INITIAL STUDY / MITIGATED NEGATIVE DECLARATION 21-01

for

Imperial & Euclid Residential Project



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November 9, 2021

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C. Phase I Environmental Site Assessment, 251 to 351 West Imperial Highway, La Habra, California; prepared by Stantec Consulting Services, Inc.; January 7, 2020; Report of Finding and Supplemental Site Investigation Report, 251 to 351 West Imperial Highway, La Habra, California; prepared by Stantec Consulting Services, Inc.; August 18, 2021
D. Imperial & Euclid Residential Development Air Quality & Greenhouse Impact Study, City of La Habra; prepared by RK Engineering Group, Inc., November 6, 2021.
E. South Central Coastal Information Center Records Search, July 20, 2021
F. Geotechnical Feasibility in regards to Geotechnical Hazards, Proposed Multi-Family Residential, Imperial Highway and Euclid Street, La Habra, California; correspondence from Albus & Associates to Ms. Doris Nguyen, The Olson Company, November 5, 2021
G. Preliminary Hydrology Study 251-271 and 341-351 W. Imperial Hwy, La Habra, CA TTM No 19143; prepared by C&V Consulting, Inc.; March 2021, Revised May 2021.

H. Imperial & Euclid Residential Development Noise Impact Study, City of La Habra; prepared by RK Engineering Group, Inc., August 3, 2021.
I. Imperial & Euclid Residential Development Trip Generation & VMT Analysis, City of La Habra, California," (Trip/VMT Analysis) prepared by RK Engineering Group Inc., August 18, 2021.

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EXECUTIVE SUMMARY

This Initial Study assesses the potential environmental impacts of a proposal by The Olson Company to construct and operate the Imperial & Euclid Residential Project, which consists of a 117 single-family residential unit community, located at 251-351 Imperial Highway, La Habra, CA 90631. This proposed Project includes the following applications through the City of La Habra Community Development Department:

- SB330 Application to review the document to vest the rights for housing development projects.
- Design Review 21-01 to review the design of the proposed residential construction;
- Conditional Use Permit (CUP) 21-01 to allow concessions for the inclusion of 12 townhomes affordable to moderate income households;
- Tentative Tract Map (TTM) 19143 to reconfigure the site into would a single condominium property that allows common and private use areas.
- Environmental Review 21-01 to review and approve the Project ISMND pursuant to CEQA.

This Initial Study finds with the imposition of mitigation measures related to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas, Hazards and Hazardous Materials, Hydrology, Noise, Transportation, Tribal Cultural Resources and Mandatory Findings of Significance, all potentially significant impacts associated with the Project would be reduced to less than significant levels. Consequently, a Mitigated Negative Declaration will be prepared for the Project.

SECTION 1.0 – INTRODUCTION

1.1 INITIAL STUDY REQUIRED

Following preliminary review of the proposed Imperial & Euclid Residential Project (Project), the City of La Habra (City) has determined that the Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects associated with the Project, as proposed.

1.2 STATUTORY AUTHORITY

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations (CCR).

Consistent with the statutory authority, the purpose of this Initial Study is to provide the Lead Agency (i.e. the City) with information to determine if the proposed Project would have a significant environmental impact. Specifically, this Initial Study will:

- Facilitate environmental assessment early in the design of the Project;
- Provide the City with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
- Enable the Applicant or City to modify the Project, mitigating adverse impacts, thereby enabling the Project to quality for a Negative Declaration or Mitigated Negative Declaration;
- Provide documentation of the factual basis for the findings in a Negative Declaration or Mitigated Negative Declaration that the Project will not have a significant effect on the environment.

The environmental documentation, prepared in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the Project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required. The proposed Project will require entitlement from the City of La Habra. In addition, because the Project would take access from Imperial Highway, which is a State of California highway, the Project will require review and an encroachment permit from Caltrans.

This environmental document and supporting analysis will be distributed for public review. Any comments received during the review period and the City's responses to those comments will be included in the City's environmental review of the Project.

1.3 FOLLOWING THE PUBLIC COMMENT PERIOD INCORPORATION BY REFERENCE

The information contained in this document is based, in part, on the following documents that include the Project site or provide information addressing the general project area or use:

- **City of La Habra General Plan 2035, adopted January 21, 2014** (General Plan)**.** The General Plan is a policy document designed to provide long-range guidance for decision-making affecting the future character of La Habra. It represents the official statement of the community's physical development, as well as its economic, social, and environmental goals. The General Plan was used throughout this Initial Study as the fundamental planning document governing development on the project site.

- **City of La Habra Final Environmental Impact Report for General Plan 2035, certified January 21, 2014 (SCH #2013051092)** (General Plan EIR). The General Plan EIR was prepared in support of the General Plan and in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (California Administrative Code Section 15000 et seq.). The General Plan EIR identifies baseline conditions for the City, potential impacts associated with implementing the General Plan and mitigation measures necessary to reduce potential impacts to less than significant levels.

- **City of La Habra Zoning Code.** Chapter 18 of the City of La Habra Municipal Code establishes the basic zoning regulations under which land is developed and utilized and by which the General Plan is systematically implemented. This includes allowable uses, building setback and height requirements, and other development standards. The basic intent of the Zoning Code is to promote and protect the public health, safety, convenience, and welfare of present and future citizens of the City.

- **California Building Code** (CBC)**.** The California Building Standards Code (Cal. Code Regs., Title 24) was established by the State of California, with an effective date of January 1, 2020. It incorporates all parts of the State building standards, including the Residential Code and Green Standards Code.

SECTION 2.0 – PROJECT DESCRIPTION

2.1 PROJECT TITLE

Imperial & Euclid Residential Project Development Project.

2.2 LEAD AGENCY NAME AND ADDRESS

City of La Habra
110 E. La Habra Blvd.
La Habra, CA 90631-5131.

2.3 CONTACT PERSON AND PHONE NUMBER

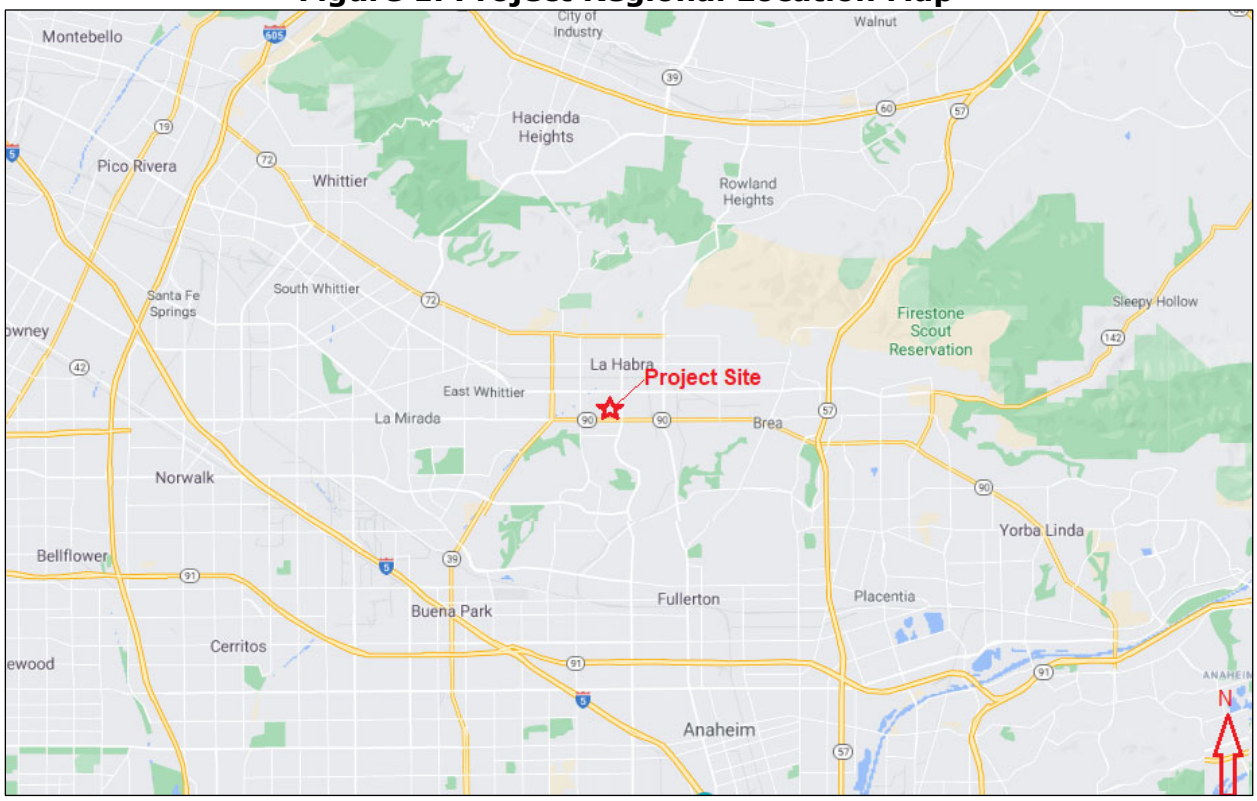
Chris Schaefer, Senior Planner
Department of Community Development
110 East La Habra Boulevard
La Habra, California 90631
Phone: 562-383-4128; Email: cschaefer@lahabraca.gov

2.4 PROJECT LOCATION

Regionally, the Project site consists of approximately 5.58 acres located within the County of Orange, south of State Route 60 (SR-60), north of SR-91 and Interstate 5 (I-5), east of Interstate 605 (I-605), and west of SR-57. The site is located within the southwestern quadrant of the City of La Habra. The City itself is bounded on the north by La Habra Heights; on the west by Whittier, unincorporated Los Angeles County (East Whittier), and La Mirada; on the east by Brea and Fullerton; and on the south by Fullerton. The western corporate boundaries of the City of La Habra also conform to the boundary between Los Angeles County and Orange County. I (Reference Figure 1, Project Regional Location Map.)

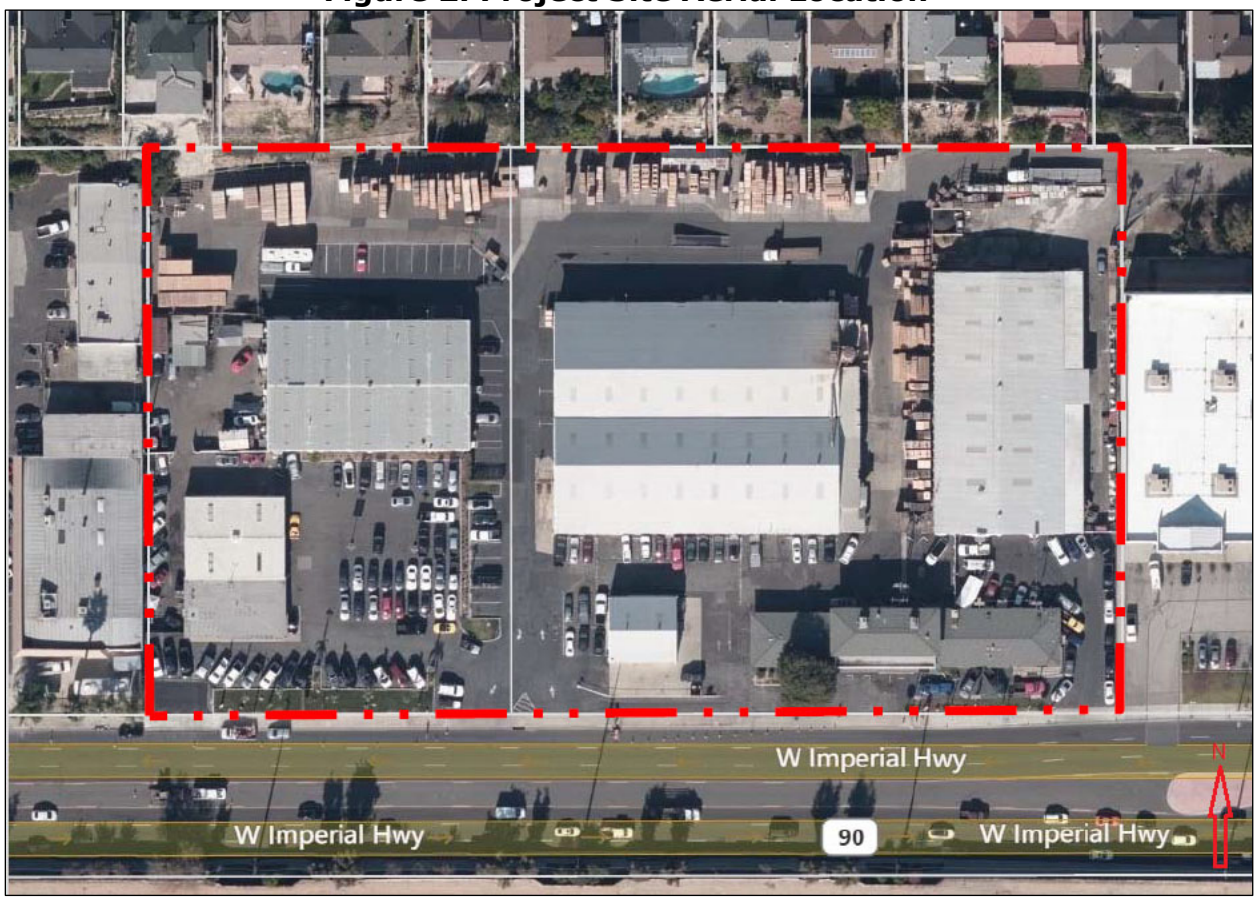
Locally, the Project site is addressed as 251-351 Imperial Highway, (State Route 90) La Habra, California 90631. Assessor parcel numbers for the property are 019-042-21 and 019-042-24 . (Reference Figure 2, Project Site Aerial Location Map.)

Figure 1. Project Regional Location Map



(source: Google Maps)

Figure 2. Project Site Aerial Location



(source: The Olson Company)

2.5 PROJECT SPONSOR'S NAME AND ADDRESS

The Olson Company
3010 Old Ranch Parkway, Suite 100
Seal Beach, CA 90740

Contact: Doris Nguyen
Director of Development
Cell: (562) 506-7708
Email: dnguyen@theolsonco.com

2.6 GENERAL PLAN DESIGNATION

Current General Plan Land Use Map designation is Residential Multi-Family 1 with a residential density of 15-24 units per acre.

2.7 ZONING

Current Zoning Map designation is R-4 Multi-Family Residential which permits a residential density of 15-24 units per acre.

2.8 DESCRIPTION OF PROJECT

The Project would convert the existing two parcels into a 5.58 acre condominium townhome development, consisting of 117 two- and three-story residential units. Density of the development would be 21 units per acre. Remedial and mitigation environmental activities will be conducted under the jurisdiction of the California Department of Toxic Substances (DTSC) as part of the Project.

The Project is being processed by the City per the State Density Bonus Law, Senate Bill (SB) 1818. Under SB 1818, a project is granted a density bonus and or other concessions such as reduced setbacks or increased building or wall heights, in exchange for provision of affordable housing units. The Project Applicant proposes to commit 12 of the 117 townhomes for sale to qualified moderate income households. In exchange for this commitment, the Project Applicant is requesting an increase in wall height along Imperial Highway from three to six feet. The Project proposes to utilize the reduced parking standards permitted under SB 1818. (Reference parking discussion in Section 2.8.2, below.)

2.8.1 SITE PLAN

The site plan for the Imperial & Euclid residential Project distributes the 117 townhome in 21 buildings. Primary vehicle access to the site is from Imperial Highway via a gated entry that provides separated inbound and outbound 26-foot wide driveways. Interior vehicle access to each of the 21 buildings is via a 26-foot wide private loop road, with each townhome having direct garage access to the loop road or to interior 25-foot wide driveways. (Reference Figure 3, Concept Project Site Plan.) Pedestrian walkways link each of the townhomes to the loop road and to common courtyards located adjacent to each of the Project buildings.

Existing easements on site include easements for roads, utilities and other incidental purposes primarily located along the southern portion of the site. These existing easements are identified in the Project tentative tract map, and do not interfere with the proposed development. There is existing access adjacent to the site from Euclid Street. A 6-foot wall will be included around the periphery of the site, including its eastern property line, which will block off the existing Euclid Street access.

Open space within the Project includes 17,933 square feet of common area and 12,923 square feet of private area, for a total of 30,856 square feet of open space, which is an average of 263.7 square feet of open space per unit. Common open space includes a central gathering area located between Buildings #11 and #12 (reference Figure 3), which is proposed to include barbeques, dining area with tables and chairs, shade structures and turf. Other common open spaces consisting of turf are proposed to be located throughout the site. (Reference Figure 4, Schematic Landscape Plan and Figure 5, Schematic Central Open Space Enlargement.)

Figure 3. Project Conceptual Site Plan



(source: The Olson Company)

Figure 4. Schematic Landscape Plan

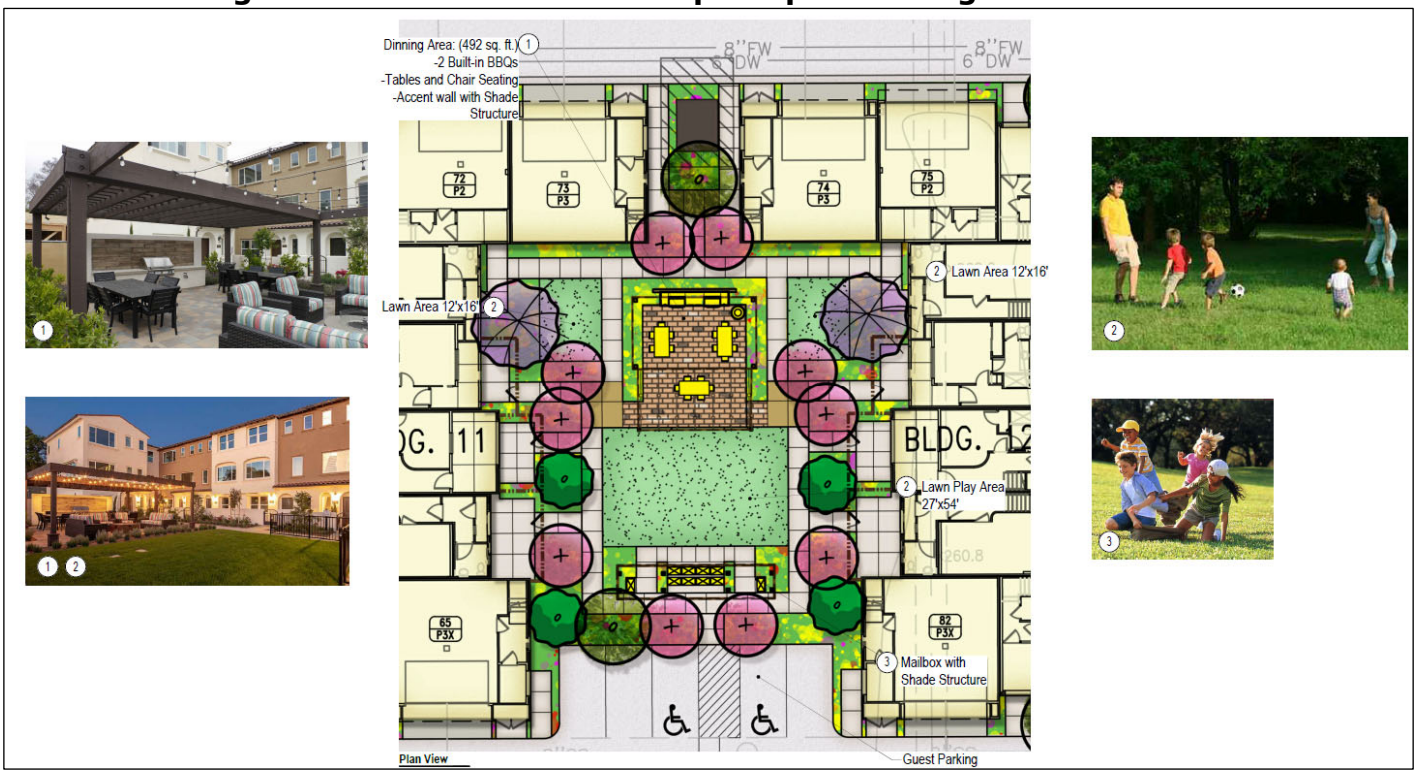


LEGEND

1. Central community open space area with Shade Structure, BBQ Island, real turf and Seating arrangement for small and large group gathering.
2. Ten community cluster mailboxes, per USPS review and approval.
3. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
4. Enhanced paving at main project entry.
5. Proposed tree, per Planting Plan.
6. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
7. Accessible parking stall and striping, per Civil plans.
8. Guest parking stall.
9. Enhanced colored nodes, with top-cast finish.
10. Private patio / yard area, homeowner maintained.
11. Common area landscape, builder installed and HOA maintained.
12. Natural colored driveways, with light broom finish and tooled joints.
13. Property line.
14. Public street R.O.W.
15. Proposed public street sidewalk, per Civil plans.
16. Proposed Project Signage per separate future submittal.
17. Small open space with real turf with fire-pit and seat for small gathering.
18. Small open space with real turf for passive use.
19. Small open space with shade structure, ping-pong table and seating arrangement for small gathering.
20. Proposed transformers, per Civil plans.

(source: The Olson Company)

Figure 5. Schematic Central Open Space Enlargement



(source: The Olson Company)

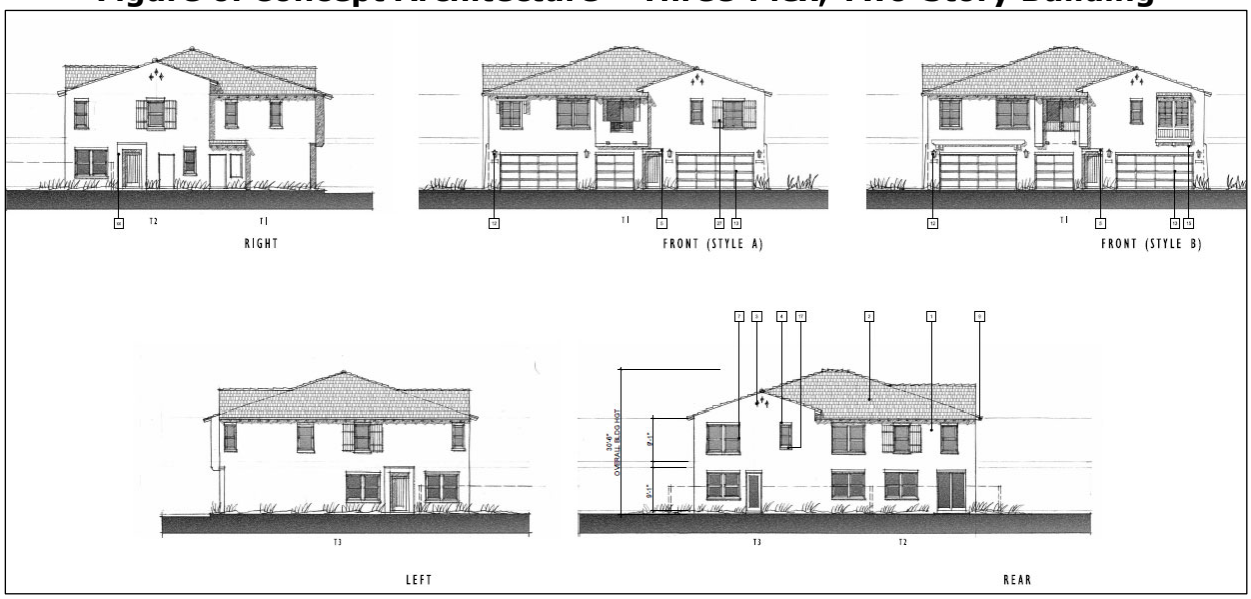
2.8.2 PROJECT ARCHITECTURE

The townhomes are grouped into 21 buildings, consisting of:

- 8 three-plex buildings with both two- and three-stories;
- 8 six-plex buildings with three-stories;
- 2 eight-plex buildings with three-stories;
- 2 nine-plex buildings with three-stories;
- 1 eleven-plex building with three-stories.

Maximum height of the buildings is 35 feet. For all of the townhome buildings, the architecture is a contemporary Spanish style design with stucco walls, concrete shake roof tiles, gabled roof features, adobe brick veneer, decorative metal railing and grille work, and decorative shutters. Examples of the two-story and three-story building types are shown below. (Reference Figure 6, Concept Architecture – Three-Plex, Two-Story Building; and Figure 7, Concept Architecture – Six-Plex, Three-Story Building.)

Figure 6. Concept Architecture – Three-Plex, Two-Story Building



(source: The Olson Company)

Figure 7. Concept Architecture – Six-Plex, Three-Story Building



(source: The Olson Company)

Size of the townhomes range from approximately 1,103 square feet to 1,803 square feet, and include a mix of thirteen different floor plans 2-, 3- and 4-bedroom floorplans. As shown in Table 1, Townhome Unit Plan Summary below, forty of the townhomes would be 2-bedroom, sixty-six 3-bedroom and eleven 4-bedroom.

Table 1: Townhome Unit Plan Summary			
Plan Type	**# Units**	**Bedrooms**	**Unit Square Footage**
1. P1	4	2	1,208
2. P1X	12	2	1,243
3. P1Y	4	2	1,279
4. P1Z	2	2	1,243
5. P2	11	2	1,319
6. P3	14	3	1,345
7. P3X/Y	18	3	1,351
8. P4	11	3	1,565
9. P5	5	3	1,545
10. P6	4	4	1,644
11. P7	11	3	1,672
12. T1	7	3	1,103
13. T2	7	2	1,627
14. T3	7	4	1,803
TOTAL UNITS	**117**		
Total 2-Bedroom	40		
Total 3-Bedroom	66		
Total 4-Bedroom	11		

Each of the townhomes have a two-car attached garage. In addition to the garages, 25 guest parking spaces, two of which are disabled accessible, are located along the eastern section of the loop road. In total, the Project provides 259 parking spaces, which is an average of 2.2 spaces per unit.

Pursuant to SB 1818, the Project is permitted to provide parking according to the following ratios:[1]

(A) Zero to one bedrooms: one onsite parking space.
(B) Two to three bedrooms: two onsite parking spaces.
(C) Four and more bedrooms: two and one-half parking spaces.
(D) No guest parking spaces are required to be provided.
(E) Tandem parking spaces within garages are permitted by right.

Based on these SB 1818 parking ratios, the Project is required to provide 240 parking spaces, averaging 2.1 spaces per unit. (Reference Table 2, SB 1818 and City Municipal Code Parking Requirements , below.) At 259 parking spaces as proposed, the Project would exceed the SB 1818 parking requirement by 19 spaces. Pursuant to Section 18.14.060 of the City Municipal Code, the Project would be required to provide 401 parking spaces, averaging 3.4 spaces per unit. Through SB 1818, they Project would receive a total parking reduction of 161 spaces.

**

[1] Bill Text - SB-1818 Density bonuses. (ca.gov); accessed July 30, 2021.

Table 2: SB 1818 and City Municipal Code Parking Requirements					
Unit Type	**Number of Units by Type**	**SB 1818 Parking Ratios**	**SB 1818 Required Parking**	**City Parking Ratios**	**City Required Parking**
Total 2-Bedroom	40	2	80	2.5	100
Total 3-Bedroom	66	2	132	3	198
Total 4-Bedroom	11	2.5	28	4	44
Total Units	117				
Guest Parking		0	0	0.5 / unit	59
Total Required Parking per Unit					
Total Required Parking Spaces			240		401

2.8.3 GRADING

Development of the proposed single-family community requires demolition of 61,068 square feet of existing building area and approximately 152,811 square feet of an existing asphalt surface parking lot. The project is also expected to require the export of approximately 836 cubic yards of earthwork materials, including up to 10 cubic yards of hazardous soil materials.

These demolition and grading activities could create impacts related to air quality emissions, (GHG) greenhouse gas emissions, disturbance of potential on-site hazardous substances, and noise. These potential impacts are considered in Section 6.8, 6.9 and 6.13of this document, respectively.

2.8.4 PROJECT ENTITLEMENTS

The Project will require the following entitlements from the City of La Habra:

- Design Review 21-01 to review the design of the proposed residential construction;
- Conditional Use Permit (CUP) 21-01 to allow concessions for the inclusion of 12 townhomes affordable to moderate income households;
- Tentative Tract Map (TTM) 19143 to reconfigure the site into a single condominium property with common and private use areas.

The Project also requires Environmental Review 21-01 to review and approve the Project ISMND pursuant to CEQA.

The current General Plan Land Use Map designation for the Project site is Residential Multi-Family 1 with a residential density of 15-24 units per acre, and the current Zoning map designation for the site is R-4 Multi-Family Residential which permits a residential density of 15-24 units per acre. As proposed, the Project which is a

multifamily townhome with a density of 21 units per acre, is consistent with the site's current General Plan and Zoning designations.

The Project is being processed by the City per SB 1818, which allows for a density bonus and or other concessions such as reduced setbacks or increased building or wall heights, in exchange for providing affordable housing units. Through SB 1818, the Project Applicant is requesting a concession to increase wall height within the front setback along Imperial Highway from three to six feet. In exchange, the Project Applicant proposes to commit 12 of the proposed 117 townhomes for sale to moderate income households. Section 18.12.070 of the La Habra Municipal Code (LHMC) sets a maximum wall height of three feet in the front setback of residential zones. To provide noise attenuation and privacy, the Project is requesting that the wall in the front setback adjacent to Imperial Highway be increased to six feet.

Pursuant to LHMC section 18.80.010, Purpose of affordable housing incentives, the City shall provide a density bonus, incentives and/or concessions for the production of affordable housing units. The City of La Habra processes such requests through the Conditional Use Permit (CUP) process. Although the project is not requesting a density bonus, pursuant to LHMC section 18.80.030, a CUP is required for "any project in which agreement with the city is entered pursuant to the Density Bonus Law (Government Code Section 65915 et seq.)". The CUP is subject to the City Planning Commission public hearing, review and approval, based on the following findings:

1. The granting of such conditional use permit will not be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.
2. The subject site is physically suitable for the type of land use being proposed.
3. The use is conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this title.
4. The granting of this conditional use permit is consistent with the comprehensive general plan.

Pursuant to LHMC Section 18.68, all new residential construction and major remodeling in the City shall be subject to a design review "to ensure that site design, buildings, structures, signs, and landscaping will be in harmony with other structures and improvements in the vicinity of the proposed development and consistent with the general plan and the zoning." The design review is subject to the City Planning Commission public hearing, review and approval, based on the following findings:

1. The proposed plan is consistent with the City's general plan.
2. The proposed plan is consistent with the City's zoning ordinance.
3. The proposed plan is in the best interests of the public health, safety, and welfare of the community.

4. The nature of the proposed land uses and the design is appropriate for the proposed location is compatible to the surrounding land uses and improvements.
5. The project complies with all requirements of the California Environmental Quality Act. (Ord. 1719 § 1, 2010).

The proposed Tentative Tract Map (TTM) would reconfigure the site into a single condominium property that allows common and private use areas. Pursuant to LHMC 17.08.120, the TTM is subject to the City Planning Commission review and approval.

Review of the Project's consistency with the required findings for these entitlements are evaluated in Section 6.11 of this Initial Study.

2.9 EXISTING AND SURROUNDING LAND USES

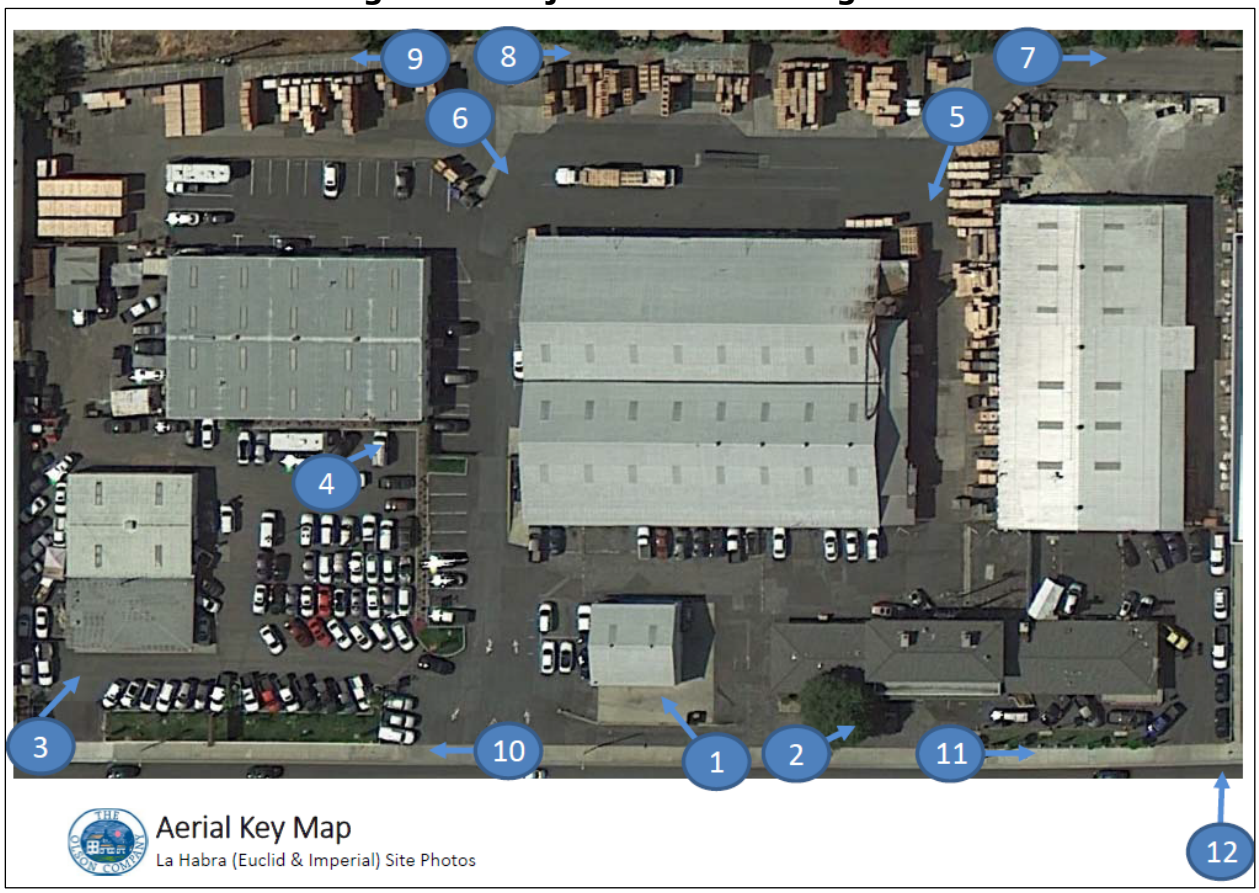
2.9.1 EXISTING LAND USES

The Project site is currently occupied by six commercial/light industrial buildings and asphalt parking lots. The commercial/light industrial buildings are used by: Pomona Box Company (301 West Imperial Highway), a box manufacturing facility; Mac Auto (351 West Imperial Highway), an automobile sales and repair shop; Eric Will Gymnastics Center (341 West Imperial Highway), a children's gymnasium; a two-story multi-tenant office building (271 West Imperial Highway); Bentley Auto Group (251 West Imperial Highway), an automobile sales facility; and an automotive storage warehouse (261 West Imperial Highway).2 (Reference Figures 8-11, Site Photo Legend and Site Photos.)

**

[2] Phase I Environmental Site Assessment, 251 to 351 West Imperial Highway, La Habra, California; prepared by Stantec Consulting Services, Inc.; January 7, 2020.(Appendix C)

Figure 8. Project Site Photo Legend



(Source: The Olson Company)

Figure 9. Project Site Photos (1-4)



(Source: The Olson Company)

Figure 10. Project Site Photos (5-8)



(Source: The Olson Company)

Figure 11. Project Site Photos (9-12)



(Source: The Olson Company)

Historically, the site and surrounding areas were used for agricultural row crops until about 1953. The majority of the existing buildings on the Project site were constructed in 1957-58, however, some additions were built in the 1960s or later. By 1963, historical aerial photos show that the existing warehouse buildings and smaller buildings on the center and eastern portions of the site were developed. The western portion of the site was used as a commercial nursery. By 1981, the existing warehouse on the western portion of the property replaced the nursery and a construction supply facility located on the northern portion of the site. By 1983, an additional office building, which is currently in place, was developed on the southeastern portion of the site.[3]

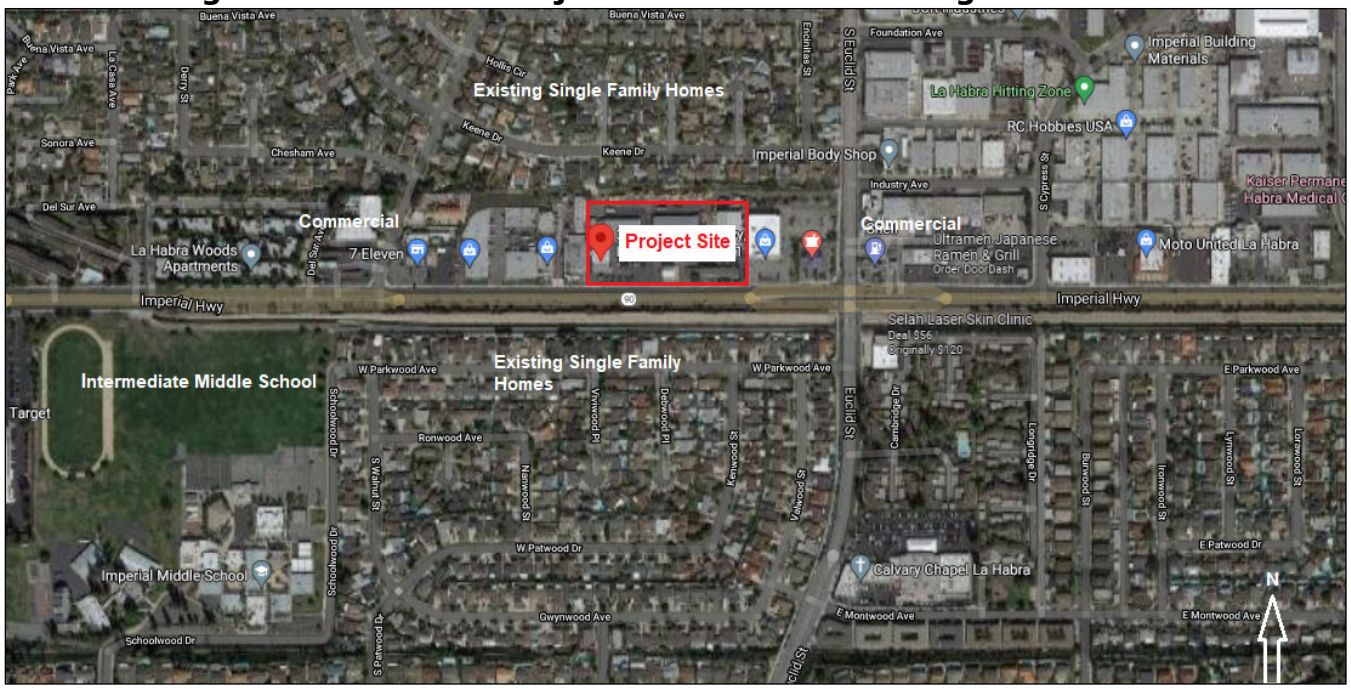
**

[3] Ibid.

2.9.2 SURROUNDING LAND USES

East and west of the site along West Imperial Highway, adjacent land uses are commercial with a similar appearance and intensity of the existing uses on the Project site. North of the site are existing single family homes. South of the site is West Imperial Highway, then existing single family homes. Southwest of the site is the Imperial Middle School. (Reference Figure 12, Aerial Photo of Project Site and Surrounding Areas.

Figure 12. Aerial of Project Site and Surrounding Areas



(Source: Google Maps)

2.9.2 CUMULATIVE PROJECTS

City of La Habra Community Development Department reports the following active projects in the vicinity of the Project site that could contribute to cumulative impacts. (Reference Table 3, Cumulative Projects List by Project, Location, Lot Size, Status Summary.) These cumulative projects are considered in cumulative impacts discussions throughout this document.

Table 3: Cumulative Projects List by Project, Location, Lot Size, Status Summary

Project	Location	Land Use	Lot Size	Status
La Quinta Inn & Suites	701 East Imperial Hwy	91 room hotel	2.1 ac	Under Construction
Taco Bell	751 East Imperial Hwy	2,166 sf. restaurant	0.74 ac	Under Construction
TBD Restaurant	711 East Imperial Hwy	2,250 sf. restaurant	0.92 ac	In Review
TBD Commercial	731 East Imperial Hwy	10,000 sf. retail	0.47 ac	In Review
Pinnacle Residential	1101 N. Harbor Blvd.	7 SFR dwellings	2.53 ac	Under Construction
Mountain View Apartments	320-330 S. Monte Vista St.	30 rental units	0.95 ac	Plan Check

Table 3: Cumulative Projects List by Project, Location, Lot Size, Status Summary				
Project	**Location**	**Land Use**	**Lot Size**	**Status**
Bonanni Development	104-118 E. Electric Ave.	58 condo units	2.92 ac	Under Construction
Scott Tran	431 W. Lambert Rd.	5 rental units	0.34 ac	Plan Check
G&M Oil Co.	1950 W. La Habra Blvd.	1,500 sf store, canopy	0.48 ac	Plan Check
Ajit Soma	508 S. Walnut St.	3 condo units	0.21 ac	Plan Check
Dr. Gire Orthodontics	121 E. Whittier Blvd.	10,000 sf comm. bldg.	0.80 ac	Plan Check
St. Jude Medical	1201 W. Whittier Blvd.	20,000 sf medical bldg.	2.82 ac	Plan Check
The Olson Company	251-351 W. Imperial Hwy	117 condo units	5.58 ac	In Review
Daniel Siapin	970 N. Walnut St.	6 rental units	0.38 ac	In Review
Jerrald Huang	331 S. Cypress St.	16 condo units	0.92 ac	In Review
City Ventures	700 N. Harbor Blvd.	48 condo units	2.62 ac	In Review
Bushala Brothers, Inc.	461 S. Harbor Blvd.	72 condo units	5.8 ac	SB 330 Pre-Applic.
Shabir Saifee	2501 W. La Habra Blvd.	37 condo units	1.58 ac	In Review

2.10 OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

Entitlement of the Project will require approval of this Initial Study/Mitigated Negative Declaration by the City of La Habra Planning Commission, acting as lead agency. The Project also requires a series of entitlements that will require review and approval by the City of La Habra Planning Commission. These entitlements include: Conditional Use Permit, Design Review and Tentative Tract Map.

Approval from the state of California Department of Toxic Substances Control (DTSC) will be required to monitor, review and accept required hazardous materials clean-up associated with past site uses. (Reference Section 6.9 Hazards and Hazardous Materials Section of this Initial Study.)

2.11 CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA

Have California Native American Tribes Traditionally and Culturally Affiliated With The Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

Yes. In correspondence dated May 26, 2021, the City of La Habra notified the three tribes that have previously requested to be informed of proposed projects pursuant to Public Resources Code Section 21080.3.1 (Assembly Bill [AB] 52). The three tribes are the Gabrieleño Tongva Indians of California Tribal Council, Gabrieleño Band of Mission Indians-Kizh and Soboba Band of Luiseno Indians. (Reference Appendix A.)

In addition, in correspondence dated June 8, 2021, the Native American Heritage Commission (NAHC) provided the results of a Sacred Lands File check which was

positive for potential Native American resources. (Reference Appendix B.) The NAHC advised consultation with Juaneno Band of Mission Indians Acjachemen Nation; and on June 9, 2021, the City of La Habra subsequently contacted the Juaneno Band of Mission Indians Acjachemen Nation inviting consultation regarding potential tribal resources in the area of the Project site.

This consultation process and potential Project impacts to Tribal Resources are discussed in Section 6.18 of this Initial Study.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

SECTION 3.0 – ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact. However for each factor checked, mitigation is recommended that would reduce the impact to "Less than Significant with Mitigation Incorporated," as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/ Soils	☒ Greenhouse Gas	☒ Hazards & Hazardous Materials
☒ Hydrology/Water Quality	☐ Land Use/ Planning	☐ Mineral Resources
☒ Noise	☐ Population/ Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

SECTION 4.0 – 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 11-9-21

SECTION 5.0 – 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 will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, 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 a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a) Earlier Analysis Used. Identify and state where they are 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 which 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 prepares or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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 significance.

SECTION 6.0 – ANALYSIS OF ENVIRONMENTAL IMPACTS

The following section the environmental topics contained in the Initial Study, Appendix G of the CEQA Guidelines. For each environmental topic, the thresholds of significance are presented and the finding relative to each threshold is checked. An analysis supporting each finding is then presented along with an assessment of cumulative impacts and applicable mitigation requirements.

6.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In nonurbanized 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

6.1.1 ENVIRONMENTAL SETTING

6.1.1.1 Regulatory Setting

City of La Habra: Policies applicable to Project aesthetics are set by the La Habra General Plan, Conservation/Natural Resources Element. These policies include:

- Goal SM 1. Visual Resource Protection. Preserve significant visual and scenic resources that provide quality of life amenities and act as assets for recreation

and commerce.

- SM 1.1 Protect Scenic Views. Protect the viewsheds of the La Habra Basin, West Coyote Hills, Puente Hills, and the San Gabriel Mountains from public parks, major transportation corridors, and public open spaces.
- SM 1.2 Natural Topography. Preserve the scenic quality of La Habra's natural topography, hillsides, open space, and natural riverine areas.
- SM 1.3 Manmade Scenic Resources. Preserve La Habra's manmade scenic resources including historic age structures such as the La Habra Children's Museum, the La Habra Depot Theatre, the La Habra Art Building, and the Veteran's Hall, and the building that houses the La Habra History Museum.
- SM 1.6 Lighting. Support practices that minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary including the design and sighting of light fixtures.
- SM 1.7 Night Sky Lighting. Permit the reasonable use of outdoor lighting for nighttime safety, utility, security, and enjoyment; minimize glare caused by limiting excessive or unnecessary outdoor lighting; conserve energy and resources; and protect the natural environment from the damaging effects of night lighting.
- SM 1.8 Glare. Support practices in new developments that avoid the creation of incompatible glare or reflection through development design features.

Policies applicable to Project lighting are set by the La Habra Municipal Code. These policies include:

- Section 15.60.100 – Multifamily Dwelling Lighting. Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least twenty-five one hundredth foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather- resistant and vandalism-resistant covers.
- Section 18.14.070 – Design Standards, Code 18.14.070(4) Lighting. Parking areas shall have lighting capable of providing adequate illumination for security and safety. The minimum requirement is one foot-candle, maintained across the surface of the parking area. Lighting standards shall be energy-efficient and in scale with the height and use of the structure. Any illumination, including security lighting, shall not spill over on to any adjacent properties. In general, lamps should not be visible from any adjoining property. Light standards may not be placed in any required landscape setback area.
- Section 18.26.050 – Special Development Standards, Code 18.26.050(8) Lighting. All lighting of buildings, landscaped parking areas, or similar facilities shall be arranged so as not to reflect onto adjoining properties.

6.1.1.2 Existing Conditions

The topography of La Habra is characterized as a valley, with gentle rolling terrain and hillsides in the northern and southern portions of the City. The Project site is

generally flat, with an elevation of approximately 257 feet above mean sea level (amsl).

As discussed previously in Section 2.9.1, the Project site is currently occupied by six commercial/light industrial buildings and asphalt parking lots. The buildings were constructed between 1963 and 1983. Figures 8-11 provides photos of the existing site conditions. The buildings are plain with minimal or no ornamentation; there is outdoor storage of cars and wood crates; and minimal landscaping consisting of a few areas of turf and scattered trees and shrubs located adjacent to the public sidewalk at Imperial Highway and at an interior parking area.

Existing light sources in the vicinity of the Project site include exterior lighting from surrounding mostly commercial uses. The two existing automotive uses on the Project site (Mac Auto at 351 West Imperial Highway and Bentley Auto Group at 251 West Imperial Highway) have approximately 30 foot tall light poles at their parking lots along Imperial Highway. There is also existing street pole lighting adjacent to the site on Imperial Highway.

Light sensitive receptors adjacent to the Project site are the existing single family homes located directly to the north. The existing single family homes south of the site are separated by Imperial Highway with its existing street lights and an existing 14'-15' tall masonry sound wall, and the existing apartments west of the site are separated by existing commercial uses and two streets.

6.1.2 Analysis Of Environmental Impacts

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

   No Impact. The Project site is an infill property surrounded by urban land uses, including commercial, residential, institutional and industrial. The site is not within the vicinity of General Plan designated scenic resources including West Coyote Hills, Puente Hills, and the San Gabriel Mountains. The site does not contain and is not within the vicinity of hillsides, open spaces or natural riverines. The site is not within the vicinity of General Plan designated manmade scenic resources, such as the La Habra Children's Museum, La Habra Depot and La Habra Art Building, all of which are located approximately a mile north of the Project site. Consequently, the Project would not have an adverse effect on a scenic vista. There are no designated scenic views identified in the City of La Habra General Plan (General Plan). Consequently, the Project would not have an adverse effect on a scenic vista.

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. Caltrans defines a scenic highway as any freeway, highway, road, or other public ROW that transverses an area of exceptional scenic quality.[4] There are no state highways and no designated scenic highways in the vicinity of the Project site. The General Plan does not identify scenic corridors within the City. Consequently, the Project would not damage scenic resources within a state scenic highway.

c) Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

No Impact. As shown in Figures 8 through 11, the existing buildings on the Project site are plain with minimal or no ornamentation; there is outdoor storage of cars and wood crates; and minimal landscaping consisting of a few scattered shrubs. The Project proposes to redevelop the site with a cohesively designed townhome community. As shown previously in Figure 4, Schematic Landscape Plan, the Project would provide substantial landscape along Imperial Highway. The proposed Project architecture consists of a contemporary Spanish style with decorative elements such as gabled roof features, adobe brick veneer, corbels, truss tails, awnings, decorative trellises, recessed windows, decorative railing, bay windows, and decorative shutters. The residential character of the Project would be compatible with the existing single-family residential uses north and south of the site. Consequently, the proposed Project improvements would enhance the visual character and quality of the site, and no significant adverse visual impacts to the site or surroundings would occur.

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

No Impact. Existing light sources in the vicinity of the Project site include exterior lighting from surrounding mostly commercial uses. As discussed above, existing on-site light sources include parking lot lights and adjacent street lights.

The Project would replace the existing commercial/light industrial uses on site with 117 townhomes. With the new townhomes, the Project would create new exterior light sources on the structures, interior private streets and Project entry. As outlined previously in Section 6.1.1, the Project would be subject to City of La Habra Municipal Code sections that regulate lighting.
Required compliance with these Municipal Code sections would ensure that the new light sources created by the Project would not create glare or adversely affect the surrounding uses. Consequently, the Project would be consistent with applicable General Plan policies regarding lighting, night sky lighting and glare; and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

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[4] Scenic Highways | Caltrans; accessed July 20, 2021.

6.1.3 CUMULATIVE IMPACTS

The analysis determined that the proposed Project would not result in significant adverse aesthetic impacts. By redeveloping the commercial/light industrial buildings and asphalt parking lots with an architecturally cohesive residential community, the Project would improve the visual character of the site, and surrounding area. It would be consistent with existing residential development north, west and south of the site. Aesthetic impacts are generally site or area specific. The Project would positively impact the visual character of the surrounding area. Consequently, the Project would not result in significant adverse cumulative aesthetics impacts.

6.1.4 MITIGATION MEASURES

The analysis determined that the proposed Project would not result in any significant adverse impacts regarding aesthetics. Consequently, no mitigation is required.

6.2 AGRICULTURE AND FOREST SERVICES

AGRICULTURAL/FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997)prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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 Section 12220(g)) or timberland (as defined in Public Resources Code Section 4526)				X
d) Result in 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

6.2.1 ENVIRONMENTAL SETTING

6.2.1.1 Regulatory Setting

City of La Habra: The La Habra General Plan Land Use Plan Diagram does not contain an agricultural or forest land use designation, and the General Plan does not contain policies specific to farmland, existing agriculture use or forest land.

6.2.1.2 Existing Conditions

Although historically, the site and surrounding areas were used for agricultural row crops, no agricultural uses or forest remain on the site or in the City of La Habra.

6.2.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance?

No Impact. La Habra is primarily an urban environment with no agricultural land under commercial cultivation. Although the Project site was used for agricultural purposes, as an orchard, up to the 1950's, no agricultural uses remain on the site or surrounding areas. The state of California Department of Conservation classifies the Project site and its surrounding areas as "Urban and Built-Up Land."[5] Consequently, the Project would not convert farmland to a non-agricultural use.

b) Would the Project conflict with existing zoning for agricultural use or a Williamson Act Contract?

No Impact. The Williamson Act (Cal. Govt. Code, §51200 et seq.) allows county governments to enter into contracts with private landowners who agree to restrict parcels of land to agricultural uses or uses compatible with agriculture for at least ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon income derived from farming and open space uses as opposed to full market value of the property. As discussed above, there are no existing agriculture use currently within the City and no Williamson Act contracts. Consequently, the Project would not conflict with an agricultural use or Williamson Act contract.

c) Would the Project conflict with existing zoning for or cause rezoning of, forest land?

No Impact. The City, inclusive of the Project site, is developed with urban land uses. There are no forest, timberlands or forest zoning in the City. Consequently, the Project would not conflict with zoning for forest land.

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

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[5]https://maps.conservation.ca.gov/dlrp/ciff/; accessed June 23, 2021.

No Impact. As discussed in Section 6.2.c of this Initial Study, above, the City, inclusive of the Project site, is developed with urban land uses. There are no forest, timberlands or forest zoning in the City. Consequently, the Project would not result in the loss or conversion of forest land.

e) Would the Project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use

No Impact. As discussed in Sections 7.2.a, b and c of this Initial Study, above, the City, inclusive of the Project site, is developed with urban land uses. There are no exclusive farmlands or forests in the City. Consequently, the Project would not result in the loss or conversion of farmland or forest land.

6.2.3 CUMULATIVE IMPACTS

There are no agriculture nor forest resources within the City. Consequently, development within the City would not cause impacts to agriculture or forest resources. Similarly, the Project would not result in significant adverse cumulative agriculture and or forest resource impacts.

6.2.4 MITIGATION MEASURES

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts on agriculture and or forest resources. As a result, no mitigation is required.

6.3 AIR QUALITY

AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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	

6.3.1 ENVIRONMENTAL SETTING

6.3.1.1 Regulatory Setting

Federal: The Federal Clean Air Act, which was last amended in 1990, requires the United State Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for criteria pollutants considered harmful to public health and the environment. The State of California has also established additional and more stringent California Ambient Air Quality Standards (CAAQS) in addition to the seven criteria pollutants designated by the federal government. AAQS are designed to protect the health and welfare of the populace with a reasonable margin of safety. The standards are divided into two categories, primary standards, and secondary standards. Primary standards are implemented to provide protection for the "sensitive" populations such as those with asthma, or the children and elderly. Secondary standards are to provide protection against visible pollution as well as damage to the surrounding environment, including animals, crops, and buildings.

Regional: The agency responsible for air pollution control for the South Coast Air Basin (SCAB), in which the Project site is located, is the South Coast Air Quality Management District (SCAQMD). SCAQMD is responsible for controlling emissions primarily from stationary sources. SCAQMD maintains air quality monitoring stations

throughout the SCAB. SCAQMD, in coordination with the Southern California Association of Governments (SCAG), is also responsible for developing, updating, and implementing the Air Quality Management Plan (AQMP) for the SCAB. An AQMP is a plan prepared and implemented by an air pollution district for a county or region designated as nonattainment of the federal and/or California ambient air quality standards. The term nonattainment area is used to refer to an air SCAB where one or more ambient air quality standards are exceeded. The latest version is the 2016 AQMP. The 2016 AQMP is a regional blueprint for achieving the federal air quality standards and healthful air. While air quality has dramatically improved over the years, the SCAB still exceeds federal public health standards for both ozone and particulate matter (PM) and experiences some of the worst air pollution in the nation. According to the 2016 AQMP, the most significant air quality challenge in the SCAB is to reduce nitrogen oxide (NOx) emissions sufficiently to meet the upcoming ozone standard deadlines.

To support attainment of the state and federal standards, SCAQMD establishes a program of rules and regulations for the construction and operation of development projects. Several of the rules and regulations that may be applicable to this project include, but are not limited to, the following:

- SCAQMD Rule 402 prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- SCAQMD Rule 403 governs emissions of fugitive dust during construction and operation activities. Compliance with this rule is achieved through application of standard Best Management Practices, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites.
- SCAQMD Rule 445 restricts wood burning devices from being installed into any new development and is intended to reduce the emissions of particulate matter for wood burning devices.
- SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coating and limits the volatile organic compound (VOC) content in paints and paint solvents. This rule regulates the VOC content of paints available during construction. Therefore, all paints and solvents used during construction and operation of project must comply with Rule1113.
- SCAQMD Rule 1143 governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.
- SCAQMD Rule 1166 governs the excavation and management of soil impacted by

VOCS through the development of a plan to limit the off-gassing of such soils to the atmosphere.

- SCAQMD Rule 1186 limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency or special district such as water, air, sanitation, transit, or school district.

City of La Habra*:* Policies of the Conservation/Natural Resources Element of the General Plan applicable to the Project and air quality include the following:

- AQ 1.1 Ambient Air Quality Standards. Work with the California Air Resources Board (ARB) and South Coast Air Quality Management District (SCAQMD) to meet state and federal ambient air quality standards.
- AQ 1.4 Air Quality Assessment and Monitoring. Cooperate with the California ARB and SCAQMD to measure air quality at emission sources and enforce the standards of the Clean Air Act for air quality and GHG emissions.

6.3.2 Existing Conditions

Local Air Quality: The SCAQMD has divided the SCAB into fourteen general forecasting areas and thirty eight Source Receptor Areas (SRA) for monitoring and reporting local air quality. The SCAQMD provides daily reports of the current air quality conditions in each general forecast area and SRA. The monitoring areas provide a general representation of the local meteorological, terrain, and air quality conditions within the SCAB. The Project is located within the Metropolitan general forecasting area and North Orange County air monitoring area (SRA-16). Table 4summarizes the published air quality monitoring for the most recent 3-year period available.[6] As shown in the Table, air quality in the Project area has met applicable state and federal standards for monitored pollutants, except Coarse Particulates (PM10).

Table 4: Local Air Quality

Air Pollutant Location	Averaging Time	State and National Standards	2017	2018	2019
Carbon Monoxide -- North Orange County	1 Hour	Max 1-Hour (ppm) Exceeded State Standard (20 ppm) Exceeded National Standard (35 ppm)	3.8 No No	3.0 No No	2.6 No No
	8 Hour	Max 8 Hour (ppm) Exceeded State Standard (9 ppm) Exceeded National Standard (9 ppm)	1.6 No No	1.4 No No	1.2 No No

**

[6] "Imperial & Euclid Residential Development Air Quality & Greenhouse Impact Study, City of La Habra," prepared by RK Engineering Group, Inc. (Air Quality Impact Study) and contained as Appendix D to this Initial Study.

Table 4: Local Air Quality

Air Pollutant Location	Averaging Time	State and National Standards	2017	2018	2019
Ozone -- North Orange County	1 Hour	Max 1-Hour (ppm) Days > State Standard (0.09 ppm)	0.113 5	0.111 3	0.107 2
	8 Hour	Max 8 Hour (ppm) Days > State Standard (0.07 ppm) Days >National Standard (0.070 ppm)	0.086 12 12	0.077 4 4	0.094 6 6
Nitrogen Dioxide -- North Orange County	1 Hour	Max 1-Hour (ppm) Exceeded State Standard (0.18 ppm)	0.0718 No	0.0671 No	0.0594 No
	Annual	Annual Average (ppm) Exceeded >State Standard (0.030 ppm) Exceeded >National Standard (0.053 ppm)	0.0145 No No	0.013 No No	0.0121 No No
Sulfur Dioxide -- Metropolitan Riverside County-1	1 Hour	Max 1 Hour (ppm) Exceed State Standard (0.25 ppm) Exceed National Standard (0.075 ppm)	0.0019 No No	0.0016 No No	0.0014 No No
Coarse Particles (PM10) -- Central Orange County	24 Hour	Max 24-Hour (μg/m^3) Days > State Standard (50 μg/m^3) Days >National Standard (150 μg/m^3)	129 19 0	129 13 0	127 13 0
	Annual	Annual Average (μg/m^3) Exceeded State Standard (20 μg/m^3)	27.3 Yes	27.2 Yes	21.9 Yes
Fine Particulates (PM2.5) -- Central Orange County	24 Hour	Max 24-Hour (μg/m^3) Days >National Standard (35 μg/m^3)	53.93 6	54.1 3	36.1 3
	Annual	Annual Average (μg/m^3) Exceeded State Standard (12 μg/m^3) Exceeded National Standard (15 μg/m^3)	10.87 No No	11.02 No No	9.32 No No

Source : https://www.aqmd.gov/home/air-quality/historical-air-quality-data/historical-data-by-year
μg/m^3 = micrograms per cubic meter ARB = California Air Resource Board EPA= Environmental Protection Agency
ppm = part per million
(- -) = Data not provided

Sensitive Receptors: Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. For CEQA purposes, the SCAQMD considers a sensitive receptor to be a location where a sensitive individual could remain for 24-hours or longer, such as residences, hospitals, and schools.

The nearest sensitive land uses to the project site include the following:

- Existing residential dwelling units located along Keene Drive adjacent to the project site to the north (less than 25 meters).

- Existing residential dwelling units located along Parkwood Avenue south of Imperial Highway, approximately 180 feet to the south of the project site (approximately 55 meters).

6.3.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

Data presented in this Air Quality section is based on the "Imperial & Euclid Residential Development Air Quality & Greenhouse Impact Study, City of La Habra," prepared by RK Engineering Group, Inc. (Air Quality Impact Study) and contained as Appendix D to this Initial Study.

The Air Quality Impact Study uses the California Emissions Estimator Model Version 2020.4.0 (CalEEMod) to calculate criteria air pollutants and GHG emissions from the construction and operation of the Project. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify criteria air pollutant and GHG emissions. The CalEEMod Model is not intended as an exact accounting of what equipment will ultimately be used and what emissions are produced by a project. Rather, the model represents a "yard stick" by which projects may be compared on a one-to-one basis. The methodology applied by the CalEEMod Model are based on studies performed by the SCAQMD for construction projects in the southern California. The SCAQMD recommends use of the CalEEMod Model for typical construction projects.

a) Would the Project conflict with or obstruct the implementation of the applicable air quality plan?

Less Than Significant Impact. Table 5 lists the air quality significance thresholds for the six criteria air pollutants, including NOx, that are relevant to the Project and analyzed in the Air Quality Impact Study.

Table 5: SCAQMD Regional Significance Thresholds

Pollutant [1]	Construction (lbs/day)	Operation (lbs/day)
NO_X	100	55
VOC	75	55
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_X	150	150
CO	550	550

Table 5: SCAQMD Regional Significance Thresholds

Pollutant [1]	Construction (lbs/day)	Operation (lbs/day)

[1] ROG (reactive organic gases); NOx (oxides of nitrogen); CO (carbon monoxide); PM-10 (respirable 10-micron diameter particulate matter); PM-2.5 (respirable 2.5-micron diameter particulate matter; SOx (oxides of sulfur).

As discussed in Section 6.1.b, below, although Project construction and operation would emit air pollutants, these emission levels would not exceed NOx thresholds set by the 2016 AQMP or any of the other air pollutant thresholds set by the SCAQMD and listed above in Table 5. Consequently, the Project impacts relative to consistency with the goals of 2016 AQMP are less than significant.

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. A violation of an air quality standard could occur over the short-term during construction, or over the long-term during its subsequent operation. Each is addressed below.

Construction Impacts: Project construction raises localized ambient pollutant concentrations. Construction air quality impacts are considered significant if they exceed any of the construction thresholds listed in Table 5.

During construction air quality impacts may occur during demolition, site preparation, and construction activities associated with the Project. Major sources of emissions during construction include exhaust emissions, fugitive dust generated as a result of soil and material disturbance during site preparation, and grading activities, and painting of the structures.

The Project site will require the demolition of approximately 61,068 square feet of existing building area and approximately 152,811 square feet of an existing asphalt surface parking lot. The Project, including remedial work, is also expected to require the export of approximately 836.29 cubic yards of earthwork materials, including up to 100 cubic yards of hazardous soil materials.

Table 6, below, presents the CalEEMod calculation of daily emissions projected for site construction. The calculations apply typical construction equipment, labor, phasing and materials to the project, based on its size, location and proposed timing. To assess air quality construction impacts for the Project, the Air Quality Impact Study inputted the following assumptions into the CalEEMod Model: Construction of the Project is assumed to begin in year 2022 and last approximately 15 months. Construction phases are assumed to consist of

demolition, site preparation, grading, building construction, paving and architectural coating.

As shown in Table 6, although Project construction would emit air pollutants, these emission levels are within their respective threshold values and the impact is less than significant.

Table 6: Comparison of Projected Construction Emissions and Daily Criteria Values (Pounds/Day)

Activity	VOC	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Demolition	0.70	9.79	25.87	0.07	5.09	0.99
Site Preparation	0.52	2.06	21.46	0.04	7.78	3.98
Grading	0.43	2.46	18.48	0.03	3.03	1.44
Building Construction	0.72	3.50	21.40	0.04	1.42	0.42
Paving	0.50	1.25	17.76	0.02	0.21	0.08
Architectural Coating	68.83	0.17	2.51	0.01	0.25	0.07
Maximum[7]	**68.83**	**3.50**	**21.46**	**0.04**	**7.78**	**3.98**
SCAQMD Threshold	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Threshold (?)	**No**	**No**	**No**	**No**	**No**	**No**

In addition, Project construction would be required to comply with SCAQMD Rule 403 regarding fugitive dust emissions, which require the Project construction to implement the following measures. These measures will be added to the Project as Mitigation Measure AQ-1:

- All active construction areas shall be watered two (2) times daily.
- Speed on unpaved roads shall be reduced to less than 15 mph.
- Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.
- Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
- All operations on any unpaved surface shall be suspended if winds exceed 15 mph.
- Access points shall be washed or swept daily.

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[7] Maximum daily emissions shown in Table 5 during summer or winter, whichever is higher, includes both on-site and off-site project emissions.

- Construction sites shall be sandbagged for erosion control.
- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
- Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) section 23114.
- Pave or gravel construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits.
- Replace the ground cover of disturbed areas as quickly possible.

Operational Impacts: The major source of long-term air quality impacts is that associated with the emissions produced from project-generated vehicle trips. Stationary sources add only minimally to these values.

Mobile Source Emissions: Mobile source emissions are the largest source of long-term air pollutants from the operation of the project. Mobile sources are direct sources of project emissions that are primarily attributed to tailpipe exhaust and road dust (tire, brake, clutch, and road surfacewear) from motor vehicles traveling to and from the site. Estimates of mobile source emissions require information on: trip generation, trip length, vehicle/fleet mix, and emission factors (quantity of emission for each mile traveled or time spent idling by each vehicle). To estimate trip generation rates, trip length and trip percentages for the Project, the Air Quality Impact Study applied theCalEEMod defaults.

Stationary Source Emissions: In addition to vehicle trips, the future Project occupants would produce emissions from on-site sources including the combustion of natural gas for space and water heating and the use other heating sources (e.g., hearths). Additionally, the structures would be maintained and this requires repainting over time, thus resulting in the release of additional emissions. Finally, the landscape would require maintenance and this equipment produces combustion emissions.

Operational Emissions: The resultant operational emissions are projected by the Air Quality Impact Study CalEEMod computer model and included in Table 7. As shown in Table 7, although Project operation would emit air pollutants, these emission levels are within their respective threshold values and the impact is less than significant.

In accordance with SCAQMD methodology, projects that do not exceed or can be mitigated to less than the daily threshold values do not add significantly to a cumulative impact. Neither the construction nor the operation of the Project would exceed the recommended SCAQMD threshold levels and this impact is less than significant.

Table 7: Comparison of Projected Daily Operational Emissions and Daily Criteria Values (Pounds/day)[1]

Activity	VOC	NO_x	CO	SO_2	PM_{10}	PM2.5
Mobile Sources	2.69	2.67	27.45	0.06	6.88	1.86
Energy Sources	0.06	0.48	0.20	0.00	0.04	0.04
Area Sources	5.21	2.05	10.49	0.01	0.21	0.21
Total	**7.96**	**5.20**	**38.14**	**0.08**	**7.13**	**2.11**
SCAQMD Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold (?)	**No**	**No**	**No**	**No**	**No**	**No**

[1] Maximum daily emissions during summer or winter; includes both on-site and off-site project emissions.

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

Less Than Significant Impact with Mitigation Incorporated. Project construction and operation have the potential to raise localized ambient pollutant concentrations. This could present a significant impact to sensitive receptors if these concentrations were to exceed the State or federal ambient air quality standards at receptor locations. Sensitive uses in or near this range to the Project site are the residential homes located adjacent to the north and south.

Localized Significance Thresholds: SCAQMD establishes localized significance thresholds (LSTs) based on the ambient concentrations of applicable air pollutants for source receptor area, with the North Orange County air monitoring area (SRA-16) reporting local air quality.

To measure LSTs, the Air Quality Impact Study utilized SCAQMD's significance tables which measures the approximate amount of pollutants that reach nearby properties. These calculated LST thresholds are presented in Table 8 for both construction and operational emissions. As shown in the Table, emissions would be below levels of significance for construction and operation for all measured pollutants.

Table 8: Comparison of Projected Construction and Operational Emissions to SCAQMD Localized Significance Thresholds[1] (LST) (Pounds/day)				
	Pollutant			
	NO_x	**CO**	**PM_{10}**	**PM2.5**
Project Construction Emissions				
Project Construction Maximum Emissions	2.23	23.28	7.58	3.93
LST Construction Thresholds	**180.7**	**1,026.6**	**8.4**	**4.9**
Exceeds LST Construction Thresholds?	**No**	**No**	**No**	**No**
Project Operational Emissions				
Project Operation Emissions	2.66	12.06	0.6	0.3
LST Operational Thresholds	**180.7**	**1,026.6**	**2.4**	**1.6**
Exceeds LST Operational Thresholds?	**No**	**No**	**No**	**No**

Toxic Air Contaminants: Other potential impacts that could affect sensitive receptors are Toxic Air Contaminants (TACs) is defined as air pollutants that may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health, and for which there is no concentration that does not present some risk. The primary source of TACs from non-industrial land use development projects would include diesel particulate matter (DPM) generated from diesel exhaust emissions.

Construction of the Project will generate diesel particulate matter (DPM) during construction from off-road diesel equipment and trucks. The California Office of Environmental Health Hazard Assessment (OEHHA) adopted the Guidance Manual for Preparation of Health Risk Assessments (HRA Guidelines) to provide procedures for use in the Air Toxics Hot Spots Program or for the permitting of existing, new, or modified stationary sources.

The HRA Guidelines provide risk factors based on exposure to toxic substances over a 30- year lifetime span. The Project's construction activity is not expected to be a long-term (i.e., 30 years) source of toxic air contaminant emissions and short-term risk factors have not been developed. Due the significantly reduced risk from short-term exposure, SCAQMD does not typically require the evaluation of long-term cancer risk or chronic health impacts for construction operations from a project such as the one being proposed. Based on this information, the Air Quality Impact Study concludes that the short-term exposure to DMP during Project construction may be presumed to be less than significant without the need for a detailed HRA study.

To help further reduce the potential health risks associated with DPM exposure during construction, the Air Quality Impact Study recommends the following project design features which are added to the Project as Mitigation Measure AQ-2:

- All diesel construction equipment should have Tier 4 low emission "clean diesel" engines (OEM or retrofit) that include diesel oxidation catalysts and diesel particulate filters that meet the latest California Air Resources Board (CARB) best available control technology.
- Construction equipment should be maintained in proper tune.
- All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.
- Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.
- The use of heavy construction equipment and earthmoving activity should be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.
- Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.
- Establish staging areas for the construction equipment that as far from adjacent residential homes, as feasible.
- Use haul trucks with on-road engines instead of off-road engines for on-site hauling.

Operation of the Project, as a residential use, would not include major sources of toxic air contaminants (TAC) emissions that would result in significant exposure of sensitive receptors to substantial pollutant concentrations. Therefore, the Project TAC impact is considered less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Project construction would involve the use of heavy equipment creating exhaust pollutants from on-site earth movement and from equipment bringing concrete and other building materials to the site. Odors associated with this exhaust would be confined to the immediate vicinity of the equipment itself. By the time such emissions reach any sensitive receptor sites away from the Project site, they will be diluted to well below any level of air quality concern. Additionally, some odor would be produced from the application of asphalt, paints, and coatings. Any exposure to these common odors would be of short-term duration and, while unpleasant and potentially adverse, are not associated with a specific health hazard and are less than significant. Operational odors could be produced from on-site cooking or barbeque typical of a residential

use. Because these odors are common in the environment, they would not constitute a significant impact.[8]

6.3.3 CUMULATIVE IMPACTS

As discussed above, in accordance with SCAQMD methodology, projects that do not exceed or can be mitigated to less than the daily threshold values do not add significantly to a cumulative impact. Neither the construction nor the operation of the Project would exceed the recommended SCAQMD threshold levels. Mitigation measures AQ-1 and AQ-2 are added to the Project to further reduce fugitive dust and health risks associated with Project construction. Consequently, the Project would not create significant cumulative impacts relative to air quality.

6.3.4 MITIGATION MEASURES

The following measures will be required to reduce potential air quality impacts related to Project construction:

Mitigation Measure AQ-1: (Fugitive Dust).
Timing: During Project construction.
Department Responsible: Community Development (Building Division).
Project construction shall comply with SCAQMD Rule 403 regarding fugitive dust emissions, which require the Project construction to implement the following measures:

- All active construction areas shall be watered two (2) times daily.
- Speed on unpaved roads shall be reduced to less than 15 mph.
- Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.
- Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
- All operations on any unpaved surface shall be suspended if winds exceed 15 mph.
- Access points shall be washed or swept daily.
- Construction sites shall be sandbagged for erosion control.
- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).

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[8] SCAQMD CEQA Air Quality Handbook, Figure 5-4, Land Uses Associated with Odor Complaints identifies potentially significant odor impacts from such uses as agriculture (farming and livestock), a wastewater treatment plant, a food processing plant, a chemical plant, a composting facility, a refinery, a landfill, or a dairy. No significant odor impacts are identified from residential uses.

- Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) section 23114.
- Pave or gravel construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits.
- Replace the ground cover of disturbed areas as quickly possible.

Mitigation Measure AQ-2: (Potential Health Risks).

Timing: During Project construction.

Department Responsible: Community Development (Building Division).

The following measures shall be implemented to reduce the potential health risks associated with DPM exposure during construction:

- All diesel construction equipment should have Tier 4 low emission "clean diesel" engines (OEM or retrofit) that include diesel oxidation catalysts and diesel particulate filters that meet the latest California Air Resources Board (CARB) best available control technology.
- Construction equipment should be maintained in proper tune.
- All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.
- Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.
- The use of heavy construction equipment and earthmoving activity should be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.
- Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.
- Establish staging areas for the construction equipment that as far from adjacent residential homes, as feasible.
- Use haul trucks with on-road engines instead of off-road engines for on-site hauling.

6.4 BIOLOGICAL RESOURCES

BIOLOGICAL RESOURCES. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as 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?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Boulevard 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling hydrological interruption, or other means?				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 wildlife 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 Conservancy Conservation Plan, or other approved local,				X

BIOLOGICAL RESOURCES. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
regional, or state habitat conservation plan?				

6.4.1 ENVIRONMENTAL SETTING

6.4.1.1 Regulatory Setting

Federal: Federal regulations set policies to protect biological resources, including the following which are applicable to new development such as the Project:

- Federal Endangered Species Act. The United States Congress passed the Federal Endangered Species Act (FESA) in 1973 to protect those species that are endangered or threatened with extinction. The FESA prohibits the taking of endangered or threatened wildlife species. A take is defined as harassing, harming (including significantly modifying or degrading habitat), pursuing, hunting, trapping, capturing, or collecting these endangered or threatened wildlife species.
- Clean Water Act, Section 404. The Federal Government's Section 404 Guidelines prohibit the issuance of wetland permits for projects that would jeopardize the existence of threatened or endangered wildlife or plant species. The U.S. Army Corps of Engineers must consult with the United States Fish and Wildlife Service (USFWS) and National Oceanic Atmospheric Administration (NOAA) when threatened or endangered species may be affected by a proposed project to determine whether issuance of Section 404 permit would jeopardize the species. Portions of Coyote Creek are potentially subject to the aforementioned permit requirements; however, the portion abutting the subject site is fully developed with concrete lined walls and stream bed.
- Migratory Bird Treaty Act (MBTA). Raptors, migratory birds, and other avian species are protected by a number of State and Federal laws. The Federal MBTA prohibits the possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of Interior.

State: State regulations set policies to protect biological resources, including the following which are applicable to new development such as the Project:

- California Endangered Species Act. The State of California enacted the California Endangered Species Act (CESA) in 1984. The CESA is similar to the FESA but pertains to State-listed endangered and threatened species. CESA directs agencies to consult with California Department of Fish and Wildlife (CDFW) on projects or actions that could affect listed species and directs CDFG to determine whether jeopardy would occur, and allows the Agency to identify "reasonable and prudent alternatives" to the project consistent with conserving the species.

- California Fish and Wildlife Code. Section 3503 of the California Fish and Wildlife Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Fish and Wildlife Code Section 3503.5 states specifically that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. Fish and Wildlife Code Sections 3511, 4700, and 5050 provide the designation of certain fully protected birds, mammals, and reptiles/amphibians, respectively, stating that the fully protected species or parts thereof may not be taken or possessed at any time.

City of La Habra: Policies applicable to biological resources and new development, such as the Project, are also set by the La Habra General Plan, Conservation/Natural Resources Element. These policies include:

- BR 1.1 Biological Resource Protection. Conserve and protect wildlife ecosystems, riverine corridors, and sensitive habitat areas including the sensitive plant species areas within the Westridge Golf Course.
- BR 1.2 Natural Community Conservation Plan and Habitat Conservation Plan. Continue to participate in and support the policies of the Central and Coastal Orange County Natural Community Conservation Plan and Habitat Conservation Plan as a multispecies/multi-habitat reserve system and long-term management program that primarily protects coastal sage scrub and the species that utilize coastal sage scrub habitat.
- BR 1.4 Riparian Habitat Integrity. Work with the Orange County Flood Control District to maintain open space areas along and within the established creek corridors and flood control channels for the protection of riparian habitats, consistent with requirements to maintain the integrity of these lands for stormwater and flood control management.
- BR 1.5 Riparian Restoration. Work with federal, state, and/or local agencies to restore riparian communities along and within the established creek corridors and flood control channels where appropriate and feasible.
- BR 1.8 Tree Preservation. Encourage the preservation of trees in existing and new development projects that are suitable nesting and roosting habitat for resident and migratory bird species.
- BR 1.10 Landscaping. Encourage landscaping that minimizes the need for herbicides and pesticides and that provides food, water, habitat, and nesting sites for birds and other beneficial insects that help maintain the environmental resources and restore the larger ecosystem.
- BR 1.11 Native Plant Use. Encourage the use of native and drought tolerant plant materials, including native tree species, in public and private landscaping and re-vegetation projects.
- BR 1.12 Environmental Review. Ensure that the development and environmental review process is responsive to the preservation and protection of sensitive wildlife and plant species and other sensitive habitat communities.

6.4.1.2 Existing Conditions

La Habra is largely urbanized with few remaining natural open spaces. As discussed in Chapter 6, Conservation/Natural Resources of the General Plan, the City's landscapes primarily consist of nonnative ornamental species that have been planted around commercial, residential, and industrial buildings, in parking lots, along streets, and in the open space areas of the City's parks and schools. Various tree species provide suitable nesting and roosting habitat for resident and migratory bird species. Wildlife in La Habra is limited to species that are adapted to highly urbanized areas such as birds and small mammal species including raccoons, skunks, opossum, ground squirrels, and small rodents.

Few areas of the City support sensitive biological resources and are primarily mitigation areas of protected plant species within the Westridge Golf Course, which is located approximately 1 mile southwest of the Project site.

As noted previously, the Project site consists of buildings and asphalt parking areas, with minimal landscaping consisting of a few areas of turf and scattered trees and shrubs.

6.4.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project adversely 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 Wildlife or U.S. Fish and Wildlife Service?

   No Impact. The City is largely urbanized with few areas that support biological resources, with the Project site and surrounding areas are fully developed with buildings, paving and scattered non-native vegetation. The Project site is not within the vicinity of the Westridge Golf Course sensitive habitat mitigation area, and there are no natural waterways or native vegetation on or in the vicinity of the site. Consequently, because there are no sensitive habitat areas or identified protected species on or in the vicinity of the Project site, the Project would not result in a significant impact to any federal or state regulated sensitive habitat or species.

b) Would the Project have a substantial 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. As noted above, the Project site is disturbed and developed with buildings and paving. Onsite vegetation consists of scattered turf, trees and shrubs. Surrounding areas are fully urbanized with commercial or residential development. No riparian habitat or other sensitive natural community are known to occur on the site or surrounding area. Consequently, Project implementation would not result in significant adverse impacts to riparian or other sensitive natural community.

c) Would the Project have a substantial impact on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, streams, lakes, and bogs. According to the USFWS National Wetlands Mapper[9], there no wetlands within the vicinity of the Project site. The La Habra General Plan does not identify any wetlands within the City. Consequently, the Project would not cause a substantial adverse effect on federally protected wetlands.

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

Less Than Significant with Mitigation Incorporated. As discussed above, the Project site is surrounded by urban land uses and does not contain identified native or sensitive species, riparian or sensitive habitats or wetlands. Trees on the Project site consist of a few Bottlebrush, Ficus, King Palm, and Mexican Fan Palms. These trees are non-native species, and because they are surrounded by urban uses, the trees are unlikely to provide suitable habitat, including nesting habitat, for migratory birds under the federal Migratory Bird Treaty Act (MBTA) and under Section 3513 et. seq. of the CDFW Code. The site is mostly covered with buildings and paving, and does not provide the large dirt fields that support burrowing owls.

However, because of the presence of trees, there is some possibility that a migratory or other protected bird could nest in one of the existing trees on the Project site. Mitigation Measure BIO-1, below, is added to the Project to protect nesting birds. With inclusion of this measure, potential impacts relative to interference with a wildlife nursery, area or corridor would be reduced to less than significant levels.

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

No Impact. General Plan policy BR 1.8 encourages the preservation of trees in new development projects that are suitable nesting and roosting habitat for resident and migratory bird species. As discussed above, it is unlikely that the existing on-site trees are suitable for nesting habitat. However, Mitigation Measure BIO-1 is added to the Project to ensure any potential on-site nesting birds are protected.

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[9] http://www.fws.gov/wetlands/data/mapper.HTML; accessed July 23, 2021.

General Plan policies BR 1.10 and 1.11 encourage landscaping that minimizes herbicides and pesticides, and use of native an drought tolerant plant materials. The proposed Planting Plan for the Project uses low-water use and drought tolerant tree and shrub species, including: Field Grown Olive, Little Gem Magnolia, Australian Willow, Brisbane Box, Strawberry Tree, Crape Myrtle, Italian Cyprus, Berdely Sedges, Agave, Kangaroo Paw, Spanish Lavender, Groundcover Rosemary, Red/Purple Sage.[10] To ensure that the proposed low-water and drought tolerant plant species are used in the Project development, Mitigation Measure BIO-2 is added to the Project to require that the Applicant provide a final Planting Plan consistent with the proposed plan and General Plan policies BR 1.10 and 1.11, and implement the plan as required by the City.

Consequently, with inclusion of Mitigation Measures BIO-1 and BIO-2, potential impacts relative to conflicts with local policies protecting biological resources such as trees would be reduced to less than significant levels.

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

No Impact. The City does not have any adopted Habitat Conservation Plans, Natural Community Conservation Plans or other conservation plans within its corporate boundaries. Consequently, the Project would not conflict with provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.

6.4.3 CUMULATIVE IMPACTS

The proposed Project would not involve any loss of protected habitat since no such habitat is found within the Project site's boundaries. As a result, no significant cumulative impacts on biological resources will be associated with the proposed project's implementation.

6.4.4 MITIGATION MEASURES

The following mitigation measures will be required to protect potential biological resources related to Project development:

Mitigation Measure BIO-1: (Nesting Birds).

Timing: Prior to any clearing or vegetation removal and prior to issuance of any grading permit.
Department Responsible: Community Development (Planning and Building Divisions).

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[10] The Planting Plan for the Project is available at the City of La Habra Planning Division, City Hall, 201 E. La Habra Blvd., La Habra, CA 90633-0337.

If clearing and/or construction activities would occur during the raptor or migratory bird nesting season which generally runs from February 1 to August 31 (as early as January 1 for some raptors), the Applicant and/or its contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before the construction activities commence. A copy of the report must be provided to the Director of Community and Economic Development or designee for review and approval prior to the start of any work on the project site. The qualified biologist shall survey the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season. If active nest(s) are identified during the preconstruction survey, the biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance should occur within the no-activity setback until the nest is deemed inactive by the biologist. The biologist must be approved by the Community Development Director prior to the issuance of any type of permit for the project.

Mitigation Measure BIO-2: (Landscaping Plans).

Timing: Prior to issuance of precise grading permit; prior to certificate of occupancy.

Department Responsible: Community Development (Planning Division).

The Applicant shall provide for review and approval by the Director of Community and Economic Development or designee a final Planting Plan demonstrating the planting of low-water use, drought tolerant trees, shrubs and ground cover. Use of native vegetation should be included where feasible. The Planting Plan shall include a plan for the maintenance and, if necessary, replacement of vegetation. Prior to issuance of a certificate of occupancy, the Applicant shall ensure that all trees, shrubs and groundcover have been installed subject to review and approval of the City Community Development Department prior to the issuance of any certificates of occupancy for the Project .

6.5 CULTURAL RESOURCES

CULTURAL AND RESOURCES. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 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		

6.5.1 ENVIRONMENTAL SETTING

6.5.1.1 Regulatory Setting

Federal: Section 106 of the National Historic Preservation Act (NHPA) of 1966 establishes criteria to determine the significance of a potentially nationally significant historic resources. The criteria include the following:

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

This Section discusses potential impacts to other "unique archaeological resources" which are defined by §15064.5 of the CEQA Guidelines as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

> (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
> (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

City of La Habra: Policies of the Conservation/Natural Resource Element of the La Habra General Plan include cultural resources. These policies relevant to the Project include:

- CR 1.1 Identification. Maintain and periodically update the inventory of historic and cultural resources that may be eligible for listing in significant registers, including individual properties, sites, and districts to provide adequate protection of these resources.
- CR 1.2 Applicable Laws and Regulations. Ensure that City, State, and Federal historic preservation laws, regulations, and codes are implemented including the California Historical Building Code and State laws pertaining to archaeological resources, to assure the adequate protection of these resources.
- CR 1.3 Consultation. Consult with the appropriate organizations and individuals to minimize potential impacts to historic and cultural resources, such as the Information Centers of the California Historical Resources Information System (CHRIS), the Native American Heritage Commission (NAHC), the Native American groups, and organizations.
- CR 1.4 National, California, and Local Registers. Encourage and assist property owners of qualified resources to seek listing for qualified resources under the appropriate register(s) including the National Register of Historic Places, California Register of Historic Resources, and Orange County Historical Landmarks.
- CR 1.5 Planning. Take historical and cultural resources into consideration in the development of planning studies and documents.
- CR 1.8 Early Consultation. Minimize potential impacts to historic and cultural resources by consulting with property owners, land developers, and the building industry early in the development review process.
- CR 1.13 Archaeological Resources. Develop or ensure compliance with protocols that protect or mitigate impacts to archaeological, historic, and cultural resources including prehistoric resources.

6.5.1.2 Existing Conditions

As discussed previously in Section 2.11, NAHC provided the results of a Sacred Lands File check for the Project area, which was positive for potential Native American resources. (Reference Appendix B.) Contemporary site records show that the site and surrounding areas were used for agricultural row crops until about 1953. The existing buildings on the site were constructed between 1963 and 1981.

6.5.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of the CEQA?

No Impact. The CEQA Guidelines, Section 15064.5, define "historic resources" to include the following:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant.[11]

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:

> (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.

As shown previously in site photos (Figures 8-11), the existing on-site structures are not distinctive nor possess high artistic value. To identify potential archaeological and historic resources on the Project site and its vicinity, a records search by the South Central Coastal Information Center (SCCIC) was conducted and the results are summarized in a July 20, 2021 letter from SCCIC, contained in Appendix E of this Initial Study document. The SCCIC search included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the SCCIC search reviewed California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Built Environment Resources Directory (BERD). The SCCIC letter does not identify any historic resource within or adjacent to the site.

The General Plan identifies a number of historic resources within the City, including:

- La Habra Depot Theatre at 311 South Euclid Street
- Christian Science Building at 521 North Euclid Street

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

- Historic Methodist Episcopal Church at 150 East First Avenue
- Old Legion Hall/Veteran's Hall at 209 East La Habra Boulevard
- Old La Habra Library at 215 East La Habra Boulevard.

As discussed previously in Section 6.1, the site is not within the vicinity of these General Plan designated historic resources. Consequently, no historic resources are located on or near the Project site, and the Project would not result in an impact to a historical resource.

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

Less Than Significant with Mitigation Incorporated. This Section discusses potential impacts to other "unique archaeological resources" which are defined by §15064.5 of the CEQA Guidelines as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

As summarized in the SCCIC letter (Appendix E of this Initial Study), no archaeological studies have been conducted in the Project area and as a result, no archaeological resources have been identified. SCCIC notes that buried resources could potentially be unearthed during Project grading activities, and therefore, customary caution and a halt-work condition should be in place for all ground-disturbing activities. In the event that any evidence of cultural resources is discovered, all work within the vicinity of the find should stop until a qualified archaeological consultant can assess the find and make recommendations. Mitigation Measure CUL-1, below, is added to the Project to incorporate SCCIC's recommendations and protect potential archaeological resources. With inclusion of these measures, potential impacts relative to archaeological resources would be reduced to less than significant levels.

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

Less Than Significant with Mitigation Incorporated. As discussed in Section 6.5.b, above, the Project site is not within the vicinity of identified archaeological resources, has already been graded and developed, and does not include substantial excavation. There are no cemeteries within La Habra, with the nearest cemetery being Memory Garden Memorial Park, located approximately 3.5 miles to the east in Brea.

However, similar to many communities within the region, Native Americans historically occupied the region. Should human remains be encountered during Project grading and construction activities, pursuant to state of California Health and Safety Code provisions (notably § 7050.5-7055), all construction activities must cease and the Orange County Coroner, City Community Development Department and Police Department be immediately contacted. Mitigation Measure CUL-2, below, is added to the Project to reduce the potential impacts related to encountering or disturbing human remains to less than significant levels.

6.5.3 CUMULATIVE IMPACTS

The Project, and each of the cumulative projects identified in Section 2.9.2 of the document, are infill projects. Impacts to cultural resources from infill projects are generally site specific. Each cumulative project in the vicinity of the Project site will be subject to its own environmental review, including a site specific cultural resource assessment. Consequently, no significant cumulative impacts relative to cultural resources would occur as a result of the Project.

6.5.4 MITIGATION MEASURES

The following mitigation will be required to protect potential archaeological resources:

Mitigation Measure CUL-1: Unanticipated Discovery of Archaeological Resources.

Timing: During Grading.

Department Responsible: Community Development (Planning and Building Divisions).

If an archaeological resource is encountered during ground-disturbing activities, work within 50 feet of the find must halt and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology must be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation may be warranted. The on-site monitoring shall end when the project site excavation activities are completed, or sooner if the archaeologist indicates that the site has a low potential for archeological resources. During monitoring, the archaeologist shall complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. Following completion of monitoring, the archaeologist shall prepare a summary memorandum of finds, their significance under CEQA and their disposition. (*Note: The California Historical Resources Information System contains a listing of qualified archaeologists at www.chrisinfo.org.)

Mitigation Measure CUL-2: Unanticipated Discovery of Human Remains.

Timing: During Grading.

Department Responsible: Community Development (Building Division).

The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur

until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

6.6 ENERGY

ENERGY. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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

6.6.1 ENVIRONMENTAL SETTING

6.6.1.1 Regulatory Setting

State: Title 24 of the State of California Building Code (CBC) establish regulations aimed at reducing state-wide energy consumption. These regulations are adopted by the City of La Habra and apply to new and existing development. Title 24 sections applicable to the Project include:

- Title 24 - Building Standards Code, Part 6 – California Energy Code. Title 24, Part 6 require energy efficient appliances and fixtures, including heating/air conditioning units and lighting.
- Title 24 - Building Standards Code, Part 11 – California Green Building Code require energy and water efficient appliances and fixtures, including double paned windows, insulation, low flow faucets, and stormwater treatment appurtenances.

City of La Habra: Policies of the Infrastructure Element of the General Plan address energy. These policies applicable to the Project include project:

- E 1.1 Adequate Service and Facilities. Coordinate with energy service providers to supply adequate electricity and natural gas service and facilities are available to meet the demands of existing and future development.
- 1.3 New Utility Infrastructure. Require that new utility lines be constructed underground and along existing utility corridors.
- E 2.2 Title 24 Energy Efficiency. Continue to enforce energy conservation measures and efficient design standards related to residential and nonresidential buildings as required by Title 24.

- E 2.3 California Green Building Standards Code. Continue to enforce California Green Building Standards Code sustainable construction building practices in the planning
- E 2.4 California Energy Code. Continue to enforce California Energy Code practices regulating and controlling the energy efficiency of buildings in La Habra.
- E 2.7 Energy Efficient Design. Encourage site, building, and landscape design that reduces exterior heat gain and heat island effects (e.g., building orientation and exposure, tree plantings, reflective paving materials, covered parking, cool roofs) to reduce energy demands.

The City of La Habra Climate Action Plan (CAP), adopted January 2014, contains an additional policy applicable to the Project:

- R2-E1: NEW CONSTRUCTION RESIDENTIAL ENERGY EFFICIENCY REQUIREMENTS. This measure facilitates the implementation of energy efficient design for all new residential buildings to be 20% beyond the current Title 24 Standards. This energy efficiency requirement is equal to that of the LEED for Homes and ENERGY STAR programs. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following: install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc.; install solar water heaters; install top quality windows and insulation; install energy efficient lighting; optimize conditions for natural heating, cooling and lighting by building siting and orientation; use features that incorporate natural ventilation; install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and incorporate skylights; reflective surfaces, and natural shading in building design and layouts.

6.6.1.2 Existing Conditions

As discussed previously in Section 2.9, the existing buildings on the site were constructed between 1963 and 1981. These existing building are not constructed to the current Title 24 standards nor the above listed General Plan energy policies.

6.6.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

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

   No Impact. The Project is an infill development, replacing existing commercial/light industrial buildings with 117 townhomes built to a high density of 21 du/acre. High density residential infill projects such as this Project are by their nature energy efficient. Higher density housing provides housing for more people on less land, and infill housing links to existing infrastructure without the added energy cost of extending roads or water and sewer lines.

   In addition, as a new development, the Project would be required to comply with the CBC Title 24 standards, including Green Building Code requirements for

energy efficient appliances, low water use plumbing and solar. The Project would incorporate required energy efficient measures such as the following:

- Drip irrigation
- Low flow plumbing fixtures
- Energy efficient appliances and light fixtures
- Net Zero 2020 (enhanced Title 24 standards)
- Solar.

Consequently, the Project would not result in the potentially significant wasteful consumption of energy resources.

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

No Impact. As noted above, the Project would incorporate CBC Title 24 requirements that require energy and water efficient appliances and fixtures. Consistent with the General Plan and CAP energy policies summarized in Section 6.6.1.1, the Project would underground utilities, include drought tolerant trees and landscaping, and install solar. Consequently, the Project would not conflict with or obstruct a plan for renewable energy or energy efficiency.

6.6.3 CUMULATIVE IMPACTS

As an infill development built in accordance with CBC Title 24, the Project would not have adverse impacts relative to energy. Other development projects within the City would be required to incorporate energy efficient measures consistent with the CBC and City policies. As a result, no significant cumulative impacts relative to energy will be associated with the proposed Project's implementation.

6.6.4 MITIGATION MEASURES

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts relative to energy. As a result, no mitigation is required.

6.7 GEOLOGY AND SOILS

GEOLOGY AND SOILS. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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 risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

GEOLOGY AND SOILS. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

6.7.1 ENVIRONMENTAL SETTING

6.7.1.1 Regulatory Setting

City of La Habra: Policies of the Community Safety Element of the General Plan address geologic and seismic activity. These policies applicable to the Project include project:

- NH 1.1 Safety Standards. Enforce state and local seismic and geologic safety laws, standards, and guidelines, including the California Building Code, for site design and construction of new and renovated structures.
- NH 1.2 Geotechnical Investigations. Require geotechnical investigations prior to approval of development in areas where the potential for geologic or seismic hazards exists addressing, as appropriate, ground-shaking, landslides, liquefaction, expansive soils, subsidence, and erosion and incorporate recommended mitigation measures to reduce or avoid the identified hazards.
- NH 1.4 Reduce and Control Erosion. Require that development projects involving grading in hillside areas reduce and control erosion potential by utilizing rapid developing planting techniques, slope terracing, replacement with cohesive soils not subject to erosion, and/or the construction of slope drainage improvements.

6.7.1.2 Existing Conditions

The City of La Habra, inclusive of the Project site, is located in the southern portion of the Peninsular Ranges Geomorphic Province characterized by northwest-southeast trending mountains and faults. The site is between Puente Hills to the north and Coyote Hills to the southwest, at an elevation of approximately 257 feet amsl.[12] The Property is underlain by alluvium and associated deposits of Recent to Pleistocene age.

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[12] Phase I Environmental Site Assessment, 251 to 351 West Imperial Highway, La Habra, California; prepared by Stantec Consulting Services, Inc.; January 7, 2020.(Appendix C)

The City, inclusive of the Project site, is within the seismically active Southern California region that includes nearby faults, including Elsinore, San Andreas, San Gabriel, Newport-Inglewood, Palos Verdes, Whittier and Puente Hills. The Alquist-Priolo Earthquake Zoning Act, passed in 1972, established Alquist-Priolo Special Studies Zones (APSSZ) which designated those active faults that could result in surface rupture in the event of an earthquake along the fault trace.

Data regarding the geology and soils conditions of the Project site has been complied in a "Geotechnical Feasibility in regards to Geotechnical Hazards, Proposed Multi-Family Residential, Imperial Highway and Euclid Street, La Habra, California", correspondence from Albus & Associates (Geotechnical Letter) and contained as Appendix F to this Initial Study. The Geotechnical Letter includes information from a geologic literature and field exploration, which does not indicate the presence of active faulting within the site. The site does not lie within an APSSZ "Earthquake Fault Zone" as defined by the State of California. The active fault closest to the Project site is the Elsinore fault, located 2.6 miles from the site.

The Geotechnical Letter finds that the existing graded slopes north of the site are at gradients of 1.7:1 H:V (a ratio of horizontal distance to vertical rise) or flatter and are anticipated to be underlain by massive sandstone bedrock. As such, the north-adjacent existing slopes are anticipated to be grossly stable under static conditions. The site itself is relatively flat and is not located within an area identified by the California Geologic Survey (CGS) and La Habra General Plan as having potential for seismically-induced slope instability.

Additionally, the Geotechnical letter summarizes research of aerial photos which does not indicate previous gross instability with the north ascending slope. Previous landslides are not mapped on the site based on a review of the Seismic Hazard Zone Report for the La Habra Quadrangle, as published by the CGS. Based on this information, the Geotechnical Letter finds that geologic hazards associated with landsliding are not anticipated at the site.

The Geotechnical Letter summarizes the results of a liquefaction analyses for the site, based on soil borings. Based on the analyses, the subsurface soils at the subject site are not prone to liquefaction during a strong ground motion event due to the predominantly fine-grained nature of the subsurface materials and the dense to very dense nature of the coarse-grained material below groundwater.

6.7.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project cause exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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), ground-shaking, liquefaction, or landslides?

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Map issued by the State Geologist for the area or base on other substantial evidence of a known fault?

No Impact. As discussed in Section 6.7.1, above, there are no designated APSSZ areas within the City. Consequently, there are no potentially significant Project impacts related to rupture of a known earthquake fault as delineated on the Alquist-Priolo Earthquake Fault Map.

ii) Strong seismic ground shaking?

Less Than Significant Impact. As discussed above, the site is situated in a seismically active area and near several seismically active faults that could generate ground shaking in La Habra. As required by the CBC, geotechnical and soils studies are required prior to Project grading. Project construction must then comply with the requirements of the approved geotechnical report and CBC. Compliance with these measures would mitigate potential adverse impacts from strong seismic ground shaking. Consequently, Project impacts related to rupture of a known earthquake fault would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact with Mitigation Incorporated. Liquefaction can be defined as the loss of soil strength or stiffness due to a buildup of pore-water pressure during a seismic event and is associated primarily with relatively loose, saturated fine- to medium- grained unconsolidated soils. Seismic ground shaking of relatively loose, granular soils that are saturated or submerged can cause the soils to liquefy and temporarily behave as a dense fluid. A relatively shallow groundwater table (within approximately 40 feet or less below ground surface) or completely saturated soil conditions contribute to liquefaction.

As discussed in Section 6.7.1, the Geotechnical Letter found that, based on a liquefaction analyses for the site, the subsurface soils at the subject site are not prone to liquefaction during a strong ground motion event due to the predominantly fine-grained nature of the subsurface materials and the dense to very dense nature of the coarse-grained material below groundwater. The Geotechnical Letter states that the calculations that were conducted in compliance with the State of California Special Publication 117A and the Tokimatsu and Seed Method. Based on these calculation, hazards from liquefaction should be mitigated to the extent required to reduce seismic risk. Compliant construction methods include the use of well-reinforced foundations, such as post-tensioned slabs, grade beams with structural slabs, or mat foundations which have been proven to adequately provide basal support for structures.

Publication 117A, would reduce seismic risks and associated liquefaction hazards to acceptable levels. Compliant construction methods include the use of well-reinforced foundations, such as post-tensioned slabs, grade beams with structural

slabs, or mat foundations which have been proven to adequately provide basal support for structures.

Project construction must comply with the requirements of the approved geotechnical report and CBC. To ensure potential liquefaction risks are adequately addressed, Mitigation Measure GEO-1 is added to the Project requiring that the Project geotechnical report include adequate measures in compliance with the State of California Special Publication 117A. With inclusion of the mitigation measure, Project impacts related to seismic-related ground failure including liquefaction are less than significant.

iv) Landslides?

Less Than Significant Impact. Landslides occur in areas of slope and are one of the hazards left behind by an earthquake. As discussed in Section 6.71, the Geotechnical Letter finds no indication of previous gross instability with the north ascending slope, and that no previous landslides are mapped on the site based on a review of the Seismic Hazard Zone Report for the La Habra Quadrangle. Consequently, Project impacts related to landslides would be less than significant.

b) Would the Project cause substantial soil erosion or the loss of topsoil?

No Impact. Topsoil is generally defined as the upper, outermost layer of soil, usually the top 5–10 inches with a high concentration of organic matter and microorganisms. The Project site is currently developed with commercial/light industrial buildings and paving. The Project would remove the building and paving, grade to install underground utilities, and cover the site with buildings, paving and landscaping. Consequently, the potential Project impacts relative to soil erosion or loss of topsoil would not be significant.

c) Would the Project cause location on a geologic unit or a 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 With Mitigation Incorporated. As discussed in Section 6.7.1, the Geotechnical Letter finds that the existing graded slopes north of the site are at gradients of 1.7:1 H:V or flatter and are anticipated to be underlain by massive sandstone bedrock. As such, the north-adjacent existing slopes are anticipated to be grossly stable under static conditions. The site itself is relatively flat and is not located within an area identified by the California Geologic Survey (CGS) and La Habra General Plan as having potential for seismically-induced slope instability.

However, to ensure potential liquefaction risks are adequately addressed, Mitigation Measure GEO-1 is added to the Project requiring that the Project geotechnical report include adequate measures in compliance with the State of California Special Publication 117A. To ensure potential risks associated with the adjacent slope are adequately addressed, Mitigation Measure GEO-2 is added to the Project. With inclusion of these mitigation measures, Project impacts related

to unstable soils, including liquefaction or collapse liquefaction are less than significant.

d) Would the Project be located on expansive soil, creating substantial risks to life or property?

No Impact. Expansive soils are generally defined as soils that expand when water is added, and shrink when they dry out. This continuous change in soil volume can cause homes built on this soil to move unevenly and crack. The General Plan does not identify any areas of unstable geologic conditions or soil in the City, and no such conditions have been identified on the Project site.[13] Consequently, Project impacts related to expansive soils are not significant.

e) Would the Project cause soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. An existing City sanitary sewer line runs along the southern boundary of the site. The Project proposes to connect to the existing sewer line. The Project would connect to the existing public sewer line and not use septic tanks or an alternative wastewater disposal system.

f) Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The Project site is located within an urbanized area of La Habra and the site and surrounding area have been previously graded and developed. Any near-surface paleontological resources that may have existed at one time have likely been disturbed and/or destroyed by prior development activities. The existing condition of the site is generally flat, and Project grading would be limited to excavation as needed to lay out utility lines and flatten pads. No potential paleontological resources or unique geologic features are identified in the General Plan. Consequently, the Project would not destroy a unique paleontological resource or site or unique geologic feature.

6.7.3 CUMULATIVE IMPACTS

The potential cumulative impacts related to geology and soils for infill projects are generally site specific. The Geology Letter prepared for the Project site verifies that the subsurface soils at the subject site are not prone to liquefaction during a strong ground motion event. However, Mitigation Measures GEO-1 and GEO-2 are added to the Project to ensure that any potential site specific risks associated with liquefaction are adequately mitigated. Consequently, no significant cumulative impacts relative to geology or soils are expected to occur as a result of the Project.

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[13] Ibid.

6.7.4 MITIGATION MEASURES

The following measure will be required to mitigate potential Project Geology and Soils impacts to less than significant levels:

Mitigation Measure GEO-1: Liquefaction.

Timing: Prior to issuance of grading permits.

Department Responsible: Community Development (Building Division).

The Applicant shall provide a geotechnical report, subject to review and approval of the City Building Division, which includes appropriate measures in compliance with the State of California Special Publication 117A (Guidelines for Evaluating and Mitigating Seismic Hazards in California), demonstrating that any potential seismic risks and associated liquefaction hazards are reduced to acceptable levels. Examples of compliant construction methods include the use of well-reinforced foundations, such as post-tensioned slabs, grade beams with structural slabs, or mat foundations which have been proven to adequately provide basal support for structures.

Mitigation Measure GEO-2: Slope.

Timing: Prior to issuance of grading permits.

Department Responsible: Community Development (Building Division).

The Applicant shall provide a geotechnical report, subject to review and approval of the City Building Division, which includes an analysis of the existing graded slopes north of the site. The report shall provide documentation confirming the stability of the slope, or if warranted, measures that can be added to the Project to fully mitigate identified risks associated with the adjacent slope.

6.8 GREENHOUSE GAS EMISSIONS

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

6.8.1 ENVIRONMENTAL SETTING

6.8.1.1 Regulatory Setting

State: The State of California has established climate change legislation to reduce greenhouse gas emissions across all sectors of the economy, including the following:

- Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006. AB 32 set the stage for the State's transition to a sustainable, low-carbon future. AB 32 was the first program in the country to take a comprehensive, long-term approach to addressing climate change.3
- Senate Bill (SB) 375, Sustainable Communities & Climate Protection Act of 2008. SB 375 requires the Air Resources Board to develop regional greenhouse gas emission reduction targets for passenger vehicles GHG reduction targets for 2020 and 2035 for each region covered by the State's 18 metropolitan planning organizations.4
- Senate Bill (SB) 100, California Renewables Portfolio Standard Program. SB100 established a landmark policy requiring renewable energy and zero-carbon resources supply 100 percent of electric retail sales to end-use customers by 2045.

City of La Habra: A policy of the General Plan Community Development Element applicable to greenhouse gas and the Project is:

- LU 5.4 Sustainable Sites and Land Development. Promote land development practices that reduce energy and water consumption, pollution, greenhouse gas emissions, and disposal of waste materials incorporating such techniques as:
  - Concentration of uses and design of development to promote walking, bicycling, and use of public transit in lieu of the automobile;

- Capture and reuse of stormwater on-site for irrigation;
- Management of wastewater and use of recycled water, including encouraging the use of grey water;
- Orientation of buildings to maximize opportunities for solar energy use, daylighting, and ventilation;
- Use of landscapes that conserve water and reduce green waste;
- Use of permeable paving materials or reduction of paved surfaces;
- Shading of surface parking, walkways, and plazas and incorporation of solar technology; and/or
- Recycling and/or salvaging for reuse of construction and demolition debris.

The City of La Habra Climate Action Plan establishes goals and policies to reduce GHG emissions through the management of transportation, energy, water, and solid waste. The goal of the plan is to achieve a 20 percent reduction in energy use beyond that required by the most current Building Code.

6.8.1.1 Existing Conditions

Greenhouse gases (GHG) refer to a group of compounds that are linked to change in global climate conditions. GHGs trap the heat from sunlight and reduce the amount of heat that escapes. GHGs, such as carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O) keep the average surface temperature of the Earth close to 60 degrees Fahrenheit (°F). The key GHG include the following:

- Carbon dioxide (CO2) is an odorless, colorless gas, which has both natural and anthropogenic (arising from human activities) sources. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out-gassing. Man-made sources of carbon dioxide are from burning coal, oil, natural gas, and wood. CO2 emissions are mainly associated with fossil fuel combustion originating in California and out-of-state power plants that supply electricity to California. Other activities that produce CO2 emissions include mineral production, waste combustion, and vegetation removal.
- Methane (CH4) is a flammable gas and is the main component of natural gas. When one molecule of methane is burned in the presence of oxygen, one molecule of carbon dioxide and two molecules of water are released. A natural source of methane is from the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are landfills, fermentation of manure, and cattle.
- Nitrous oxide (N2O), also known as laughing gas, is produced naturally by microbial processes in soil and water. Man-made sources of nitrous oxide include agricultural sources, industrial processing, fossil fuel-fired power plants, and vehicle emissions. Nitrous oxide is also used as an aerosol spray propellant and in medical applications. In addition to CO2, CH4, and N2O, GHGs include hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and water vapor. Of all the GHGs, CO2 is the most abundant pollutant that contributes to climate change through fossil fuel combustion. The other GHGs are less abundant but have higher global warming potential than CO2. To

account for this higher potential, emissions of other GHGs are frequently expressed in the equivalent mass of CO2, denoted as CO2e.

6.8.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

Data presented in this Greenhouse Gas Emissions section is based on the "Imperial & Euclid Residential Development Air Quality & Greenhouse Impact Study, City of La Habra", prepared by RK Engineering Group, Inc. (Air Quality Impact Study) and contained as Appendix D to this Initial Study.

As discussed previously in Section 6.3.2, the Air Quality Impact Study uses the California Emissions Estimator Model Version 2020.4.0 (CalEEMod) to calculate criteria GHG emissions from the construction and operation of the Project.

a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment.

Less Than Significant Impact. To provide guidance to local lead agencies on determining significance for greenhouse gas (GHG) emissions in their CEQA documents, the SCAQMD has developed Interim CEQA Greenhouse Gas (GHG) Significance Thresholds, December 2008. The purpose of the SCAQMD thresholds of significance is to assist local agencies with determining the impact of a project for CEQA. SCAQMD's objective in providing the GHG guidelines is to establish a performance standard that will ultimately contribute to reducing GHG emissions below 1990 levels, and thus achieve the requirements of the California Global Warming Solutions Act (AB 32).

The SCAQMD interim thresholds describe a five-tiered approach for determining GHG Significance Thresholds.

Tier 1 - If a project is exempt from CEQA, project-level and cumulative GHG emissions are less than significant.

Tier 2 - If the project complies with a GHG emissions reduction plan or mitigation program that avoids or substantially reduces GHG emissions in the project's geographic area (i.e., city or county), project-level and cumulative GHG emissions are less than significant.

For projects that are not exempt or where no qualifying GHG reduction plans are directly applicable, SCAQMD requires an assessment based on the following tiers.

Tier 3 - Consists of screening values that are intended to capture 90 percent of the GHG emissions from projects. If a project's emissions are under the screening thresholds, then the project is less than significant. For residential projects, SCAQMD sets a screening value threshold of 3,000 MTCO2e/year. This is the threshold previously in the City of La Habra.

Tier 4 - Includes three performance standard compliance options to demonstrate that a project is not significant for GHG emissions.

Tier 5 – involves implementing off-site mitigation or the purchasing of offsets to reduce GHG emissions to less than the proposed screening level. The project proponent would be required to provide offsets for the life of the project, which is defined as 30 years.

Consistent with the approach typically applied by the City of La Habra, the Air Quality Impact Study applies the Tier 3 threshold for residential uses of 3,000 MTCO2e/year, and used the CalEEMod to calculate both construction and operational GHG emissions.

Construction: As presented in the Air Quality Impact Study, greenhouse gas emissions are estimated for on-site and off-site construction activity using the CalEEMod. Table 9 shows the construction greenhouse gas emissions, including equipment and worker vehicle emissions for all phases of construction. Because impacts from construction activities occur over a relatively short-term period of time, they contribute a relatively small portion of the overall lifetime project GHG emissions. By itself, the construction activities from this Project are less than significant when compared to the thresholds recommended by SCAQMD.

However, SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime and added to the overall project operational emissions. As demonstrated in the Table, total construction emissions would be 567.87 Mtons of CO_2e or 18.93 Mtons averaged over 30 years. These amortized Project construction GHG emissions are added to operational GHG emissions in Table 10, below.

Table 9: Construction-Related Greenhouse Gas Emissions
(Mtons/year)

Activity	**Emissions (MTons $C0_2e$)[1]**		
	On-site	**Off-site**	**Total**
Demolition	34.23	32.17	66.40
Site Preparation	16.85	0.79	17.64
Grading	26.27	4.69	30.96
Building Construction	268.09	158.88	426.97
Paving	20.19	1.28	21.47
Architectural Coating	2.56	1.87	4.43
Total	368.19	199.68	567.87
SCAQMD Tier 3 Screening Threshold[2]			3,000
Exceed Tier 3 Threshold?			No

Table 9: Construction-Related Greenhouse Gas Emissions (Mtons/year)			
Activity	**Emissions (MTons $C0_2e$)[1]**		
	On-site	**Off-site**	**Total**
Amortized over 30 years[3]	**12.27**	**6.66**	**18.93**

Notes:

[1] $MTCO_2e$ = metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, nitrous oxide, and/or hydroflurocarbons).

[2] Per South Coast Air Quality Management District (SCAQMD) Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008

[3] The emissions are averaged over 30 years and added to the operational emissions, pursuant to SCAQMD recommendations.

Site Operations: During Project operation, the majority of greenhouse gas emissions, and specifically CO_2, is due to vehicle travel and energy consumption. As shown in Table 10, total operational emissions, including amortized construction emissions, would be 466.75 Mtons of CO_2e, below the 3,000 Mtons threshold and therefore below a level of significance.

Table 10: Operational Greenhouse Gas Emissions (Mtons/year)	
Emission Source	**Unmitigated GHG Emissions ($MTCO_2e$)[1]**
Mobile Source	940.77
Energy Source	122.47
Area Source	30.28
Water	37.59
Waste	27.07
Construction (30 year average)	18.93
Total Annual Emissions	**1,177.11**
SCAQMD Tier 3 Screening Threshold[2]	3,000
Exceed Tier 3 Threshold?	No

Notes:

[1] $MTCO_2e$ = metric tons of carbon dioxide equivalents

[2] Per South Coast Air Quality Management District (SCAQMD) Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Less Than Significant Impact with Mitigation Added. As discussed in Section 6.6.2, the City of La Habra has adopted a Climate Action Plan (CAP) to help reduce

GHG emissions. The CAP does not establish quantified thresholds of significance for CEQA purposes; but it does set reduction policies. Table 11 evaluates the Project's consistency with applicable CAP policies.

Table 11: La Habra CAP Policies and Project Consistency

La Habra CAP GHG Reduction Policies	Project Design Features	Consistent with CAP
R2-E1. New Construction Residential Energy Efficiency Requirements	The Project is required to comply with the mandatory requirements of the latest California Building Code Standards (2019), Title 24, Part 6 (Energy Code) and Part 11 (CALGreen), which are at least 20% more energy efficient than 2008 standards by requiring measure that include, but are not limited to the following: • Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc ; • Install solar water heaters; • Install top quality windows and insulation; • Install energy efficient lighting; • Optimize conditions for natural heating, cooling and lighting by building siting and orientation; • Use features that incorporate natural ventilation; • Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and • Incorporate skylights; reflective surfaces, and natural shading in building design and layouts.	Yes
R2-E2. New Construction Residential Renewable Energy	The Project is required to include photovoltaic (solar) panel systems capable of meeting the Energy Design Ratings and the latest Energy Code requirements.	Yes
R2-A1. Electric Landscape Equipment Program	The Project shall include within its Covenants, Conditions and Restrictions (CC&Rs) a requirement that the property management company and landscape maintenance crews use electric powered landscaping equipment for landscape maintenance. (Reference Mitigation Measure GHG-1.)	Yes
R2-W1. Water Use Reduction Initiative	The Project is required to install low-flow toilets and fixtures, drought-tolerant plants with efficient landscape watering systems, recycled water, and rainwater capture systems. The Project shall include within its CC&Rs a requirement that the property management company and landscape maintenance crews	Yes

Table 11: La Habra CAP Policies and Project Consistency		
La Habra CAP GHG Reduction Policies	**Project Design Features**	**Consistent with CAP**
	limit watering of landscaping, and fountain operation during peak daylight hours; and limit watering of non-permeable surfaces, excessive water use for washing, and water use resulting in flooding or runoff. (Reference Mitigation Measure GHG-1.)	
R2-S1. City Diversion Program	The Project will be required to participate in the local waste management recycling and composting programs.	Yes

As shown in Table 11, with the provisions requiring electric powered landscape equipment and limits on excessive watering, the Project would be consistent with CAP policies relative to reductions in energy, water and solid waste. These provisions are added to the Project as Mitigation Measures GHG-1. In addition, as discussed previously, the Project is an infill development, replacing existing commercial/light industrial buildings with 117 townhomes built to a high density of 21 du/acre. High density residential infill projects such as this Project are by their nature energy efficient and generates less operational GHG emissions. Consequently, with inclusion of Mitigation Measure GHG-1, the Project would not conflict with policies or regulations aimed at reducing greenhouse gas.

6.8.3 CUMULATIVE IMPACTS

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts relative to greenhouse gas emissions. It is an infill project replacing existing commercial/light industrial uses with 117 homes built to contemporary Green Building Code requirements. Consequently, no significant cumulative impacts relative to no greenhouse gas mitigation is expected to occur as a result of the Project.

6.8.4 MITIGATION MEASURES

The following measure will be required to mitigate potential Project GHG impacts to less than significant levels:

Mitigation Measure GHG-1: Project Maintenance.

Timing: Prior to issuance of certificate of occupancy for the first production unit.

Department Responsible: Community Development (Planning Division). The Applicant shall provide the City with a copy of the Project CC&Rs for review and acceptance prior to issuance of certificate of occupancy for the first production unit.

. The CC&Rs shall contain the following provisions and the Project property management shall ensure these provisions are implemented:

(1) The property management shall ensure that all landscape maintenance crews use electric powered landscaping equipment for landscape maintenance.

(2) The property management company shall ensure that landscape maintenance crews limit watering of landscaping, and fountain operation during peak daylight hours; and limit watering of non-permeable surfaces, excessive water use for washing, and water use resulting in flooding or runoff.

6.9 HAZARDS AND HAZARDOUS MATERIALS

HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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 to a significant risk of loss, injury or death involving wildland fires?				X

6.9.1 ENVIRONMENTAL SETTING

6.9.1.1 Regulatory Setting

Federal: Federal regulations applicable to hazards and hazardous materials and the Project include:

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.
- United States Environmental Protection Agency (EPA) establishes the American Society for Testing and Materials (ASTM), consistent with Title 40 of the Code of Federal Regulations, Part 312, that defines appropriate testing procedures and measurements for hazardous materials.
- The EPA also establishes the All Appropriate Inquiry" (AAI), which is the process for evaluating a property's environmental conditions for the purpose of qualifying for landowner liability protections under CERCLA.

State: State regulations and agencies responsible for overseeing handling and clean-up of hazards and hazardous materials applicable to the Project include:

- California Land Reuse and Revitalization Act (CLRRA) Chapters 6.82 and 6.83 of the California Health and Safety Code establish a step-wise process for the evaluation and remediation of environmentally impacted properties under the supervision of the California Department of Toxic Substances Control (DTSC) or the applicable Regional Water Quality Control Board.
- Section 65962.5(a)(1) - Cortese List. Section 65962.5(a)(1), also known as the Cortese List, requires the California Department of Toxic Substances Control (DTSC) to compile and annually update a list of all hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code ("HSC")." DTSC operates the Envirostor website which identifies identified hazardous waste sites consistent with the Cortese list requirement.
- California State Water Resources Control Board - Leaking Underground Storage Tank database (LUST). The LUST database is a list of leaking underground storage tank (LUST) cleanup sites maintained by the State Water Resources Control Board.
- The Department of Toxic Substances Control regulates hazardous materials in the environment by overseeing the cleanup of land, enforcing hazardous waste laws, reducing hazardous waste generation, and compelling manufacturers to make safer products.

City of La Habra: Policies of the Community Safety Element of the General Plan address hazards and hazardous materials. Those policies applicable to the Project include:

- HW 1.4 - Assessment of Known Areas of Contamination. Require new development in known contamination areas to perform comprehensive soil and groundwater contamination assessments, in accordance with applicable regulations, and if contamination exceeds regulatory levels, require new development to undertake remediation procedures consistent with county, regional, and state regulations prior to any site disturbance or development.
- HW 1.5 - Remediation of Known Sites. Require that businesses and property owners of known hazardous materials contamination and waste sites develop and implement a remediation plan to investigate, facilitate, and manage the cleanup in coordination and compliance with Orange County, state, and/or appropriate federal agency requirements including the California Department of Toxic Substances Control (DTSC).

6.9.1.2 Existing Conditions

The "Phase I Environmental Site Assessment, 251 to 351 West Imperial Highway, La Habra, California" and subsequent "Report of Finding and Supplemental Site Investigation Report", prepared by Stantec Consulting Services, Inc. (Phase I ESA) (contained in Appendix C of this Initial Study), identified the following existing conditions on the Project site:

- Soil conditions on the Project site consist of asphalt underlain by a few inches of base materials consisting of various sandy and clayey material up to approximately 10.5 feet thick.
- The maintenance shop associated with the Pomona Box Company located at the southern portion of the Project site contained welding gas cylinders (oxygen and acetylene), propane tanks for forklifts, various containers and dispensers of new and used lubricating oils, and 1-gallon containers of paint. The flooring in the maintenance shop appeared in good condition.
- Small amounts of various lubricants, adhesives, and solvents were observed on a work bench in the auto service department associated with the Mac Auto Dealership.
- Approximately ten car batteries were observed on metal shelving in the northwestern portion of the warehouse used for auto storage (261 West Imperial Highway). The batteries appeared to be in good condition; however, they should be disposed of in accordance with regulatory requirements.
- Two 55-gallon drums of used lubricating oils were observed on wooden pallets in the maintenance shop. The flooring in the maintenance shop appeared in good condition.
- The Mac Auto Inc dealership had an auto service department in the northern portion of the building which contained approximately ten 55-gallon drums of used oils, antifreeze, new oil, and automatic transmission fluid that were improperly labeled and with no secondary containment. The drums appeared in good condition and the flooring appeared in good condition.
- Pole-mounted transformers were observed along the northern Property boundary and in the southwestern corner. A pad- mounted transformer was also observed along the southwestern corner of the auto storage warehouse

(261 West Imperial Highway). No staining or evidence of a release of polychlorinated biphenyls (PCBs) was observed.

- An air compressor was observed along the northern exterior of the maintenance shop and an additional air compressor was observed inside the Pomona Box Company warehouse. The air compressors are used to provide air to nail guns used through the warehouse. The ground surface beneath the compressors appeared in good condition without any indication of staining. Additional machinery and equipment for sawing and assembly of wooden boxes and crates were observed throughout the Pomona Box Company warehouse. The machinery appeared to be in good condition without any indication of leaking.
- Four dual-post aboveground hydraulic lifts were observed in the auto service department of the Mac Auto Inc dealership. The lifts did not have any in-ground features and were in good condition without any indication of leaking.
- No visible evidence (fill pipes, vent pipes, dispensers, surface patches), which would indicate the presence of USTs, was discovered during the site reconnaissance.

The Phase I ESA also identified the several Recognized Environmental Conditions (RECs) (including Historical Recognized Environmental Conditions and Controlled Recognized Environmental Conditions) and vapor encroachment condition (VEC) associated with the former uses on the Project site. These RECs are associated with underground storage tanks (USTs) and associated Total Petroleum Hydrocarbons (TPH) leakages into the soil and groundwater, and include the following:

- 251 West Imperial Highway – No removal documentation was found for the underground storage tanks (USTs) and it is unknown if the USTs were still present. Therefore, the historical USTs were considered a historical recognized environmental condition (HREC).
- 261 West Imperial Highway – Outstanding notices of violation for MSU Touchstone Concrete Rock Manufacturing and potential evidence of mismanaged waste (paint stained sink) were considered a REC.
- 301 West Imperial Highway – An unauthorized release from the former UST system is considered a controlled recognized environmental condition (CREC) as the petroleum impacted soil and groundwater was cleaned up to the satisfaction of the Orange County Health Care Agency (OCHCA) based on current site use with residual contamination remaining.
- 351 West Imperial Highway – Surface staining was observed around and beneath the basin outside the northwest side of the building and was considered a REC.
- Site-wide – Based on the results of the vapor encroachment screening matrix and the presence of petroleum hydrocarbon impact to the soil and groundwater at the central southern portion of the site, it is likely that a VEC exists beneath the site.

6.9.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

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 with Mitigation Incorporated. Based on an assessment of existing Project site conditions, the Phase I ESA identified the following findings regarding hazards and hazardous substances on the site:

1. Soil Vapor Impacts. Prior assessment of soil vapor at the site confirmed the presence of VOCs in soil vapor at levels exceeding applicable human health risk screening levels.[14] The VOC impacts to soil vapor appear to be sourced from former gasoline USTs that were located on-site. Subsequent investigations included groundwater samples that indicated no soil contamination in the central, western and northern portions of the Property to applicable screening levels.

   However, minimal impacts of Total Petroleum Hydrocarbons (TPH) as gasoline (TPHg) and diesel (TPHd), and benzene were detected within groundwater in the southern portion of the Site in MW-4. The detected TPHd and benzene concentrations slightly exceeded their respective Maximum Contaminant Levels (MCL), and also the San Francisco Bay Regional Water Quality Board residential screening levels for the Groundwater Vapor Intrusion Human Health Risk Level.

   Extensive on-site sampling and evaluation of soil vapor have detected the presence of several volatile organic compounds (VOCs) and TPHg. Generally, benzene, chloroform, ethylbenzene, methylene chloride, naphthalene, tetrachloroethylene (PCE), trichloroethylene (TCE), and TPHg have been identified in soil vapor exceeding applicable residential-use screening levels. Methane has been detected in soil vapor below the Property, however, at levels below the lower explosive limit (LEL) of 5% buer volume.

2. Former USTs. Current data does not indicate impact to soil in the upper 10 feet at the former locations of the USTs that were present at 251 West Imperial Highway or at the location of the UST formerly located at 301 West Imperial Highway. Subsequent soil sampling performed across the site identified no impacts, with the exception of soil in the immediate vicinity of a former UST in the southern portion of the Site. Those soil impacts exist at a depth of approximately fifteen feet below ground surface (bgs) and below, which is below the maximum anticipated depth of soil disturbance during future Site grading activities.

3. Asbestos-Containing Materials (ACMs) and Lead-Based Paint ("LBP"). Given the age of the existing buildings on the Property, the presence of ACMs and LBP is considered probable. The Phase I ESA recommends conducting a comprehensive, pre-demolition ACM survey in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA) prior to any

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[14] Volitive Organic Compounds (VOCs) identified by the Phase I ESA on the Project site include: ethylbenzene, isopropyl benzene, n-nutylbenzene, n-propylbenzene, naphthalene, and sec-butylbenzene.

activities with the potential to disturb building materials to determine whether ACM are present. Further, in the event ACM is detected, the Phase I ESA recommends proper removal and disposal of the materials identified prior to any activities with the potential to disturb them. In addition, any LBP at the site should be removed in accordance with all applicable laws, including the United States Occupational Safety and Health Administration (OSHA) guidelines.

4. Additionally, stress-absorbing fabrics, which are commonly known as "Petromat," are sometimes placed between asphalt layers. These fabrics can be coated with mastic or a tack adhesive that may contain asbestos. Testing for these asbestos containing materials on site were found to be negative.

To ensure each of the above findings regarding hazardous materials are addressed and the Project site is cleared by applicable state and regional agencies, Mitigation Measures HAZ-1 through HAZ-3 are added to the Project, below. With incorporation of these measures, potential Project impacts regarding on-site hazardous materials would be reduced to less than significant levels.

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 with Mitigation Incorporated. As a residential development, the Project is not associated with the significant transport or use of hazardous materials. As discussed above, potential RECs are expected to occur on site, and there is the potential for soil vapor, asbestos and lead based paint. Mitigation Measures HAZ-1 through HAZ-3 are added to the Project to address these potential on-site hazardous materials. With inclusion of these measures, potential Project impacts regarding significant hazards from the release of hazardous materials would be reduced to less than significant levels.

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 with Mitigation Incorporated. Schools near the Project site include Las Lomas Elementary School, which is located about one-third mile to the north, and Imperial Middle School, which is located about one-half mile to the southwest. Existing site conditions create the potential for impacts associated with soil, soil vapor, asbestos and lead based paint from past uses and existing building materials. Mitigation Measures HAZ-1 through HAZ-3 are added to the Project to address these potential on-site and off-site hazardous materials impacts. With inclusion of these measures, potential Project impacts regarding emitting hazardous emissions, materials, substances or waste within one-quarter mile of a school would be reduced to less than significant levels.

d. Would the Project 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?

No Impact. Government Code Section 65962.5, as discussed in Section 6.9.1, requires the DTSC listing of identified hazardous waste sites. The Phase I ESA conducted for the Project site did not identify the Project site as being listed as a hazardous materials site pursuant to. This finding is supported by a recent review of the DTSC Envirostar website.[15] Consequently, the Project would not create a significant hazard to the public or the environment pursuant to Government Code Section 65962.5.

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 closest airport to the Project site is Fullerton Airport, a general aviation airport, which is located approximately 5.5 miles to the southwest. The Project site is outside the safety hazard and potential noise impact area for the airport. Consequently, the project would not result in an impact related to an airport safety or noise hazards.

f. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant with Mitigation Incorporated. Primary vehicle access to the site is from Imperial Highway via a gated entry that provides separated inbound and outbound 26-foot wide driveways. Interior vehicle access to each of the 21 buildings is via a 26-foot wide private loop road, with each townhome having direct garage access to the loop road or to interior 25-foot wide driveways. Emergency access would be available from the loop road and primary entrance. (Reference Figure 13 Preliminary Project Fire Access Plan.) The gates at the entrances are required to be fitted with an Opticom or similar system to allow for emergency vehicles to quickly access the site. This requirement is added as Mitigation Measure HAZ-4. Consequently, with inclusion of this measure, Project impacts relative to the implementation or interference with the City's emergency response or evacuation plans would be less than significant.

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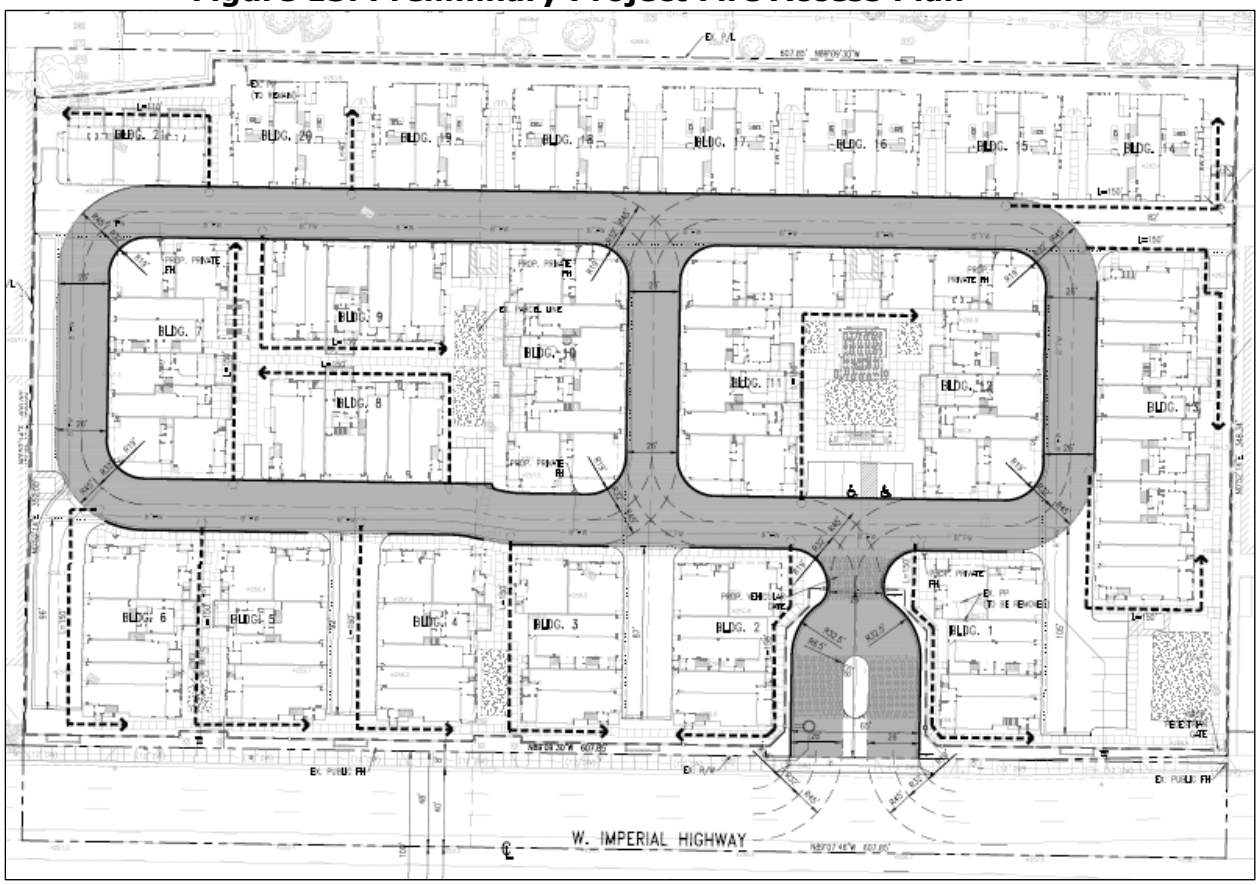
[15] http://www.envirostor.dtsc.ca.gov/public/mapfull.asp?global; accessed July 27, 2021.

Figure 13. Preliminary Project Fire Access Plan



Source: The Olson Company

g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

   No Impact. The Project site and surrounding areas are fully urbanized. Wildland fire areas are not identified by the General Plan as occurring in the City. The Project would replace older commercial/light industrial buildings with a contemporary townhome development built to the most recent Building and Fire Code requirements. Consequently, the Project would not expose people or structure to a significant risk from wildland fires.

6.9.2 Cumulative Impacts

The Project could disturb hazardous materials that are existing on site from current and former uses. Mitigation Measures HAZ-1 through HAZ-3 are added to the Project to reduce potential impacts related to hazardous materials to less than significant levels. These existing conditions are site specific and the Project would be required to remove or remediate these conditions. The Project is a residential use and not associated with hazards or hazardous materials beyond the ordinary and lawful use of hazardous materials in consumer products. Mitigation Measure HAZ-4 is added to facilitate emergency access to the Project, which is a site specific condition. As a

result, no significant cumulative impacts relative to hazards or hazardous materials will be associated with the proposed Project implementation.

6.9.3 MITIGATION MEASURES

The following measures will be required to mitigate potential Project impacts related to hazards or hazardous materials to less than significant levels:

Mitigation Measure HAZ-1: Asbestos.

Timing: Prior to demolition activities.

Department Responsible: Community Development (Planning and Building Divisions).

Prior to demolition activities, the Applicant shall provide for an asbestos survey conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials.

If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

Mitigation Measure HAZ-2: Paint.

Timing: During demolition activities.

Department Responsible: Community Development (Planning and Building Divisions).

If paint is separated from building materials (chemically or physically) during demolition of the structures, the Applicant shall ensure that paint waste is evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall

identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm2) in/on readily accessible painted surfaces of the buildings. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead.

Mitigation Measure HAZ-3: Soil Vapor.

Timing: Prior and after grading activities, and prior to issuance of certificate of occupancy.

Department Responsible: Community Development (Planning and Building Divisions).

Prior to the issuance of a building permit, the Applicant shall provide to the Planning Division an environmental cleanup plan and a model Health and Safety Plan (HASP), to be adopted by project contractors, shall be approved by the DTSC or other environmental agency of applicable jurisdiction. The environmental cleanup plan shall establish the measures to safely remove and or mitigate significant environmental health and safety risks (short- and long-term) potentially posed to future site users by the presence of hazardous materials in existing soil, contaminated groundwater, and soil vapor beneath the site. Such environmental mitigation and or remediation approaches and techniques may include, among others, excavation of impacted media for disposal at appropriately permitted landfill facilities, engineered barriers to minimize exposure to hazardous materials.

The environmental cleanup plan shall also include truck routes to avoid significant remediation-related truck traffic. The cleanup plan shall also include measures and protocols for the protection of the public's environmental health which shall include among others: management of stockpiles and on site soils to prevent the mobilization of particulate matter (e.g., through windblown dust, soil tracked-out through trucks or other construction vehicles); and retention of construction water onsite.

The HASP, which will be adopted and implemented by the general contractor and its subcontractors, will be prepared by an appropriately credentialed individual and outline proper soil and groundwater handling procedures and other health and safety requirements for the protection of workers handling hazardous materials in fill and contaminated groundwater during construction.

The HASP shall be consistent with the worker protection requirements of the Cal/OSHA Title 8 regulations for the protection of worker safety.

Prior to the issuance of a certificate of occupancy, the Applicant shall provide the Planning Division a DTSC approved Remedial Action Completion Report, documenting that the property is appropriate for residential use.

Mitigation Measure HAZ-4: Entry Gates.

Timing: Prior to certificate of occupancy.

Department Responsible: Community Development (Building Division).

Prior to issuance of a certificate of occupancy, the Applicant shall demonstrate that the Project entry gates have been fitted with an Opticom or similar system acceptable to LACFD to allow for emergency vehicles to quickly access the site.

6.10 HYDROLOGY AND WATER QUALITY

HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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:				
i) Result in a substantial erosion or siltation on- or off-site;				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		

6.11.1 ENVIRONMENTAL SETTING

6.1.10.1 Regulatory Setting

Federal: Federal policies applicable to hydrology and water quality and the Project include:

- Clean Water Act. The Federal Water Pollution Control Act of 1948 was the first major U.S. law to address water pollution. Growing public awareness and concern for controlling water pollution led to sweeping amendments in 1972. As amended in 1972, the law became commonly known as the Clean Water Act (CWA).
- National Pollutant Discharge Elimination System (NPDES). The NPDES permit program implements the CWA by addressing water pollution and by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program is authorized to state governments by EPA to perform many permitting, administrative, and enforcement aspects of the program

Regional: Regional policies applicable to hydrology and water quality and the Project include:

- Regional Water Quality Control Board (RWQCB). The RWQCB implements the requirements of the Regional Water Quality Control Board and ensures local compliance with the NPDES permit and apply best management practices for point source discharges.

City of La Habra: Policies of the Infrastructure Element of the General Plan that are applicable to hydrology and water quality and the Project include:

- WQ 1.1 National Pollutant Discharge Elimination System and Regional Water Quality Control Board. Implement the requirements of the Regional Water Quality Control Board (RWQCB) for compliance with the National Pollutant Discharge Elimination System permit and apply best management practices for point source discharges.
- WQ 1.2 Orange County Drainage Area Management Plan and Water Quality Management Plan. Continue to enforce that all new developments and redevelopments comply with the Orange County Drainage Area Management Plan (DAMP) and that all applicable new developments and redevelopments prepare a Water Quality Management Plan (WQMP).
- WQ 1.3 Low Impact Development. Encourage the incorporation of Low Impact Development techniques (e.g., permeable paving, cells, bioswales, tree box filters, rain barrels, rooftop runoff for irrigating lawns) to manage stormwater and urban runoff, reduce runoff and pollution, and assist in maintaining or restoring the natural hydrology.
- WQ 1.4 Protection of Water Bodies. Require new development to protect the quality of water bodies and natural drainage systems consistent with the City's NPDES permit.

- WQ 1.5 New Development. Require new development to protect the quality of water resources and natural drainage systems through site design, and use of source controls, stormwater treatment, runoff reduction measures, best management practices, and LID techniques.
- WQ 1.6 Site Development. Encourage site design and development to minimize lot coverage and impervious surfaces.

6.1.10.2 Existing Conditions

Existing impervious coverage on the Project site is estimated to be approximately 98%. Existing on-site storm drain facilities consist of the following:[16]

- There are a couple of small drop inlet catch basins that appear to outlet to West Imperial Highway through parkway culverts.
- The site generally drains overland to West Imperial Highway and those flows are carried westerly in the West Imperial Highway curb and gutter to three catch basins that are owned and maintained by Caltrans.
- There is a grated inlet catch basin at the center of the Project site frontage which drains directly south across Imperial Highway via a 24" high density polyethylene pipe.
- There is a curb inlet catch basin located approximately 60' from the easterly property line which drains directly south across Imperial Highway via a 24" HDPE.
- There is a third catch basin approximately 30' west of the westerly property line which drains directly across W. Imperial Highway via a 24" asbestos cement pipe.
- All flows in the immediate project vicinity ultimately drain and/or connect directly to the Imperial Channel, which is an Orange County Flood Control facility, located on the south side of W. Imperial Highway behind a large screen wall.
- Runoff continues west in the Imperial Channel to the Coyote Creek Channel. The Coyote Creek Channel confluences with the San Gabriel River before discharging into the Pacific Ocean just north of the Anaheim Bay.

6.10.2 ENVIRONMENTAL SETTING

Data presented in this Hydrology and Water Quality section references information contained in the "Preliminary Hydrology Study 251-271 and 341-351 W. Imperial Hwy, La Habra, CA TTM No 19143" (Appendix G of this Initial Study).

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[16] Hydrology and Water Quality section references information contained in the "Preliminary Hydrology Study 251-271 and 341-351 W. Imperial Hwy, La Habra, CA TTM No 19143" (Appendix F of this Initial Study

a) Would the Project violate any water quality standards or waste discharge requirements?

Less Than Significant with Mitigation Incorporated. Pursuant to the federal CWA and the NPDES, new developments in the City of La Habra are required to include the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for the construction phase of a project, and a Water Quality Management Plan (WQMP) for the operation phase of a project.[17] The City of La Habra is in the jurisdictional area of the Santa Ana Regional Water Quality Control Board (RWQCB) and within the Coyote Creek Watershed. WQMP requirements within the RWQCB were further clarified by the County of Orange Drainage Area Management Plan (DAMP) which requires the preparation and implementation of WQMPs for development projects. City of La Habra Municipal Code Chapter 13.24 contains further regulations associated with stormwater and urban runoff management.

Project development will consist of 21 buildings consisting of 2-story triplexes and 3-story townhomes for a total of 117 units. Both building types will have side-by-side or tandem garage parking. The proposed building coverage is approximately 85,577 square feet, the drive aisle and open parking coverage is approximately 80,730 square feet, the qualifying open space (public and private) lot coverage is approximately 30,856 square feet, and all the other common landscape areas total 20,293 square feet. Based on the proposed land use of the residential lot, the imperviousness would be approximately 77%.

As proposed, the Project development will be divided into fourteen (14) Drainage Areas which will be graded to match the existing drainage condition. The storm water will be collected and conveyed by a series of area drains and street surface flow, towards curb opening catch basins & bio-filtration devices. These devices will be sized to treat the required water quality stormwater runoff flow rate. The bio-filtration chambers are proposed to be located at the southern portion of the site and to contain a divert and by-pass system and overflow pipe to allow the conveyance of larger storm events. When the treatment capacity of the biofiltration vaults is exceeded, runoff will be directed into a proposed stormwater sump pump system where it will be pumped into West Imperial Highway via a proposed parkway culvert. Runoff that enters West Imperial Highway will drain into the Coyote Creek Channel and eventually the Pacific Ocean.

The Project would be required to demonstrate the effectiveness of the proposed storm drain system in its preliminary WQMP. The final WQMP would be required for review and approval by the Chief Building Official and the City Engineer prior to the grading permit stage. To ensure the WQMP is properly prepared and implemented, Mitigation Measures HYD-1, below, is added to the Project. With inclusion of this measure, potential Project impacts regarding violation of any

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[17] General Plan EIR Section 5.14.1.

water quality standards or waste discharge standards would be reduced to less than significant.

b) Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned used for which permits have been granted)?

No Impact. The Project site is currently developed with buildings and paving. Similarly, the surrounding area is largely developed and paved. As discussed above, the Project would decrease the amount of impervious surface over existing conditions from 95% to 85%, and would improve groundwater recharge conditions.

As stated in the Conservation/Natural Resources Element of the General Plan, the City obtains its domestic water supply from groundwater and imported water sources. Roughly 43 percent of the City's potable water comes from three City groundwater wells pumped from the La Habra Groundwater Basin (La Bonita Park Well, Portola Park Well, and the Idaho Street Well). The Project does not include installation of new groundwater wells or use of groundwater from existing wells.

By decreasing impervious surface conditions and installing water quality bio-filtration, the Project would increase and improve the quality of groundwater. Consequently, development of the Project would not result in a net deficit in aquifer volume or a lowering of the groundwater table, and would not substantially deplete groundwater supplies or interfere with groundwater recharge.

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 off-site?

No Impact. As discussed above, the Project site and surrounding area are largely developed and with mostly impervious surfaces. The Project would retain the existing site drainage conditions, collecting and filtering runoff before releasing it on to West Imperial Highway. Consequently, no Project impacts would occur relative to substantial alteration of the existing drainage pattern of the site or area or substantial erosion.

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

No Impact. As discussed above, the Project proposed stormwater collection and treatment system would adequately control the flow of runoff in a serves of catch basins and clean the runoff in bio-filtration vaults. Consequently, the Project

would not increase the rate of surface runoff in a manner that would result in any flooding.

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?

No Impact. As discussed above, the Project would retain the site flow and filter the runoff water in compliance with the WQMP. Consequently, the Project would not exceed capacity of existing stormwater drainage systems or add polluted runoff.

iv) Impede or redirect flood flows?

No Impact. The Project would retain the existing northly drainage flow of the site. Post development, as discussed above, the Project would retain and filter the drainage flow and then convey primary overflow to West Imperial Highway via a proposed parkway culvert. Runoff that enters West Imperial Highway will drain into the Coyote Creek Channel and eventually the Pacific Ocean. Consequently, the Project would not impede or redirect flood flows or exceed capacity of existing stormwater drainage systems or add polluted runoff.

d) Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. According to the Phase I ESA, the Project site is not located within a 500-year or 100-year flood plain. The City of La Habra General Plan Flood Zones and Flood Control Channels General Plan Map shows that areas of potential flooding occur along Coyote Creek and La Mirada Creek, but not in the vicinity of the Project site.

A tsunami is a tidal wave or sea wave caused by seismic activity. La Habra is located inland approximately 16 miles from the Pacific Ocean and is not subject to tsunamis. A seiche involves the oscillation of a body of water in an enclosed basin, such as a reservoir, storage tank, or lake. General Plan EIR Section 5.7-6 does not identify potential significant impacts from seiche with the City, and identifies Coyote Hills and Westridge Golf Club as susceptible to mudflows. The project site is about 5 miles north of Coyote Hills and 2 miles north of Westridge Golf Course.

As discussed above, the Project proposed stormwater collection and treatment system would adequately control the flow and quality of runoff. Consequently, the Project would not result in risk of pollutant release during flood hazard, tsunami or seiche.

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

Less Than Significant with Mitigation Incorporated. As discussed previously, the Project proposes a stormwater system to collect and filter runoff. Also, the Project would increase groundwater recharge by decreasing impervious surfaces and filtering runoff. To ensure the WQMP is properly prepared and implemented, Mitigation Measure HYD-1, below, is added to the Project. With inclusion of these measures, potential impacts regarding Project conflicts with or obstruct implementation of a water quality control or groundwater management plan would be less than significant.

6.10.3 CUMULATIVE IMPACTS

The required preparation and implementation of the WQMP would reduce potential Project impacts to stormwater runoff and water quality. Each cumulative project listed in Section 2.9.2 of this Initial Study would be subject to a preliminary and final WQMP similar to the Project. As a result, no significant cumulative impacts relative to hydrology and water quality will be associated with the proposed Project's implementation.

6.10.4 MITIGATION MEASURES

The following measures will be required to mitigate potential Project impacts related to hydrology and water quality to less than significant levels:

Mitigation Measure HYD-1: SWPPP and WQMP.

Timing: Prior to Issuance of Grading Permits.

Department Responsible: Public Works (Engineering Division) and Community Development (Building Division).

The Applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for the construction phase of the project, and a Water Quality Management Plan (WQMP) for the operation phase acceptable to the Chief Building Official and City Engineer prior to the issuance of a grading permit. The Applicant shall register their SWPPP with the State of California with documentation of such action provided to the Chief Building Official and City Engineer. A copy of the current SWPPP shall be kept at the project site and be available for review on request by governmental officials at all times.

6.11 LAND USE AND PLANNING

LAND USE AND PLANNING. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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

6.11.1 EXISTING SETTING

State: Chapter 65000-66037 of the California Government Code establishes local government planning and zoning authority and obligations, and requires each local jurisdiction to prepare a General Plan. As established by the State, the General Plan is the comprehensive long-term plan for the physical development of the county or city.

City of La Habra: The General Plan establishes a local government's blueprint for land use, and the housing and population that live within its boundaries. For the City of La Habra, polices regarding land use and planning are articulated within the Community Development Element of the General Plan. These policies relative to population land use and planning and the Project, include:

- LU 2.1. Places to Live. Provide opportunities for a full range of housing types, locations, and densities to address the community's fair share of regional housing needs and to provide market support to economically sustain commercial land uses in La Habra. The mix, density, size, and location of housing shall be determined based on the projected needs specified in the Housing Element, as amended periodically.
- LU 2.4. Balancing Jobs and Housing. Designate sufficient land and densities that afford opportunities for the development of businesses offering jobs matched to the education and skills of La Habra's residents and housing affordable to employees of local businesses, thereby reducing commutes to and from outside of the community.
- LU 3.1. Sustainable Development Pattern. Provide for an overall pattern of land uses that promotes efficient development; reduces pollution, automobile dependence, and greenhouse gas emissions and the expenditure of energy and other resources; ensures compatibility between uses; enhances community livability and public health; and sustains economic vitality.

- LU 6.4. Housing Type Distribution. Promote an equitable distribution of housing types for all income groups throughout the city and promote mixed-income developments rather than creating concentrations of below-market-rate housing in certain areas.
- LU 7.2. New Residential Development. Attract new residential development that is well-conceived, constructed, and maintained in a variety of types and densities, housing types at scales, and locations and costs.

6.11.1.2 Existing Conditions

According to the California State Department of Finance as of January 1, 2021, the City's population was 62,808 persons and the number of housing units was 20,844.[18] Existing uses on the Project site consist of commercial/light industrial. No existing housing units occur on the Project site.

6.11.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project physically divide an established community?

No Impact. The Project site is currently developed with commercial/light industrial uses. However, the site's current General Plan Land Use Map designation is Residential Multi-Family 1 with a residential density of 15-24 units per acre, anticipating the site's transition to a multifamily residential use. As proposed, with 117 townhome development is a for-sale multifamily product, with a gross density of 21 units per acre.

Primary existing land uses surrounding the site include commercial and single family residential. The proposed Project townhomes would provide a transition between the existing commercial/light industrial uses, consistent with the site's General Plan Land Use designation of Residential Multi-Family. Consequently, the Project would not physically divide an established community.

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?

No Impact. As discussed above, the Project is consistent with the site's General Plan land use designation and would be consistent with the site's Zoning map designation, which is R-4 Multi-Family Residential which permits a residential density of 15-24 units per acre. Required entitlements for the Project include:

- Conditional Use Permit (CUP) 21-01
- Design Review 21-01
- Tentative Tract Map (TTM) 19143.

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[18] E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2021 with 2010 Census Benchmark (ca.gov); accessed July 30, 2021.

Conditional Use Permit: As discussed in Section 2.8.4 of this Initial Study, pursuant to LHMC section 18.80.010, *Purpose of affordable housing incentives*, the City shall provide a density bonus, incentives and/or concessions for the production of affordable housing units. The City of La Habra processes such requests through the Conditional Use Permit (CUP) process. The CUP is subject to the City Planning Commission public hearing, review and approval, based on the following findings:

1. The granting of such conditional use permit will not be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.
2. The subject site is physically suitable for the type of land use being proposed.
3. The use is conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this title.
4. The granting of this conditional use permit is consistent with the comprehensive general plan.

The Project is compatible with the site's existing General Plan and Zoning designations. In regards to the applicable General Plan policies summarized in Section 6.11.1, the Project satisfies the policies in the following ways:

- It provides a new housing opportunity with both market rate and affordable options;
- It provides a multifamily for-sale product which provides options for households priced out of the single family market or otherwise desiring a housing option close to commercial uses; and
- It provides a cohesively designed community built to the latest CBC requirements for energy efficiency.

Based on these factors, the above listed CUP findings could be reasonably made by the City Planning Commission.

Design Review: As discussed in Section 2.8.4 of this Initial Study, Pursuant to LHMC Section 18.68, all new residential construction and major remodeling in the City shall be subject to a design review "to ensure that site design, buildings, structures, signs, and landscaping will be in harmony with other structures and improvements in the vicinity of the proposed development and consistent with the general plan and the zoning." The design review is subject to the City Planning Commission public hearing, review and approval, based on the following findings:

1. The proposed plan is consistent with the City's general plan.
2. The proposed plan is consistent with the City's zoning ordinance.
3. The proposed plan is in the best interests of the public health, safety, and welfare of the community.

4. The nature of the proposed land uses and the design is appropriate for the proposed location is compatible to the surrounding land uses and improvements.
5. The project complies with all requirements of the California Environmental Quality Act. (Ord. 1719 § 1, 2010).

Based on the compatibility of the Project with the existing General Plan and Zoning designations and surrounding uses, and the findings of this CEQA review, these design review findings could be reasonably made by the City Planning Commission.

Tentative Tract Map. The Project proposes a Tentative Tract Condominium Map (TTM) to reconfigure the property into common and private use parcels and allow for the sale of the units as condominiums. Pursuant to LHMC 17.080 38-3, approval of the TTM is subject to Planning Commission review and approval and will be considered by the Planning Commission in conjunction with the Project's CUP and Design Review applications.

The Project would not conflict with an applicable land use plan, policy or regulation.

6.11.3 CUMULATIVE IMPACTS

The Project would convert a commercially developed property with a residential use, consistent with its current residential General Plan Land Use and Zoning Map designations. The Project is not proposing a change in land use policy that could influence other cumulative projects, which would be subject to their own review according to their respective conformity with General Plan and Zoning requirements. Consequently, cumulative impacts relative to land use and planning would not be significant.

6.11.4 MITIGATION MEASURES

The analysis determined that the proposed Project would not result in any significant adverse impacts regarding land use and planning. Consequently, no mitigation is required.

6.12 MINERAL RESOURCES

MINERAL RESOURCES. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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

6.12.1 ENVIRONMENTAL SETTING

6.12.1.1 Regulatory Setting

State: The State of California Department of Conservation maps the states mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 which requires the State Geologist to classify land into mineral resource zones based on the known or inferred mineral resource potential of that land. The primary goal is to ensure that important mineral resources do not become inaccessible due to uninformed land-use decisions.

City of La Habra: The La Habra General Plan Conservation/Natural Resources Element contains the following policies related to mineral resources:

- Goal SM 2 Extraction Activities and Operations. Mineral resource extraction activities and operations are compatible with the character and quality of the community.
- SM 2.1 Compatible Design and Operations. Require that mineral resource extraction activities, including the reactivation of oil wells, be designed and operated to minimize incompatibilities with nearby land uses and incorporate features that buffer existing and planned adjacent uses.

6.12.1.2 Existing Conditions

As discussed in the General Plan Conservation/Natural Resources Element, La Habra's mineral resource extraction and oil production is inactive. The City's abandoned oil wells are generally associated with the West Coyote Hills located in the southern hillsides of La Habra, while the idle and dry hole oil wells are infrequent and

generally scattered throughout the southern and western portion of the City. No significant mineral deposits are known to exist within La Habra, and no areas are designated as Mineral Resource Zones (MRZ).

6.12.2 Analysis of Environmental Impacts

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?

   No Impact. The City of La Habra, inclusive of the Project site, is not identified by the California Department of Conservation as containing significant mineral resources.[19] There are no oil wells on or near the Project site. Consequently, Project impacts relative to mineral resources will not be significant.

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

   No Impact. As discussed above, there are no significant mineral resources within the City and no oil excavation in or near the Project site. Consequently, the Project would not result in the loss of a locally important mineral resource recovery site.

6.12.3 Cumulative Impacts

The analysis determined that the proposed Project would not result in any significant adverse impacts to mineral resources. Consequently, no significant adverse cumulative impacts to mineral resources would occur as a result of the project.

6.12.4 Mitigation Measures

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts on mineral resources. As a result, no mitigation is required.

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[19] CGS Information Warehouse: Mineral Land Classification; accessed July 23, 2021

6.13 NOISE

NOISE. Would the project result in:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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

6.13.1 ENVIRONMENTAL SETTING

6.13.1.1 Regulatory Setting

State: Established in 1973, the California Department of Health Services Office of Noise Control was instrumental in developing regularity tools to control and abate noise for use by local agencies, including the "Land Use Compatibility for Community Noise Environments Matrix." The matrix allows the local jurisdiction to clearly delineate compatibility of sensitive uses with various incremental levels of noise.

The State of California also has established noise insulation standards as outlined in Title 24 and the California Building Code which in some cases requires acoustical analyses to outline exterior noise levels and to ensure interior noise levels do not exceed the interior threshold. The State mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines published by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable.

Local: Noise policies applicable to the Project are established in the Community Safety Element of the General Plan, including the following:

- N 1.1. Land Use Compatibility. Restrict the development of noise-sensitive land uses (i.e., schools, medical centers and hospitals, senior centers, and residences) in areas with noise levels that exceed those considered clearly incompatible with the use, as shown in General Plan Table 7-1 (Land Use Compatibility with Community Noise Environments), unless measures can be implemented to reduce noise to acceptable levels.

City of La Habra General Plan Table 7-1. Land Use Compatibility with Community Noise Environments *

Land Use Categories and Uses		Compatible Land Use Zones						
Category	Uses	CNEL<55	CNEL 55-60	CNEL 60-65	CNEL 65-70	CNEL 70-75	CNEL 75-80	CNEL >80
Residential	Single Family, Duplex, Multiple Family	A	A	B	B	C	D	D
	Mobile Home	A	A	B	C	C	D	D

[*Note:] INTERPRETATION:

- *Zone A Clearly Compatible:* Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
- *Zone B Compatible with Mitigation:* New construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice. Note that residential uses are prohibited with Airport CNEL greater than 65.[20]
- *Zone C Normally Incompatible:* New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.
- *Zone D Clearly Incompatible:* New construction or development should generally not be undertaken.

- N 1.2. Noise Standards. Require noise attenuation for residential development where the projected exterior and interior noise levels exceed those shown in General Plan Table 7-2 (Residential Exterior and Interior Noise Standards).

City of La Habra General Plan Table 7-2 Residential Exterior and Interior Noise Standards

Residential Use	Exterior Noise Levels	Interior Noise Levels
7:00 am to 10:00 pm	55 dBA*	55 dBA
10:00 pm to 7:00 am	50 dBA	45 dBA

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[20] Community Noise Equivalent Level (CNEL).

[*Note:] Units of noise are typically measured in decibels (dB). Since the human ear is not equally sensitive to all sound frequencies within the entire auditory spectrum, human response is factored into sound descriptions by weighting sounds within the range of maximum human sensitivity more heavily in a process called "A-weighting," written as dB(A).

- N 1.3. Noise Studies for New Development. Require an acoustical study for all new residential developments that lie within the 65 dBA noise contour based on projections of future noise conditions resulting from the Plan's traffic increases to ensure indoor levels will not exceed City standards. In addition, the City will continue to enforce the California Building Code for indoor noise levels.
- N 1.4. Noise Attenuation through Building Design. Require measures that attenuate exterior and/or interior noise levels to acceptable levels to be incorporated into all development projects where current and/or future noise levels may be unacceptable.
- N 1.5. Noise Attenuation through Site Design. Require noise reduction features to be used in the site planning process for new projects where current and/or future noise levels may be unacceptable. The focus of these efforts will be site design techniques. Techniques include:
    - Designing landscaped building setbacks to serve as a buffer between the noise source and receptor.
    - Placing noise-tolerant land uses such as parking lots, maintenance facilities, and utility areas between the noise source and receptor.
    - Orienting buildings to shield noise-sensitive outdoor spaces from a noise source.
    - Locating bedrooms or balconies on the sides of buildings facing away from noise sources.
    - Utilizing noise barriers (e.g., fences, walls, or landscaped berms) to reduce adverse noise levels in noise-sensitive outdoor activity areas.
- N 1.7 Interior Vibration Standards. Require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on current City or Federal Transit Administration criteria.
- N 1.8 Construction Noise. Require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on these uses, to the extent feasible.

Chapter 9.32 of the City of La Habra Municipal Code addresses noise control, and requires that a project shall not create loud, unnecessary, or unusual noise that disturbs the peace or quiet of any neighborhood, or that causes discomfort or annoyance to any person of normal sensitiveness. Table 12, below, shows the City exterior noise standards applicable to residential land uses.

Table 12: City of La Habra Municipal Code Exterior Noise Standard		
Use Categories	**Exterior Noise Standard**	**Time Period**
Residential	55 dBA	7:00 AM – 10:00 PM
	50 dBA	10:00 PM – 7:00 AM

Section 9.32.070 of the City Municipal Code exempts the construction noise provided that the following provisions are met:

- Noise sources associated with construction, repair, remodeling, or grading of any real property, provided the activities do not take place between the hours of eight p.m. and seven a.m. on weekdays, including Saturday, or at any time on Sunday or a federal holiday.

6.13.1.2 Existing Conditions

Current uses on the Project site consist of commercial/light industrial facilities. The existing ambient noise levels at the adjacent residential uses to the north mainly includes noise from the existing on-site operational activities from the commercial/light industrial uses.

6.13.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

Data presented in this Noise section is based on the "Imperial & Euclid Residential Development Noise Study, City of La Habra," prepared by RK Engineering Group, Inc. (Noise Study), contained in this Initial Study as Appendix H.

a) Would the Project generate 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?

Less Than Significant with Mitigation Incorporated. **Noise Measurements**: Since the human ear is not equally sensitive to all sound frequencies within the entire auditory spectrum, human response is factored into sound descriptions by weighting sounds within the range of maximum human sensitivity more heavily in a process called "A-weighting," written as dB(A). Any further reference in this discussion to decibels written as "dB" should be understood to be A-weighted. Time variations in noise exposure are typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called LEQ), or alternately, as a statistical description of the sound pressure level that is exceeded over some fraction of a given observation period.

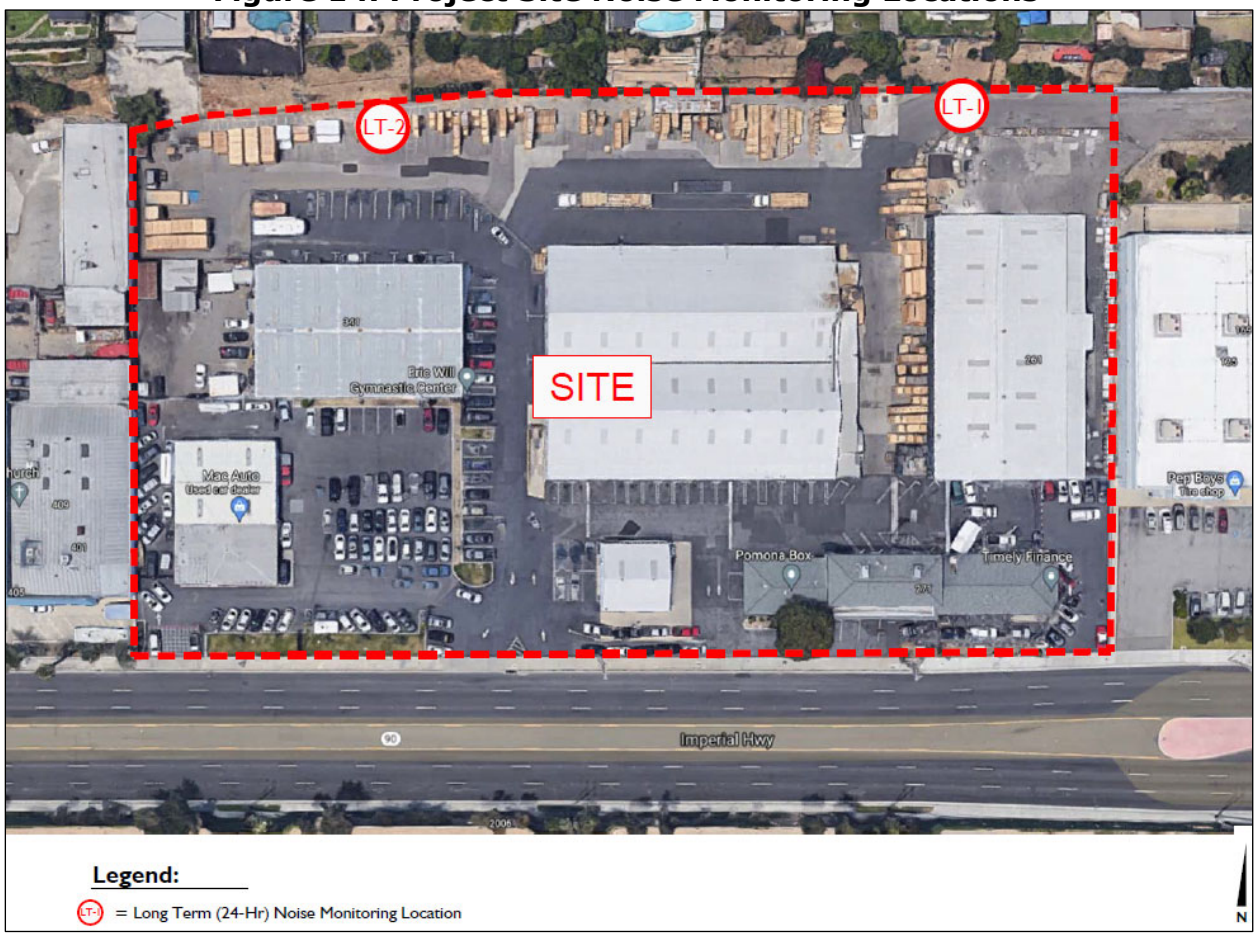
Typical human hearing can detect changes in sound levels of approximately 3 dBA under normal conditions. Changes of 1 to 3 dBA are detectable under quiet, controlled conditions, and changes of less than 1 dBA are usually indiscernible. A

change of 5 dBA is discernable to most people in an exterior environment while a change of 10 dBA is perceived as a doubling of the noise. Because people are generally more sensitive to unwanted noise intrusion during the evening and at night, state law requires that, for planning purposes, an artificial dB increment be added to quiet time noise levels in a 24-hour noise descriptor called the Ldn (day-night) or the Community Noise Equivalent Level (CNEL). The CNEL metric has gradually replaced the Ldn factor, but the two descriptors are essentially identical.

Baseline Noise: To determine existing noise levels in the Project area, the Noise Study included baseline noise measurements from two meters at the following locations, selected based on the proximity and location to adjacent sensitive receptors. (Reference Figure 14, Project Site Noise Monitoring Locations):

- Long-term noise monitoring location one (LT-1) was taken along the northern property line approximately 65 feet from the eastern property line.
- Long-term noise monitoring location two (LT-2) was taken along the northern property line approximately 120 feet from the western property line.

Figure 14. Project Site Noise Monitoring Locations



Source: Noise Study

Tables 13 and 14 below present the 24 hour noise measurements from the two locations. At both locations, noise from the Project site exceed the City

exterior noise standard of 55 dBA adjacent to residential uses as shown in Table 12, above.

Table 13: Existing – 24 Hour Noise Measurements – Location LT-1			
Time	**Leq (dBA)**	**Time**	**Leq (dBA)**
12:00 AM	43.1	12:00 PM	59.2
1:00 AM	41.5	1:00 PM	63.7
2:00 AM	42.2	2:00 PM	64.0
3:00 AM	40.1	3:00 PM	57.1
4:00 AM	42.6	4:00 PM	58.7
5:00 AM	50.7	5:00 PM	51.3
6:00 AM	59.9	6:00 PM	50.6
7:00 AM	58.6	7:00 PM	51.7
8:00 AM	60.3	8:00 PM	49.3
9:00 AM	59.6	9:00 PM	49.3
10:00 AM	59.4	10:00 PM	46.6
11:00 AM	61.0	11:00 PM	45.2
24-Hour CNEL			**60.3**

Table 14: Existing – 24 Hour Noise Measurements – Location LT-2			
Time	**Leq (dBA)**	**Time**	**Leq (dBA)**
12:00 AM	44.8	12:00 PM	52.2
1:00 AM	41.1	1:00 PM	53.8
2:00 AM	41.9	2:00 PM	54.5
3:00 AM	40.1	3:00 PM	52.5
4:00 AM	43.4	4:00 PM	54.1
5:00 AM	46.1	5:00 PM	50.2
6:00 AM	49.6	6:00 PM	49.7
7:00 AM	50.6	7:00 PM	47.3
8:00 AM	50.2	8:00 PM	47.0
9:00 AM	50.4	9:00 PM	45.7
10:00 AM	50.9	10:00 PM	45.0
11:00 AM	50.1	11:00 PM	43.7
24-Hour CNEL			**53.3**

On-Site Impacts - **Operational Noise - Exterior**: Noise from Project operations are expected to include mechanical noise from the townhome HVAC units, vehicle engine noise and general household conversation and noise associated with future residents. Using SoundPLAN™ noise modeling software, the Noise Study calculated the addition of Project operational noise to existing baseline noise levels to the nearest sensitive use, which are the single family homes directly north of the site.

The Noise Study calculated noise levels both during daytime and nighttime hours, incorporating all estimated future Project noise sources operating simultaneously. Table 15 shows the results of the model calculations during daytime (7 a.m. to 10 p.m.) hours, demonstrating that noise levels generated by the Project are not expected to exceed the City's daytime noise standards of 55 dBA at the adjacent northern property lines.

Table 15: Daytime Noise Impacts (dBA)

Land Use	Location	Daytime Exterior Noise Level dBA		
		Project Noise Contribution (Leq)	City of La Habra Noise Level Criteria (Leq)	Noise Level Exceeds Standard (?)
Residential	North	47.5	55.0	No
Residential	North	47.1		No
Residential	North	44.1		No
Residential	North	46.6		No

Table 16 shows the results of the model calculations during nighttime (10 p.m. to 7 a.m. hours, demonstrating that noise levels generated by the Project are not expected to exceed the City's nighttime noise standards of 5 dBA at the adjacent northern property lines.

Table 16: Nighttime Noise Impacts (dBA)

Land Use	Location	Nighttime Exterior Noise Level dBA		
		Project Noise Contribution (Leq)	City of La Habra Noise Level Criteria (Leq)	Noise Level Exceeds Standard (?)
Residential	North	47.5	50.0	No
Residential	North	47.1		No
Residential	North	44.1		No
Residential	North	46.6		No

Off-Site Impacts - **Operational Noise on Future Project Residential Use**: Future Project residents could be exposed to surrounding exterior noise sources, with primary exterior noise source being traffic noise along Imperial Highway. As discussed in Section 2.8 of this Initial Study, the Project proposes to construct a six foot wall in the front setback adjacent to Imperial Highway, which is calculated to reduce exterior noise levels at the Project site's southern boundary adjacent to Imperial Highway at 69.3 dBA CNEL. As shown in the General Plan Table 7-1. Land Use Compatibility with Community Noise Environments, above, multifamily is considered a compatible with mitigation use in area with a CNEL of 65-70 dBA.

As discussed in Section 6.13.1, above, residential projects should meet the interior noise levels set by General Plan Table 7-2 "Residential Exterior and Interior Noise Standards", which are 55 dBA during the daytime and 45 dBA during the nighttime. To meet the interior noise levels, window and door upgrades would need to be incorporated in the Project buildings. These recommendations are added to the Project as Mitigation Measures NOI-1, NOI-2 and NOI-3, and presented below. With inclusion of these measures, the Project would comply with City General Plan noise standards:

On-Site Impacts – **Construction Noise**: Temporary construction noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. Short-term construction noise impacts tend to occur in discrete phases dominated by large, earth-moving equipment sources for demolition and grading. During construction and paving, equipment is generally less noisy. The closest existing sensitive uses to the Project site are the single family residential homes north and south of the site.

As noted previously, the City of La Habra Municipal Code limits construction activities to 8 a.m. to 7 p.m. Monday through Saturday. These time restrictions are expected to reduce construction noise impacts to less than significant levels. However, because of the proximity of sensitive residential uses immediately north of the Project site, the Noise Study recommends that the Project Applicant require that, during construction, generators and stationary construction equipment be placed as far from the nearest residential uses, as reasonably feasible. This recommendation can be incorporated by the City of La Habra can incorporate as a condition of approval for the Project.

As discussed in this section, with inclusion of mitigation measures NOI-1 through NOI-3, Project impacts relative to expose to noise levels in excess of established standards would be reduced to less than significant levels.

b) Would the project generate excessive ground borne vibration or groundborne noise levels?

Less Than Significant. Groundborne vibration or noise is typically expressed as the root mean square (RMS) velocity of a vibrating object. RMS velocities are expressed in units of vibration decibels. Although the perceptibility threshold is about 65 dB, human response to vibration is not usually significant unless the

vibration exceeds 70 VdB. The range of vibration decibels (VdB) is as follows:

65 VdB - threshold of human perception
72 VdB - annoyance due to frequent events
80 VdB - annoyance due to infrequent events
94-98 VdB - minor cosmetic damage.

The Noise Study did not identify excessive vibration in the vicinity of the Project site. Project construction is not expected to require use of substantial vibration equipment or activities such as pile drivers or blasting. Consequently, Project impacts relative to excessive to groundborne vibration or noise would be less than significant.

c) For a project located with 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?

No Impact. The closest airport to the Project site is Fullerton Airport, a general aviation airport, which is located approximately 5.5 miles to the southwest. The Project site is outside the potential noise impact area for the airport. There is no private airstrip within 2 miles of the Project site. Consequently, the Project would not result in significant impacts related to exposure to excessive airfield or airport related noise levels.

6.13.4 CUMULATIVE IMPACTS

Potential noise impacts associated with the Project location could affect the future residents of the site. These impacts are site specific and not cumulative in nature. Mitigation Measures NOI-1 through NOI-3 are added to the Project to reduce potential noise impacts to Project residents and adjacent properties to less than significant levels. These impacts and mitigation are site specific, and each cumulative project is required to undergo its own environmental analysis, including potential noise related impacts. Consequently, no cumulative impacts relative to noise would occur from or to the Project.

6.13.4 MITIGATION MEASURES

The following mitigation measures will be required to ensure City noise land use compatibility standards are met:

Mitigation Measure NOI-1: (Interior Noise Levels)
Timing: Prior to a building permit for a residential unit.
Department Responsible: Community Development (Building Division).
The Project applicant shall provide a final acoustical study demonstrating compliance with California Title 24 building insulation requirements for exterior walls, roofs and common separating assemblies (e.g. floor/ceiling assemblies and demising walls), which shall be reviewed by the City prior to issuance of a

building permit. In addition, the Project building plans shall demonstrate the following:

a) Interior noise levels due to exterior sources must not exceed a community noise equivalent level (CNEL) or a day-night level (LDN) of 45 dBA, in any habitable room.

Mitigation Measure NOI-2: (Windows Closed)
Timing: Prior to a building permit for a residential unit.
Department Responsible: Community Development (Planning and Building Divisions).
A "windows closed" condition is expected to be required for all residential units within the Project site to meet the interior noise standard. To accommodate a windows closed conditions, all units shall be equipped with adequate fresh air ventilation, per the requirements of the California Building Code.

Mitigation Measure NOI-3: (Windows and Door Upgrades)
Timing: Prior to a residential building permit.
Department Responsible: Community Development (Planning and Building Divisions).
Upgraded windows and sliding glass doors will be required for all units facing Imperial Highway. For units in the first row building along Imperial Highway, first floor windows are expected to require a minimum rating of STC 29, and second and third floor windows are expected to require a minimum rating of STC 33. North facing windows should have a minimum rating of STC 25. For proper acoustical performance, all exterior windows, doors, and sliding glass doors should have a positive seal and leaks/cracks must be kept to a minimum.

6.14 POPULATION AND HOUSING

POPULATION AND HOUSING. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

6.14.1 ENVIRONMENTAL SETTING

6.14.1.1 Regulatory Setting

State: The State of California Department of Housing and Community Development (HCD) formulates guidelines and programs that direct local governments to promote safe, affordable homes and vibrant, inclusive, sustainable communities for all Californians. As part of its mission statement, HCD focuses on:[21]

- Increasing the Supply of Affordable Places to Live in California
- Preserving Affordable Homes and Protecting Public Investment.

Authority for HCD's housing guidelines and programs is established in Government Code Title 7, specifically Sections 65580-65889, that requires all local governments to adopt and implement a Housing Element as part of the jurisdiction's General Plan.

City of La Habra: The General Plan establishes a local government's blueprint for land use, and the housing and population that live within its boundaries. For the City of La Habra, polices regarding land use, housing and population are articulated within the Community Development Element of the General Plan. These policies relative to population growth and housing displacement and the Project, include:

- LU 2.1. Places to Live. Provide opportunities for a full range of housing types, locations, and densities to address the community's fair share of regional

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[21] https://www.hcd.ca.gov/about/mission.shtml; accessed July 29, 2021.

housing needs and to provide market support to economically sustain commercial land uses in La Habra. The mix, density, size, and location of housing shall be determined based on the projected needs specified in the Housing Element, as amended periodically.

- LU 6.4. Housing Type Distribution. Promote an equitable distribution of housing types for all income groups throughout the city and promote mixed-income developments rather than creating concentrations of below-market-rate housing in certain areas.
- LU 7.9. Housing Maintenance. Promote the maintenance of existing residential units and improvements to assure a quality and healthy living environment for residents and consistency with their neighborhood setting.
- H 1.1. Support State Housing Policy. Support State Housing policy by emphasizing, "...the use of those public powers which impact on housing, including, but not limited to land use controls, development controls, and regulatory concessions and incentives."
- H 1.3. Support Private Sector Housing Production. Facilitate the efforts of the private sector in the production of new housing for all economic segments of the community.
- H 1.4. Variety of Housing. Promote a variety of housing types at scales, values, and locations carefully selected to provide housing opportunities for all economic segments of the population, while emphasizing the protection and conservation of existing single family neighborhoods.
- H 1.5. Market and Non-Market Housing Production Needs. Achieve, to the maximum extent feasible, the production of new housing in sufficient quantity to meet both market-rate and non-market rate housing needs of the community.
- H 2.5. Adequate Housing Sites through Land Use and Zoning. Provide adequate housing sites through appropriate General Plan land use designations, zoning, and specific plan land use designations to accommodate the City's fair share of regional housing needs.

6.14.1.2 Existing Conditions

According to the California State Department of Finance as of January 1, 2021, the City's population was 62,808 persons and the number of housing units was 20,844.[22] Existing uses on the Project site consist of commercial/light industrial. No existing housing units occur on the Project site.

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[22] E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2021 with 2010 Census Benchmark (ca.gov); accessed July 30, 2021.

6.14.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

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

No Impact. Current General Plan Land Use Map designation for the Project site is Residential Multi-Family 1 with a residential density of 15-24 units per acre. Current Zoning map designation for the site is R-4 Multi-Family Residential which permits a residential density of 15-24 units per acre. As proposed, with 117 townhome development, which are a for-sale multifamily product, and a gross density of 21 units per acre, the Project would be consistent with the existing General Plan Land Use and Zoning map designations.

The Project is an infill development that would tie into existing roads and infrastructure on and adjacent to the site. Consequently, Project impacts relative to inducement of substantial population growth would not be significant.

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

No Impact. The Project site consists currently of commercial/light industrial development and contains no housing. The Project would redevelop the site with 117 single-family residential units. Consequently, the Project would provide new housing options within the City and would not displace existing people or housing.

6.14.2 CUMULATIVE IMPACTS

The Project would convert existing commercial/light industrial uses with a residential use, consistent with its current and proposed residential General Plan Land Use and Zoning map designations. The Project is an infill development and would not induce growth. Consequently, the Project would have no direct or indirect impacts on other pending and proposed development projects in the City, and cumulative impacts relative to population and housing would not be significant.

6.14.3 MITIGATION MEASURES

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts on population and housing. As a result, no mitigation is required.

6.15 PUBLIC SERVICES

PUBLIC SERVICES. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

6.15.1 ENVIRONMENTAL SETTING

6.15.1.1 Regulatory Setting

City of La Habra: The La Habra General Plan Community Safety and Community Services elements contain the following policies related to public services and the Project:

- OS 1.5. Open Space Provisions. Require that significant residential development projects and Specific Plans address and make provisions for adequate amounts of private and/or public passive open space and landscaping that is sensitive to retaining the character of the natural environment where applicable.
- OS 2.1. Parkland Standard. Provide, maintain, and support open space resources including parks, recreational facilities, and open space at a ratio of

2.5 acres per 1,000 residents for active and passive recreational purposes to allow residents opportunities to enjoy physical and mental health.

- OS 2.6. Infill Areas. Promote the development of small parks that provide active and passive recreational opportunities for local residents in the downtown core and other areas of La Habra targeted for moderate and higher density residential and mixed-use development.
- OS 2.10. Quimby Act Park Fees and/or In Lieu Dedication. Continue to enforce local ordinances that require subdivision developments with residential land uses including large high-density residential and mixed-use projects to contribute fees or dedicate land, or combination thereof, for development or rehabilitation of parklands or recreational facilities accurately reflecting the burden of the new development on the City's recreational facilities and programs.
- S 1.1. School Capacity. Cooperate with school districts to ensure that school facilities with sufficient capacity are reserved, constructed, and phased to meet the needs of current and projected enrollment, as permitted by State law.
- S 1.9. Developer Fees. Ensure that residential development fully mitigates its impact on school facilities through the payment of fees or other negotiated methods, as permitted by State law.
- PS 1.1. Response Time. Maintain appropriate police service response times for all call priority levels that ensure the safety of La Habra's residents, businesses, and visitors.
- PS 1.Sworn Personnel. Maintain an acceptable sworn officer-to-resident ratio.
- PS 1.3. Non-sworn Staffing. Maintain acceptable non-sworn or civilian staff to provide quality police services.
- PS 1.4. Operations and Facilities. Ensure that police operations and facilities are adequate to accommodate increases in functions, staff, and technology as needed.
- FS 1.1. Support Fire Service Provider. Continue to work with and support the City's fire service provider to ensure adequate personnel, facilities, and infrastructure to maintain an acceptable level of fire protection and emergency services in La Habra.
- FS.1.2. Adequate Water Supply. Maintain adequate water supply and fire flow pressure for fire suppression in La Habra.
- FS 1.3. Enforcement of Codes to Reduce the Risk of Fire. Continue to enforce all relevant federal, state, and county codes and local ordinances to reduce the risk of fire hazards and implement into the design of all new developments, fire prevention measures as required by the La Habra Municipal Code.
- FS 1.4. Fire Inspection and Permit Program. Continue to manage the City Fire Inspection and Permit Program to ensure that businesses in La Habra are operating within the highest fire safety standards specified by the federal Uniform Fire Code.
- FS 1.5. Review of Development Proposals. Include the City's fire service provider in the review of development proposals to ensure that projects

adequately address safe design and on-site fire protection.

6.15.1.2 Existing Conditions

Public service providers to the City include:

Fire: General fire services for the City of La Habra are provided by the Los Angeles County Fire Department (LACFD). The City of La Habra contracts with the LACFD for fire suppression and emergency medical services. LACFD maintains and operates three stations located within the City and an additional station located in La Mirada on property owned by the City of La Habra (Stations #191, #192, #193, and #194). Locations and staffing at these stations are:

- Station #191 is located at 850 West La Habra Boulevard and is staffed with one assessment engine, which is an engine company with some limited paramedic capabilities and one paramedic squad.
- Station #192 is located at 520 South Harbor Boulevard and is staffed with one assessment engine.
- Station #193 is located at 1000 West Risner Way and is staffed with one assessment engine.
- Station #194 is located at 13540 Beach Boulevard in the City of La Mirada and is staffed with one assessment engine.

Police: Police services are provided to the City by the La Habra Police Department (LHPD). Its headquarters are located in the Civic Center complex located at 150 North Euclid Street. According to the General Plan EIR Section 5.11.2, the LHPD is authorized to staff 70 sworn and 38 non-sworn or civilian staff. At present, the LHPD has 65 sworn employees, one employee in the police academy, and is recruiting to fill the remaining open positions. The LHPD does not have an established officer per population standard, but has indicated that the current ratio of 1.1 officers per 1,000 residents is sufficient to provide basic law enforcement services to the community.[23]

Schools: The La Habra City School District (LHCSD) and the Lowell Joint School District (LJSD) serve the City of La Habra as well as areas of adjacent cities. LHCSD operates four elementary schools for grades kindergarten through 2nd and three for grades 3rd through 5th; two middle schools for grades 6th through 8th. LJSD operates five elementary schools for grades kindergarten through 6th, one middle school for grades 7th through 8th. Fullerton Joint Union High School (FJUHSD) provides high school education to the City of La Habra as well as adjacent cities for grades 9th through 12th. FJUHSD operates eight high schools, two of which are in La Habra. The schools serving the Project site include: Las Lomas Elementary in the LHCSD and located at 301 W. Las Lomas Dr, directly north of the project site which is 0.4 miles from the Project site; Imperial Middle School, located in the LHCSD at 1450 South Schoolwood Drive, 0.7 miles west of the Project site; and La Habra High

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[23] City of La Habra. *City of La Habra General Plan Update. Technical Background Report. Chapter 4, Community Services. Section 4.4.* March 2012.

School, in the FJUHSD, at 800 Highlander Avenue, approximately 2 miles to the northwest of the Project site.

Parks: The City of La Habra contains a total of 24 parks, encompassing approximately 135.6 acres. These parks are divided into three categories—Mini Parks, Neighborhood Parks, and Community Parks—based on usage and not on size. The City currently has a park ratio of three acres per 1,000 residents.[24] General Plan policy OS 2.1 Parkland Standard recommends a park and open space ratio of 2.5 acres per 1,000 residents.

Other Public Facilities: Other public facilities include library and general municipal services. The La Habra Library is part of the Orange County Public Libraries and is located at 221 East La Habra Boulevard.

6.15.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

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

i) Fire Protection?

Less Than Significant Impact. Each of the four fire stations identified above are within one to two miles of the Project site, with the closest being Station #192 which is approximately 1.4 miles from the site. LACFD uses national guidelines that call for a 5-minute response time for the first arriving unit for fire and emergency medical service responses and 8 minutes for the advanced life support (paramedic) unit in urban areas.[25]

The Project would replace existing commercial/light industrial structures constructed between 1963 and 1981 with a new townhome development constructed to the current CBC and 2019 California Fire Code. Fire safety improvements that would be incorporated into the new townhomes include installation of interior sprinkler systems. The new development will also be subject to review and approval by the LACFD to ensure that safety and fire prevention measures are incorporated into the project.

Because the townhome development is consistent with the General Plan, its development will not place an unplanned burden on LACFD. With compliance with Fire Code requirements, Project impacts on fire protection facilities and services would be less than significant.

ii) Police Protection?

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[24] Ibid; Section 4.1.

[25] City of La Habra General Plan EIR, page 5.11-4.

Less Than Significant Impact. The new houses would be constructed to current CBC and Fire Code standards, within a gated community with contemporary fencing and exterior lighting. Because the townhome development is consistent with the General Plan, the transition of the site to the proposed residential use would not create unplanned demands for police services. Additionally, the Project would generate annually recurring revenue to the City in the form of taxes and other miscellaneous charges (e.g., sales tax, property tax, etc.). A portion of such revenue would be available to address costs associated with potential demands for police services. Consequently, Project impacts relative to police facilities and services would be less than significant.

iii) Schools?

Less Than Significant Impact. Because the townhome development is consistent with the General Plan, the transition of the Project site to a townhome community would not place unplanned demands on school services. Per California Government Code (CGC), the Project would be subject to the payment of school impact fees (Section 53080, CGC). As authorized under Section 17620(a) of the California Education Code and Section 65995(b) of the CGC, local school districts are authorized to impose and collect school "impact fees" for all residential and non-residential development activities that occur within their jurisdiction to off-set the additional costs associated with the new students that result directly from the construction of new homes. Payment of school impact fees constitutes full mitigation for the school impacts associated with new residential development. Consequently, Project impacts relative to school facilities and services would be less than significant.

iv) Parks?

Less Than Significant Impact. The General Plan designates approximately 135.6 acres for parks. Future residents of the Project would use the City parks. The transition of the Project site to a residential use is promulgated by the General Plan and consequently would not be adding additional unplanned residents to the City park system. The Project would be required to pay City Quimby fees, which are established to provide for residential development's fair share of park facilities. Consequently, Project impacts relative to park facilities or services would be to less than significant levels.

e) Other Public Facilities?

Less Than Significant Impact. As noted previously, transition of the Project site to a residential use is promulgated by the General Plan and consequently would not be adding additional unplanned residents to other public services. Public facilities and services are typically funded through user fees, property tax or sales tax revenues to which the future Project residents would contribute. Consequently, Project impacts relative to other public facilities and services would be less than significant.

6.15.3 Cumulative Impacts

The analysis determined that the proposed Project would not result in any significant adverse public services impacts, as increased demand would be offset by payment of school, park and user fees and property and sales tax. The cumulative projects identified in Section 2.9.2 of this Initial Study would be subject to a similar review, and if applicable, similar fees and taxes. Consequently, the Project would not result in significant adverse cumulative impacts to public services.

6.15.4 Mitigation Measures

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts on public services. As a result, no mitigation is required.

6.16 RECREATION

RECREATION.				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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 that might have an adverse physical effect on the environment?			X	

6.16.1 ENVIRONMENTAL SETTING

6.16.1.1 Regulatory Setting

City of La Habra: The La Habra General Plan Community Development and Community Services elements contain the following policies related to recreation and the Project:

- LU 2.5. Places Supporting the Quality of Life. Provide a diversity of uses and services supporting La Habra's residents such as facilities for civic governance and administration, public safety (police and fire), seniors and youth, community gatherings, and comparable activities. Work with external agencies and non-profit organizations to encourage the provision of services and facilities not under the City's jurisdiction, such as public schools, parks and recreation, fire protection, and quasi-public infrastructure.
- LU 12.3 On-Site Amenities. Require that residential/commercial mixed-use projects provide on-site recreational areas and other pedestrian-scale amenities such as benches, fountains, and landscaping that contribute to the living environment of residents, or contribute funds for their development within proximity of the project.
- OS 1.5. Open Space Provisions. Require that significant residential development projects and Specific Plans address and make provisions for adequate amounts of private and/or public passive open space and landscaping that is sensitive to retaining the character of the natural environment where applicable.

6.16.1.2 Existing Conditions

Existing uses on the Project site consist of commercial/light industrial. There are no existing recreational facilities on the site.

6.16.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

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. As discussed in Section 6.15 of this Initial Study, new development in the City is charged Quimby fees directed toward new park and recreational facilities or upgrade existing facilities for use by the residents. Payment of Quimby fees would off-set the Project's incremental demand for park facilities. In addition, public park and recreational facilities are also funded through user fees, property tax or sales tax revenues to which the future Project residents would contribute. Consequently, Project impacts relative to substantial physical deterioration of parks or other recreational facilities would be less than significant.

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?

   Less Than Significant Impact. As discussed in Section 2.8 of this Initial Study, the Project includes 17,933 square feet of common open space area and 12,923 square feet of private area, for a total of 30,856 square feet of open space, which is an average of 263.7 square feet of open space per unit. Common open space includes a central gathering area, which is proposed to include barbeques, dining area with tables and chairs, shade structures and turf. Other common open spaces consisting of turf are proposed to be located throughout the site.

   The potential environmental impacts of these open space and passive recreational areas are evaluated within this Initial Study and are not found to have a significant effect on the environment. In addition, the Project would be required to pay the Quimby fees which offset the Project's demand for parks and recreational facilities. Consequently, Project impacts relative to construction or expansion of recreational facilities which might have an adverse physical effect on the environment would be less than significant.

6.16.3 CUMULATIVE IMPACTS

The analysis determined that the proposed Project would not result in any significant adverse recreation impacts subject to payment of Quimby fees. The cumulative projects identified in Section 2.9.2 of this Initial Study would be subject to a similar review and if applicable, similar fees. Consequently, the Project would not result in significant adverse cumulative impacts to recreation facilities or services.

6.16.4 MITIGATION MEASURES

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts on recreation. As a result, no mitigation is required.

6.17 TRANSPORTATION

TRANSPORTATION. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines § 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	

6.17.1 ENVIRONMENTAL SETTING

6.17.1.1 Regulatory Setting

State: Senate Bill (SB) 743 mandates that VMT replace Level of Service (LOS) as the transportation metric under CEQA. A key element of SB 743, signed in 2013, is the elimination of automobile delay and LOS as the sole basis of determining CEQA impacts. Pursuant to CEQA guidelines, Section 15064.3, VMT is the most appropriate measure of transportation impacts. However, SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e., the general plan), studies, or ongoing network monitoring.

City of La Habra: Consistent with the California Governor's Office of Planning and Research (OPR) Technical Advisory (December 2018), the City of La Habra (along with Orange, Buena Park, Placentia, Brea, Fullerton, and Yorba Linda) developed North Orange County Collaborative (NOCC+) to review and develop appropriate VMT methodologies, thresholds of significance, and feasible mitigation measures for CEQA documents.

Consistent NOCC+ Guidelines, screening thresholds may quickly identify whether or not a project should be expected to have a less than significant impact without conducting a detailed project-level assessment. There are four types of screening

criteria that can be applied to effectively screen projects from project-level assessment. These are summarized below:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening based on Local-Serving Uses
- Project Generating Less than 836 VMT.

Residential projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. NOCC+ Guidelines identify low VMT areas within the City of La Habra.

6.17.1.2 Existing Conditions

Transit service to the City of La Habra is provided by the Orange County Transportation Authority (OCTA), which provides both bus and light rail transit. Existing bus lines include Route 29/A that provides connections between La Habra and Huntington Beach, with a connection at Imperial Highway and Beach Boulevard about 1.3 miles west of the Project site; and Route 37 that provides connections between La Habra and Fountain Valley, with a connection at Imperial Highway and Euclid Street about 0.1 mile east of the Project site. Existing transit includes Metrolink lines that run from Fullerton connecting to Los Angeles and other routes to the Riverside.

The City of La Habra Bikeway Master Plan (July 26, 2017) outlines existing and proposed bikeways, with a Class III bikeway along Idaho Street being the closest to the Project site, approximately 0.8 miles to the east.[26]

Imperial Highway (SR-90) is the public road that provides direct access to the Project site. As described in the General Plan Appendix C (Glossary), Imperial Highway is classified as a Major Arterial Highway due to its 6-lane divided configuration, although it has a right-of-way width of 142 feet and a curb-to-curb width of 114 feet in certain parts of the highway.

6.17.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

Data presented in this Transportation section is based on the "Imperial & Euclid Residential Development Trip Generation & VMT Analysis, City of La Habra, California," (Trip/VMT Analysis) prepared by RK Engineering Group Inc., contained as Appendix I to this Initial Study.

a) Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

   No Impact. As discussed above, the Project site is 0.1 miles from the nearest bus route, and 0.8 miles from the nearest designated bikeway. Existing sidewalks are

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[26] A Class III bikeway is a designated preferred route for bicyclists on streets shared with motor traffic not served by dedicated bikeways to provide continuity to the bikeway network.

located along Imperial Highway. As shown previously in Figure 4, Schematic Landscape Plan, the Project proposes four-foot concrete sidewalks throughout the townhome development. As discussed in Section 6.17.1, existing transit is proximate to the site, including a connection about 0.1 mile east of the Project site; and an existing Class III bikeway is located approximately 0.8 miles to the east of the site. Sidewalks are available on existing streets and the Project proposes sidewalks within its development. Consequently, there will be non-vehicular transportation options available to future Project residents.

The Trip/VMT Analysis prepared for the Project compares existing vehicle trip generation from current on-site uses with the proposed 117 townhomes. The change from commercial to multifamily would result in 147 additional trips per day, with 5 fewer trips during the morning peak hour and 23 fewer trips during the afternoon/evening peak hour. Based on the Trip/VMT Analysis, this change does not identify any impacts to access or circulation on Imperial Highway or other public roadways. Consequently, the Project would not conflict with circulation or mobility plans related to transit, bikeways or pedestrian movement.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

Less Than Significant. The Trip/VMT Analysis included a review of the NOCC+ Guidelines screening thresholds to identify whether or not the Project would be presumed to have a less than significant VMT impact, based on any of the four established screening criteria:

- Transit Priority Area (TPA) Screening
- Low VMT Area Screening
- Project Type Screening based on Local-Serving Uses
- Project Generating Less than 836 VMT.

Based on the NOCC+ VMT Traffic Study Screening Tool results, presented in the Trip/VMT Analysis (Appendix I), the Project meets the following two screening criteria:

TPA Screening: Projects located within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary. Utilizing the NOCC+ (North Orange County Collaborative) VMT Traffic Study Screening Tool, the proposed project is located within a TPA.

Low VMT Area Screening: In addition, based on the NOCC+ (North Orange County Collaborative) VMT Traffic Study Screening Tool, the project VMT per service population is expected to be below the existing VMT per service population and is expected to be consistent with the OPR Technical Advisory, screening threshold of 15% of less. The Project site is also located within a low VMT-generating area based on residential home-based VMT, work home-based VMT, and total VMT. As a result, the Project is screened out based on Low VMT Area

Screening, and may be presumed to have a less than significant impact on VMT under CEQA and no further VMT analysis is required.

c) 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 with Mitigation Incorporated. The Trip/VMT Analysis for the Project examined queueing at the proposed entry gates and potential impacts on Imperial Highway. The analysis found that for a 117 multifamily residential project, required stacking capacity at the Project access should allow for two vehicles, with each vehicle requiring 20-25 feet of stacking. As proposed, the Project provides 85 feet between the entry gate and Imperial Highway. Applying a 25 foot per vehicle standard, the Project would allow for a queue of over three vehicles (85/25=3.2), which exceeds the required stacking.

Because Imperial Highway is a state highway, an encroachment permit from Caltrans is required for development of the Project entry. This requirement will be added as Mitigation Measure TR-1. The Project interior driveways meet City and Fire requirements. With inclusion of Mitigation Measure TR-1, the Project would not substantially increase hazards due to a design feature.

d) Result in inadequate emergency access?

Less Than Significant Impact. Primary vehicle access to the site is from Imperial Highway via a gated entry that provides separated inbound and outbound 26-foot wide driveways. Interior vehicle access to each of the 21 buildings is via a 26-foot wide private loop road, with each townhome having direct garage access to the loop road or to interior 25-foot wide driveways. Emergency access would be available from the loop road and primary entrance. (Reference Figure 13. Preliminary Project Fire Access Plan.) The gates at the entrances would be fitted with an Opticom or similar system to allow for emergency vehicles to quickly access the site. Consequently, the Project would not result in inadequate emergency access.

6.17.3 Cumulative Impacts

As discussed above, the Project would have a less than significant impact relative to VMT and would not result in adverse roadway or emergency access impacts. Consequently, no significant adverse cumulative transportation or traffic impacts would result from the Project.

6.17.4 Mitigation Measures

The following mitigation measure is required to ensure internal circulation, project entry and roadway circulation system continue to operate in an efficient, effective, and safe manner.

Mitigation Measure TR-1: (Encroachment Permit)**.**

Timing: Prior to any Work Conducted within the Imperial Highway Right of Way.

Department Responsible: Public Works.

Prior to any work conducted within the Imperial Highway right-of-way, the Applicant shall obtain the required encroachment permit from Caltrans.

6.18 TRIBAL CULTURAL RESOURCES

TRIBAL CULTURAL RESOURCES.				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

6.18.1 EXISTING SETTING

6.18.1.1 Regulatory Setting

State: Assembly Bill (AB) 52 was signed into law in 2015. The law amended Section 5097.94 of the Public Resources Code, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 of the Public Resources Code, relating to Native Americans. Under AB 52, lead agencies who oversee the preparation of an Environmental Impact Report, Mitigated Negative Declaration, or Negative

Declaration are required to consult with local Native American tribes to determine the likelihood of encountering significant archaeological resources.

This consultation period is independent of the public review period required once a project is recorded at the County Clerk. The tribal representatives may request on-site monitoring during a project's construction phase, indicate that no monitoring is necessary, or choose to not provide any form of consultation. Regardless of the outcome, the request for consultation is mandatory.

AB 52 sets the tribal consultation period at 30 days. AB 1561 extended this period by an additional 30 days for housing development applications. This extension is valid until December 2021.

City of La Habra: A policy of the Conservation/Natural Resource Element of the La Habra General Plan is relevant to tribal resources and Project, as follows:

- CR 1.3. Consultation. Consult with the appropriate organizations and individuals to minimize potential impacts to historic and cultural resources, such as the California Historical Resources Information System (CHRIS), the Native American Heritage Commission (NAHC), the Native American groups and organizations.

6.18.2 Analysis of Environmental Impacts

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

Less Than Significant Impact with Mitigation Incorporated. As discussed in Section 6.5.b of this Initial Study, no identified historic structures are located on or near the Project site. Regarding archaeological historic resources, a records search by the SCCIC was conducted and the results found that no archaeological studies have been conducted in the Project area and as a result, no archaeological resources have been identified.(Reference Appendix E.) SCCIC notes that buried resources could potentially be unearthed during Project grading activities, and therefore, customary caution and a halt-work condition should be in place for all ground-disturbing activities. In the event that any evidence of cultural resources is discovered, all work within the vicinity of the find should stop until a qualified archaeological consultant can assess the find and make recommendations. Mitigation Measure CUL-1, is added to the Project to incorporate SCCIC's recommendations and protect potential archaeological resources. With inclusion of this measure and CUL-1, potential impacts relative to historical archaeological resources would be reduced to less than significant levels.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact with Mitigation Incorporated. California Public Resources Code § 21080.3.1 and Assembly Bill (AB) 52 established a process to assess tribal cultural resources through consultation with the Native American tribal representatives. As discussed in Section 2.11 of this Initial Study, pursuant to these requirements, the City of La Habra sent letters, dated May 26, 2021, to the three tribes notifying them of the proposed Project and inviting consultation. These three tribes, which previously requested to be informed of proposed projects in La Habra pursuant to AB 52, are the Gabrieleño Tongva Indians of California Tribal Council, Gabrieleño Band of Mission Indians-Kizh and Soboba Band of Luiseno Indians. (Reference Appendix A.)

In addition, in correspondence dated June 8, 2021, the Native American Heritage Commission (NAHC) provided the results of a Sacred Lands File check which was positive for potential Native American resources. (Reference Appendix B.) The NAHC advised consultation with Juaneno Band of Mission Indians Acjachemen Nation; and on June 9, 2021, the City of La Habra subsequently contacted the Juaneno Band of Mission Indians Acjachemen Nation inviting consultation regarding potential tribal resources in the area of the Project site.

Of the tribes notified, only the Gabrieleño Band of Mission Indians-Kizh (Kizh) requested consultation. This consultation request was submitted by the tribe to City of La Habra Senior Planner, Chris Schaefer, via email on June 22, 2021. This request was subsequently revised by Kara Grant on behalf of the tribe in an August 5, 2021 letter to Mr. Schaefer. In lieu of a consultation, Ms. Grant requested that the City of La Habra instead accept information from the tribe describing the significance of the Project location to the Kizh. This information was sent by the tribe on September 23, 2021 and accepted by the City. Included in this information were recommended mitigation measures that require monitoring to protect potential Kizh tribal resources. The City has accepted the recommended mitigation measures, thereby closing the consultation process.

These recommended measures are added to the Project as Mitigation Measures TRC-1, TRC-2 and TRC-3. With inclusion of these measures, potential Project impacts relative to tribal resources would be less than significant.

6.18.3 CUMULATIVE IMPACTS

Mitigation Measure TRC-1 is added to the Project to protect potential tribal resources that could be found on site during excavation activities. Further Mitigation Measure CUL-2 presented in Section 6.5.3, and below, would reduce potential impacts to potential tribal remains. Similarly, through these mitigation measures and the tribal

consultation process required from each cumulative project, cumulative impacts relative to tribal resources would also be reduced to less than significant levels.

6.18.4 MITIGATION MEASURES

The following measure will be required to mitigate potential Project impacts related to tribal resources to less than significant levels:

Mitigation Measure TRC-1: **Native American Monitoring.**

Timing: During any Ground Disturbing Activities.

Department Responsible: Community Development (Planning & Building).

A. The Project Applicant/City shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the "Kizh" or the "Tribe") - the direct lineal descendants of the Project location. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject Project, at all Project locations (i.e., both on-site and any off-site locations that are included in the Project description/definition and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the Project, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The Project Applicant/developer shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any Project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the Project.

D. The Project Applicant/developer shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the Project's construction and managerial crew and staff members (including any Project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the Project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the Project's compliance with the TCR mitigation measures.

E. The monitor 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 facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, 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/City upon written request.

F. Native American monitoring for the Project shall conclude upon the latter of the following: (1) written confirmation from a designated Project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the Project site and at any off-site Project location are complete; or (2) written notice by the Tribe to the Project Applicant/City that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the Project site and at any off-site Project location possesses the potential to impact TCRs.

Mitigation Measure TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods.

Timing: Upon Discovery of a TCR.

Department Responsible: Community Development (Building Division).

A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No Project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.

B. The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.

C. If Native American human remains and/or grave goods are discovered or recognized on the Project site or at any off-site Project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Pub. Res. Code § 5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98 (a), d)(1) and (2).)

D. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. § 15064.5(e)(1)(B)), and all ground-disturbing Project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. § 15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage

Commission, and Public Resources Code Section 5097.98 shall be followed.

E. Thereafter, construction activities may resume in other parts of the Project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. § 15064.5(f).)

F. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.

G. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

H. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.

Mitigation Measure TCR-3: Upon Discovery of Native American Human Remains.

Timing: During any Ground Disturbing Activities.
Department Responsible: Community Development (Building Division).

A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of

working hours. The Tribe will make every effort to divert the Project while keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the Project Applicant/developer and/or landowner, before ground-disturbing activities may resume on the Project site, the landowner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity.

F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.

G. The Tribe will work closely with the Project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

6.19 UTILITIES AND SERVICE SYSTEMS

UTILITIES AND SERVICE SYSTEMS. Would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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	

6.19.1 EXISTING SETTING

6.19.1.1 Regulatory Setting

State: The following State of California policies are applicable to utilities and services systems and the Project:

- California Urban Water Management Planning Act. Section 10610 of the California Water Code establishes the Urban Water Management Planning Act. The Act states that every urban water service provider that serves 3,000 or

more customers or that supplies over 3,000 acre feet (af) of water annually should prepare an Urban Water Management Plan (UWMP) every five years. The goal of a UWMP is to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years.

- California Integrated Waste Management Act of 1989 requires each California city and county to divert 50 percent of its solid waste through source reduction, recycling, and composting. This ordinance requires recycling collection and loading areas in all development projects. The requirements now call for a waste diversion rate of 75% by the year 2020. Implementation of this legislation is the responsibility of the California Integrated Waste Management Board (CIWMB).

City of La Habra: Policies of the Infrastructure Element of the La Habra General Plan are relevant to utilities and service systems and the Project, including the following:

- WS 1.3. Adequate Water Infrastructure. Ensure that the City's potable water infrastructure is sized adequately for storage capacity and treatment to serve existing and future projected demands.
- WS 2.3. Water Efficient Landscaping. Encourage the use of water efficient landscaping (e.g., drought and fire resistant landscaping and native vegetation) in new construction and rehabilitation projects.
- WS 2.5. Water Conservation Devices. Require compliance with state laws for water conservation devices such as low flush toilets, self-closing faucets, and pressure reducing valves in all new and major renovated structures.
- SS 1.4. Adequate Wastewater Facilities. Coordinate with the Orange County Sanitation District (OCSD) to provide adequate collection, supply, treatment, and disposal of wastewater to meet the demands of existing and future development.
- SS 1.7. New Development. Ensure that new development constructs, dedicates, and/or pays its fair share contribution to the wastewater treatment and collection system necessary to serve the demands created by the development.
- SS 1.8. Sewer Deposit Management. Continue to enforce the restrictions of material or liquid deposits (e.g., storm drain discharge, ground water discharge, and toxic gases) into the City's sewer system that are pollutants and not in conformance with the Orange County Sanitation District regulations.
- SD 1.2. NPDES Permit. Require new development and rehabilitated structures to minimize stormwater runoff and pollutants consistent with the City's National Pollutant Discharge Elimination System (NPDES) permit.
- SD 1.4. Facility Design. Design stormwater drainage systems to be environmentally sustainable, appear natural in character, and to be compatible with surrounding uses.
- SD 1.5. Best Practices. Use and update best practices for stormwater management.

- WQ 1.1. National Pollutant Discharge Elimination System and Regional Water Quality Control Board. Implement the requirements of the Regional Water Quality Control Board (RWQCB) for compliance with the National Pollutant Discharge Elimination System permit and apply best management practices for point source discharges.
- WQ 1.3. Low Impact Development. Encourage the incorporation of Low Impact Development (LID) techniques (e.g., permeable paving, cells, bioswales, tree box filters, rain barrels, rooftop runoff for irrigating lawns) to manage stormwater and urban runoff, reduce runoff and pollution, and assist in maintaining or restoring the natural hydrology.
- WQ 1.4. Protection of Water Bodies. Require new development to protect the quality of water bodies and natural drainage systems consistent with the City's NPDES permit.
- WQ 1.5. New Development. Require new development to protect the quality of water resources and natural drainage systems through site design, and use of source controls, stormwater treatment, runoff reduction measures, best management practices, and LID techniques.

6.19.1.2 Existing Conditions

Existing utilities and service systems available in the City and to the Project site include:

Water: As reported in the City of La Habra 2020 Urban Water Management Plan (UWMP), dated June 2021, the City is a retail water supplier that provides water to its residents and other customers using the imported potable water supply obtained from its regional wholesaler, Municipal Water District of Orange County (MWDOC), imported groundwater supply from Main San Gabriel Basin, which is provided by California Domestic Water Company (CDWC), a mutual water company and the local groundwater from the La Habra Basin.[27] The City's water utility operates three storage reservoirs totaling 16.8 million gallons (MG) in capacity, three groundwater wells, five booster pumping stations, and 49 pressure regulating stations and manages 165-mile water mains system with 14,522 service connections. Water use within the City's service area has been relatively stable in the past decade with an annual average of 8,900 acre feet (AF) for potable use. In fiscal year (FY) 2019/20, the City's water use was 8,591 AF of potable water (groundwater and imported). There is currently no recycled water use within the City's service area. In FY2019-20, the City's water use profile was comprised of 71.9% residential use (single and multi-family), 15.5% commercial, industrial, and institutional (CII) use, 5.4% large landscape/irrigation, with non-revenue water (NRW) comprising about 7.3%

Wastewater: According to the UWMP, the City is directly involved in wastewater services through its ownership and operation of the wastewater collection system in its service area. Its sewer system service area that includes approximately 125 miles

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[27] Microsoft Word - La Habra 2020 UWMP FINAL DRAFT-2021.06.03 (lahabracity.com); accessed August 2, 2021.

of gravity sewer main. The majority of the local sewers connect into the Orange County Sanitation District (OCSD) trunk system in Imperial Highway and Beach Boulevard. The sewage is then conveyed out of the City to the southwest. Ultimately, the wastewater is treated at OC San treatment plants in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2). Plant No. 1 has a total rated primary capacity of 108 MGD and a secondary treatment capacity of 80 MGD. Plant No. 2 has a rated primary capacity of 168 MGD and secondary treatment capacity of 90 MGD. Both plants share a common ocean outfall, but Plant No. 1 currently provides all its secondary treated wastewater to OCWD's GWRS for beneficial reuse. The 120-inch diameter ocean outfall extends 4 miles off the coast of Huntington Beach. A 78-inch diameter emergency outfall also extends 1.3 miles off the coast. Table 6-5 summarizes the wastewater collected by the City and transported to OC San's system in 2020.

Solid Waste: The City of La Habra contracts waste removal services with CR&R Incorporated (CR&R). CR&R distributes residential waste to Transfer and Material Recovery Facilities, the closest being the facility in the city of Stanton. Waste that is not recycled is transported to one of the County's landfills, including the Olinda Alpha Landfill near Brea, or the Prima Deshecha Landfill in San Juan Capistrano. According to the General Plan EIR Section 5.14, these landfills have a combined remaining capacity of about 331 million cubic yards, or 176,400,000 tons.

6.19.2 Analysis of Environmental Impacts

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?

No Impact. According to the UWMP, the City's service area is almost completely built-out and is projected to add minimum land use and small population increase. Water demand is likely to increase 3.0% over the next 5 years. In the longer term, water demand is projected to increase 0.16% from 2025 through 2045. The projected potable water use for 2045 is 8,865 AF. This demand projection considers such factors as current and future demographics, future water use efficiency measures, and long-term weather variability. The UWMP also includes a drought risk assessment and water shortage contingency plan, and concludes that a surplus of water supplies would be available should the need for additional supplies arise to close any local supply gap. This assessment of City future water needs is based on project General Plan build-out. By year 2045, the UWMP estimates that based on the General Plan and projected growth rates, the City population will be 64,738.

Development of the Project site as a multifamily residential use is consistent with its current General Plan designation of R-4 Multi-Family 1. Assuming the City's current ratio of 3.12 persons per household, as reported by the California State Department of Finance, the Project's 117 townhome units would generate a population of 366 persons, which is 0. 56% of the UWMP 2045 population estimate of 64,738. Because the Project is consistent with the General Plan, it is consistent

with the findings of the UWMP and would not require a relocation or construction of a new or expanded water facility.

Information provided in the UWMP does not identify any shortfalls in current or future wastewater collection or treatment. The City Sewer System Management Plan, August 17 2009 and revised December 2019, discussed the City's maintenance and management of its wastewater system in compliance with State Water Resources Board requirements.[28] As discussed above, the Project is consistent with the General Plan and its future residents would comprise a very small amount (0.56%) of the City's future 2045 population. Similar to water facilities, the Project would not require a relocation or construction of a new or expanded wastewater facility.

Stormwater facilities and capacity for the Project are discussed in Section 6.10 of this Initial Study. The Project would retain the existing site drainage conditions, collecting and filtering runoff before releasing it on to West Imperial Highway. The Project would not impact the existing City storm drainage system and would not require relocation or construction of new or expanded public storm drainage facilities.

Section 5.14 of the City General Plan EIR evaluates electricity and natural gas demand and facilities to accommodate planned City buildout, and finds that the electric and natural gas facilities would be adequate to accommodate General Plan buildout. Telecommunications are regulated by the Federal Communications Commission, which through a series of federal regulations, require local governments to accommodate wireless communication facilities to accommodate existing future population needs. The Project is a small infill development and would be developed consistent with the General Plan. Similar to water, wastewater and storm drainage, the Project would not require a relocation or construction of a new or expanded electric, natural gas or telecommunication facility.

b) Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As discussed above, the UWMP assessment of City future water needs finds that there are adequate supplies to meet existing and future water supply needs. This assessment is based on General Plan and project growth through 2045 and includes a drought risk assessment and water shortage contingency plan.

Development of the Project site as a multifamily residential use is consistent with its current General Plan designation of R-4 Multi-Family 1. Assuming the City's current ratio of 3.12 persons per household, the Project's 117 townhome units would generate a population of 366 persons, which is 0.56% of the UWMP 2045 population estimate of 64,738. Because the Project is consistent with the General

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[28] PW-C368-20191224092728 (lahabracity.com); accessed August 2, 2021.

Plan, it is consistent with the findings of the UWMP and would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

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 discussed above, information provided in the UWMP does not identify any shortfalls in current or future wastewater collection or treatment. The Project is an infill development that would connect to existing wastewater connections currently available to the site. Developing the Project site with 117 houses would result in a 0.56% would increase City population that would occur consistent with the General Plan and UWMP projections. Consequently, potential adverse impacts relative to wastewater treatment capacity 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. Solid waste generated in the City, including the proposed Project development, is transferred to the Olinda Alpha Landfill near Brea or to the Puente Hills Transfer Station/Materials Recovery Facility (MRF). Other MRFs operated by CR&R in the vicinity of the Project site include Stanton, Colton and Perris.[29]

Developing the Project site with 117 houses would increase City population by a negligible 0.56%. This increase is consistent with the City General Plan. Future Project residents would be required to pay solid waste collection fees to off-set the Project's incremental demand for solid waste services and facilities. Consequently, the Project impacts relative to solid waste generation and capacity and solid waste reduction goals 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. Recycling services are part of the City's solid waste program. Typical services include collection of recyclables such as glass, metals and plastic. The City also provides contact information for e-waste and household hazardous waste. Future Project residents would be required to participate in recycling as part of the refuse collection program. Although the Project would increase City population by 0.56%, this increase is nominal and future residents would be required to pay refuse collection fees to off-set the Project's incremental

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[29] Stanton, CA - CR&R Environmental Services | CR&R Environmental Services (crrwasteservices.com); accessed August 5, 2021.

demand for wastewater services. Consequently, Project impacts relative to compliance with solid waste regulations would be less than significant.

6.19.3 CUMULATIVE IMPACTS

The analysis determined that the proposed Project would not result in any significant adverse utilities and service systems impacts, as increased demand would be offset by payment of applicable impact fees and user fee. The cumulative projects identified in Section 2.9.2 of this Initial Study would be subject to similar analysis, and applicable impact and user fees. Consequently, the Project would not result in significant adverse cumulative impacts to utilities and service systems.

6.19.4 MITIGATION MEASURES

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts related to utilities and service systems. As a result, no mitigation is required.

6.20 WILDFIRE

WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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

6.20.1 EXISTING SETTING

6.19.1.1 Regulatory Setting

City of La Habra: The La Habra General Plan Community Safety Element contains the following policy relative to wildfire and the Project:

- NH 2.1.Urban/Wildland Interface. Locate, design, and construct development within or adjacent to areas subject to high wildland fire risks, such as La Habra's hillsides, to standards that reduce exposure and potential impacts.

The General Plan EIR (page 5.6-16) recognizes that although the City of La Habra has not undergone a wildland fire and is not classified in the "Communities at Risk" list, the neighboring City of La Habra Heights to the north is a community at risk and subject to wildland fires. A fire in La Habra Heights could potentially spread south with the potential for an extreme event impacting La Habra. General Plan EIR Figure 5.6-1, Fire Hazard

Severity Zones, shows areas of very high, high and moderate fire hazard risk to be located along the northeast edge of the City adjacent to the City of La Habra Heights and along the southern edge of the City adjacent to the West Coyote Hills area of the City of Fullerton.

6.20.1.1 Existing Conditions

The Project site is located outside the areas mapped very high, high and moderate fire hazard risk in General Plan EIR Figure 5.6-1, Fire Hazard Severity Zones.

6.20.2 ANALYSIS OF ENVIRONMENTAL IMPACTS

a) Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. As discussed in Section 2.8.1 of this Initial Study, primary vehicle access to the site is from Imperial Highway via a gated entry that provides separated inbound and outbound 26-foot wide driveways. Interior vehicle access to each of the 21 buildings is via a 26-foot wide private loop road, with each townhome having direct garage access to the loop road or to interior 25-foot wide driveways. Emergency access would be available from the loop road and primary entrance. (Reference Figure 13. Preliminary Project Fire Access Plan.) The gates at the entrances would be fitted with an Opticom or similar system to allow for emergency vehicles to quickly access the site. Consequently, the Project would not substantially impair an adopted emergency response or evacuation plan.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. The Project site is located outside the areas mapped very high, high and moderate fire hazard risk in General Plan EIR Figure 5.6-1, Fire Hazard Severity Zones. In this manner, the Project is consistent with General Plan Police NH 2.1, as it would be located outside areas subject to high wildfire risk. The Project would redevelop the site with new residential development built to current CBC and Fire Code standards. Consequently, the Project would not exacerbate wildfire risks.

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?

No Impact. As discussed above, the Project would redevelop the site with new residential development built to current CBC and Fire Code standards. The Project would be located on an infill site surrounded by urban development, not within a designated high fire risk area. Consequently, the Project would not require installation or maintenance of roads, fuel breaks, emergency water sources, power lines or other utilities that could exacerbate fire risk.

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?

No Impact. As discussed above, the Project would redevelop the site with new residential development built to current CBC and Fire Code standards. The Project would be located on an infill site surrounded by urban development, not within a designated high fire risk area. Also, as discussed previously in Section 6.7.2 of this Initial Study, the Project site is not susceptible to landslides. Consequently, the Project is not expected to expose people or structures to significant risks related to flooding or landslides.

6.20.2 Cumulative Impacts

The analysis determined that the proposed Project would not result in any significant adverse impacts relative to wildfire. Neither the Project or cumulative projects listed in Section 2.9.2. of this Initial Study are within a designated wildfire area. Consequently, the Project would not result in significant adverse cumulative impacts related to wildfire risks.

6.20.3 Mitigation Measures

The analysis indicated that the implementation of the proposed Project would not result in any significant impacts related to wildfire. As a result, no mitigation is required.

6.21 MANDATORY FINDINGS OF SIGNIFICANCE

MANDATORY FINDINGS OF SIGNIFICANCE.				
	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant**	**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, reduce the number or restrict the range of a rare or an endangered threatened species, or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the Project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated. The Project would not have substantial impacts on special status species, stream habitat, and wildlife dispersal and migration. Furthermore, the Project would not affect the local, regional, or national populations or ranges of any plant or animal species and

would not threaten any plant communities. There is potential for inadvertent finds of archaeological and Native American archeological resources during project grading. Potential impacts to Native American resources would be mitigated by Mitigation Measures BIO-1, BIO-2, CUL-1, CUL-2 and TRC-1. With implementation of these mitigation measures, the Project's Mandatory Finding of Significance relative to degrading the quality of the environment would be less significant.

b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation Incorporated. The Project would result in potential significant impacts relative to biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, transportation and tribal cultural resources. Mitigation measures are added to the Project to reduce these impacts to less than significant levels. Consequently, with these mitigation measures added, cumulative impacts relative to these environmental areas would also be less than significant. Consequently, the Project's Mandatory Finding of Significance relative to contribution to cumulative impacts would be less than significant with mitigation incorporated.

c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. The Project could result in potential significant impacts relative to air quality, greenhouse gas, geology, hazards and hazardous materials, hydrology and water quality, noise, and transportation. Mitigation measures are added to the Project to reduce these impacts to less than significant levels. Consequently, the Project's Mandatory Finding of Significance relative to a substantial adverse effect on human beings would be less than significant with mitigation incorporated.

SECTION 7.0 – LIST OF PREPARERS

7.1 PREPARATION – ENVIRONMENTAL DOCUMENT

- Joann Lombardo, Comprehensive Planning Services

7.2 PREPARATION - AIR QUALITY / GHG ANALYSIS

- Bryan Estrada, AICP, RK Engineering Group, Inc.
- Darshan Shivaiah, M.S., RK Engineering Group, Inc.

7.3 PREPARATION - TRAFFIC ANALYSIS

- Mohammad "Alex" Tabrizi, P.E., T.E., RK Engineering Group, Inc.

7.4 PREPARATION - NOISE ANALYSIS

- Bryan Estrada, AICP, RK Engineering Group, Inc.
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SECTION 8.0 – LIST OF ACRONYMS AND ABBREVIATIONS

The following lists acronyms and technical abbreviations that appear in this document by alphabetical order:

- AB – Assembly Bill
- ACM - Asbestos-Containing Material
- AHERA - Asbestos Hazard Emergency Response Act
- Amsl - above mean sea level
- AAQS - Ambient Air Quality Standards
- APSSZ - Alquist-Priolo Special Studies Zones
- AQMP - Air Quality Management Plan
- ASTM - American Society for Testing and Materials
- BERD – California State Built Environment Resources Directory
- Bgs – below ground surface
- CalEEMod - California Emissions Estimator Model Version 2020.4.0
- CAL REG - California Register of Historical Resources
- CAAQS - California Ambient Air Quality Standards
- CARB - California Air Resources Board
- CAP – Climate Action Plan
- CBC – California Building Codes
- CCR - California Code of Regulations
- CDFW – California Fish and Wildlife
- CEQA - California Environmental Quality Act
- CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
- CESA - California Endangered Species Act
- CGC - California Government Code
- CH4 – Methane
- CHRIS - California Historical Resources Information System
- CLRRA - California Land Reuse and Revitalization Act
- CO - Carbon Monoxide
- CO2 – Carbon Dioxide
- $C0_{2e}$ – Carbon Dioxide Equivalents
- CNEL - Community Noise Equivalent Level
- CUP – Conditional Use Permit
- CVC - California Vehicle Code
- CWA – United States Clean Water Act
- DAMP - County of Orange Drainage Area Management Plan
- dB – Decibels
- dBA – Average (A-weighted) Decibels
- DPM - Diesel Particulate Matter
- DTSC – California Department of Toxic Substances Control
- EIR - Environmental Impact Report
- EPA - United State Environmental Protection Agency
- FESA - Federal Endangered Species Act
- FIIC - Field Impact Insulation Class
- FJUHSD - Fullerton Joint Union High School District

- GHG - Greenhouse Gas Emissions
- HCD - State of California Department of Housing and Community Development
- ITE - Institute of Traffic Engineers
- LACFD - Los Angeles County Fire Department
- LBD - Lead-Based Paint
- lbs – Pounds
- Ldn – Quiet Time Noise Measurement
- LEQ – Noise Energy Level Measurement
- LHCSD - La Habra City School District
- LHMC - La Habra Municipal Code
- LHPD - La Habra Police Department
- LID - Preliminary Low Impact Development
- LJSD - Lowell Joint School District
- LOS - Level of Service
- LST - Localized Significance Threshold
- LUST - Leaking Underground Storage Tank
- MBTA - Migratory Bird Treaty Act
- mgd – Millions of gallons per day
- MLD - Most Likely Descendant
- MRZ – Mineral Resource Zones
- Mtons – Metric Tons
- MWDOC - Metropolitan Water District of Orange County
- NAHC - Native American Heritage Commission
- NAAQS - National Ambient Air Quality Standards (NAAQS)
- NIC - Noise Isolation Class
- NOAA - National Oceanic Atmospheric Administration
- NOx - Nitrogen Oxide
- NPDES - National Pollution Discharge Elimination System
- NRHP - National Register of Historic Places
- OCHCA - Orange County Health Care Agency
- OPR - California Governor's Office of Planning and Research
- OSHA - United States Occupational Safety and Health Administration
- PM-10 - Respirable 10-Micron Diameter Particulate Matter
- PM-2.5 - Respirable 2.5-Micron Diameter Particulate Matter
- ppm – parts per million
- REC - Recognized Environmental Condition
- RMS – Root Mean Square Vibration Velocity
- ROG - Reactive Organic Gases
- RWQCB - Regional Water Quality Control Board
- SB – Senate Bill
- SCAB - South Coast Air Basin
- SCAG - Southern California Association of Governments
- SCAQMD – South Coast Air Quality Management District
- SCCIC - South Central Coastal Information Center
- SCS - Sustainable Communities Strategy
- SF6 - Sulfur Hexafluoride
- SHL - California Historical Landmarks
- SLF - Sacred Lands File

- Sox - Oxides of Sulfur
- SPHI - california Points of Historical Interest
- SRA - Source Receptor Areas
- STC - Sound Transmission Class
- SWPPP - Storm Water Pollution Prevention Plan
- TAC - Toxic Air Contaminants
- TPC - Total Petroleum Hydrocarbons
- TTM – Tentative Tract Map
- USFWS - United States Fish and Wildlife Service
- UST – Underground Storage Tank
- VdB – Vibration Decibels
- VMT – Vehicle Miles Traveled
- VOC – Volatile Organic Compound
- WQMP - Water Quality Management Plan