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigations are included or provided in these CEQA Guideline amendments.

GHG Significance Threshold

Neither the City of Buena Park, the SCAQMD, nor the State CEQA Guidelines Amendments has adopted quantitative thresholds of significance for addressing a project's GHG emissions. Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4 of the CEQA Guidelines, this analysis includes an impact determination based on the following: (1) an estimate of the amount of GHG emissions resulting from the Workforce Housing (7101 Lincoln Avenue) project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the Workforce Housing (7101 Lincoln Avenue) project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the Workforce Housing (7101 Lincoln Avenue) project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

SCAQMD's guidance uses a tiered approach rather than a single numerical emissions threshold. If a project's GHG emissions "fail" the non-significance of a given tier, then one goes to the next tier₂.

The threshold selected for this analysis is Tier 3, which establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate. For Tier 3, the SCAQMD estimated that at a threshold of approximately 3,000 metric tons CO_{2e} per year emissions would capture 90 percent of the GHG emissions from new residential or commercial projects. Thus, this analysis uses 3,000 MTCO_{2e} per year as the significance threshold under the first impact criterion in **Section 4.8.3**.

Construction GHG Emissions

Construction is an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment, import or export of soil, and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from onsite construction activities and offsite hauling and construction worker commuting are considered as project-generated. As explained by the California Air Pollution Control Officers Association (CAPCOA) in its 2008 white paper (CAPCOA, 2008), the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level; CEQA does not require an evaluation of speculative impacts (*CEQA Guidelines* § 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative



onsite construction activities, and offsite hauling and construction worker trips. All GHG emissions are identified on an annual basis.

Estimated criteria pollutant emissions from the Workforce Housing (7101 Lincoln Avenue) project’s onsite and offsite project construction activities were calculated using CalEEMod, Version 2020.4.0, which was described in **Section 4.3.7**. The results of this analysis are presented in **Table 4.8-1**. The total construction GHG emissions would be **722.5 metric tons**. Consistent with SCAQMD recommendations and to ensure that construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period. The amortized value, **24.08 MTCO_{2e}**, has been added to the Workforce Housing (7101 Lincoln Avenue) project’s annual operational GHG emissions. (See below.) Modeling results are in **Appendix B**. For each construction year, annual GHG emissions would be far below the threshold of 3,000 MT of CO_{2e} per year and therefore would be less than significant. No mitigation is necessary.

**Table 4.8-1
PROJECT CONSTRUCTION-RELATED GHG EMISSIONS**

Year	Annual Emissions (MT)			
	CO ₂	CH ₄	N ₂ O	CO _{2e}
2023	341.80	0.05	0.01	345.89
2024	329.37	0.04	0.01	332.16
2025	44.10	0.01	0.00	44.40
Total	715.3	0.11	0.02	722.5

Operational GHG Emissions

The operational GHG emissions calculated by CalEEMod Version 2020.4.0 are shown in **Table 4.8-2**. Total annual unmitigated emissions from the Workforce Housing (7101 Lincoln Avenue) project including the amortized construction emissions would be **431.64 MTCO_{2e} per year**. Energy production and mobile sources account for about 92 percent of the emissions (excluding the amortized construction emissions).¹²

**Table 4.8-2
PROJECT OPERATIONAL GHG EMISSIONS**

Emissions Source	Estimated Project Generated CO _{2e} Emissions (Metric Tons per Year)
Area Sources	0.95
Energy Demand (Electricity & Natural Gas)	76.25

¹² Calculations are provided in **Appendix B**.



Emissions Source	Estimated Project Generated CO ₂ e Emissions (Metric Tons per Year)
Mobile (Motor Vehicles)	299.97
Solid Waste Generation	12.72
Water Demand	17.67
Construction Emissions ^a	24.08
Total	431.64

^a Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.

Therefore, under the first significance criterion, GHG emissions would be less than significant, and no mitigation is necessary.

h) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?

Less than Significant Impact

The City of Buena Park does not have a Climate Action Plan to specifically address GHG reductions. However, the project’s compliance with Title 24 Building Energy Efficiency Standards would help reduce GHG emissions.

Title 24 Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations, also known as the “California Energy Code”) were established in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in the reduction of GHG emissions.

The provisions of Title 24, Part 6 apply to all buildings for which an application for a building permit or renewal of an existing permit is required by law. They regulate design and construction of the building envelope, space-conditioning and water-heating systems, indoor and outdoor lighting systems of buildings, and signs located either indoors or outdoors. Title 24, Part 6 specifies mandatory, prescriptive and performance measures, all designed to optimize energy use in buildings and decrease overall consumption of energy to construct and operate residential and nonresidential buildings. Mandatory measures establish requirements for manufacturing, construction, and installation of certain systems, equipment, and building components that are installed in buildings.

During the 2021 Triennial Code Adoption Cycle, California state agencies reviewed the most recent edition of national model codes and standards, and made amendments and additions to most parts of the California Building Standards Code. The latest version of Title 24 of the California Code of Regulations (Title 24) was published on July 1, 2022 and became effective on January 1, 2023 (State of California, 2023a). Below is the list of modified chapters in Part 6 Building Energy Efficiency Standards that would reduce GHG emissions (State of California, 2023a)



What's New Summary – Multifamily Housing

The 2022 California Energy Code reorganizes low-rise (three or fewer habitable stories) and high-rise (four or more habitable stories) multifamily buildings into one building type, updates the multifamily buildings definition, and moves all requirements for multifamily buildings to their own subchapters under §§ 160.0-180.4.

Administrative Regulations:

- Lighting controls and mechanical systems Acceptance Test Technician Certification Providers (ATTCPs) must record related Certificates of Compliance, Installation, and Acceptance Testing in an electronic database. § 10-103.1(c)3H and § 10-103.2(c)3H
- Outdoor lighting zones (LZ) updated and rural areas moved to LZ1 and urban clusters added to LZ2. Building types added to state defaults, and notification requirements for LZ amendments were removed. § 10-114.
- Energy Commission-approved community shared solar or renewable system and energy storage system qualification requirements updated. §10-115.

Mandatory Requirements:

- Minimum HVAC efficiency requirements updated for various equipment types, and minimum efficiency requirements added for dedicated Outside Air System (DOAS), ACs serving computer rooms, and heat pump and heat recovery chiller packages. § 110.2.
- Demand responsive lighting controls trigger changed to 4,000 watts or more, and requirements added for controlled receptacles. § 110.12 & § 160.5(b)4E.
- All envelope insulation, vapor retarder, and fenestration requirements unified. § 160.1.
- For dwelling units, installed heat recovery ventilation (HRV) and energy recovery ventilation (ERV) systems must have a Home Energy Rating System (HERS) verified maximum fan efficacy of 1.0 W/cfm. § 160.2(b)2Biii.
- Mechanical ventilation systems of enclosed parking garages must meet the requirements of § 120.6(c). § 160.2(d).
- Water heating piping must be insulated per Table 160.4-A. § 160.4(f).
- New electric ready requirements for space heating, cooking, and clothes dryers serving individual dwelling units and common areas, when gas equipment is installed. Electrical infrastructure must be provided and reserved to the equipment location for the future installation of electrical appliances. § 160.9(a)-(c)

Prescriptive Compliance

- All envelope requirements unified. Vertical fenestration and glazed doors area requirements based on conditioned floor area and gross wall area. Fenestration



efficiency values dependent on type, climate zone, and number of habitable stories. § 170.2(a).

- All HVAC requirements unified. For dwelling units: heat pump baselines for space heating in most climate zones; refrigerant charge; and central fan integrated (CFI) fan efficacy testing applies to all multifamily buildings but installing contractor conducts testing for buildings with four or more habitable stories; ERV/HRV required when balanced ventilation is used to meet ventilation requirements in certain climate zones. § 170.2(c)(3).
- For common use areas: major revisions to fan power requirements, including one kW fan electrical input power trigger and multiple new allowances for system type, air flow, filtration, etc.; and new requirements added for DOAS and exhaust air heat recovery. § 170.2(c)(4).
- Water heater requirements unified. Water heaters serving single dwelling units must be a heat pump water heater (HPWH) with certain plumbing conditions for Climate Zones 1 and/or 16, or gas instantaneous water heater up to 200,000 Btu/hour; new plumbing and configuration requirements for central HPWHs; in Climate Zones 1-9, gas/propane central water heater systems must meet minimum equipment thermal efficiency, recirculation, and solar water heating meeting solar savings fraction. § 170.2(d).
- Indoor common area lighting and outdoor lighting requirements unified. Updates to indoor luminaire power densities (LPDs) and outdoor hardscape and additional lighting power allowances. § 170.2(e).
- New photovoltaic (PV) and battery storage requirements added for specific building types, including buildings over three habitable stories. § 170.2(g)&(h.)

Performance Compliance

- Approved community shared solar or battery storage programs may offset required PV or battery storage system time dependent valuation (TDV) energy. § 170.1.

Title 24 Part 11, California Green Building Standards Code

The California Green Building Standards Code (Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development.

In the 2021 Triennial Code Adoption Cycle, California state agencies reviewed the most recent edition of national model codes and standards, and made amendments and additions to most parts of the California Building Standards Code, Title 24 of the California Code of Regulations (Title 24) which became effective on January 1, 2023 (State of California, 2023a). Below is the list of modified chapters in Part 11 California Green Building Standards Code that would reduce GHG emissions.



Chapter 4 – Residential Mandatory Measures

Department of Housing and Community Development (HCD)

HCD repealed various existing code sections and provisions to reformat, modify, and adopt new sections addressing EV charging for multifamily buildings, and hotels and motels.

4.106.4 and subsections. EV charging for new construction

Expanded EV charging requirements to installation of EV charging receptacles and EV chargers (EVSE).

- Modified Exception 1 to address situations in which there is no local utility power supply or when the local utility is unable to supply adequate power.
- Repealed references to specific dollar amounts for exceptions due to variations in utility costs based upon locations.
- Included an exception related to adverse impact to construction cost of a project, similar to the provision for non-residential EV charging.

4.106.4.2 New multifamily dwellings, hotels and motels and new residential parking facilities

New regulation to clarify that calculations for EV spaces are to be rounded up to the nearest whole number and EV spaces to be counted as parking spaces only for the purposes of meeting parking space requirements at the local level (Vehicle Code § 22511.2).

4.106.4.2.2 Multifamily development projects with 20 or more dwelling units, hotels and motels with 20 or more sleeping units or guest rooms

New regulations requiring that ten percent of the total number of parking spaces on site support future Level 2 EVSE; the installation of EV-ready spaces for 25 percent of the total number of parking spaces equipped with low power Level 2 EV charging receptacles; and five percent of the total number of parking spaces shall be equipped with Level 2 EVSE. The use of an ALMS is allowed when low-power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required.

4.106.4.2.2.1 Electric vehicle charging stations (EVCS)

Added requirements for space location and dimensions, with a reference to the California Building Code to address accessibility.

4.106.4.2.3 EV space requirements

Amended requirements for single and multiple EV spaces, and added a requirement for EV-ready space signage.

4.410.1 Operation and maintenance manual

Amended existing Item 11 to add Department of Forestry and Fire Protection, and added a new Item 12 to require that the operation and maintenance manual contain information and/or drawings identifying the location of grab bar reinforcements.

Chapter A4 – Residential Voluntary Measures



California Energy Commission

A4.2 Energy efficiency

Low-Rise Multifamily (LRMF) Compliance Forms for the 2022 Building Energy Efficiency Standards (State of California, 2023b).

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. CalCERTS, Inc. (CalCERTS) and ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS) have each applied to the California Energy Commission (CEC) to be certified as residential data registries for the 2022 Energy Code. Both CalCERTS and CHEERS are creating new systems to process and register the new LRMF compliance documents required by the 2022 Energy Code.

A4.203.1.1 Hourly source energy design rating (EDR1) and Table A4.203.1.1

A4.203.1.2.3 HERS – Verified compact hot water distribution system and A4.203.1.2.4 HERS – Verified drain water heat recovery

A4.203.1.2.5 High performance vertical fenestration, A4.203.1.2.6 Heat pump water heater demand management, A4.203.1.2.7 Battery storage system controls and A4.203.1.2.8 Heat pump space and water heating

Added as prerequisite options to standardize phrasing to remove unneeded references to HERS verification and to apply a broader range of equipment types and construction performance approaches to meet the overall requirements.

A4.203.1.3 Performance standard (repealed), A4.203.1.3.1 Tier 1 (repealed), A4.203.1.3.2 Tier 2. (repealed) and A4.203.1.3 Consultation with local electric service provider (renumbered)

Sections repealed and amended to remove reference to CALGreen tiers and to recommend consultation with a local electric service provider for jurisdictions considering reducing the Energy Design Rating (EDR) target when using solar PV systems larger than required by the California Energy Code.

Furthermore, the proposed project would be designed with energy-efficient features, including insulated and glazed windows and low-E coating on windows, and will be built in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11) and the barbecues that would be placed on the project site would use natural gas instead of wood, hence reducing the carbon emissions. Therefore, GHG impacts would be less than significant.



4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?			X	
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?			X	
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X		
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

The analysis in this section is based in part upon the Phase I Environmental Site Assessment (Phase I ESA) prepared by Integrated Property Analysis, Inc. dated August 12, 2022 (IPA, 2022) (**Appendix G1**). The Phase I ESA presents information conducted from a site reconnaissance of the project area,



historical developments of the project site, and a comprehensive database search to determine if the project site contains Recognized Environmental Conditions (RECs).¹³

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact

The Phase I ESA determined that there are no recognized environmental conditions (RECs) on the project site (IPA, 2022). The project site is currently developed with one single-story commercial building, approximately 21,800 square feet, on 1.35 acres of land. The subject property was developed with the existing building in 1961. Prior to development, the subject property was undeveloped land since at least 1896, then developed for agricultural uses from circa 1938 until construction of the existing improvements. The Phase I ESA concluded that the project site was not listed in any regulatory database as a hazardous site (IPA, 2022, p. 6).

Construction

Transportation of hazardous materials/waste is regulated by *California Code of Regulations* (CCR) Title 26. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce federal and state regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary among federal, state and local governmental authorities and private persons through a state-mandated Emergency Response Plan.

Construction of the proposed project would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law (California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control); California Division of Safety and Health (DOSH); South Coast Air Quality Management District (SCAQMD); and the County of Orange Health Care Agency Environmental Health Division (EHD) requirements. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials, and in the event of a release of hazardous materials of quantity and/or toxicity that onsite workers could not safely contain and clean up, would notify EHD immediately.¹⁴ Therefore, compliance with applicable laws and regulations during project construction would reduce the potential for accidental releases of hazardous materials, and construction hazards impacts would be less than significant.

¹³ The term Recognized Environmental Conditions is defined in Section 1.1.1 of the American Society of Testing and Materials (ASTM) Standard Practice as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property (IPA, 2022).

¹⁴ The County of Orange Health Care Agency (Environmental Health Division) is the Certified Unified Program Agencies (CUPA) with jurisdiction over the City of Buena Park. The Orange County Environmental Health Division has been certified by the California EPA to coordinate the regulation of six environmental programs for all of Orange County (with the exception of Anaheim) (City of Buena Park General Plan Update, 2010b).



Operation

Project operation would involve the transport, storage, use, and disposal of small amounts of hazardous materials for cleaning and landscaping purposes, such as commercial cleansers, paints, and lubricants for maintenance and upkeep of the proposed buildings and landscaping. These materials would be stored, handled, and disposed of in accordance with applicable regulations.

The proposed project would not involve the routine transport, use, or disposal of quantities of hazardous materials that may create a significant hazard to the public or environment. Therefore, hazardous materials impact from project operation would be less than significant.

- b) Would the project 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?**

Less than Significant Impact

Construction

As mentioned above, the Phase I ESA report found no potential areas of concern/contamination on the project site (IPA, 2022). Additionally, the construction of the proposed project would adhere to applicable federal, state and local regulations in regard to the safe handling and transportation of hazardous materials during construction. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials and would train construction workers on such containment and cleanup. In the event of a release of hazardous materials of quantity and/or toxicity that onsite construction workers could not safely contain and clean up, the project proponent would notify EHD immediately. Therefore, impacts would be less than significant during construction.

Prior to the commencement of site preparation, a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) should be prepared and implemented during all construction activities. This includes good housekeeping of construction equipment, stockpiles and active construction areas, ensures that spill and leak prevention procedures are established, and that clean up kit and materials are readily available for use onsite during all construction activities. Compliance with all existing Federal, State, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials would ensure that impacts due to temporary construction will be less than significant.

Operation

Project operation would involve the handling and storage of materials such as commercial cleansers, solvents and other janitorial or industrial-use materials, paints, and landscape fertilizers/pesticides during project operations. However, these materials would be stored, handled, and disposed of in accordance with applicable regulations and would not be stored in amounts that would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. The project would have a less than significant impact in this regard.



- c) **Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less than Significant Impact

Construction

Centralia Elementary School is located at 195 N. Western Avenue, Anaheim, approximately 0.2-mile northeast of the project site. Danbrook Elementary School is located at 320 S. Danbrook Drive, Anaheim, approximately 0.24 mile south of the project site. Good News Preschool is located at 3330 W. Lincoln Ave, Anaheim, approximately 0.09 mile southeast of the project site.

During construction, the project would entail the use and handling of limited volumes of commonly used hazardous materials. Project personnel would ensure that use of hazardous materials during construction would adhere to applicable local, state, and federal regulations. Project construction would not subject persons at existing schools to substantial hazards, and therefore impacts would be less than significant.

Operation

During project operations, the project would result in the handling and storage of materials such as commercial cleansers, solvents and other janitorial or industrial-use materials, paints, and landscape fertilizers/pesticides during project operations. However, any significant amounts of hazardous materials handling or storage will require a Hazardous Materials Business Emergency Plan under the review authority of EHD. Compliance with applicable regulations governing hazardous materials and wastes will ensure that potential hazards to existing or proposed schools will be less than significant.

- d) **Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less than Significant Impact

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs), and Cleanup and Abatement Orders (CAOs).
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the “Cortese List.” The project site is not included on the Cortese List. No hazardous materials sites were identified on the project site. Adjacent sites were listed on multiple databases.



❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

The Environmental Data Resources, Inc. (EDR, 2022) has revealed the following findings for the project site:

- A review of the Cortese list, as provided by EDR, and dated 03/21/2022 (EDR, 2022) has revealed that there are eight Cortese sites within approximately 0.5 mile of the project site.
- A review of the Resource Conservation and Recovery Act – Large Quantity Generator (RCRA-LQG) list, as provided by EDR, and dated 06/20/2022 has revealed that there are two RCRA-LQG sites within approximately 0.25 mile of the project site.
- A review of the Resource Conservation and Recovery Act - Small Quantity Generator (RCRA-SQG) list, as provided by EDR, and dated 06/20/2022 has revealed that there are six RCRA-SQG sites within approximately 0.25 mile of the project site.
- A review of the Resource Conservation and Recovery Act - Very Small Quantity Generator (RCRA-VSQG) list, as provided by EDR, and dated 06/20/2022 has revealed that there is one RCRA-VSQG site within approximately 0.25 mile of the project site.
- A review of the Envirostor list, as provided by EDR, and dated 04/25/2022 has revealed that there are five Envirostor sites within approximately one mile of the project site.
- A review of the Leaking Underground Storage Tank (LUST) list, as provided by EDR, has revealed that there are twelve LUST sites within approximately 0.5 mile of the project site.
- A review of the Cleanup Program Sites list (CPS formerly known as Spills, Leaks, Investigations, and Cleanups [SLIC] sites), as provided by EDR, has revealed that there are two CPS-SLIC sites within approximately 0.5 mile of the project site.
- A review of the Underground Storage Tank (UST) list, as provided by EDR, has revealed that there are seven UST sites within approximately 0.25 mile of the project site.
- A review of the Recycling Facilities in California Database (SWRCY) list, as provided by EDR, and dated 03/07/2022 has revealed that there is one SWRCY site within approximately 0.5 mile of the project site.
- A review of the California Environmental Protection Agency Regulated Site Portal (CERS HAZ WASTE) list, as provided by EDR, and dated 04/18/2022 has revealed that there are five CERS HAZ WASTE sites within approximately 0.25 mile of the project site.
- A review of the Statewide Environmental Evaluation and Planning System Underground Storage Tank (SWEEPS UST) list, as provided by EDR, has revealed that there are five SWEEPS UST sites within approximately 0.25 mile of the project site.
- A review of the Historical Underground Storage Tank (HIST UST) list, as provided by EDR, and dated 10/15/1990 has revealed that there are seven HIST UST sites within approximately 0.25 mile of the project site.



❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

- A review of the Facility Inventory Database (CA FID UST) list, as provided by EDR, and dated 10/31/1994 has revealed that there are five CA FID UST sites within approximately 0.25 mile of the project site.
- A review of the California Environmental Protection Agency Regulated Site Portal (CERS TANKS) list, as provided by EDR, and dated 04/18/2022 has revealed that there is one CERS TANKS site within approximately 0.25 mile of the project site.
- A review of the Resource Conservation and Recovery Act Non - Generators (RCRA NonGen / NLR list), as provided by EDR, and dated 06/20/2022 has revealed that there are thirty-two RCRA NonGen / NLR sites within approximately 0.25 mile of the project site.
- A review of the DRYCLEANERS list, as provided by EDR, has revealed that there are fourteen DRYCLEANERS sites within approximately 0.25 mile of the project site.
- A review of the Historical Cortese (HIST Cortese) list, as provided by EDR, and dated 04/01/2001 has revealed that there are six HIST Cortese sites within approximately 0.5 mile of the project site.
- A review of the EDR Historical Auto list, as provided by EDR, has revealed that there are three EDR Historical Auto sites within approximately 0.125 mile of the project site.
- A review of the EDR Historical Cleaner list, as provided by EDR, has revealed that there are two EDR Historical Cleaner sites within approximately 0.125 mile of the target property.

The EDR identified 50 hazardous materials sites located within one mile of the project site. Some of these sites are included in **Table 4.9-1** below. However, none of the sites listed are considered environmental concerns for the project site (IPA, 2022).



Table 4.9-1
HAZARDOUS MATERIALS SITES WITHIN 1.0 MILE OF THE PROJECT SITE

Site Name/Address Distance and Direction from project site	Additional information
Ron's Chevron 3450 West Lincoln Avenue 0.1 mi. SW	Database listed on: LUST, CA UST, CA FIDS/SWEEPS/HIST UST, HIST CORTESE, EDR HISTORICAL AUTO STATION Status: Completed – Case Closed
O'Reilly Auto Parts #3078 3400 West Lincoln Ave 0.06 mi. S	Database listed on: CERS, CERS HAZ WASTE, HAZNET, HWTS Status: Inactive
The Cleaners C 11/ J & S Cleaners & Laundry/ K & H Cleaners 3434 West Lincoln Avenue, Anaheim 0.04 mi. SW	Database listed on: RCRA-SQG, FINDS, ECHO, DRYCLEANER, EMI, EDR Historical Cleaner Status: Inactive
Rite Aid #5496 and Harbor Freight Tools 8998 Knott Ave, Buena Park 0.04 mi. W	Database listed on: RCRA-LQG, RCRA-VSQG, CERS HAZ WASTE, RCRA NonGen / NLR, HAZNET

Source: IPA, 2022 (see Appendix G1).

Review of the regulatory agency database report identified that all of the remaining sites that are plotted 0.25-mile or farther from the project site are situated hydraulically downgradient from the project site. Based on various factors such as distance, gradient relationship, estimated direction of groundwater flow, media impacted, and/or current regulatory status, these sites are not anticipated to have impacted the project site (IPA, 2022 p. 34). Therefore, impacts would be less than significant.

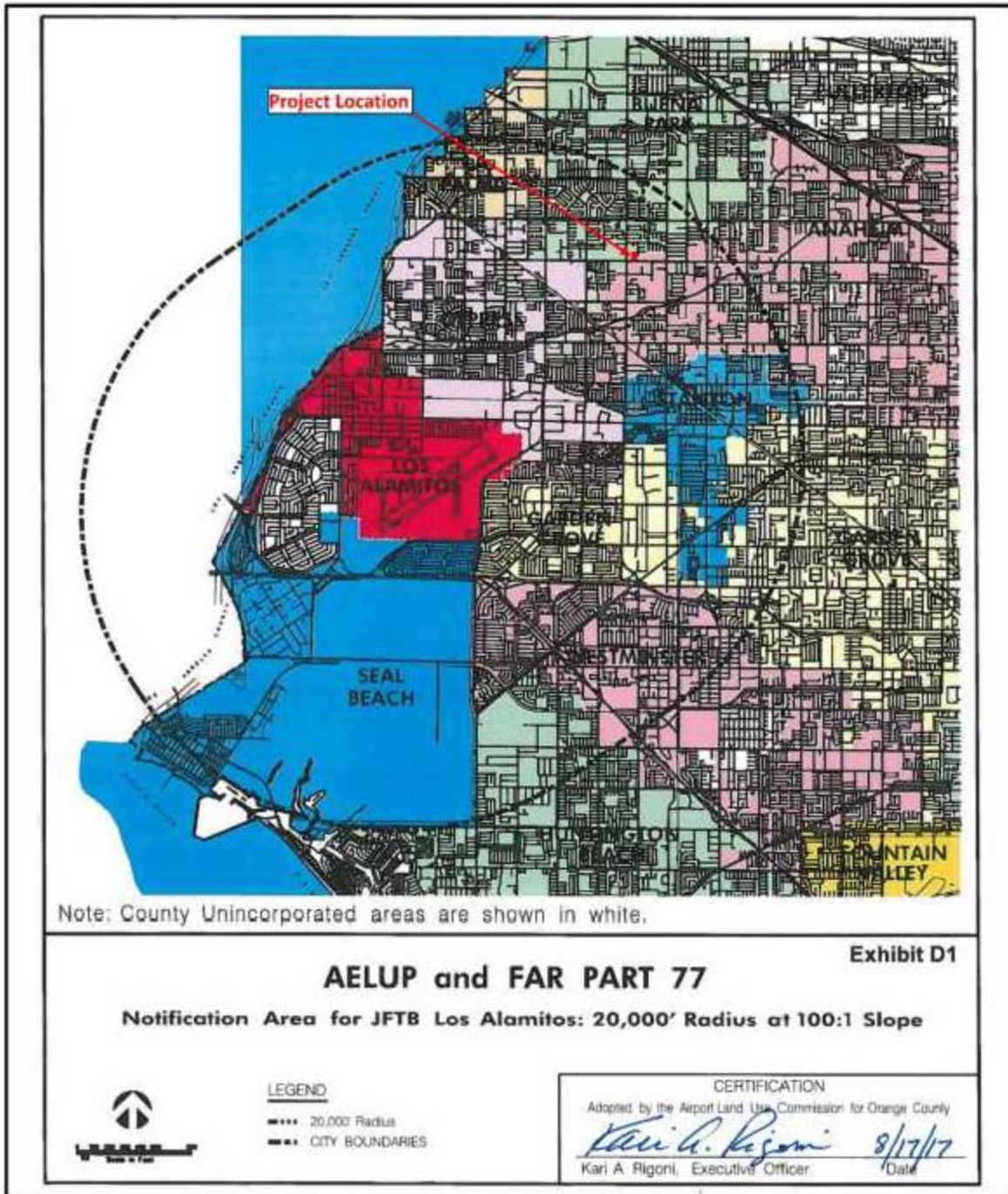
- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

No Impact

The nearest airport is the Joint Forces Training Base (JFTB) Los Alamitos, located approximately 2.9 miles southwest of the project site. As shown in **Figure 4.9-1**, the project is located within JFTB's Notification Area and JFTB's Height Restriction or Impact Zones. Hence the project applicant needs to notify the Orange County Airport Land Use Commission (OCALUC) and the JFTB airport about the proposed project construction and operation. Therefore, with compliance to notifying the OCALUC and JFTB, and the project's distance from the nearest active airports, the project would not expose people to safety hazards due to proximity to a public airport, and no impacts would occur.



Figure 4.9-1
JOINT FORCES TRAINING BASE LOS ALAMITOS NOTIFICATION AREAS



Disclaimer: Illustration provided by Airport Land Use Commission for Orange County, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Orange County Airport Land Use Commission (OCALUC), 2017, Exhibit D1.



Buena Park
Workforce Housing Project
Airport Influence Area
JFTB Los Alamitos



- f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than Significant Impact with Mitigation Measures Incorporated

Construction

The project would comply with applicable City regulations, such as the city's Fire Code in regard to providing adequate emergency access, as well as the California Building Standards Code. Prior to the issuance of building permits, the City would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. Fire lanes would be provided for adequate emergency access. The site design for the proposed project includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with City and Caltrans design requirements. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided at the project site at all times.

During the construction phase, the project could temporarily impact street traffic adjacent to the project due to construction activities in the right-of-way (ROW). Project construction could reduce the number of lanes or temporarily close a portion of Lincoln Avenue. The Lincoln Avenue ROW near the project site is within the jurisdiction of the City of Anaheim. Prior to the start of construction activity in the public right-of-way, the General Contractor shall submit a detailed Construction Management Plan (CMP) to be reviewed and approved by the City of Buena Park Traffic Engineer and/or the City of Anaheim Traffic Engineer. The typical CMP requires such things as the installation of K-Rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained. Compliance with City of Buena Park and City of Anaheim requirements for traffic management during construction in the public ROW would ensure that the project would have a less than significant impact in this regard. Mitigation measure **TRANS-1** is recommended to address potential hazards impacts during the construction phase.

Mitigation Measures

Refer to mitigation measure **TRANS-1** in **Section 4.17**.

Level of Significance After Mitigation

After implementation of mitigation measure **TRANS-1** above, the project would have less than significant construction-phase impacts on emergency access.

Operation

Two adopted City of Buena Park plans provide relevant guidance for project operation relative to emergency response or evacuation.



City of Buena Park Emergency Operation Plan

The City of Buena Park Emergency Operations Plan (EOP) was adopted by the City Council in 2021. The goal of the EOP is to ensure the most effective and economical allocation of resources for the maximum benefit, and protection of life, property, and the environment during an emergency (City of Buena Park, 2021).

The southern edge of the site is located on the north side of Lincoln Avenue, to the immediate north of the Buena Park city border with the city of Anaheim; the Lincoln Avenue right-of-way (to edge of curb) is within the jurisdiction of the city of Anaheim. Lincoln Avenue is classified as a major arterial within the City of Buena Park's Mobility (Circulation) Element of the General Plan. The General Contractor shall submit a detailed Emergency Operations Plan (EOP) to be reviewed and approved by the City of Buena Park and/or the City of Anaheim. As mentioned above, the project design would undergo a review to ensure that there would be adequate emergency ingress and egress within the project site

The proposed project will not impair implementation of or physically interfere with the City's EOP. Therefore, project development would have less than significant impacts on emergency and evacuation plans.

City of Buena Park Local Hazard Mitigation Plan

The City of Buena Park Local Hazard Mitigation Plan (LHMP) was adopted by the City Council in 2017. The purpose of the City's LHMP is to provide a plan for reducing and/or eliminating risk in the City of Buena Park. The goals of the LHMP are to: protect life, property, and the environment; improve public awareness; protect the continuity of government; and improve emergency management preparedness, collaboration and outreach. The Community Emergency Response Team (CERT) Program initiated by the City of Buena Park educates people about disaster preparedness and trains citizens to be self-sufficient following a major disaster (City of Buena Park, 2017). Compliance with the City's LHMP would ensure that the project would have a less than significant impact in this regard.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Local Responsibility Areas (LRA).

As defined by CAL FIRE, Very High Fire Hazard Severity Zone (VHFHSZ) designation refers to either:

- a) Wildland areas supporting high to extreme fire behavior resulting from climax fuels typified by well-developed surface fuel profiles (e.g., mature chaparral) or forested systems where crown fire is likely. Additional site elements include steep and mixed topography and climate/fire weather patterns that include seasonal extreme weather conditions of strong winds and dry fuel moistures. Burn frequency is typically high, and should be evidenced by numerous historical large fires in the area. Firebrands from both short (<200 yards) and long-range sources are often abundant.

or,



❖ SECTION 4.9 – HAZARDS AND HAZARDOUS MATERIALS ❖

- b) Developed/urban areas typically with high vegetation density (greater than 70 percent cover) and associated high fuel continuity, allowing for frontal flame spread over much of the area to progress impeded by only isolated non-burnable fractions. Often where tree cover is abundant, these areas look very similar to adjacent wildland areas. Developed areas may have less vegetation cover and still be in this class when in the immediate vicinity (0.25 mile) of wildland areas zoned as Very High (see above).

As shown on **Figure 4.9-2 Fire Hazard Severity Zone - State Responsibility Area** and **Figure 4.9-3, Fire Hazard Severity Zone - Local Responsibility Area**, the project site is not located within either an SRA FHSZ or a VHFHSZ in LRA for Orange County (CAL FIRE, 2021). The project site is bounded on three sides by urban development; the nearest FHSZ to the site is in a LRA approximately 4.5 miles to the northeast.

The project site is in a built-out urbanized area where no wildfire hazard is present. Project development would not expose people or structures to wildfire risks, and no impact would occur.



4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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:			X	
i) result in substantial erosion or siltation on or offsite;			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact

The project site is in the Carbon Creek Hydrologic Unit (HU; HU Code 180701060605), which drains an area of approximately 57.6 square miles (see **Figure 4.10-1, USGS Surface Waters and Watersheds**). The project site is currently developed with one single-story commercial building,



❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

comprised of an estimated 21,800 square feet on 1.35 acres of land (IPA, 2022). The Project site contains asphalt pavement, landscape vegetation, and the existing building (Google Earth Pro, 2022). Under existing conditions, stormwater runoff generated on the proposed project site is discharged to the southwest, entering the storm drain system at Lincoln Avenue and eventually discharges into an existing storm drain on Lincoln Avenue. At this point, water heads west and enters a storm drain on Knott Avenue, and discharges into Carbon Creek, approximately 0.7 mile south of Lincoln Avenue (OCPW, 2012). Carbon Creek is a tributary of the San Gabriel River, which discharges into the Pacific Ocean near Alamos Bay.

Development of the project has the potential to result in two types of water quality impacts: (1) short-term impacts due to construction-related discharges; and (2) long-term impacts from operation. Soil disturbance would temporarily occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area. Erosion and sedimentation affect water quality through interference with photosynthesis, oxygen exchange and respiration, growth, and reproduction of aquatic species.

Runoff from construction sites may include sediments and contaminants such as oils, fuels, paints, solvents, suspended solids, sediments, nutrients, heavy metals, pathogens, and trash and debris. Pollutants such as nutrients, trace metals, hydrocarbons, and bacteria can attach to sediment and be carried by stormwater into local storm drains which ultimately discharge into the Pacific Ocean.

Construction Pollutants Control

Temporary impacts to water quality, such as those described above, could occur during construction of the project. Project construction would require ground-disturbing activities and clearing of existing vegetation and paving, and grading for construction of building foundations. Disturbed soils accelerate erosion and increase sediment in stormwater runoff to receiving waters, causing increased turbidity and sedimentation. Additionally, fuel, oil, and other fluids used in construction vehicles, equipment, and heavy machinery could leave the site, enter the storm drain system and create or add to contaminant loads in Carbon Creek and the San Gabriel River.

Dischargers whose projects disturb one or more acres of soil are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2009-0009-DWQ (as amended; Construction General Permit). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility (SWRCB 2022).

The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). The SWPPP would include site-specific construction stormwater BMPs which would be implemented as part of project design, and maintained or replaced as necessary. These BMPs would minimize or avoid erosion through wind or stormwater, and would also minimize or avoid sediment- or pollutant-laden stormwater from leaving the construction site and entering receiving waters (e.g., Carbon Creek, San Gabriel River). For these reasons, potential violations of water quality standards or waste discharge requirements during construction would be less than significant.



Operational Pollutant Controls

In 2009 the Santa Ana Regional Water Quality Control Board (RWQCB) issued Order No. R8-2009-0030/NPDES No. CAS618030 (as amended by Order No. R8-2010-0062), 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 for Orange County (MS4); the City of Buena Park is a signatory to this MS4. The MS4 regulates the discharge of pollutants in urban storm water runoff from anthropogenic (generated from human activities) sources and/or activities within the jurisdiction and control of the permittees own and operate storm drains, including flood control facilities (RWQCB 2009, p. 3).

The MS4 requires new development and significant redevelopment projects to develop a Water Quality Management Plan (WQMP) that incorporates post-construction low-impact development (LID) BMPs to reduce the quantity of rainfall runoff and improve the quality of water that leaves a site. LID is a leading stormwater management strategy that seeks to mitigate the impacts of runoff and stormwater pollution as close to its source as possible. LID comprises a set of site design approaches and structural BMPs that are designed to address runoff and pollution at the source. Structural LID BMPs can effectively remove nutrients, bacteria, and metals while reducing the volume and intensity of stormwater flows.

The project would consist of one drainage area (DA-1), which will ultimately discharge at the southwest corner of the project area. The Preliminary WQMP Site Plan (CA Engineering, Inc, 2022; see **Appendix H**) illustrates the LID BMPs proposed for the project site. These BMPs include runoff-minimizing landscaping and a modular wetland in the southwest corner of the site (model MWS-L-8-12; CA Engineering, Inc., 2022). The Preliminary WQMP Site Plan is included herein as **Appendix H**. The maximum treatment flow rate for modular wetlands model MWS-L-8-12 is 0.346 cubic feet/second and the engineers have determined a post-construction design flow rate of 0.273 cfs (GeoSolutions Inc., 2022). Treatment flow requirements as required by the MS4 will be met through implementation of this modular wetland. This stormwater treatment method provides superior pollutant (total suspended solids, nutrients, bacteria, hydrocarbons, and heavy metals) and removal capacity and would be able to effectively remove stormwater pollutants through physical, chemical, and biological filtration processes which are designed to mimic the processes performed by natural wetlands (GeoSolutions, Inc., 2022).

The Construction General Permit, MS4, and the associated WQMP would require the implementation of non-structural and structural BMPs to ensure that construction and post-construction stormwater runoff is retained and/or treated prior to discharge into the municipal storm drain and receiving waters. Therefore, with adherence to existing water quality control requirements, impacts would be less than significant and no mitigation would be necessary.

- b) **Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Less than Significant Impact

Construction

Construction of the proposed project would use only a minimal amount of water, for purposes such as dust control, from readily available public sources. This water use would be temporary and would



❖ SECTION 4.10 – HYDROLOGY AND WATER QUALITY ❖

not require the substantial use of groundwater. Once construction is completed, the project would be connected to municipal water lines. Project construction would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, impacts would be less than significant.

Operation

The City's main source of water supply is groundwater from the Coastal Plain of Orange County Groundwater Basin (Basin 8-001), which underlays the project site. As of 2020, the city relied on approximately 80 percent groundwater and 20 percent imported water (Arcadis, 2020, p. 6-1) for drinking water supply. The City's water supply from 2025 through 2045 is projected to increase to 90 percent groundwater and 10 percent imported water (Arcadis 2022, p. 6-2). The City's 2020 Urban Water Management Plan (UWMP) states that the City of Buena Park will have adequate water supplies for all users, including multi-family residences, through the year 2045, through normal and dry years (Arcadis, 2020, p. 7-8 – 7-11). Furthermore, the LID BMPs described in Section 4.10 (a) would retain most stormwater runoff generated onsite and allow it to percolate through the soil and add to the volume of the aquifer. Therefore, impacts would be less than significant. No mitigation is required.

- c) **Would the project 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 offsite;**

Less Than Significant Impact

Construction

During project construction the drainage pattern of the site would be altered when the demolition of existing structure and pavement is completed; however, due to the location and nature of the proposed project, this alteration would be temporary. The project would be required to obtain coverage under the Statewide General Construction Permit through preparation and implementation of a SWPPP specifying construction stormwater BMPs to be implemented to control erosion and protect the quality of surface water runoff from the project site. The SWPPP must be prepared before the project owner receives a grading or building permit and must be implemented year-round throughout construction. Project compliance with regulatory requirements would reduce potential erosion/siltation impacts during the construction phase. Construction of the project would not result in substantial erosion or siltation, and potential impacts would be less than significant.

Operation

The proposed LID BMPs, including Landscape Area – Minimizing Design and modular wetland would capture stormwater and filter sediment before the stormwater enters the municipal storm water system.

With implementation of site-specific stormwater BMPs described in the required SWPPP and installation of LID BMPs as described in the Preliminary WQMP Site Plan (see **Appendix H**), potential impacts resulting in substantial erosion or siltation on or offsite would be less than significant and mitigation is not required.



- ii) **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

and

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

Less Than Significant Impact

The project design would include structural LID BMPs that would capture and retain stormwater generated on the project site; only precipitation events that exceed the 85th percentile, 24-hour storm event would overflow the retention and infiltration systems and directly enter the municipal storm drain system. The structural LID BMPs have been selected to capture stormwater generated by the 85th percentile 24-hour storm event, which would result in a flow rate of 0.273 cubic feet per second (cfs) on the project site (refer to the Preliminary WQMP Site Plan in **Appendix H**).

Installation and maintenance of the structural LID BMPs described in the WQMP would reduce the volume of stormwater runoff leaving the project site. Therefore, the potential for the proposed project to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff is less than significant and mitigation is not required.

- iv) **Impede or redirect flood flows?**

Less than Significant Impact

The project site is located in Zone X, *Areas determined to be outside the 0.2% annual chance [500-year] floodplain*, as shown on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) Map Number 06059C0109J (FEMA, 2009). The 500-year Flood Zone describes a flood event that has a 0.2 percent chance of occurring in any year. The proposed project would not impede or redirect flood flows because the project site is not adjacent to any open bodies of water. The nearest body of water is Carbon Creek, approximately 0.65-mile south of the project site (Google Earth Pro, 2022). The potential for the project to impede or redirect flood flows is less than significant and mitigation is not required.

- d) **In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?**

No Impact

Flood Hazard

As discussed above, the project site is outside of the 500-year flood zone and is not anticipated to become inundated due to flood. Additionally, the project site is not adjacent to an open body of water. Therefore, there would be no impact in this regard.



Tsunami

A tsunami is a sea wave (or series of waves) of local or distant origin that results from large-scale seafloor displacements associated with large earthquakes, major submarine slides, or exploding volcanic islands (California Seismic Safety Commission, 2022). The project is not located within a tsunami inundation zone (State of California, 2021). The closest tsunami inundation zone is in a portion of the San Gabriel River, approximately 4.5 miles to the southwest of the project site. Therefore, there would be no impact in this regard.

Seiche Zones

A seiche is an oscillating wave caused by wind, tidal forces, earthquakes, landslides and other phenomena in a closed or partially closed water body such as a river, lake, reservoir, pond, and other large inland water body. The closest open bodies of water capable of producing a seiche would be the ponds at El Dorado Park in the City of Long Beach, approximately 4.4 miles west of the project site. Therefore, there would be no impact in this regard.

- e) **Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Less than Significant Impact

The California Porter-Cologne Water Quality Control Act (Porter-Cologne) defines water quality objectives as the “allowable limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area”. Thus, water quality objectives are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. Water quality objectives apply to both waters of the United States and waters of the State.

As required by Porter-Cologne, the State Water Resources Control Board (SWRCB) requires individual Regional Water Quality Control Boards (RWQCBs) to develop Water Quality Control Plans (Basin Plans), which are “designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's antidegradation policy, and (iii) describes implementation programs to protect all waters in the Region[s]. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations” (RWQCB, 1995).

The proposed project is under the jurisdiction of the Water Quality Control Plan of the Santa Ana River Basin (Basin Plan; RWQCB 1994). As discussed in **Sections 4.10 a)** and **4.10 b)**, the proposed project would not conflict with or obstruct implementation of the water quality control plans or sustainable groundwater management plans of the RWQCB. Impacts would be less than significant, and mitigation is not required.



4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

a) Would the project physically divide an established community?

No Impact

The project site is rectangular in shape. The southern edge of the site is located on the north side of Lincoln Avenue, to the immediate north of the Buena Park city border with the city of Anaheim; Lincoln Avenue right-of-way (to edge of curb) is within the jurisdiction of the city of Anaheim. The project proposes four residential buildings, with the main entrance accessed from a right-turn-in, right-turn-out driveway on Lincoln Avenue. In addition to the access driveway, there are two internal alleyways, one providing access to parking for Buildings 1 and 2, and another providing access to parking for Buildings 3 and 4.

The affordable housing project would not physically divide an established community. The site currently has a wall along the northern, southern, and eastern property lines and thus is not used for travel between surrounding areas.

No impact would occur.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact

The General Plan land use designation for the project site is Commercial (COM) (refer to **Figure 4.11-1**). The project is currently zoned Community Shopping (CS) (refer to **Figure 4.11-2**).



Figure 4.11-1
PROJECT SITE CURRENT GENERAL PLAN LAND USE DESIGNATIONS



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: I:\GIS\GIS\Projects\7181_BuenaPark_OC_Development\SMWD\MXD\7181_BuenaPark_OC_LU_GP_2022_08_30.mxd August 30, 2022

Service Layer Credits: Buena Park, Hoover Way, Sturdy Woods, Sweet Meadows, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Kang Kong), Esri Korea, Esri (Thailand), NOAA, (c) OpenStreetMap contributors, and the GIS User Community; Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community; Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community; City of Anaheim, August 2022; City of Buena Park, July 2022; UltraSystems Environmental, Inc., 2022

Scale: 1:4,200

0 175 350 Feet

0 40 80 Meters

Legend

Project Boundary

- Project Boundary (Green outline)
- City Boundary (Dashed line)

City of Anaheim Land Use Designation

- C-NC: Neighborhood Center
- R-LM: Residential- Low Medium
- R-M: Residential-Medium
- School

City of Buena Park Land Use Designation

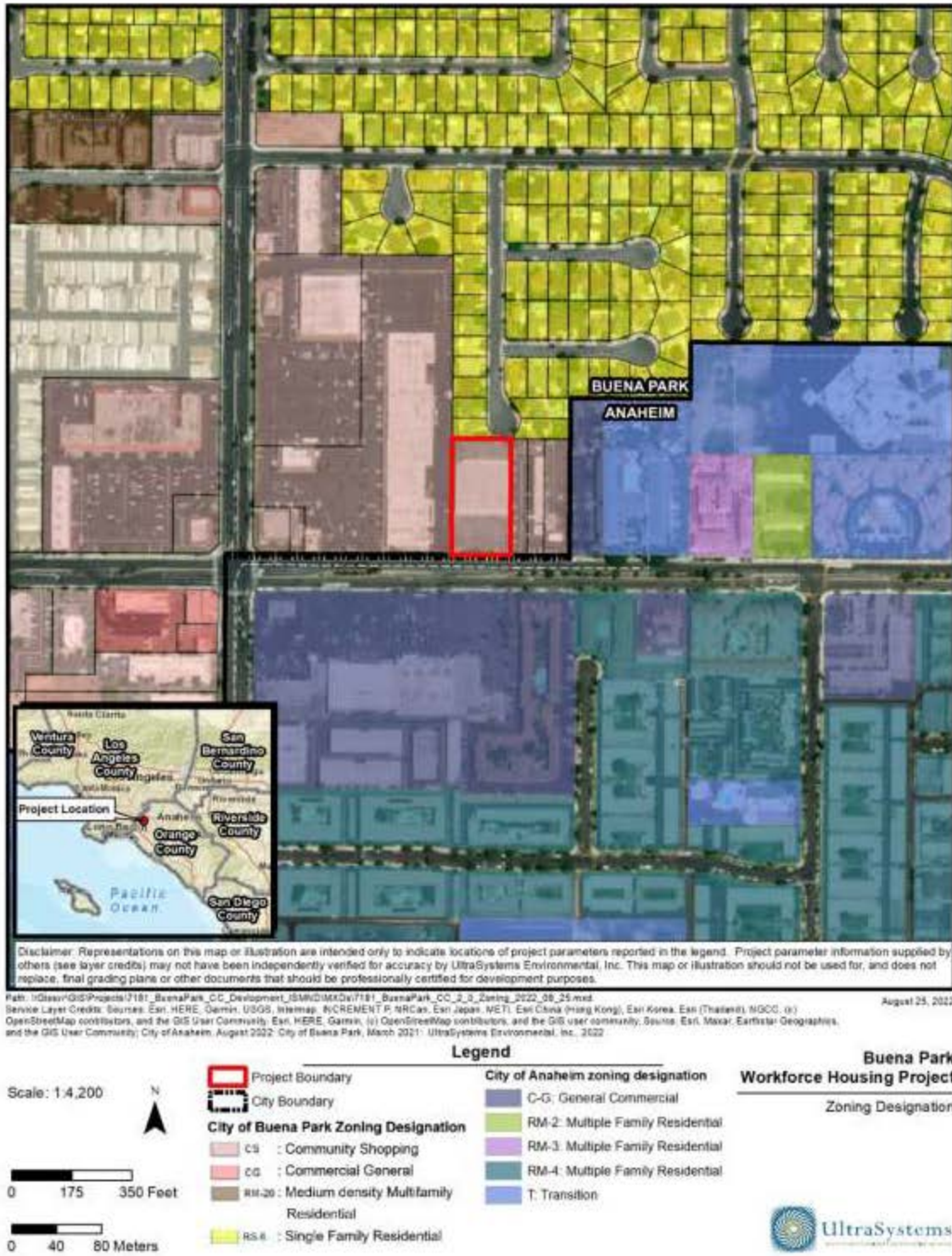
- Com: Commercial
- RSF: Low-Density Residential
- MDR: Medium-Density Residential
- HDR: High-Density Residential
- OP: Office professional

Buena Park Workforce Housing Project

General Plan Land Use Designation



**Figure 4.11-2
PROJECT SITE ZONING DESIGNATION**





❖ SECTION 4.11 – LAND USE AND PLANNING ❖

The proposed project would be largely consistent with the Municipal Code, but two related discretionary approvals are requested to permit development of the project.

To develop the project with residential uses, the applicant is requesting approval of a General Plan Amendment from its current Commercial (CO) to General Mixed-Use (GMU). As detailed in the City of Buena Park 2035 General Plan, *"The City provides for the development of affordable housing for lower-income households through its affordable housing density bonus program in accordance with State law. The specific provisions of the affordable housing density bonus program are outlined in the City's Municipal Code. When utilizing the affordable housing density bonus program, the allowable density is increased by up to 100 percent for senior housing and 35 percent for non-senior housing, consistent with State density bonus law, as amended"* (RBF Consulting, 2010a, p. 2-11).

A change of zone is requested from Community Shopping (CS) to General Mixed-Use (GMU), to allow for high-density residential uses along a major arterial. The GMU zone allows for a horizontal or vertical mix of high-density residential and neighborhood commercial uses along major arterials; Lincoln Avenue is classified as a major arterial within the City of Buena Park's Mobility Element of the General Plan. The base density for the GMU designation is 32 dwelling units per acre (du/ac), but the city's Affordable Housing Area Bonus (35 percent of base density) may increase the density up to 43 du/ac; the proposed project density of 40.7 units per acre falls within that range.

The project would be developed in compliance with the development standards and provisions under the proposed GMU zone and Affordable Housing Density Bonus provisions in the Buena Park Municipal Code Section 19.408.030, [Affordable Housing Bonus]. As a result, project impacts respecting consistency with local land use plans, policies, or regulations would be less than significant.



4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?				X
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?				X

- a) **Would the project 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) **Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

No Impact

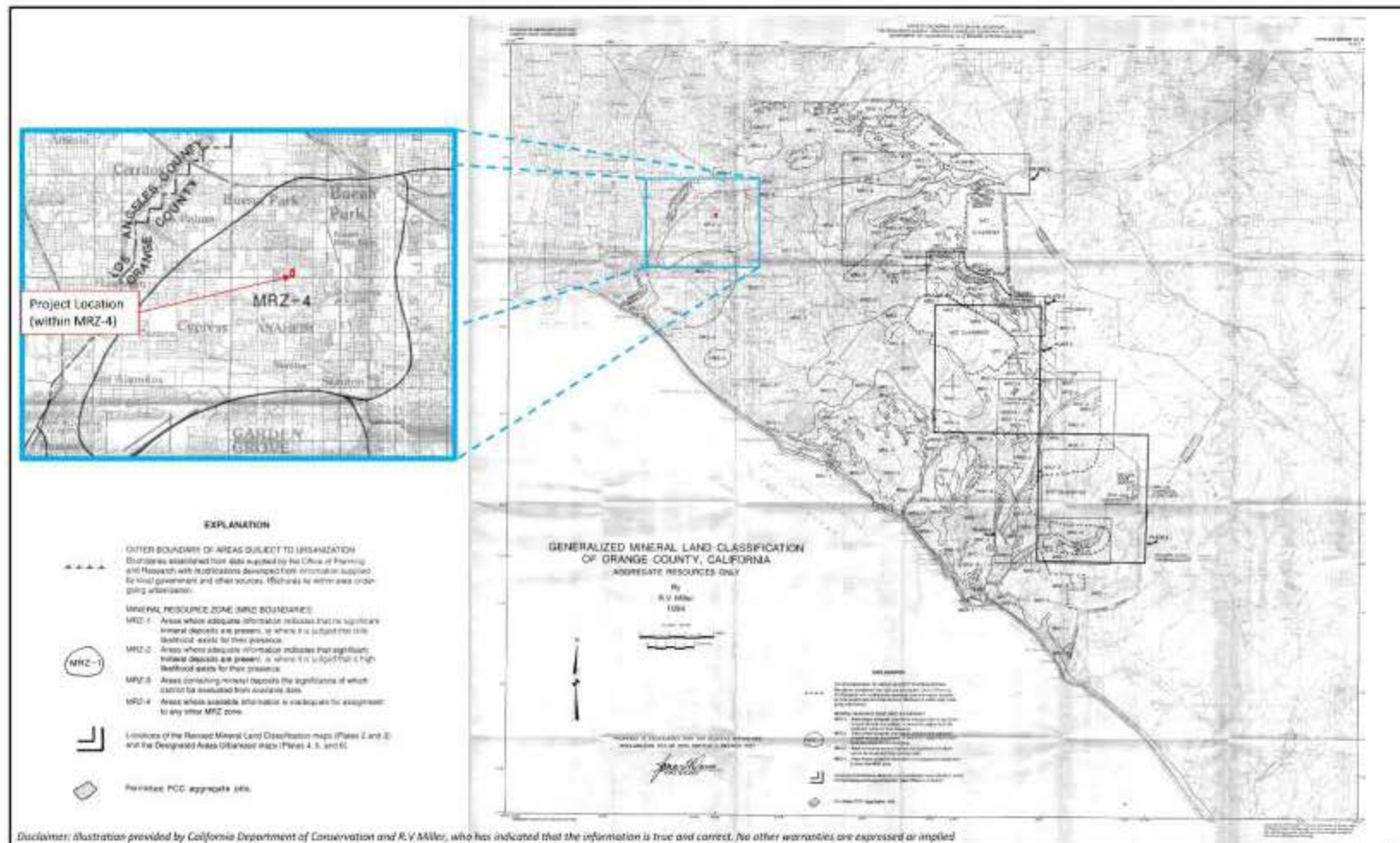
Assessment of mineral resources is based on the State of California's Mineral Land Classification/Designation Program established after the adoption of the Surface Mining and Reclamation Act (SMARA) in 1975. The primary objectives of SMARA are the assurance of adequate supplies of mineral resources important to California's economy and the reclamation of mined lands. These objectives are implemented through land use planning and regulatory programs administered by local government with the assistance of the Department of Conservation's California Geological Survey (CGS). Information on the location of important mineral deposits is developed by the CGS through a land use planning process termed mineral land classification.

As detailed on the SMARA Mineral Land Classification of the Greater Los Angeles Area: Classification of Sand and Gravel Resource Areas, Orange County-Temescal Valley Production-Consumption Region (DOC, 1995), the project site is classified within SMARA-designated Mineral Resource Zone-4. MRZ-4 is defined as area where available information is inadequate for assignment to any other zone (refer to **Figure 4.12-1**.) According the Buena Park General Plan EIR, there are no significant mineral resources in the city (RBF Consulting, 2010b). Moreover, according to the Department of Conservation Division of Oil, Gas, & Geothermal Resources Well Finder (DOC, 2022), the only oil and gas well within one mile of the project site is a plugged well approximately 0.9 mile to the northeast (refer to **Figure 4.12-2**). No oil or gas wells were identified on the project site.

For these reasons the project would have no impact on the availability of known mineral resources of value to the region or state residents, or a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.



**Figure 4.12-1
MINERAL RESOURCES**



Source: Miller, R. V., 1994.



**Buena Park
Workforce Housing Project**
Designated Mineral Resource Zones



4.13 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact 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?		X		
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?			X	

4.13.1 Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) 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. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

4.13.2 Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- L_{eq} , the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). 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.



- L_{90} is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of “background” noise.
- L_{max} is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval. L_{max} is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average L_{eq} with a 4.77-dBA “penalty” added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (Caltrans, 2013). The logarithmic effect of these additions is that a 60-dBA 24-hour L_{eq} would result in a calculation of 66.7 dBA CNEL.
- L_{dn} , the day-night average noise, is a 24-hour average L_{eq} with an additional 10-dBA “penalty” added to noise that occurs between 10:00 p.m. and 7:00 a.m. The L_{dn} metric yields values within 1 dBA of the CNEL metric. As a matter of practice, L_{dn} and CNEL values are considered to be equivalent and are treated as such in this assessment.

4.13.3 Existing Noise

The City of Buena Park’s General Plan lists sensitive receptors as locations where human populations (especially children, senior citizens, and sick persons) are present, and where there is a reasonable expectation of continuous human exposure to noise; such receptors include schools, playgrounds, athletic facilities, hospitals, rest homes, rehabilitation centers, long-term care, and mental care facilities, day care centers, single- and multi-family dwellings, mobile home parks, churches, and libraries (RBF Consulting, 2010a, p. 8-27). Additionally, the City’s Municipal Code has noise controls that apply to the proposed project, which require residential acoustical designs to prevent significant noise exposure.

The nearest sensitive receivers to the project are a single-family home on the project site’s north boundary in Buena Park, and multi-family apartment homes to the east in Buena Park and to the south opposite Lincoln Avenue in Anaheim. On the project site’s north boundary in Buena Park, there is a 4.5-foot-high concrete block wall between a single-family house and the project site. Sensitive receivers are shown in **Figure 4.13-1**. **Table 4.13-1** summarizes information about them.

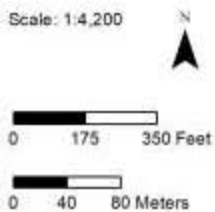


Figure 4.13-1
SENSITIVE NOISE RECEIVERS IN PROJECT GENERAL AREA



Path: I:\GIS\Projects\7181_BuenaPark_OC_Development\BMP\MapDocs\7181_BuenaPark_OC_4.13_Sensitive_Receivers_2022_10_24.mxd
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, (c) OpenStreetMap contributors, and the GIS User Community. Source: Esri, Navar, Earthstar Geographics, and the GIS User Community, Orange County, 2018; UltraSystems Environmental, Inc., 2022

October 25, 2022



Buena Park
Workforce Housing Project
Sensitive Noise Receivers





Table 4.13-1
SENSITIVE RECEIVERS IN PROJECT AREA

Description	Location	Distance From Site Boundary (feet) ^a	Nearest Ambient Sampling Point ^b	City
Multi-family Residence (South)	3360 Lincoln Avenue, Anaheim	140	1	Anaheim
Church (Southeast)	3330 Lincoln Avenue, Anaheim	445	2	Anaheim
Multi-family Residence (East)	3335 Lincoln Avenue, Buena Park	245	3	Buena Park
Single-family Residence (North)	8941 Jefferson Drive, Buena Park	5	7	Buena Park
Centralia Elementary School (Northeast)	195 North Western Avenue, Buena Park	915	5	Buena Park
Single-family Residence (Northeast)	7196 Harding Circle, Buena Park	245	6	Buena Park
Single-family Residence (North)	8881 Jefferson Drive, Buena Park	314	7	Buena Park
Single-family Residence (North)	8825 Jefferson Drive, Buena Park	556	8	Buena Park

^aThese distances were not used for the construction noise calculations. See **Section 4.13.6**.

^bSee **Figure 4.13-2** for locations of ambient noise sampling points.

The predominant source of noise in the project area is traffic on Lincoln Avenue (the southern boundary of the project) at the boundary of the cities of Buena Park and Anaheim, which accommodates traffic through both Buena Park and Anaheim. The City of Anaheim General Plan Noise Element contains a map of “future roadway noise contours” (City of Anaheim, 2004, p. N-17), which includes the project area. Although neither the map nor the Noise Element text mentions the “future” year, a traffic study prepared for the General Plan EIR mentions 2025 as the “horizon year” for the analysis (PBQD, 2003, p. H-48). That year is close enough to the project baseline year and buildout year to serve as a surrogate for current conditions. The northern half of the site is exposed to less than 60 dBA CNEL, while most of the southern half is exposed to 60 to 65 dBA CNEL. Near Lincoln Avenue, exposures reach 70 dBA CNEL. A similar pattern exists in the immediately surrounding area, although not all such areas were analyzed.

On September 28, 2022, UltraSystems made 15-minute ambient noise level measurements at eight locations in the general area of the project in the cities of Buena Park and Anaheim. These are shown in **Figure 4.13-2**. (See **Appendix G**.) Measurements were made between 9:49 a.m. and 2:35 p.m. As shown in **Table 4.13-2**, average short-term ambient noise levels (L_{eq}) ranged from 43.2 to 68.2 dBA L_{eq} . The highest L_{max} (82.1 dBA) was recorded along Lincoln Avenue in Buena Park. All monitored noise levels were within the range considered typical for the nearby land uses for both the city of Buena Park and Anaheim.

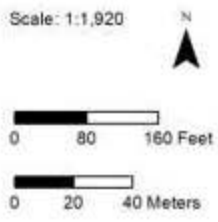


Figure 4.13-2
AMBIENT NOISE MONITORING LOCATIONS



Path: G:\GIS\Map\Project\7181_BuenaPark_CC_Development\GIMND\MXD\7181_BuenaPark_CC_4_13_Noise_Sampling_2022_10_25.mxd
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community. Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community. Orange County, 2018. UltraSystems Environmental, Inc., 2022

October 25, 2022



Buena Park
Workforce Housing Project

Ambient Noise
Measurement Locations





**Table 4.13-2
AMBIENT NOISE MEASUREMENT RESULTS**

Point	Data Set	Sampling Time	Address	Sound Level (dBA)			Notes
				L _{eq}	L _{max}	L ₉₀	
1	S009	12:51 p.m. – 1:06 p.m.	3360 Lincoln Avenue, Anaheim	68.2	77.9	54.0	In front of multifamily residence south-southeast of project site
2	S010	1:15 p.m. – 1:30 p.m.	3330 Lincoln Avenue, Anaheim	67.1	76.7	52.3	In front of a church southeast of project site
3	S011	1:53 p.m. – 2:08 p.m.	3335 Lincoln Avenue, Buena Park	67.8	82.1	55.8	In front of a church residence southeast of project site
4	S005	9:49 a.m. – 10:04 a.m.	8941 Jefferson Drive, Buena Park	48.6	69.1	42.7	In front of single-family residence north of project site
5	S012	2:20 p.m. – 2:35 p.m.	195 North Western Avenue, Buena Park	50.1	69.4	44.8	In front of elementary school fence line in parking lot east of the project site
6	S007	11:46 a.m. – 12:01 p.m.	7196 Harding Circle, Buena Park	49.4	63.9	38.6	Single family residence northeast of project site.
7	S006	10:29 a.m. – 10:44 a.m.	8881 Jefferson Drive, Buena Park	43.2	56.1	39.6	In front of single-family residence north of project site
8	S008	12:18 p.m. – 12:33 p.m.	8825 Jefferson Drive, Buena Park	45.8	60.7	40.7	In front of single-family residence north of project site

4.13.4 Regulatory Setting

State of California

The California Department of Health Services (DHS) Office of Noise Control has studied the correlation of noise levels with effects on various land uses. (The Office of Noise Control no longer exists). The most current guidelines prepared by the state noise officer are contained in the “General Plan Guidelines” issued by the Governor’s Office of Planning and Research in 2003 and reissued in 2017 (Governor’s Office of Planning and Research, 2017). These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

- **Normally Acceptable:** Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable:** May require some mitigation, as established through a noise study.
- **Normally Unacceptable:** Requires substantial mitigation.
- **Clearly Unacceptable:** Probably cannot be mitigated to a less-than-significant level.



The types of land uses addressed by the state standards, and the acceptable noise categories for each, are presented in **Table 4.13-3**. There is some overlap between categories, which indicates that some judgment is required in determining the applicability of the numbers in a given situation.

Title 24 of the California Code of Regulations requires performing acoustical studies before constructing dwelling units in areas that exceed 60 dBA L_{dn} . Given the City of Anaheim General Plan traffic modeling results discussed above, about half of the entire project site experiences noise levels equal to or greater than 60 dBA CNEL. In addition, the California Noise Insulation Standards identify an interior noise standard of 45 dBA CNEL for new multi-family residential units. Local governments frequently extend this requirement to single-family housing.



**Table 4.13-3
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES**

Land Use Category	Noise Exposure (dBA, CNEL)					
	55	60	65	70	75	80
Residential – Low-Density Single-Family, Duplex, Mobile Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable
Residential – Multiple Family	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Transient Lodging – Motel, Hotels	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Auditoriums, Concert Halls, Amphitheaters	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Sports Arena, Outdoor Spectator Sports	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Playgrounds, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Office Buildings, Business Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Utilities, Agriculture	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable
	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.					
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.					
	Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.					
	Clearly Unacceptable: New construction or development should generally not be undertaken.					

Source: Governor’s Office of Planning and Research, 2017.



City of Buena Park

General Plan Noise Element

The Noise Element of the City of Buena Park General Plan (RBF Consulting, 2010a) identifies sources of noise in the City and provides objectives and policies that ensure that noise from various sources would not create an unacceptable noise environment. **Table 4.13-4** shows the City’s guidelines for interior and exterior noise exposure, by land use.

**Table 4.13-4
CITY OF BUENA PARK GENERAL PLAN INTERIOR AND EXTERIOR NOISE STANDARDS**

Land Use	Noise Level (dBA) at Property Line	Time Period
Exterior Noise Limits		
Residential	55	7:00 a.m. – 10:00 p.m.
	50	7:00 p.m. – 7:00 a.m.
Interior Noise Limits		
Residential	50	7:00 a.m. – 10:00 p.m.
	45	7:00 p.m. – 7:00 a.m.

Source: RBF Consulting, 2010a, p. 8-7.

For a multi-family housing development such as the proposed project, exterior noise levels of 65 dBA CNEL or less are desirable. As mentioned in the General Plan, the City sets forth requirements for the insulation of multiple-family residential dwelling units from excessive and potentially harmful noise. Whenever multifamily residential dwelling units are proposed in areas with excessive noise exposure, the developer must incorporate construction features into the building’s design that reduce interior noise levels to 45 dBA CNEL (RBF Consulting 2010a, p. 8-5).

The General Plan Noise Element has the following applicable goals and associated policies for addressing noise issues in the community (RBF Consulting, 2010a, p. 8-29):

Goal N-1: Appropriate Federal, State, and City standards, guidelines, and ordinances for noise control implemented and enforced throughout the City

Policy N-1.1: Continue to monitor noise throughout Buena Park and enforce the standards and regulations of the City’s Noise Ordinance.

Policy N-1.2: Continue to enforce noise standards consistent with health and quality of life goals and employ effective techniques of noise abatement through such means as a noise ordinance, building codes, and subdivision and zoning regulations.

Policy N-1.3: Adhere to the City’s Municipal Code Standards and planning guidelines that include noise control for the interior space of residential developments.

Policy N-1.4: Continue to encourage the enforcement of regulations such as the State Vehicle Code Noise Standards for automobiles, trucks, and motorcycles operating within the City.

Policy N-1.5: Coordinate with California Occupational Safety and Health Administration (Cal-OSHA) to provide information on occupational noise requirements within the City.



Policy N-1.6: Conform to the noise attenuation standards set forth in the Airport Environs Land Use Plan (AELUP) for residential, commercial, and industrial development within the Fullerton Municipal Airport and Los Alamitos Joint Forces Training Center planning areas.

Goal N-2: Minimized noise levels from construction and maintenance equipment, vehicles, and activities

Policy N-2.1: Regulate construction activities to ensure all noise associated with construction activities comply with the City's Noise Ordinance.

Policy N-2.2: Employ construction noise reduction methods to the maximum extent feasible. These measures may include, but are not limited to, shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and use of electric air compressors and similar power tools, rather than diesel equipment.

Policy N-2.3: Require municipal vehicles and noise-generating mechanical equipment purchased or used by the City to comply with noise standards specified in the City's Municipal Code, or other applicable codes.

Policy N-2.4: Exceedance of noise standards may occur on a case-by-case basis for special circumstances including emergency situations, special events, and expedited development projects.

Policy N-2.5: Ensure acceptable noise levels are maintained near schools, hospitals, convalescent homes, churches, and other noise-sensitive areas.

Goal N-4: Ambient noise conditions in sensitive land use areas maintained and/or improved

Policy N-4.1: Identify and reduce or eliminate unnecessary noise near noise sensitive areas (such as parks, residential areas, hospitals, libraries, convalescent homes, etc.) to meet established regulations outlined in the City's Municipal Code.

Policy N-4.2: Encourage the use of noise absorbing materials in existing and new development to reduce interior noise impacts to sensitive land uses.

Policy N-4.3: Encourage existing noise sensitive uses, including schools, libraries, health care facilities, and residential uses in areas where existing or future noise levels exceed 65 dBA CNEL to incorporate fences, walls, and/or other noise buffers and barriers, where appropriate and feasible.

Policy N-4.4: Discourage new projects located in commercial or entertainment areas from exceeding stationary-source noise standards at the property line of proximate residential or commercial uses, as appropriate.

Policy N-4.5: For sensitive land uses located near to or adjacent to industrial land uses, evaluate the ambient noise condition and, as appropriate, reduce noise affects upon the



sensitive land use (such as erecting noise barriers, restricting hours of operation, investing in noise canceling technologies, etc.).

Policy N-4.6: Ensure new industrial uses comply with the City’s Noise Ordinance.

Policy N-4.7: Encourage school districts or other educational facilities to locate outdoor activity areas, such as play grounds and sport fields, away from residential areas.

City of Buena Park Municipal Code

The City of Buena Park’s regulations with respect to noise are included in Municipal Code Chapter 8.28 (Noise) and 19.444 (Development Standards-Environmental Effect), Article X (Noise Control).¹⁵ They include limitations on noise levels within multi-family residential places as shown below.

Chapter 8.28 of the Municipal Code has the following project-related provisions:

- A. It is unlawful for any person to make or continue to make, or cause to be made or continued, within the city, any loud or unnecessary noise or any noise which may reasonably be anticipated to annoy, disturb, injure or endanger the comfort, repose, peace, health or safety of others, whether due to volume or duration, or both.
- B. Without limitation as to the types of noise-producing acts which are in violation of this section, noise produced by the following acts are declared to be loud, disturbing and unnecessary noise in violation of this section:¹⁶
 - 4a. Construction or Repair Activities. The performance of any construction or repair work of any kind upon, or excavating for, any building or structure, where any such work entails the use of any air compressor, jackhammer, power-driven drill, riveting machine, excavator, hand hammer on steel or iron, or any other machine, tool, device or equipment which makes loud noises to the disturbance of persons occupying sleeping quarters in a dwelling, hotel, or apartment or other place of residence. The above use of machinery or equipment that produces such unnecessary noise shall be prohibited on any Sunday or any other day between the hours of eight p.m. and seven a.m. The provisions of this section do not apply to any person who performs any construction, repair or excavation pursuant to the express written permission of the city engineer. Upon receipt of an application in writing therefor, stating the reasons for the request and the facts upon which such reasons are based, the city engineer may grant such permission if the activity is not otherwise prohibited by this code and he or she finds that:
 - a. The work proposed to be done is in the public interest, or
 - b. Hardship, or injustice or unreasonable delay would result from the interruption thereof during the hours and days specified above, or
 - c. The building or structure involved is devoted or intended to be devoted to a use immediately incidental to the public defense. Any person dissatisfied with the decision of the city engineer may forthwith appeal to the city manager by filing a

¹⁵ <http://qcode.us/codes/buenapark/>

¹⁶ Buena Park Municipal Code § 8.28.040.



written request for a hearing within seven calendar days of the city engineer's decision.

- 4b. The provisions of this subsection do not apply to the construction, repair, or excavation during prohibited hours as may be necessary for the preservation of life or property when such necessity arises during such hours as the offices of the city are closed or where such necessity requires immediate action prior to the time at which it would be possible to obtain required permits; provided, that the persons doing such construction, repair or excavation obtain a permit therefor within one day after the office of the city engineer is first opened subsequent to the undertaking of such construction, repair or excavation.
 - 4c. The provisions of this subsection do not apply to construction, repair, or excavation by a public utility which is subject to the jurisdiction of the public utilities commission, provided such work is necessary for the immediate preservation of the public health, safety or welfare and where such necessity makes it necessary to construct, repair or excavate during the prohibited hours.
 - 4d. The provisions of this subsection do not apply in any area of the city which is classified by the city's zoning ordinance as a manufacturing zone and which is not less than five hundred feet from any residential zone.
- C. The provisions of this section are intended to supplement all other provisions of this chapter. Nothing in Section 8.28.010, 8.28.020 or 8.28.030 shall be deemed to preempt or preclude application of any of the provisions of this section. (Ord. 1369, 1998)

Chapter 19.444 of the Municipal Code states the following:

In addition to the requirements of Title 8,¹⁷ the following noise standards shall be met where applicable:

A. Residential Acoustical Design

1. For all dwelling and group quarters, the development shall be designed to achieve:
 - a. Within each main building, a community noise equivalent level (CNEL) not exceeding 45 decibels;
 - b. In outdoor areas, a community noise equivalent level (CNEL) not exceeding 65 decibels, except that where it is not reasonably possible to achieve this objective, the development shall be designed to provide the lowest noise level reasonably possible within private open areas and/or common usable open areas of at least one hundred square feet per unit, with access to such area available to the residents of each unit.
2. Acoustical design and analysis shall be based upon the projected noise contours as shown in the noise element of the General Plan. For all new residential developments, an acoustical analysis shall be submitted to the City as follows:

¹⁷ Title 8 (Health, Safety and Welfare) of the City of Buena Park Municipal Code.



- a. For any residential development within a 60-dBA CNEL contour, an analysis by a professional architect, engineer, or building designer shall demonstrate that the required noise levels will be achieved.
 - b. For any residential development within a 65-dBA CNEL contour, or within either the moderate noise impact area or the significant noise impact area of the Fullerton Municipal Airport as shown in the noise element of the Buena Park General Plan, an analysis by a professional mechanical or acoustical engineer shall demonstrate that the required noise levels will be achieved. Prior to issuing a certificate of occupancy, the Building Official may require tests by a qualified acoustical technician to confirm that the noise reduction achieved is sufficient to meet the requirements of this section.
- B. Air Conditioning Equipment. Exterior air conditioning equipment, other than self-contained window-mounted units in single-family dwellings, shall have a sound rating number (SRN) no greater than 8.2 decibels, in accordance with ARI (Air Conditioning and Refrigeration Institute) Standard 270, or the equivalent.

City of Anaheim

General Plan Noise Element

The Noise Element of the City of Anaheim General Plan (City of Anaheim, 2004) identifies sources of noise in the City and provides objectives and policies that ensure that noise from various sources would not create an unacceptable noise environment. The City has adopted the land use noise standards shown in **Table 4.13-4**.

**Table 4.13-4
CITY OF ANAHEIM INTERIOR AND EXTERIOR NOISE STANDARDS**

Land Use		dBA CNEL	
Category	Uses	Interior	Exterior
Residential	Single and multiple-family, duplex	45	65
	Mobile homes	N/A	65
Commercial	Hotel, motel, transient housing	45	N/A
	Commercial retail, bank, restaurant	55	N/A
	Office building, research and development, professional offices	50	N/A
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
	Gymnasium (Multipurpose)	50	N/A
	Sports Club	55	N/A
	Manufacturing, warehousing, wholesale, utilities	65	N/A
	Movie Theaters	45	N/A
Institutional/Public	Hospital, school classrooms/playgrounds	45	65
	Church, library	45	N/A
	Parks	N/A	65

Source: City of Anaheim, 2004, p. N-9.



The principal focus of the Noise Element is upon reducing the impacts of existing noise upon the residents or users of new developments. However, certain policies address impacts of construction noise on the surrounding community. These are (City of Anaheim, 2004, pp. N-23 and N-24):

- Enforce standards to regulate noise from construction activities. Particular emphasis shall be placed on the restriction of the hours in which work other than emergency work may occur. Discourage construction on weekends or holidays except in the case of construction proximate to schools where these operations could disturb the classroom environment.
- Require that construction equipment operate with mufflers and intake silencers no less effective than originally equipped.
- Encourage the use of portable noise barriers for heavy equipment operations performed within 100 feet of existing residences or make applicant provide evidence as to why the use of such barriers is infeasible.

City of Anaheim Municipal Code

A review of the City of Anaheim Municipal Code¹⁸ found a repetition of a portion of **Table 4.13-4** above, but no discussion of the impacts of housing development projects on the surrounding community. In addition, no limits on noise from construction activities were set.

4.13.5 Significance Thresholds

This analysis incorporated is based upon the noise thresholds prescribed in Appendix G of the CEQA Guidelines, as amended (AEP, 2018), and shown as checklist questions **a)** through **c)** at the beginning of this section. There are normally two criteria for judging noise impacts. First, noise levels generated by the proposed project must comply with all relevant federal, state and local standards and regulations. The second measure of impact used in this analysis is the significant increase in noise levels above existing ambient noise levels as a result of the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people.

Based on the applicable noise regulations stated above, the proposed project would have a significant noise impact if it would:

- Conflict with applicable noise restrictions or standards imposed by regulatory agencies. Note that neither the City of Buena Park Municipal Code nor the City of Anaheim includes specific noise level limits for construction activities.
- Cause the **permanent** ambient noise level at the property line of an affected land use to increase by 5 dBA CNEL or more.
- Contribute to a significant cumulative noise impact.

4.13.6 Impact Analysis

- a) **Would the project result in generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards**

¹⁸ https://codelibrary.amlegal.com/codes/anaheim/latest/anaheim_ca/0-0-0-51668, accessed December 27, 2022.



established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact with Mitigation Incorporated

Noise impacts associated with housing projects include short-term and long-term impacts. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site. Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources from the apartment homes would include operation of mechanical equipment such as air conditioners, landscape equipment and building maintenance. Offsite noise would be attributable to project-induced traffic, which would cause an incremental increase in noise levels within and near the project.

Short-Term Construction Noise

The construction of the proposed project may generate temporary increases in ambient noise levels that exceed the thresholds of significance for this analysis. Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and offroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities.

For the purpose of this analysis, it was estimated that the proposed project would be built in six phases, which are listed in **Table 4.13-5**. Construction is anticipated to run from early January 2023 to early June 2025.

The types and numbers of pieces of equipment to be deployed during each construction phase were determined as part of the air quality and greenhouse gas emissions analyses for this project. For each equipment type, the table shows an average noise emission level (in dB at 50 feet, unless otherwise specified) and a “usage factor,” which is an estimated fraction of operating time that the equipment would be producing noise at the stated level. Equipment characteristics for the six phases are shown in **Table 4.13-5**.

Table 4.13-5
CONSTRUCTION EQUIPMENT NOISE CHARACTERISTICS

Construction Phase	Equipment Type	Horse-power	No. of Pieces	Usage Factor	dBA @ 50 Feet	Composite dBA
1 - Demolition	Other Construction Equipment ^a	172	1	0.42	90	89.05
	Rubber Tired Dozers	247	1	0.4	79	
	Tractor/Loader/Backhoe	97	3	0.37	85	
2 - Grading	Graders	187	1	0.41	85	85.97
	Rubber Tired Dozers	247	1	0.4	79	
	Tractor/Loader/Backhoe	97	2	0.37	85	
3 - Site Work Phase	Excavators	158	1	0.38	80	83.81
	Paving Equipment	132	1	0.36	85	
	Skid Steer Loaders	65	2	0.37	80	
	Tractor/Loader/Backhoe	97	1	0.37	85	



Construction Phase	Equipment Type	Horse-power	No. of Pieces	Usage Factor	dBA @ 50 Feet	Composite dBA
4- Building Construction	Cranes	231	1	0.29	83	83.43
	Forklifts	89	1	0.30	67	
	Generator Sets	84	1	0.5	73	
	Welders	46	3	0.45	74	
	Tractor/Loader/Backhoe	97	1	0.37	85	
5 - Paving	Cement and Mortar Mixer	9	1	0.56	85	85.26
	Pavers	130	1	0.42	77	
	Paving Equipment	132	1	0.36	75	
	Rollers	80	1	0.38	85	
	Tractor/Loader/Backhoe	97	1	0.37	85	
6 - Architectural Coating	Air Compressors	78	1	0.48	81	77.81

Sources:

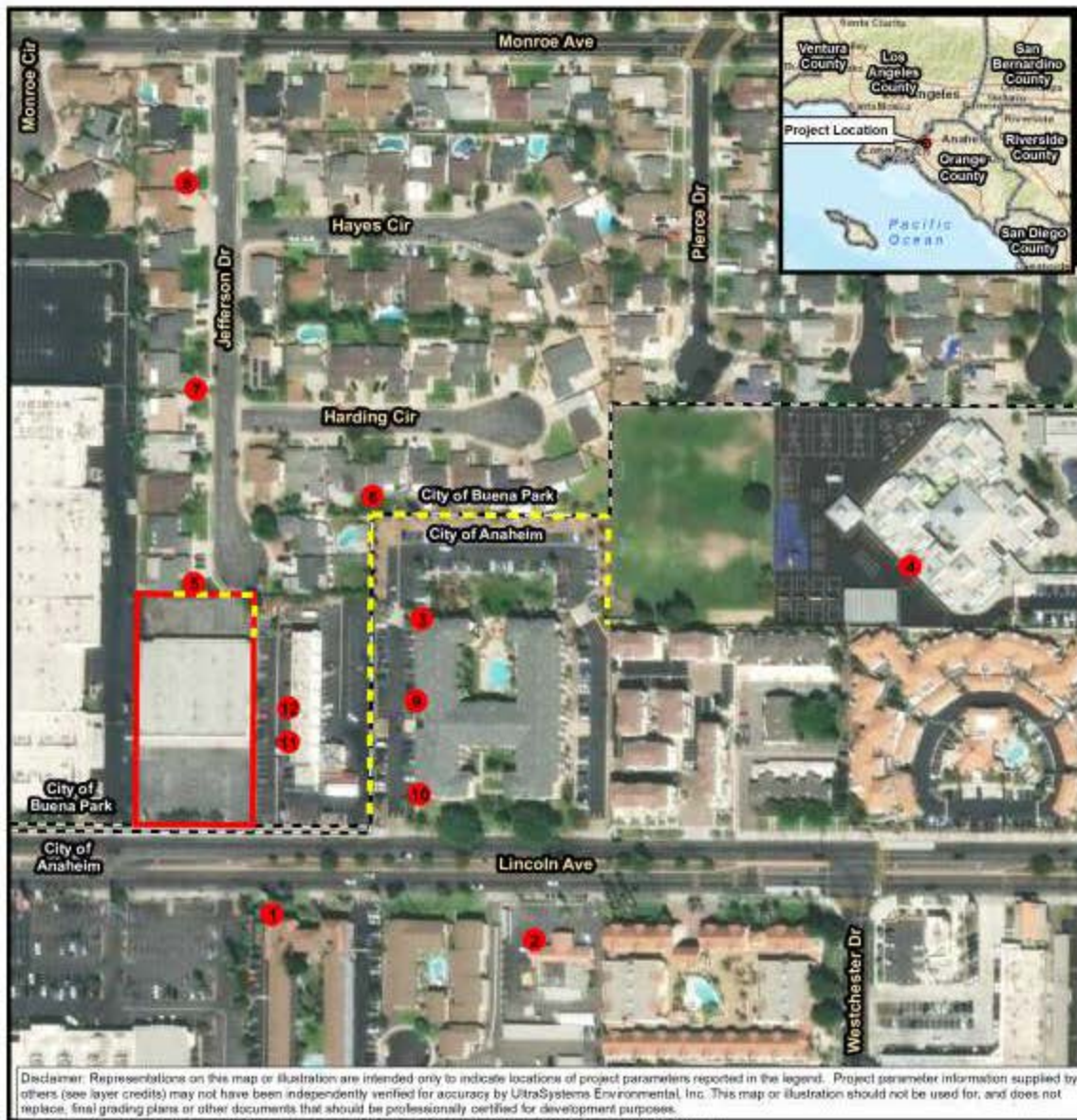
Knauer et al., 2006 unless otherwise noted. Crane, cement and mortar mixer, and roller noise emissions data from County of Ventura, 2010. Usage factors for cranes, cement and mortar mixers, pavers, and rollers from County of Ventura, 2010. Forklift data and trencher usage factor from Port of Long Beach, 2009. Skid steer loader noise data from Nugent, 2015.

^aAssumed to be asphalt grinder; data from Devcon Construction, 2018.

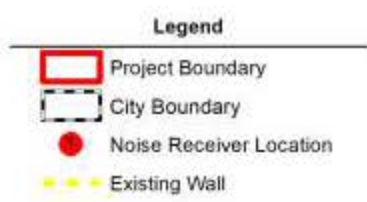
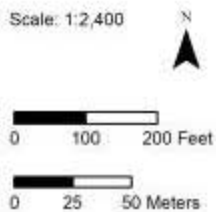
Using calculation methods published by the Federal Transportation Administration (FTA, 2018), UltraSystems estimated the average hourly exposures at 12 sensitive receiver locations, as seen in **Figure 4.13-3**: two churches, two schools, a senior living apartment complex, other multifamily dwellings and single-family houses. The distances used for the calculation were measured from the receivers to the approximate center of activity of each construction phase, since that would be the average location of construction equipment. Note that, because the future buildings are widely separated, the same sensitive receiver would be exposed to different noise levels during construction of different buildings. This was taken into account in calculating noise exposures during building construction and architectural coatings application.



Figure 4.13-3
SENSITIVE RECEIVERS FOR CONSTRUCTION NOISE ANALYSIS



Path: I:\gsa\1315\Projects\7181_BuenaPark_DC_Development_ISMND\ND\7181_BuenaPark_OC_4_13_Noise_Exposure_2022_12_27.mxd
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Orange County, 2018. UltraSystems Environmental, Inc., 2022. December 27, 2022



Buena Park
Workforce Housing Project
 Noise Exposure Locations





A 4.5-foot-high concrete wall runs along the north portion of the site's boundary along Jefferson Drive that is a barrier between the project site and single-family homes to the north. The Fresnel number method (Foss, 1978) was used to estimate the wall's noise attenuation. The Fresnel number (N_o) is a dimensionless parameter calculated from the following formula:

$$N_o = \pm 2f\delta_o/c$$

where

f = Frequency of the sound radiated by the source (hertz).

δ_o = Path length difference determined from site geometry (feet).

c = Speed of sound (feet/second).

N_o is positive when the line of sight between the source and receiver is lower than the top of the barrier. It was assumed that $f = 1,000$ hertz (representative of heavy construction equipment)¹⁹ and that $c = 1115.49$ feet per second. Using a graph²⁰ of attenuation as a function of N_o , it was determined that the 4.5-foot-high existing walls would not provide attenuation from construction noise during any phase of construction.

Most of the sensitive receivers analyzed would be shielded from the project noise sources by existing buildings in the surrounding area. The effects of the shielding were taken into account according to Caltrans guidance (Caltrans, 2009, p. 2-35). Shielding by partially constructed new buildings was not taken into account.

Table 4.13-6 summarizes the maximum estimated construction-related short-term noise exposures at each sensitive receiver for each construction phase. Demolition and building construction were the sources producing the maximum exposures. Short-term noise exposures due to construction activities would be about 49 to 81 dBA L_{eq} . Exposures above 70 dBA L_{eq} are due mainly to a combination of proximity to the sources and lack of intervening structures to attenuate the noise.

¹⁹ Noise frequency spectra for typical bulldozers and front-end loaders are presented in Vardhan et al., 2005.

²⁰ Propagation of Outdoor Sound - Partial Barriers. Available at https://www.engineeringtoolbox.com/outdoor-sound-partial-barriers-d_65.html. Verified June 13, 2019.



**Table 4.13-6
ESTIMATED MAXIMUM ONE-HOUR CONSTRUCTION NOISE EXPOSURES**

Receiver ^a	Phase	Distance (feet)	Ambient (dBA Leq)	Construction (dBA Leq)	New Total (dBA Leq) ^c	Increase (dBA Leq)
1-Apartment complex (A)	Demolition	336	68.2	72.5	73.9	5.7
2-Church/school (A)	Building Construction #1	507	67.1	63.3 ^b	68.6	1.5
3-Senior apartments (A)	Building Construction #4	293	67.8	68.1 ^b	71.0	3.2
4-Elementary school (A)	Building Construction #2	216	50.1	62.7 ^b	62.9	12.8
5-Single-family house (BP)	Building Construction #4	70	67.8	80.5	80.7	12.9
6-Single-family house (BP)	Demolition	393	49.4	66.1 ^b	66.2	16.8
7-Single-family house (BP)	Building Construction #4	345	43.2	66.7 ^b	66.7	23.5
8- Single-family house (BP)	Demolition	758	45.8	55.9 ^b	56.3	10.5
9-Senior apartments (A)	Demolition	322	67.8	67.9 ^b	70.9	3.1
10-Senior apartments (A)	Demolition	358	67.8	67.0 ^b	70.4	2.6
11-Church (BP)	Demolition	148	67.8	79.6	79.9	12.1
12-Church (BP)	Demolition	135	67.8	80.4	80.6	12.8

^a (BP) = Buena Park, (A) = Anaheim.

^aShielding by intervening buildings taken into account.

^bEquals ambient plus contribution from construction.

As noted above, neither the City of Buena Park nor the City of Anaheim has noise exposure limits for construction, although construction activity is limited to 7:00 a.m. to 8:00 p.m. in Buena Park and to 7:00 a.m. to 7:00 p.m. in Anaheim Monday through Saturday and prohibited on Sunday in both cities.^{21,22} Given the relatively low ambient noise levels in some of the affected locations, short-term exposures are likely to be noticed. To ensure that construction noise does not approach significance, the following mitigation measures, which are based upon the EIR for the City of Buena Park General Plan (RBF Consulting, 2010b, pp. 5.6-26 and 5.6-27), will be implemented.

²¹ Buena Park Municipal Code § 8.28.040(B)(4)(a).

²² Anaheim Municipal Code § 6.70.010.



Mitigation Measures

MM N-1 Project applicants shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- Ensure that construction equipment is properly muffled according to industry standards and be in good working condition.
- Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.
- Schedule high noise-producing activities between the hours of 8:00 a.m. and 7:00 p.m. Monday through Saturday to minimize disruption on sensitive uses.
- Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

MM N-2 Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

Level of Significance After Mitigation

With implementation of **MM N-1** and **MM N-2** above, the proposed project would result in less than significant impacts to sensitive receivers during construction.



Operational Noise

Mobile Sources

According to the traffic impact memorandum prepared for this project, the project would generate a maximum of 265 new trips per day in the operational phase (CWE, 2022. P.7; see **Appendix J**).²³ The current average daily traffic on Lincoln Avenue between Knott Avenue and Western Avenue was 26,100 vehicles per day in 2008 (City of Anaheim, 2008). Assuming a growth rate of two percent per year, the current year traffic in the same segment of Lincoln Avenue would be 34,438 vehicles per day. The increase due to the project would be about 0.8 percent. Given the logarithmic nature of the decibel, traffic volume needs to be doubled—that is, a 100 percent increase—in order for the noise level to increase by 3 dBA (ICF Jones & Stokes, 2009), the minimum level perceived by the average human ear. Because the maximum increase in traffic in any road segment would be far below 100 percent, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

Onsite

Onsite noise sources from the proposed housing project would include operation of mechanical equipment such as air conditioners, leaf blowers, and building maintenance equipment; and motor vehicles accessing, driving on, and exiting the parking lot and garbage trucks accessing the parking lot. Noise levels associated with operation of the project are expected to be comparable to those of nearby residential areas and activities. Noise from onsite sources would be less than significant.

- b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?**

Less Than Significant Impact

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) causing the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in dB is typically more suitable for evaluating human response.

The background vibration velocity level in residential areas is usually around 50 vibration decibels (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration

²³ The average daily traffic estimated by CalEEMod was 284 trips. Given that either value is a very small fraction of total traffic, it makes no difference which one is used in this analysis.



from traffic is rarely perceptible. The range of interest is from approximately 50 VdB to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

Construction Vibration

Construction activities for the project have the potential to generate groundborne vibration. The operation of construction equipment generates vibrations that propagate through the ground and diminish in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

The FTA (2018) has published standard vibration levels for construction equipment operations, at a distance of 25 feet. The construction-related vibration levels for the nearest sensitive receivers for major construction phases are shown in **Table 4.13-7**. These calculations were based on the distances from the onsite construction activity and onroad loaded trucks to the centers of the closest sensitive receivers.

Table 4.13-7
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	Distance to Nearest Sensitive Receiver (feet)	PPV (in/sec) ^a	Vibration Decibels (VdB) ^a
Loaded trucks	0.076	86	68	0.02528	73
Jackhammer	0.035	79	161	0.00451	55
Large bulldozer	0.089	87	107	0.00061	39
Small bulldozer	0.003	58	107	0.01798	68

Source: FTA, 2018 and UltraSystems, 2022.

^aDistance for loaded trucks is 70 feet.

As shown in **Table 4.13-7**, the PPV of construction equipment at the nearest sensitive receiver (32 feet) is at most 0.02528 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings. The maximum VdB are 73 VdB, which is below the FTA threshold for human annoyance of 80 VdB. Unmitigated vibration impacts would therefore be less than significant.

Operational Vibration

The project involves the operation of residential-related equipment and would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the project would not result in a substantive increase of these



heavy-duty vehicles on the public roadways. Therefore, vibration impacts associated with operation of the project would be less than significant.

- 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?**

Less Than Significant Impact

The nearest active public airport is the Joint Forces Training Base (JFTB) Los Alamitos, located approximately 2.5 miles southwest of the project site. Fullerton Municipal Airport, the only municipal airport in Orange County, is located approximately 2.9 miles northeast of the project. Further, the project is located outside of the 60 dBA CNEL noise contour for JFTB. Thus, project development would not expose residents onsite to excessive airport-related noise levels, and impacts would be less than significant.



4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant Impact 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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

- a) **Would the project induce substantial unplanned population growth in an area either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?**

Less than Significant Impact

The project proposes the construction/development of 55 residential units in four buildings on an approximately 1.35-acre site, a density of 40.9 units per acre.

As detailed in the City of Buena Park General Plan: "*The City provides for the development of affordable housing for lower-income households through its affordable housing density bonus program in accordance with State law. The specific provisions of the affordable housing density bonus program are outlined in the City's Municipal Code. When utilizing the affordable housing density bonus program, the allowable density is increased by up to 100 percent for senior housing and 35 percent for non-senior housing, consistent with State density bonus law, as amended*" (City of Buena Park, 2010, p. 2-11).

The project would include 14 one-bedroom, 23 two-bedroom, and 18 three-bedroom units, totaling 114 bedrooms. At maximum unit occupancy based on two persons per bedroom plus one, there would be 283 persons housed in the project (ref. **Table 4.14-1**).

As of January 1, 2022, the City had an estimated population of 83,430 residents (DOF, 2022). The projected 2045 population for the City is 96,200 people (SCAG, 2022), a net increase of approximately 12,770 or approximately 15 percent. The proposed project would account for a maximum of 2.2 percent (at full capacity) of the forecast net increase in population between 2022 and 2040.



Table 4.14-1
PROJECT POPULATION INCREASE POTENTIAL

New Dwelling Units	Dwelling Units	Bedrooms	Potential Residents
one-bedroom	14	14	42
two-bedroom	23	46	115
three-bedroom	18	54	126
Totals	55	124	283

Implementation of the project is consistent with the overall intent of the City’s goals to provide adequate housing opportunities to meet its fair share of projected housing needs and accommodate the projected growth increases. Additionally, the estimated increase in population caused by the project has been anticipated by the City and the region. Therefore, a less than significant impact would occur.

The increased population and housing resulting from the project would not necessarily cause direct adverse physical environmental effects; however, indirect physical environmental effects such as population-driven traffic or air quality impacts could occur. These indirect physical environmental effects associated with population increases are analyzed in **Section 4.2, Air Quality**, and **Section 4.16, Transportation**, of this IS/MND. The project would constitute infill development. Therefore, no indirect impacts associated with the extension of roads and other infrastructure would occur.

- b) **Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact

The project site is currently developed with a vacant retail commercial building and two surface parking lots. No housing or residents are onsite.. Therefore, the project would not displace any housing or people and the project would not require the construction of replacement housing. No impact would occur.



4.15 Public Services

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project 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) Fire protection?			X	
b) Police protection?				X
c) Schools?				X
d) Parks?			X	
e) Other public facilities?			X	

a) Fire protection?

Less than Significant Impact

Fire Services for the City of Buena Park are provided by Orange County Fire Authority (OCFA) through an agreement with the city, including primary response for fire suppression and emergency medical services (City of Buena Park, 2019b). Buena Park is in OCFA Operations Division 7, which also includes the cities of Cypress, La Palma and Stanton (OCFA, Operations Division 7, 2022b). The nearest station to the project site is OCFA Fire Station 63, located about 0.6 mile southwest of the project site at 9120 Holder Street. Other OCFA fire stations in Buena Park include Station 62 at 7780 Artesia Boulevard, approximately 2.9 miles north of the site, and Station 61 at 7440 La Palma Avenue, approximately 1.0-mile northeast of the site (Google Earth Pro, 2022).

An information request letter was sent to Orange County Fire Authority Station 63 asking about the potential impacts of the project to fire service (refer to **Appendix K**). OCFA Division 7 Chief Steve Dohman stated that the project site would be served by OCFA Fire Station #63. As of July 2022, Station 63 has an average response time of 5 minutes and 36 seconds (Dohman, 2022). Chief Dohman stated that the proposed project would not require construction of new fire department facilities; furthermore, Chief Dohman stated the project has potential to have incremental increases in annual call volume that will need to be evaluated for true impacts once project is complete (Dohman, 2022). Therefore, based on the response from the OCFA Division 7, the proposed project would not require the construction of new fire department facilities and the project should have a less than significant impact on OCFA’s level of service and/or response times.

b) Police protection?

No Impact

The Buena Park Police Department (BPPD) provides police protection to the City of Buena Park; its headquarters is located next to Buena Park City Hall at 6650 Beach Boulevard, about 2.2 miles



northeast of the project site. The BPPD is organized into three divisions: Administration; Operations; and Support Services (City of Buena Park, 2019b). Furthermore, the BPPD has an average response time of 3 minutes and 37 seconds for priority one calls (Williams, 2022).

The proposed project would not adversely affect demand for law enforcement services as described below. An information request letter was sent to the Buena Park Police Department asking about the potential impacts of the project to law enforcement services (refer to **Appendix K** of this document). As detailed in the response from BPPD Patrol Operations Lieutenant Judith Williams, the proposed project is under the jurisdiction of the Buena Park Police Department, which would respond to calls for service from the project site (Williams, 2022). Lieutenant Williams stated that the proposed project would not require construction of new law enforcement facilities to meet existing law enforcement demands or project demands. Additionally, the Police Department does not anticipate any potential environmental impacts from the proposed project related to providing police services to the project site and the proposed project would likely not have potentially significant impacts on the Police Department's level of service and/or response times (Williams, 2022). Therefore, the project would have no impact in this regard and no mitigation is required.

c) Schools?

No Impact

The project is located within the boundaries of the Anaheim Union High School District (AUHSD) and Centralia Elementary School District (CESD), which together serve 31,000 students at eight elementary schools, eight junior high schools and nine high schools in the City of Anaheim (CESD, 2022b; AUHSD, 2022b). CESD serves students from grade K-6 and AUHSD serves students from grade 7-12.

As detailed in the response from AUHSD Executive Director of Facilities, Maintenance and Operations Patricia Neely, the proposed project is in the AUHSD, which would serve potential students grades 7-12 from the project site (Neely, 2022). Ms. Neely stated that the proposed project would not require construction of new education facilities to meet existing school district demands or project demands. Western High School (WHS) has a 2021-2022 current enrollment of 1,750 students and Orangeview Junior High School (OJHS) has a current enrollment of 871 students (AUHSD, 2022). WHS and OJHS are currently undergoing major modernization projects in 2022 and have not exceeded their student capacities of 1,750 (WHS) and 1002 (OJHS) (Neeley, 2022). Therefore, the project would have no impact on public secondary schools in the AUHSD school district.

As detailed in the response from CESD Assistant Superintendent Scott Martin, the proposed project is in the CESD, which would serve potential students grades K-6 from the project site (Martin, 2022). The closest public school to the project site Centralia Elementary School, located 0.1 miles southeast of the project site. Centralia Elementary School is within its student capacity and Assistant Superintendent Martin stated the proposed project would not require construction of new facilities to meet existing district demands. Therefore, the project would have no impact on schools in the CESD.



d) Parks?

Less than Significant Impact

The Community Services Department of the City of Buena Park operates one mini park and 10 city parks, located throughout the city (City of Buena Park, 2019d). San Antonio Park, located at 8810 San Francisco Drive, is the closest park to the project site and is located approximately 0.4 mile to the northeast. Facilities at San Francisco Park include two baseball fields and a playground. As of 2022 the City is deficient in park space acreage (City of Buena Park, 2010a). As detailed in the response letter from Dale Kurata, the proposed project would not have a substantial impact on city parks.

The addition of a maximum 283 persons from the proposed project could marginally increase the use of existing neighborhood and regional parks. However, any increased use of city park facilities would be partially offset by the proposed five open space areas (totaling 0.3 acres) on the project site, which would include green space, community spaces, and sitting space. Therefore, with the provision of onsite open space, project-related impacts on parks would be less than significant.

e) Other Public Facilities?

Less than Significant Impact

The Buena Park Public Library is operated by the Buena Park Library District, an independent special district organized in 1919. The library is located at 7150 La Palma Avenue, about 2.0 miles northeast of the project site (Buena Park Library District, 2019b). The City of Buena Park had a population of 84,530 (Department of Finance, 2020) and the increase of 283 residents is well under one percent of the city's existing population; therefore, the increase in residents associated with the project would have a negligible effect on the demand for library services. As detailed in the response letter from Library Director Helen Medina, the project would not require expansion of the current library and would not have substantial impacts on library services (Medina, 2022). Therefore, impacts from the proposed project on libraries would be less than significant.

The closest hospital to the project site is the West Anaheim Medical Center, located at 3033 West Orange Avenue, approximately 0.9 mile southeast of the project site. The West Anaheim Medical Center is a 219-bed acute-care and general medical/surgical hospital with a complete range of services. (West Anaheim Medical Center, 2022b). As detailed in **Section 4.14**, Population and Housing, the proposed project would increase the city's population by a maximum of 283 residents. It is unlikely that the entire project's population would need medical assistance at the same time, but in the case that La Palma Intercommunity Hospital reaches its patient capacity, other medical services are available in the city. The construction of the proposed project would adhere to fire codes to ensure that emergency vehicle, personnel and levels of service will be adequately met. Therefore, the project would have a less than significant impact.



4.16 Recreation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
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?				X

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less than Significant Impact

The project involves the construction of a total of 55 residential units that include five open space areas within the 1.35-acre project site. The project proposes a 1,912 square foot resident court yard containing dining space, social terrace, bench seating, two barbeques, age-separated tot lots from ages 2-5 and 5-12 years old, and bench seating. The project will also contain 2,288 square feet of an off-leash pet area with synthetic turf. The project proposes a total of 11,957 square feet of open space/landscaped area. The layout of the buildings on the site would create several unique landscaped areas that include both passive and active spaces, green lawn/turf areas, drought-tolerant and native ground covers and uniquely paved walkways for residents to access outdoor community spaces.

The City of Buena Park has approximately 96.1 acres of public park and recreation facilities (RBF Consulting, 2010a, p. 6-2). The city has a standard of three acres of open space per 1,000 residents (RBF Consulting, 2010a, p. 6-7). As detailed in the 2035 General Plan EIR, the city was deficient by approximately 154 acres of parkland based on a 2009 population of 83,385 resident; the City is currently deficient in park space and requires 50 more acres of parks to meet this standard, but due to buildout constraints and limited vacant land, the city will not meet this requirement in the near future (City of Buena Park, 2010b). The project is estimated to have a population of 283 persons.²⁴ Based on the City’s standard three acres of open space per 1,000 residents, the project’s estimated population would need to provide 10,090 square feet (0.25 acres) of open space, and 11,957 square feet is provided in project plans. As detailed in the letter from Dale Kurata, the city would not need

²⁴ Refer to Section 4.14, Population and Housing, of this document for details on how the project’s population was estimated.



to develop new parks that would serve the project site and it would not have substantial impact on city parks (Kurata, 2022).

The nearest park, San Antonio Park, is approximately 0.4 mile from the project site. With the addition of 228 persons to the City, the project is expected to marginally increase the use of existing neighborhood and regional parks, but this increased use would be partially offset by the proposed open space on the project site as described above. The project's proposed 8,627-square-foot public open spaces and amenities would also offset demand on existing city recreational facilities. **Figure 3.3-5 in Section 3.0** of this IS/MND shows the landscape plan for the project. The provision of open space and amenities onsite would reduce impacts to existing local recreational facilities. Therefore, the project would have a less than significant impact on parks or other recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact

As described above, the project includes onsite recreational facilities for residents, and the project would not require the construction or expansion of recreational facilities outside the limits of the project site. Therefore, the project would have no impacts that would adversely affect the physical environment.



4.17 Transportation

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X		
d) Result in inadequate emergency access?		X		

The following analysis is based upon the Traffic Study prepared by CWE dated September 2022 for the proposed project (CWE, 2022), included as **Appendix J** to this document. CWE has prepared the focused traffic study for the purpose of developing the project trip generation, parking demand, circulation and VMT Analysis for the proposed project.

- a) **Would the project conflict with a program plan, ordinance or policy addressing circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Less than Significant Impact

Applicable Plans, Ordinances, and Policies

Statewide Transportation Improvement Program (STIP)

The Statewide Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The proposed project development is not a transportation project and would not conflict with the STIP.

Orange County Congestion Management Plan

The Congestion Management Plan (CMP) requires that a traffic impact analysis be conducted for any project generating 2,400 or more daily trips, or 1,600 or more daily trips for projects that directly access the CMP Highway System (CMPHS). The CMPHS includes specific roadways, which include State Highways and Super Streets, which are now known as Smart Streets, and CMP arterial monitoring locations/intersections) (OCTA, 2019a, p. 37). As discussed in **Section 4.17b)** below, the proposed project would generate approximately 265 daily trips, which is far fewer than the 2,400



daily trips and fewer than 1,600 daily trips that directly access the CMPHS. Therefore, the project would not conflict with the Orange County CMP.

The Orange County Master Plan of Arterial Highways (MPAH)

The Orange County Master Plan of Arterial Highways (MPAH) establishes a countywide surface roadway network intended to provide a guideline for the development of an inter-community arterial highway system to effectively serve existing and future land uses in the County. The MPAH provides a tool for coordination of the transportation and land use planning and implementation processes engaged in by the various cities, the County, and adjacent jurisdictions. Consistency with the MPAH ensures that each city and the County implement the same base transportation network using similar standards and assumptions (OCTA, 2019b). As detailed throughout this section, the project site would not expand into existing rights-of-way (ROWS), would produce less than 50 AM and PM peak trips, and would pass VMT screening thresholds, which not permanently alter or affect arterial highway systems. Therefore, there would not conflict with the OC MPAH

Measure M/OC Go

Measure M, approved by Orange County voters in November 1990, and re approved in 2006, authorizes a sales tax to fund a variety of transportation projects in the County. The measure, which is now called OC Go, would create transportation improvement projects in regard to freeways, streets and roads, transit, and environmental programs (OCTA, 2020). The proposed project is not a transportation project and would not impede any OC Go projects. Therefore, the project would not conflict with OC Go.

City of Buena Park General Plan— Mobility Element

The General Plan Mobility Element (RBF Consulting, 2010a, p. 3-51 through 3-58) contains goals and policies that are applicable to the proposed 7101 Lincoln Avenue project. Applicable goals and policies are summarized below:

Goal M-3 *A balance between development of the Land Use Plan and completion of the circulation network.*

Policy 3.2 Ensure the timely provision of adequate transportation infrastructure and standards consistent with the location, intensity and timing of new development as defined in the Land Use Element.

Project Compliance: The proposed project would not conflict with Policy 3.2 because as detailed in this section, the project would have minimal and less than significant traffic impacts. Therefore, the project would comply with this policy.

Goal M-5 *A circulation system that supports existing, approved, and planned land uses throughout the City, while maintaining a desired level of service.*

Policy 5.4 Require that new development mitigate its impact on City streets in order to maintain an adequate level of service.

Project Compliance: the proposed project would not conflict with Policy 5.4 because as detailed in this section, the project would produce less than 50 AM and PM peak trips, which would not



significantly impact the existing level of service in the area. Therefore, the project would comply with this policy.

Goal M-9 *Minimized conflict points among automobile traffic, pedestrians, and bicycle traffic.*

Policy 6.1 Contribute to the safety of bicyclists and pedestrians by adhering to national standards and uniform practices, including but not limited to, Caltrans and City-wide standards.

Project Compliance: The proposed project would not conflict with Policy 6.1 because the project would comply with all applicable Caltrans and City standards, which would contribute to the safety of bicyclists and pedestrians.

City of Buena Park Municipal Code

The city’s municipal code does not contain any transportation-related provisions that apply to the proposed project.

Parking

The project proposes the development of 82 parking spaces to accommodate residents, visitors, and staff. ITE Parking Generation Handbook parking generation rates for affordable housing (ITE Code 223) were used to estimate the future parking demand for the project. Based on an average rate of 0.54 spaces per dwelling unit, actual parking demand is estimated to be 22 parking spaces. The project provides 82 parking spaces, including 10 ADA spaces. Based on this estimate, the proposed project can sufficiently serve the city’s parking requirements (CWE, 2022, p. 9-10). As detailed above, the proposed project would provide adequate parking for the project site and would not conflict with any city parking regulations of the City of Buena Park.

In conclusion, the project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts regarding conflict with a program plan, ordinance or policy addressing circulation system, would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact

The project is within one-half mile of several existing major transit routes, so impacts can be presumed to be less than significant under CEQA Guidelines §15064.3(b)(1) (CWE, 2022, p. 12). Two Orange County Transportation Authority (OCTA) routes pass within approximately 650 feet of the project site: Route 42 on Lincoln Avenue and Route 25 on Knott Avenue. As noted in **Table 4.17-1** below, the project is expected to generate approximately 265 daily trips, including approximately 25 trips during the AM peak hour, and approximately 15 trips during the PM peak hour.



**Table 4.17-1
PROJECT TRIP GENERATION ESTIMATES**

Land Use	Quantity	Peak Hour						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Affordable Housing (ITE Code 265)	55 dwelling units	265	12	13	25	7	8	15

Source: CWE 2022, Table 1

¹ Trip Generation, 11th Edition (Institute of Transportation Engineers [ITE], 202), ITE Code 265 for Affordable Housing

The proposed project at buildout would contribute less than 50 peak-hour (two way) trips (refer to **Appendix J**). Therefore, the project would have a less than significant impact regarding conflict or inconsistency with CEQA Guidelines section 15064.3.

- c) **Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Less Than Significant Impact with Mitigation Incorporated

Construction

During the construction phase, the project could temporarily impact street traffic on Lincoln Avenue adjacent to the project site due to construction activities in the right-of-way (ROW). Project construction could reduce the number of lanes or temporarily close a portion of Lincoln Avenue. Mitigation measure **TRANS-1** is recommended to address potential hazards impacts during the construction phase.

Mitigation Measure

MM TRANS-1 Prior to the start of construction activity in the public right-of-way, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of Buena Park Traffic Engineer and/or the City of Anaheim²⁵ Traffic Engineer. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures including identified truck routes and designated employee parking areas shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:

- (c) a) Identification of permitted hours for construction related deliveries and removal of heavy equipment and material;

²⁵ Lincoln Avenue right-of-way at the project is within the jurisdiction of the City of Anaheim.



- (d) b) Identification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant or City of Buena Park or City of Anaheim regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with adjacent parking availability;
- (e) c) Identification of how emergency access to and around the project site will be maintained during project construction;
- (f) d) Identification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak hour traffic periods;
- (g) e) Maintain pedestrian and bicycle connections around the project site and safe crossing locations shall be considered for all pedestrian and bicyclist detours; and
- (h) f) Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with City of Buena Park lighting requirements.

Level of Significance After Mitigation

After implementation of mitigation measure **TRANS-1** above, the project would have less than significant construction-phase impacts regarding a substantial increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact with Mitigation Incorporated

Construction

Project construction could temporarily close sidewalks and street lane(s) along Lincoln Avenue., which could temporarily impact emergency access. Mitigation measure **TRANS-1** is recommended to reduce potential project impacts regarding emergency access during the construction phase of the proposed project.

Mitigation Measure

Refer to Mitigation Measure **TRANS-1** above.

Level of Significance after Mitigation

Mitigation measure **TRANS-1** would reduce potential impacts regarding emergency access to a less than significant level because this mitigation measure requires identification of how emergency access to and around the project site would be maintained during project construction.



Operation

The project would comply with applicable city regulations, such as the requirement to comply with the city's fire code to provide adequate emergency access, as well as the California Building Standards Code. Prior to the issuance of building permits, the City of Buena Park would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. The site design includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight distance requirements would be in accordance with all applicable design requirements. The city's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided. Therefore, the project would not result in inadequate emergency access and there would be less than significant impacts.



4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?				X
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?		X		

Information from the Phase I Cultural Resources Inventory Report, dated December 9, 2022 (see **Appendix D**), prepared by UltraSystems for the 7101 Lincoln Avenue Workforce Housing Project has been included in this section.

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is 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 § 5020.1(k)?**

No Impact

No resources as defined by Public Resources Code § 21074 have been identified. Additionally, the project site has not been recommended for historic designation for prehistoric and Tribal Cultural Resources (TCRs). No tribal cultural sites were documented in the Native American Heritage Commission’s (NAHC) Sacred Lands File (SLF) search (refer to Attachment C: “Native American Heritage Commission Records Search and Native American Contacts” in **Appendix D** to this **IS/MND**). No specific tribal resources have been identified.

No prehistoric or historic archaeological resources were observed during the field survey conducted on October 9, 2022 by Stephen O’Neil, M.A., RPA as part of the cultural resources investigation (see Section 4.3, **Appendix D**). The results of the pedestrian assessment indicate that it is unlikely that prehistoric resources will be adversely affected by construction of the project given the disturbed condition of the ground surface. The cultural resource records search at the SCCIC (the local California Historic Resources Information System facility) on October 4, 2022 indicated there are no prehistoric or historic sites on the project parcel (Section 4.1 in **Appendix D**).



❖ SECTION 4.18 – TRIBAL CULTURAL RESOURCES ❖

None of the contacted tribes have noted the presence of TCRs at or near the project site. There is no substantial evidence that TCRs are present on the project site. No potential TCR sites within the project area are listed on the SLF.

No tribal cultural resources onsite are 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 § 5020.1(k). Therefore, the project would have no impact in this regard.

- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?**

Less than Significant Impact with Mitigation Incorporated

Assembly Bill (AB) 52 requires meaningful consultation with California Native American Tribes on potential impacts on tribal cultural resources (TCRs), as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (CNRA, 2007).

As part of the AB 52 process, Native American tribes must submit a written request to the lead agency to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving this notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect on a tribal cultural resource, or (2) one of the parties, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached.

Senate Bill (SB) 18 consultation is initiated with California Native American tribes under Government Code § 65352.3(a) when there will be either General Plan and/or Specific Plan amendments for a project. The consultation process is similar to that for AB 52 and may be conducted concurrently. The tribe must respond to the lead agency within 90 days of receiving notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request.

The City of Buena Park's Department of Community Development (the Lead Agency) has initiated and subsequently concluded AB 52 and SB 18 outreach to local tribes for the project (personal communication, S. Meshram, October 10, 2022). The Lead Agency prepared and sent letters on October 6, 2022 from Swati Meshram, Community Development Planning Manager, to the several tribes on the NAHC contact list, informing them of the project (see below).

- Gabrielino Band of Mission Indians – Kizh Nation
- Gabrielino / Tongva San Gabriel Band of Mission Indians
- Gabrielino / Tongva Nation
- Pala Band of Mission Indians
- Soboba Band of Luiseño Indians
- Juaneño Band of Mission Indians – Acjachemen Nation – Belardes
- Juaneño Band of Mission Indians Acjachemen Nation 84A (Lucero)



- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino – Tongva Tribe
- Santa Rosa Band of Mission Indians

The letters were sent via certified mail and via email. The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project, and 90 days for SB 18 consultation. Within the 30-day noticing period for AB 52 consultation, there were responses from the Juaneño Band of Mission Indians – Belardes (from Joyce Perry), the Gabrielino Band of Mission Indians – Kizh Nation, and the Gabrielino – Tongva Indians of California, requesting consultation; tribes also responded to SB 18 consultation outreach at this time. There have been no other requests for consultation. (S. Meshram, personal communication, November 7, 2022.)

Tribal Consultation and Related Aspects

Juaneño Band of Mission Indians

On October 19, 2022, Ms. Perry replied to the City by email for the Juaneño Band of Mission Indians requesting consultation for the project and requesting information on the planned construction and for results of the CHRIS records search and proposed mitigation measures. Ms. Meshram responded to Ms. Perry on October 31, 2022 with copies of city building documents, that the cultural resources report with the results of the CHRIS records search will be made available, and that mitigation measures have yet to be prepared. A consultation meeting date had yet to be established (Swati Meshram, personal communication November 1, 2022).

On December 5, 2022, Ms. Perry acknowledged receipt of the soil technical report, noting that they would postpone comments about the project until after they receive the cultural resources technical report. This report was provided by Mr. O’Neil, following final review by the City, on December 9, 2022 to Ms. Meshram for distribution to the tribes. On December 13, 2022, Ms. Meshram provided Ms. Perry with a copy of the report for review. Ms. Perry responded on January 18, 2023 that she had reviewed the cultural resources report and had no comments; she did request that the report’s Section 2.2.2 Ethnohistoric Context include information on the Acjachemen/Juaneño people as they regard the project’s region a shared territory with the Tongva. It was agreed to make this revision, and consultation was concluded with the Juaneño Band.

Gabrielino Tongva Indians of California Tribal Council

On October 10, 2022, Cristina Conley, on behalf of the Gabrielino Tongva Indians of California Tribal Council (GTICTC), responded to an AB 52 consultation request from Suzanne Harder with the County of Orange requesting consultation; this request was forwarded to Ms. Meshram, who replied to Ms. Conley on November 9, 2022, to let the tribe know that the City of Buena Park is the project’s lead agency, and requesting to schedule a meeting (S. Meshram, personal communication October 12 and November 9, 2022).

The cultural resources technical report was provided by Ms. Meshram to Ms. Conley in December 2022 for review. Ms. Meshram re-sent the report on March 19, 2023 and requested a response. On March 20, 2023 Ms. Conley responded, stating that due to the known pre-historic cultural resources in the area and that the current building was constructed prior to current environmental standards, the GTICTC tribe recommended tribal monitoring of all construction ground disturbances; the tribe wants to participate in this monitoring, and if there is more than one interested tribe a rotation plan of monitoring could be implemented (S. Meshram, personal communication March 21, 2023).



❖ SECTION 4.18 – TRIBAL CULTURAL RESOURCES ❖

A further call between Ms. Meshram and Ms. Conley on April 5, 2023 discussed monitoring on a rotation basis with the Gabrielino – Kizh Nation rather than both tribes placing monitors at the construction site at the same time, with the Gabrielino - Kizh Nation taking the lead role; the GTICTC stated they still preferred a rotation system for monitoring by more than one tribe with no tribe taking a “lead” role (S. Meshram, personal communication April 25, 2023 and May 24, 2023).

On May 25, 2023, Ms. Meshram informed the GTICTC via email stating “Since there will be two monitors present, the City will prepare measures for this scenario to be included within the Mitigation Monitoring and Reporting Program. With this the City concludes the AB 52 and SB 18 consultation with the Gabrielino Tongva Indians of California pursuant to Section 21080.3.2(b)(2) of the Public Resources Code” (S. Meshram, personal communication; May 25, 2023). Ms. Conley responded on behalf of the GTICTC via email on May 25, 2023 acknowledging Ms. Meshram’s email and asking who the two monitoring tribes would be. Ms. Meshram notified her on May 30, 2023, that the two tribes will be the Gabrielino – Kizh Nation and the GTICTC.

Gabrielino – Kizh Nation

On October 11, 2022, Savanna Salas of the Gabrielino – Kizh Nation replied to the City by email requesting to conduct consultation on the project. A telephone meeting was proposed for November 7, 2022; this was rescheduled for December 13, 2022. Subsequent email communications between the Kizh Nation and Mr. Harald Luna, Senior Planner with the City’s Community Development department, discussed the mitigation measures to be provided by the tribe. An email to Mr. Luna on January 4, 2023 contained a description of the tribe’s concern for the findings of potential TCRs, a series of documents describing the tribe’s presence in the Buena Park region, associated cultural and natural resources, and a set of recommended mitigation measures (S. Meshram, personal communication January 4, 2023), to be incorporated into this Section 4.18.

Ms. Meshram informed the Gabrielino – Kizh Nation on March 24, 2023 via email that the City acknowledged the Gabrielino Tongva tribe’s request to conduct tribal monitoring and that this would be conducted on a rotation basis with both tribes who requested to monitor; also, that the TCR mitigation measures have been revised to reflect this dual monitoring (S. Meshram, personal communication March 24, 2023). During further discussion with the Gabrielino – Kizh Nation on March 30, 2023 they stated they did not agree to participating in a tribal monitoring rotation schedule with a second tribe (S. Meshram, personal communication April 25, 2023).

On May 16, 2023 Ms. Meshram sent an email to Chairperson Salas acknowledging that the Kizh Nation did not wish to participate in tribal monitoring on a two-tribe rotation basis, informing them of the plan for two simultaneous tribal monitors; she asked for their recommendations for procedures and protocols if TCRs should be found under these circumstances and asked if the tribe had recommendations for two tribes monitoring simultaneously in general; the Kizh Nation’s response on May 17, 2023 (and sent again the following day) questioned the presence of two tribes’ monitors being present at the same time, but acknowledged the decision by the City to following this course of action. The Kizh Nation’s reply on May 18 again expressed their concerns for this process, stating that their prior recommendations would pertain only to their tribe and not another present tribe. Similar views were expressed by the Kizh Nation’s tribal Administration in an email on May 22, 2023.

On May 24, 2023, Ms. Meshram informed the Kizh Nation via email stating “Since there will be two monitors present, the City will prepare measures for this scenario to be included within the Mitigation Monitoring and Reporting Program”, and provided further measures that took into account the concerns expressed in their own suggested measures. “With this the City concludes the



AB 52 and SB 18 consultation with the with the Gabrielino Band of Mission Indians – Kizh Nation pursuant to Section 21080.3.2(b)(2) of the Public Resources Code” (S. Meshram, personal communication; May 25, 2023). Ms. Brandy Salas responded on behalf of the Gabrielino-Kizh Nation via email on May 25, 2023 acknowledging Ms. Meshram’s email and requesting another meeting to discuss the topic and “to keep consultation open until we have come to an agreement.”

The Gabrielino-Kizh Nation proposed certain mitigation measures, but the City and tribe could not agree on the specific mitigation measures language because of the City’s inclusion of dual tribal monitors. The City’s proposed mitigation measures provide safeguards for the preservation of and mitigation to potential cultural resources.

There has been no response from the remaining tribes.

The City determined that both the Gabrielino – Kizh Nation and the GTICTC tribal groups may be retained by the developer to concurrently conduct tribal monitoring of subsurface construction excavation. If archaeological resources are found during construction, then the process to conduct the evaluation, study, recording and ultimate disposition of the TCRs and historic artifacts would be determined through onsite consultation with the project proponent’s on-call qualified archaeologist (see **Section 4.5, MM CUL-2**) and tribal monitor(s) present.

The City concluded the AB 52 and SB 18 consultation with the determination that good-faith efforts by the City had been conducted to meet the conflicting proposed mitigations measures and requests on the part of both the Gabrielino – Kizh Nation and the GTICTC tribal groups over a period of eight months. Per PRC Section 21080.3.2(b)(2), AB 52 allows the City to unilaterally conclude consultation when either party, acting in good faith or after reasonable effort, concludes that mutual agreement cannot be reached concerning appropriate measures of preservation or mitigation. Notification of concluding the AB 52 and SB 18 consultation was sent by Ms. Meshram to the GTICTC via email on May 25, 2023, and to the Gabrielino – Kizh Nation on May 24, 2023, stating that both tribes may monitor subsurface excavation concurrently.

Other Aspects

No sites were documented in the Native American Heritage Commission’s SLF search. No resources as defined by Public Resources Code § 21074 have been identified (refer to Attachment C: “Native American Heritage Commission Records Search and Native American Contacts” in **Appendix D** to this **IS/MND**). Additionally, the project site has not been recommended for historic designation for prehistoric resources and/or TCRs. No specific tribal resources have been identified.

No prehistoric or historic archaeological resources were observed during the field survey. The previous cultural resources surveys within the half-mile buffer zone resulted in no archaeological sites or isolates being recorded. One historic structure, a church, is located approximately 2,200 feet to the north within the half-mile buffer of the project boundary. The cultural resource study findings at the South Central Coastal Information Center indicate that there is a low potential for finding tribal resources.

Mitigation measures for minimizing impacts on potential TCRs may be applicable to the project site because the land at the site remained relatively undisturbed due to use for orchard farming into the mid-20th century, and the immediate area has been urban with residential and commercial buildings since the 1960s. In addition, while the potential for subsurface prehistoric cultural deposits is



considered to be low, most construction work on the original retail store building currently on the project site was completed prior to implementation of CEQA guidelines.

Also, given the local Native American tribal concerns for potential traditional cultural resources, mitigation would be implemented to further reduce potential impacts to a less than significant level.

See Mitigation Measures **MM TCR-1** through **MM TCR-5** below concern protection of TCRs and potential human remains as they relate to both the Gabrielino Band of Mission Indians-Kizh Nation (Kizh Nation) and the Gabrielino Tongva Indians of California Tribal Council (GTICTC) (collectively referred to as “Tribes”).

Mitigation Measure

MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor from or approved by the Kizh Nation and the GTICTC. The monitor(s) shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations. “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreements shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitors will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other conditions, or discoveries of significance to the Tribes. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, features, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency.

D. The onsite tribal monitoring shall end when all ground-disturbing activities on the project site are completed, or when the Tribal Representatives and Tribal Monitors have indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting TCRs.

MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the onsite consultation with the project proponent’s on-call Qualified Archaeologist in consultation with the Kizh Nation and GTICTC approved tribal monitors. If the resource is determined to be Native American in origin, the Qualified Archaeologist, in consultation with the Kizh Nation and GTICTC tribal monitors, shall determine the significance of any discovered



resources. Following recovery and recording by the Qualified Archaeologist, the construction shall resume.

The recovered prehistoric resources (TCRs) shall be retained by the Qualified Archaeologist for a reasonable amount of time as needed for their analysis and description in the subsequent monitoring and treatment report. If following this use by the Qualified Archaeologist a determination has not yet been made concerning which of the tribes will retain possession, the TCR(s) will remain with the Qualified Archaeologist's facility until a decision can be reached.

In consultation with the Qualified Archaeologist, the Tribes shall work in good faith to determine which tribe will retain some or all of the recovered and recorded TCR(s) in the form and/or manner the retaining tribe deems appropriate, in the tribe's discretion in discussion with Qualified Archaeologist (see **Section 4.5 MM-CUL-2**), and for any purpose the tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM TCR-3: Unanticipated Discovery of Human Remains

If human remains are encountered during excavations associated with this project, all work shall stop within a 50-foot radius of the discovery and the Orange County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDs (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

MM TCR-4: Additional Treatment of Unanticipated Discovery of Human Remains and Associated Funerary Objects

A. Human remains and grave/burial goods may be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

B. Preservation in-place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

C. Discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM TCR-5: Qualifications and Standards

Archeological and Native American monitoring and excavation shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must be the Secretary of Interior standards for archeology and have a minimum of 10 years of experience as a principal investigator working with Native American archeological sites in southern California. The Qualified Archeologist shall ensure that all other personnel are appropriately trained and qualified.



Level of Significance After Mitigation

Mitigation measures **TCR-1** through **TCR-5** pertain to both the Gabrielino – Kizh Nation and the GTICTC, and **TCR-3** applies should human remains be discovered, if either band is chosen to be the MLD by the NAHC. These MMs require monitoring of ground-disturbing activities during project construction by a Native American monitor; halting construction activities if unanticipated discovery of a TCR or historic artifact(s) and their evaluation by the Native American and the proponent's qualified archaeologist, describe treatment of human remains if found, and the disposition of TCRs and historic artifacts if found. With implementation of **MMs TCR-1** through **TCR-5**, potential project impacts on TCRs would be less than significant.



4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant Impact 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?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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??			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

- a) **Would the project 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?**

Less than Significant Impact

As discussed in **Section 3.0** the proposed project would require offsite improvements including sewer, domestic water, fire water, irrigation and dry utilities connections to existing utility infrastructure in surrounding areas.

Sanitary Sewer –The proposed project would connect to the existing sewer line in the northern portion of the site. As detailed in the city’s General Plan EIR, the Buena Park Public Works Department



❖ SECTION 4.19 – UTILITIES AND SERVICE SYSTEMS ❖

provides sewer services within the city through a network of local sewer mains. The city’s local sewer system connects to regional trunk sewer systems for the Orange County Sanitation District (OCSD)—with a small portion going to County Sanitation Districts of Los Angeles County—for conveyance, treatment and disposal by these agencies. The entire Buena Park collection system is comprised of approximately 165 miles of sewer lines ranging in size from six to 21 inches in diameter. All sewage flows from Buena Park to the OCSD Treatment Plant No. 2 in the City of Huntington Beach. This facility has a total primary treatment capacity of 168 million gallons per day (mgd), with an average daily treatment of approximately 127 mgd. Therefore, the plant has an additional treatment capacity of approximately 41 mgd. Treatment Plant No. 2 also has 90 mgd of secondary treatment capacity²⁶ (RBF Consulting, 2010b, pp. 5.12-1 and 5.12-9).

The project proposes 55 residential units. As shown in **Table 4.19-1**, the proposed project would generate an estimated 8,960 gallons per day (gpd) of wastewater. The amount of wastewater estimated to be generated by the project would constitute a small fraction of the treatment plant’s remaining primary treatment capacity of 41 mgd. Therefore, there would be sufficient capacity available at Treatment Plant No. 2 to meet the needs of the project.

Table 4.19-1
ESTIMATED PROJECT WASTEWATER GENERATION

Unit Size	Wastewater Generation Rate (GPD)*	Number of Units	Wastewater Generated (GPD)
One Bedroom	120	14	1,680
Two Bedroom	160	23	3,680
Three Bedroom	200	18	3,600
PROJECT TOTAL		55	8,960

*City of Los Angeles, LA CEQA Threshold Guide 2006, Exhibit M 2-12, Sewage Generation Factors.

All sewer line sizes and connections are subject to review by the city. No new treatment facilities or expanded entitlements would be required. Therefore, the project would have a less than significant impact on existing wastewater treatment facilities.

Domestic Water –The City relies on two major water supply sources, including imported water from the Metropolitan Water District (MWD) and local groundwater from the Orange County Groundwater Basin, managed by the Orange County Water District (OCWD). As of 2020, the city relies on approximately 80 percent groundwater and 20 percent imported water (Arcadis, 2021, p. 6-1) for drinking water supply. The City’s projected water supply from 2025 through 2045 is provided in **Table 4.19-2**.

26 Secondary treatment is aeration and filtration to remove solids within the wastewater.



Table 4.19-2
CITY OF BUENA PARK PROJECTED WATER SUPPLY AND DEMAND ASSESSMENT

	2025	2030	2035	2040	2045
Supply Totals (afy)	14,303	13,541	13,665	13,769	13,848
Demand Totals (afy)	14,303	13,541	13,665	13,769	13,848
Difference	0	0	0	0	0

Source: City of Buena Park Urban Water Management Plan 2020 (Arcadis 2021, p. 4-7 & 6-2)
afy: acre-feet per year

The City’s 2020 Urban Water Management Plan (UWMP) states that the City of Buena Park will have adequate water supplies for all users, including multi-family residences, through the year 2045 (Arcadis, 2020, p. 4-7). The proposed project would connect to the City water system in the northern portion of the site. As analyzed in threshold 4.19 b), the project would result in a nominal increase in water demand compared to existing conditions.

Fire Water – The project will be protected by a full National Fire Protection Association (NFPA) 13 sprinkler system, which extends throughout the entirety of the property. In addition, an existing fire hydrant is located near the southwest corner of the project site.

Stormwater - The proposed development would maintain existing drainage patterns and discharge locations. The project’s Water Quality Management Plan indicates that project runoff will drain towards the southwest corner of the site, where a biofiltration device will be installed. The project will use Modular Wetlands model number MWS-L-8-12, a biofiltration system that accepts sheet flow through a curb opening. This system is designed to handle the anticipated project flow rate, and thus impacts regarding stormwater would be less than significant. Refer to **Section 4.10** of this document for a discussion of the proposed project impacts regarding hydrology and water quality.

Electric Power - Electric power for the City of Buena Park is provided by SCE (City of Buena Park, 2019d). The proposed project is located in a developed area, and infrastructure for providing electric power to the area is well established. SCE typically utilizes existing utility corridors to reduce environmental impacts, and has energy-efficiency programs to reduce energy usage and maintain reliable service throughout the year (Southern California Edison, 2018, p. 45). The project would be constructed in accordance with all applicable California Building Standards Code (California Code of Regulations, Title 24), and would not necessitate the construction or relocation of electric power facilities. Therefore, a less than significant impact would occur.

Natural Gas - SoCalGas is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Buena Park. SoCalGas provides services to residential, commercial, and industrial consumers, and also provides gas for electric generation customers.

In its 2018 California Gas Report, SoCalGas analyzed an 18-year demand period, from 2018-2035, to determine its ability to meet projected demand (California Gas and Electric Utilities, 2018, p. 63). SoCalGas expects total gas demand to decline 0.74 percent annually from 2018 to 2035 as a result of energy-efficiency standards and programs, renewable electricity goals, modest economic growth in its service region, and advanced metering infrastructure (California Gas and Electric Utilities, 2018, p. 66). Moreover, SoCalGas plans on implementing aggressive energy-efficiency programs that will



❖ SECTION 4.19 – UTILITIES AND SERVICE SYSTEMS ❖

result in natural gas savings across all sectors that will ensure longevity of its natural gas supplies and adequate generation rates (California Gas and Electric Utilities, 2018, p. 78). Therefore, anticipated natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated, and a less than significant impact would occur.

Telecommunications Facilities - Cable services, including internet, phone, and television, are provided in the city of Buena Park by Spectrum Cable and AT&T U-Verse (City of Buena Park, 2019a). The proposed project would not interfere with operation of Spectrum or AT&T’s facilities, and a less than significant impact would occur.

b) Would the project have sufficient water supplies available to serve and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact

As detailed in threshold 4.19 a) above, the city relies on imported water and local groundwater. The project would result in the construction of 55 residential units housing a maximum of 169 persons. **Table 4.19-3** shows the estimated maximum water demand for the project.

**Table 4.19-3
ESTIMATED MAXIMUM PROJECT WATER DEMAND**

Unit Water Demand Factor Gallons Per Day (GPD)/per person¹	Total Project Estimated Water Demand (gallons per day) ²	Total Project Estimated Water Demand (acre-feet per year)
158	26,702,	29.9

¹ Source: Arcadis, 2020 City of Buena Park Urban Water Management Plan, p. 5-2.

² Based on estimated maximum project population of 169, 198 gallons per day water demand per person, and 365 days per year.

Although an increase in the demand for domestic water would occur as a result of the project, the increase would not be significant because adequate water supplies and facilities are available to serve the project. The project’s estimated maximum water demand of approximately 12,213,600 gallons per year (26,702 gallons per day) would be less than 0.23% of the city’s current (2020) water supply, which is approximately 13,247 acre-feet per year or 11,827,938 gallons per day. Therefore, less than significant impacts would occur.

c) Would the project 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?

Less than Significant Impact

As detailed under threshold 4.19a) above, the volume of wastewater anticipated to be generated by the proposed project would comprise a very small fraction of the existing capacity of OCSD Treatment Plant No. 2. Therefore, impacts would be less than significant.



- d) **Would the project 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?**

Less than Significant Impact

The city contracts with Park Disposal/EDCO for collection and disposal of the city's solid waste. The waste stream generated by the City of Buena Park is processed and sorted at the CR&R, Inc. Materials Recovery Facility located at 11292 Western Avenue in the City of Stanton. (RBF Consulting, 2010b, p. 5.17-2). The majority of the city's solid waste is disposed at one of Orange County's three active landfills: Frank R. Bowerman Landfill in Irvine; Olinda Alpha Landfill in Brea; and Prima Deshecha Landfill in San Juan Capistrano (RBF Consulting, 2010b, p. 5.17-1).

The Frank R. Bowerman Landfill is 725 acres, with a maximum permitted capacity of 11,500 tons per day (CalRecycle, 2019a). This landfill expected to close in December 2053. Olinda Alpha has 420 acres dedicated for disposal use with a maximum permitted capacity of 8,000 tons per day and it is expected to close in December 2036 (CalRecycle, 2022). Prima Deshecha has 697 acres dedicated for waste disposal with a maximum permitted capacity of 4,000 tons per day and is expected to close in 2102 (CalRecycle, 2019c).

Construction

Project construction would generate solid waste requiring disposal at local landfills. Materials generated during construction of the project would include paper, cardboard, metal, plastics, glass, concrete, lumber scraps and other materials. During construction, bulk solid waste, excess building material, fill, etc., would be disposed of in a manner consistent with State of California Integrated Waste Management Act of 1989.

Operation

The City of Buena Park Source Reduction and Recycling Element (SRRE) regulates recycling during project operation. Pursuant to the California Integrated Waste Management Act (AB 939), which was passed in 1989, the California Integrated Waste Management Board required all cities and counties within the State to prepare integrated waste management plans to attain solid waste reduction of 50 percent by the end of year 2000. In May 1995, the City of Buena Park adopted a SRRE and a Household Hazardous Waste Element (HHWE), in compliance with AB 939. The SRRE described policies and programs that would be implemented by the city to achieve the State's mandate of 50 percent waste disposal reductions by the year 2000. The HHWE is required to be prepared by every city, county and regional agency. This document must specify how the jurisdiction will safely collect and dispose of household hazardous wastes generated by its residents. (RBF Consulting, 2010b, p. 5.17-4). As shown in **Table 4.19-4**, occupancy of the 55 residential units would generate an estimated 122.76 tons of waste annually. This estimate does not account for diversion from landfills.



**Table 4.19-4
ESTIMATED PROJECT-GENERATED SOLID WASTE**

Land Use	Generation Rate*	Approximate Waste (pounds/year)	Approximate Waste (tons/year)
Residential	12.23 pounds per dwelling unit per day	245,517	122.76

*(RBF Consulting, 2010b, p. 5.17-6)

As discussed above, the current permitted solid waste disposal includes 11,500 tons per day at the Frank R. Bowerman Landfill, 8,000 tons per day at Olinda Alpha Landfill and 4,000 tons per day at the Prima Deshecha Landfill. The project’s estimated generation of approximately 12.23 pounds per dwelling unit per day (or a total of approximately 673 pounds per day) during project operation represents a fraction of the total daily capacity at the three landfills. Since sufficient permitted landfill capacity exists to support the project, no adverse impact on either solid waste collection service or the landfill disposal system would occur. Therefore, project impacts on existing solid waste disposal facilities would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact

The project would comply with City of Buena Park policies promoting diversion of solid waste from landfills, and safe collection and disposal of household hazardous wastes, as substantiated above in Section 4.19.d; and impacts would be less than significant.



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 Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				x
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?				X
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?				X
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?				X

As depicted in **Figure 4.9-3 and Figure 4.9-4 in Section 4.9, Hazards and Hazardous Materials**, the project site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) for either Local Responsibility Area (LRA) or State Responsibility Area (SRA), respectively. The nearest VHFHSZ is located in the City of Fullerton, California, over 4.5 miles northeast of the project site.

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact

As noted above, the project site is not located in or near an area classified as VHFHSZ. The City’s 2010 General Plan Update EIR states, “There are currently no wilderness areas within Buena Park or in the surrounding areas. Thus, the risk of wildland fires within the city is not present. Buena Park and surrounding jurisdictions are predominately urbanized. Therefore, fire hazards within the city are primarily related to structural fires” (City of Buena Park, 2010b, p. 5.13-3). The city’s Emergency Operations Plan anticipates that all major streets within the City would serve as evacuation routes (City of Buena Park, 2010b). However, because the project site is not located in or near an area classified as VHFHSZ, the project would have no impact in this regard.



- b) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?**

No Impact

The project site is not located in a VHFHSZ in either a Local Responsibility Area (LRA) or State Responsibility Area (SRA) (See **Figures 4.9-3** and **4.9-4**). No slopes which could exacerbate wildfire risks are located on the project site. The project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, the project would have no impact in this regard.

- c) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?**

No Impact

As noted above, the project site is not located in a VHFHSZ in either an LRA or SRA. The project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk. Neither construction nor operation of the project would result in significant temporary or ongoing impacts to the environment. The project would be constructed in compliance with applicable building and fire codes. Therefore, the project would have no impact in this regard.

- d) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?**

No Impact

The project site is not located in a VHFHSZ in either an LRA or SRA. The proposed project would not 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. The project site is flat, is not located in an area with high slopes or unstable ground conditions as explained in environmental settings section, and is not within a landslide hazard zone. Therefore, the proposed project would have no impact in this regard.



4.21 Mandatory Findings of Significance

Would the project have:	Potentially Significant Impact	Less than Significant Impact 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?		X		
b) 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)?		X		
c) Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

- a) **Would 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?**

Less Than Significant Impact with Mitigation Incorporated

Considering that the project is located in a highly urbanized area with developed and landscaped substrates, optimal habitat for special-status plant and wildlife species is lacking. Thus, with the implementation of mitigation measure **BIO-1** (to protect nesting bird species from noise and dust disturbances), the proposed project would have less than significant impacts on species. As detailed in **Section 4.5**, grading activities associated with the development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unique paleontological and/or archeological resources. With the implementation of mitigation measures **GEO-2**, **CUL-1** to



❖ SECTION 4.21 – MANDATORY FINDINGS OF SIGNIFICANCE ❖

CUL-3, and TCR-1 to TCR-3, potential project impacts on historical resources would be less than significant.

- b) **Would 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)?**

Less than Significant Impact with Mitigation Incorporated

Regarding cumulative projects, the City of Buena Park website lists two current or upcoming projects within two miles of the proposed project site. The Orchard View Gardens Senior Apartment Homes project at 8300 Valley View Road (Buena Park, 2022). The project is 1.25 miles to the northwest, but 1.8 miles via the shortest practical driving route (Google, 2022). The Orchard View Gardens Senior Apartment Homes project was approved by City Council in 2020 (Buena Park, 2022).

The proposed project would have no significant impacts with mitigation incorporated. Therefore, the project would not be cumulatively considerable in connection with other projects being developed in the city.

- c) **Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less than Significant Impact with Mitigation Incorporated

As discussed in **Sections 4.1** through **4.20** of this document, after the implementation of mitigation measures, potential adverse environmental effects were found to be less than significant on human beings, either directly or indirectly. Therefore, less than significant impacts would occur with the implementation of mitigation measures.



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❖ SECTION 5.0 – REFERENCES ❖

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon an MND or an EIR. The MMRP ensures the implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MM that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Santa Ana in connection with the approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.



**Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM**

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
<p>Threshold 4.2a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p>MM BIO-1: Pre-Construction Breeding Bird Survey. To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.</p> <ul style="list-style-type: none"> Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potentially significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15 but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and construction activities If project activities cannot be avoided from February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will 	Project Applicant	Field Verification	<ol style="list-style-type: none"> 1. City of Buena Park 2. City of Buena Park 3. During construction



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.</p> <ul style="list-style-type: none"> • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings, and a no-activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project 			



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	<p>activities may begin within the area only when concurrence is received from the appropriate resource agency.</p> <ul style="list-style-type: none"> Birds or their active nests will not be disturbed, captured, handled, or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist. 			
4.5 Cultural Resources				
<p>Threshold 4.2a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?</p>	<p>MM CUL-1: In the event of an unexpected discovery of an historical resource as defined by CEQA Guidelines § 15064.5, during any project-related earth-disturbing activities, all earth-disturbing activities within 30 feet of the find shall be halted and the City of Buena Park shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts on any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the SCCIC. Construction activities may continue on other parts of the project site while evaluation and treatment of historic archaeological resources takes place.</p>	Project Applicant	Field Verification	<p>1. City of Buena Park 2. City of Buena Park 3. During construction</p>
<p>Threshold 4.2b) Would the project cause a substantial adverse change in the significance of an</p>	<p>MM CUL-2: In the event of an unexpected discovery of a cultural resource as defined by CEQA Guidelines § 15064.5, during any project-related earth-disturbing activities, all earth-disturbing activities within 50 feet of the find shall be halted and the City of Buena Park shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of</p>	Project Applicant	Field Verification	<p>1. City of Buena Park 2. City of Buena Park</p>



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
archaeological resource pursuant to § 15064.5?	the Interior’s Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts on any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the SCCIC. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.			3. During construction
Threshold 4.2b) Would the project disturb any human remains, including those interred outside of formal cemeteries?	MM CUL-3: If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Orange County Coroner will be notified (§ 5097.98 of the Public Resources Code). The coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	Project Applicant	Field Verification	1. City of Buena Park 2. City of Buena Park 3. During construction
4.7 Geology and Soils				



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<p>Threshold 4.7a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: seismic-related ground failure, including liquefaction?</p>	<p>MM GEO-1: During grading and construction of the proposed project, the project applicant shall follow all recommendations in Section 6.0, Recommendations, on pages 11-22 of the geotechnical report prepared for the project (Albus & Associates, <i>Preliminary Geotechnical Investigation, Proposed Residential Development, 7101 Lincoln Avenue, Buena Park, California</i>, dated January 5, 2022).</p>	Project Applicant	Follow Geotechnical Report Recommendations	1. City of Buena Park 2. City of Buena Park 3. During construction
<p>Threshold 4.7f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?</p>	<p>MM GEO-2: If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the City of Buena Park. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.</p>	Project Contractor	Field Verification	1. City of Buena Park 2. City of Buena Park 3. During construction
<p>4.13 Noise</p>				
<p>Threshold 4.7a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project</p>	<p>MM N-1: Project applicants shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and is in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. 	Project Contractor	Field Verification	1. City of Buena Park 2. City of Buena Park 3. During construction



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<p>in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<ul style="list-style-type: none"> Schedule high noise-producing activities between the hours of 8:00 a.m. and 7:00 p.m. to minimize disruption to sensitive uses. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. Use electric air compressors and similar power tools rather than diesel equipment, where feasible. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to the issuance of a grading permit. 			
	<p>MM N-2: Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to the issuance of a grading permit.</p>	<p>Project Contractor</p>	<p>Field Verification</p>	<p>1. City of Buena Park 2. City of Buena Park 3. During construction</p>
<p>4.17 Transportation</p>				



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<p>Threshold 4.17c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? 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?</p>	<p>MM TRANS-1: Prior to the start of construction activity in the public right-of-way, the General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the City of Buena Park Traffic Engineer. The Construction Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures including identified truck routes and designated employee parking areas shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:</p> <ul style="list-style-type: none"> a) Identification of permitted hours for construction-related deliveries and removal of heavy equipment and material; b) Identification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant or City of Buena Park regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with adjacent parking availability; c) Identification of how emergency access to and around the project site will be maintained during project construction; d) Identification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak hour traffic periods; e) Maintaining pedestrian and bicycle connections around the project site and safe crossing locations shall be considered for all pedestrian and bicyclist detours; and 	<p>Project Applicant</p>	<p>Field Verification</p>	<ul style="list-style-type: none"> 1. City of Buena Park 2. City of Buena Park 3. During construction



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	f) Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall comply with the City of Buena Park lighting requirements.			
Threshold 4.17d) Would the project result in inadequate emergency access.	Refer to MM TRANS-1 above.	Project Applicant	Field Verification	1. City of Buena Park 2. City of Buena Park 3. During construction
4.18 Tribal Cultural Resources				
Threshold 4.18db) Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of	MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor from or approved by the Kizh Nation and the GTICTC. The monitor(s) shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations. “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreements shall be submitted to the lead agency prior to the earlier of the	Project Applicant	Field Verification	1. City of Buena Park 2. City of Buena Park 3. Prior to commencement of any “ground-disturbing activity”



❖ SECTION 7.0 – MITIGATION MONITORING AND REPORTING PROGRAM ❖

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Public Resource Code § 5024.1(c)?	<p>commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The monitors will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other conditions, or discoveries of significance to the Tribes. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, features, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency.</p> <p>D. The onsite tribal monitoring shall end when all ground-disturbing activities on the project site are completed, or when the Tribal Representatives and Tribal Monitors have indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting TCRs.</p>			
	<p>MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)</p> <p>Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the onsite consultation with the project proponent’s on-call Qualified Archaeologist in consultation</p>	Project Applicant	Field Verification	<p>1. City of Buena Park</p> <p>2. City of Buena Park</p>



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	<p>with the Kizh Nation and GTICTC approved tribal monitors. If the resource is determined to be Native American in origin, the Qualified Archaeologist, in consultation with the Kizh Nation and GTICTC tribal monitors, shall determine the significance of any discovered resources. Following recovery and recording by the Qualified Archaeologist, the construction shall resume.</p> <p>The recovered prehistoric resources (TCRs) shall be retained by the Qualified Archaeologist for a reasonable amount of time as needed for their analysis and description in the subsequent monitoring and treatment report. If following this use by the Qualified Archaeologist a determination has not yet been made concerning which of the tribes will retain possession, the TCR(s) will remain with the Qualified Archaeologist’s facility until a decision can be reached.</p> <p>In consultation with the Qualified Archaeologist, the Tribes shall work in good faith to determine which tribe will retain some or all of the recovered and recorded TCR(s) in the form and/or manner the retaining tribe deems appropriate, in the tribe’s discretion in discussion with Qualified Archaeologist (see Section 4.5 MM-CUL-2), and for any purpose the tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>			3. During construction
	<p>MM TCR-3: Unanticipated Discovery of Human Remains If human remains are encountered during excavations associated with this project, all work shall stop within a 50-foot radius of the discovery and the Orange County Coroner will be notified</p>	Project Applicant	Field Verification	1. City of Buena Park



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	<p>(§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDs (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).</p>			2. City of Buena Park 3. During construction
	<p>MM TCR-4: Additional Treatment of Unanticipated Discovery of Human Remains and Associated Funerary Objects</p> <p>A. Human remains and grave/burial goods may be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>B. Preservation in-place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.</p> <p>C. Discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>	Project Applicant	Field Verification	1. City of Buena Park 2. City of Buena Park 3. Prior to commencement of any “ground-disturbing activity”



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	<p>MM TCR-5 Qualifications and Standards Archeological and Native American monitoring and excavation shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must the Secretary of Interior standards for archeology and have a minimum of 10 years of experience as a principal investigator working with Native American archeological sites in southern California. The Qualified Archeologist shall ensure that all other personnel are appropriately trained and qualified.</p>	Project Applicant	Field Verification	1. City of Buena Park 2. City of Buena Park 3. During construction